

## CIAA Voices Concerns Over EU's Restrictions Of Common Food Names

Washington—The Cheese Importers Association of America (CIAA), in a recent letter to members of the European Union's (EU) dairy community, expressed its concern over the EU's restrictions related to the use of common names on a wide variety of foods, including cheese.

The EU has "co-opted" many common food names through its extensive protection of geographical indications (GIs) which has resulted in reduced market access around the world for US dairy exports, the CIAA noted.

**"We believe the policies of the countries we source cheese from should foster free and fair trade for all companies and should not establish policies restricting market access..."**

—Cheese Importers Association of America

The CIAA represents firms and individuals responsible for importing the majority of cheeses entering the US. CIAA members directly employ thousands of people and support many thousands more throughout the producer-to-consumer supply chain.

"Our members import into the US high quality cheeses from around the world," the letter stated. "In that regard, we believe

the policies of the countries we source cheese from should foster free and fair trade for all companies and should not establish policies restricting market access for global competitors."

The CIAA recognizes that some GIs are legitimate and serve the purpose of identifying foods whose quality, reputation, or other characteristics are closely linked to the geographical area in which the production, processing, or preparation takes place.

For example, the EU's recognition of Protected Designation of Origin (PDO), in many instances, "legitimately protects terms used to describe foods that are tied to a specific geographic environment in which the food is produced, processed, and prepared using well-known production processes," the letter said. "These PDO designations are helpful for consumers and are a legitimate source of education and information about the products."

Also, due to the regional identifier in a PDO, the PDO designations "have a longstanding heritage and recognition in the US," the letter continued. "This has created significant brand awareness in the marketplace with US consumers, which allows consumers to understand the value-added nature of products that use a PDO.

"When an actual historical tie exists between the name and the product that is well-known to consumers over a significant period of time, it is appropriate for it to be utilized," the letter added.

The CIAA also believes "legitimate GIs" that are based on a specific region where the product is

produced and describe the product using the local language, should be protected, even when distributed internationally.

"However, common cheese names should not be provided protected GI status," the letter said. "This includes cheese names that have a commonly recognized definition or product description in the tariff schedule or an accepted international standard, such as Codex Alimentarius standards or US Food and Drug Administration standards of identity.

"There are numerous examples of the EU misappropriating common food names to prevent market access for US and other global competitors," the letter continued.

For example, the EU has identified the protection of GIs as one of its key objectives in the negotiation of a free trade agreement with Australia, and the list of foodstuff names the EU wants Australia to protect as GIs includes such cheeses as Feta from Greece and Asiago from Italy, which are widely considered common names outside the EU.

"We believe these attempts to monopolize common food names in the public domain are counterproductive to the principals of free and fair trade and present an unnecessary restraint on market access for dairy product export-

ers worldwide," the CIAA's letter stated.

The CIAA asked that European dairy organizations "put a stop to policies that unreasonably restrict the use of common cheese names to allow for free and fair trade and provide an even playing field for market access opportunities to all dairy exporters worldwide."

The EU's GI policies have come under fire from a number of countries in recent months. For example, the European Commission in October granted the country of Denmark protected GI status for Havarti cheese, a decision that was opposed by dairy industry organizations from the US, New Zealand, Australia, Costa Rica and Guatemala, as well as Germany and Spain within the EU.

Among other things, opponents of that GI designation alleged that the name "Havarti" is presumed to have become generic for several reasons, including having a Codex standard since 1966.

And just last week, the Dairy Companies Association of New Zealand said the continuing expansion of the EU's GI agenda will prevent New Zealand dairy companies from exporting Feta and other commonly produced cheeses to the high-value Chinese market, thanks to the recent agreement between the EU and China.



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