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CCFN Calls for U.S. to Reject the EU's Flagrant Abuse of Geographical Indications; Safeguard Generic Food Names

(Washington D.C., March 8, 2018) In testimony before the Office of the U.S. Trade Representative (USTR) today, the Consortium for Common Food Names (CCFN), an international non-profit organization representing the interests of consumers, farmers, food producers and retailers using a broad variety of food and beverage names, urged the U.S. government to intensify its efforts to repel attempts by the European Union (EU) to confiscate generic terms within major trading markets, as well as within the United States itself. CCFN's testimony was presented as part of the USTR's preparation of its annual Special 301 review of intellectual property rights protections among U.S. trading partners.

"The persistent and serious problem of the EU's transgressions regarding geographical indications (GIs) continues to be highly problematic for the U.S. food and agriculture sector," said CCFN Senior Director Shawna Morris. "It will require continued vigilance and action on the part of the U.S. government. We ask you to continue the core objectives outlined in the 2017 Report and to continue to enhance U.S. efforts to hold our trading partners to their commitments."

In extensive [written testimony](#) and [oral comments](#), CCFN noted that in 2017, the EU's GI efforts "reached a fever pitch", especially in terms of trade agreements that the EU forged with some of the U.S.'s largest and most important trading partners: Mexico, Japan, China, and the Mercosur nations. As part of each of these agreements in 2017, "the EU consistently sought to confiscate common food and beverage names to block competition in those markets."

“The U.S. must continue to hold other nations to their trade commitments concerning market access, but also to intellectual property rules that they have already established within their own countries,” Morris said.

The EU’s GI strategy expands beyond free trade deals, and in 2017 also included the EU’s disregard of established international standards under the Codex Alimentarius. Moreover, the list of products the EU is targeting continues to change and expand. And in the area of GI and trademark filings, CCFN notes that entities supported by European governments continue to attempt to misuse the U.S. trademark system to try to inappropriately register certification marks within the United States for terms that have long been generic.

“We strongly recommend that further improvements are made to the PTO trademark review process to more effectively ensure that the U.S. system can safeguard the rights of producers that use common names,” Morris said.

CCFN expressed its appreciation for the strong and swift U.S. government responses over the past year to the EU’s competition-restricting efforts on GIs. It urged the Administration to continue those efforts, and to intensify opposition to what amounts to a growing threat to the U.S. food and agricultural sector.

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The Consortium for Common Food Names (CCFN) is an independent, international non-profit alliance whose goal is to work with leaders in agriculture, trade and intellectual property rights to foster the adoption of high standards and model geographical indication guidelines throughout the world. Those interested in joining can find information at www.CommonFoodNames.com.