



September 28, 2017

The Honorable Ken Saito
Minister of Agriculture, Forestry and Fisheries
Ministry of Agriculture, Forestry and Fisheries
1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8950
Japan

Dear Minister Saito:

On behalf of the U.S. Dairy Export Council, National Milk Producers Federation and International Dairy Foods Association, we are writing to express our concern that Japan proceed with great diligence in its current review of the EU's proposed GI list. We commend Japan for your GI review process. Having a transparent system that allows for public comment is a wise and essential step. But we also caution Japan not to overlook the enormous significance of the EU list for Japanese consumers and producers, and for your lasting relationships with key international trading partners.

This is a critical moment for Japan as you prepare to review hundreds of food and beverage terms; the decisions Japan makes will have lasting impact for years to come.

We have witnessed how some nations have stood up to the European Union and rejected its pressure to restrict the use of numerous common names. Unfortunately a much smaller number has bowed to the EU's market-restricting tactics, seen most notably in the Canada-EU FTA. As a result of Canada's disregard for the integrity of its intellectual property system and trade commitments, Canada imposed even greater market access barriers to common name products, in the process harming Canadian consumers and producers, and Canada's trade relationships. This latter path is entirely unnecessary though. It is not difficult to achieve an acceptable list of protected GIs, so long as those lists do not encroach on generic names and terms.

A strong example is "Parmigiano Reggiano". It is completely acceptable for this compound term to belong exclusively to EU producers. But the common name "parmesan" is generic, for use by all, regardless of nation. This is especially true when the product – like parmesan in this case – is already in wide usage within Japan and is produced by non-EU and EU producers alike. Indeed, in many cases the demand for such products has been built in international markets by non-EU producers.

To date, Japan has shown itself to be a strong leader when it comes to GI protocols, because of your rigorous and transparent review process. The approvals to date have been good ones, resulting in the protection of genuine GIs and not negatively impacting the use of generic terms. Now, we ask you to continue that leadership, and review the comments by Consortium for Common Food Names (CCFN) and others carefully. We urge you to make sure that the steps you take do not unnecessarily limit healthy trade and competition within your market.

Sincerely,

Thomas J. Vilsack
President and CEO
U.S. Dairy Export Council

James Mulhern
President and CEO
National Milk Producers Federation

Michael Dykes
President and CEO
International Dairy Foods Association



cc: The Honorable Taro Kono, Minister of Foreign Affairs
The Honorable Hiroshige Seko, Minister of the Ministry of Economy, Trade and Industry