



**CHEESE IMPORTERS
ASSOCIATION OF AMERICA**

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December 13, 2019

Re: Restrictions on the Use of Common Food Names

To Members of the European Dairy Community:

On behalf of the Cheese Importers Association of America (“CIAA”), we would like to express our concern over the European Union’s (“EU”) 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 globe for U.S. dairy exports.

CIAA represents firms and individuals responsible for importing the majority of cheeses entering the United States. Our members directly employ thousands of people and support many thousands more throughout the producer-to-consumer supply chain. Our members import into the U.S. high quality cheeses from around the world. 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.

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. These PDO designations are helpful for consumers and are a legitimate source of education and information about the products. Additionally, due to the regional identifier in a PDO, the PDO designations have a longstanding heritage and recognition in the U.S. This has created significant brand awareness in the marketplace with U.S. 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.

We also believe 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. 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 U.S. Food and Drug Administration standards of identity.

There are numerous examples of the EU misappropriating common food names to prevent market access for U.S. and other global competitors. For example, in a recent trade agreement involving a list issued by the EU and Australian authorities, the EU attempted to protect many common cheese names, which do not have ties to specific geographic regions and are produced around the world, not merely in 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 exporters worldwide.

CIAA requests that your 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.

Sincerely,

A handwritten signature in blue ink that reads "Philip Marfuggi". The signature is written in a cursive, flowing style.

Philip Marfuggi
President
Cheese Importers Association of America

Cc: Ambassador Robert Lighthizer, U.S. Trade Representative
Ambassador Gregg Doud, U.S. Trade Representative
Ted McKinney, U.S. Department of Agriculture
Michael Dykes, International Dairy Foods Association
Jim Mulhern, National Milk Producers Federation
Tom Vilsack, U.S. Dairy Export Council