

Developments in protecting common food names, as well as new threats and restrictions facing food producers globally.



1st Quarter 2017

ALERT

Chairman's Message

Still the Leader in Recognizing the Commercial Value of Common Food Names

Last month and earlier this month, CCFN continued its role as the leading champion of companies recognizing the commercial value of common food names by strongly encouraging the U.S. Trade Representative to intensify its opposition to geographical indication abuses by the European Union. In hearing [testimony](#) and a 25-page [written submission](#), CCFN detailed Europe's increasingly aggressive strategy of restricting the use of common food names by non-EU producers and noted that previous U.S. administrations had pushed hard against Europe's geographical indications policies. It urged the Trump Administration to continue and intensify U.S. opposition to what amounts to a growing threat to U.S. manufacturing of foods with common names.



Among CCFN's specific requests to the Trade Representative were that it hold trading partners accountable for their commitments and that it preserve market access negotiated through earlier trade agreements. In addition, it asked the Trade Representative to ensure that geographical indication protections do not violate rights such as company trademarks and that they do not prevent others from using widely used generic terms like feta and prosciutto.

CCFN's comments were submitted to help inform the Trade Representative's 2017 Special 301 review of intellectual property rights protections among U.S. trading partners. The U.S. Dairy Export Council, National Milk Producers Federation and the International Dairy Foods Association all cited CCFN's comments in their own submissions to the Trade Representative. The Wine Institute and Grocery Manufacturers Association, both CCFN allies, also cited concerns regarding restrictions on common names in their submissions to the USTR.

This is just one example of the work CCFN is doing to protect the right of producers worldwide to use common names and to protect the value of internationally recognized brands. More examples are detailed below.

Also last month, letters went out asking CCFN members to renew their memberships for 2017. We appreciate your past help and hope we can count on you as we keep fighting to preserve your rights to use common food names.

Errico Auricchio
CCFN Chairman

Getting the Rules of the Road Right

A key CCFN focus recently has been encouraging country rules on geographical indications and trademarks that include strong due process protections for common names and establish clear procedures for handling GI requests. In January, for example, after extensive engagement with CCFN and U.S. policymakers, China published updated trademark guidance that emphasized the importance of evaluating a mark as a whole and included strong language for evaluating what constitutes a generic term. Among those elements were references to product standards and dictionary citations, two key indicators CCFN has touted as relevant to making generic usage decisions. [Read More](#)



Canada-EU Trade Agreement Heads List of Problematic FTAs Now Moving Forward



A problematic free trade agreement between Canada and the European Union is expected to be in force in the second quarter of this year after the European Parliament granted its approval for the deal in mid-February. Under the Comprehensive Economic and Trade Agreement, Canada agreed to establish geographical indications on cheese names long considered generic in that country. The agreement grandfathers in companies that used the cheese names before October 2013, but forces those initiating sales

after that date to call their cheeses things like "feta-type" or "similar to muenster." The GIs also bar new users from using label images that could suggest areas of Europe. CCFN has strongly criticized the GI provisions of CETA for limiting market access and for violating Canada's international trade commitments. [Read More](#)

Decisions Pending in Challenges to GIs in Mexico; Fight over Parmesan in Guatemala Continues

Rulings are expected in the coming months in Mexico on legal challenges filed by CCFN and its members to geographical indications requested by Italy for asiago and gorgonzola.

The United States is the primary exporter of asiago and gorgonzola to Mexico, which had treated the two cheese names as generic for many years. The challenges were filed after Mexico failed to act on objections to both GIs last year. The GIs were part of a wave applications in 2015 under Mexico's membership in the World Intellectual Property Organization's Lisbon Agreement. Mexico's handling of Lisbon Agreement applications raise serious questions given the country's commitments to market access through the World Trade Organization and the North American Free Trade Agreement. [Read More](#)



Also ...

U.S. Companies Join CCFN in Challenging Trademark for Gruyere Sought by French and Swiss

Several U.S. companies and organizations have joined a CCFN challenge to a U.S. trademark application for gruyere filed by French and Swiss cheese makers. In comments submitted to the Patent and Trademark Office last fall, CCFN said extensive generic use of the term gruyere in this country justified rejecting the trademark. [Read More](#)

CCFN to Participate in WIPO Listening Session on GIs; Host Side Seminar in Geneva

The World Intellectual Property Organization, the United Nations agency dealing with intellectual property protection worldwide, has invited CCFN to participate in a formal listening session for WIPO-member countries in late March on geographical indications and country name use. The session will feature industry, government and academic speakers addressing various elements related to GIs, as well as use of country name references and GIs on the internet. [Read More](#)

Magazine Agrees that Some U.S. Cheeses Are as Good as Europe's

CCFN was a voice in the wilderness last year when it said ever-mounting international awards for U.S. producers of European-heritage cheeses were blowing a hole in the argument that these cheeses simply aren't high quality unless they come from Europe. As the year came to a close, however, no less an authority than the luxury lifestyle magazine *Condé Naste Traveler*

UnCommon Hero

(A profile of one of the heroes who protect and promote common food names)

David Ahlem, CEO, [Hilmar Cheese Company, Inc.](#)

In 1983, twelve central California dairy families sat in a local diner and dreamed of creating a cheese company that would boost the value of their Jersey cows' high-solids milk. David Ahlem's parents joined with other local dairy farmer families to form the initial concepts on the back of a napkin. That group created Hilmar Cheese Company, Inc. David grew up learning how a group of diverse families could work together to build Hilmar Cheese Company. He worked summers during college in the processing plant and joined Cargill Animal Nutrition as business manager after earning a B.A. from Westmont College and an M.B.A. from California Polytechnic State University, San Luis Obispo. [Read More](#)



David Ahlem

About CCFN

The Consortium for Common Food Names is an independent, international non-profit alliance that represents the interests of consumers, farmers, food producers and retailers. We are working to protect worldwide the right to use common food names.

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Pass it Along!

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