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Dairy Industry Urges Continued U.S. Focus on Defending Common Names Rights

USTR Special 301 Report Touts Administration Efforts to Battle Proliferation of Trade Barriers that Manipulate Geographical Indications

WASHINGTON, D.C. – The dairy industry today welcomed an assessment of the Obama Administration's fight to ensure that the EU's geographical indication (GI) initiatives with other countries and regions do not undercut U.S. industries' market access opportunities.

The [Special 301 Report](#) is prepared annually by the Office of the United States Trade Representative (USTR). It identifies trade barriers to U.S. companies and products due to the intellectual property policies, such as copyright, patents, trademarks and geographical indications in other countries. Increasingly, those barriers are taking the form of GI restrictions that risk preventing food companies in many countries from using generic names that have been in commerce for generations.

Decades after parmesan, feta and asiago became household favorites in the United States, Europe now argues that these names, and others, can only appear on cheeses produced in Italy and Greece, thus blocking U.S. sales of the products to the European Union and increasingly affecting sales to various foreign markets. The U.S. government has been using a variety of tools to combat these types of barriers to U.S. exports, as well as to promote the importance of balanced and thorough due process procedures for the consideration of GIs.

Although much work remains underway, to date these efforts have yielded concrete results including last year's agreement in the Trans-Pacific Partnership on groundbreaking GI provisions and the announcement earlier this year of a breakthrough on GI issues with an important Central American Free Trade Agreement partner, Honduras.

Tom Suber, president of the U.S. Dairy Export Council said, "U.S. dairy exporters believe it is critical for USTR to maintain a strong focus on the importance of firmly rejecting barriers to U.S. products driven by our competitors' desires to use GIs to monopolize the use of common food names around the world.

This year's Special 301 Report rightfully spotlights some of the progress being made in addressing this challenge. At the same time, much work remains, including ensuring that TPP partners fully abide by the intention of the TPP GI commitments and that the EU reforms the flaws in its own GI policies that negatively impact the rights of common name users."

"Our dairy industry has been gearing up to compete globally and open markets to our products. It's vitally important that U.S. trade policy reject the EU's attempts to slam doors shut in areas in which we are increasingly competing head to head against their producers," said Jim Mulhern, president and CEO of the National Milk Producers Federation. "The barriers to our products are the result of deeply problematic EU GI policies that give short shrift to the rights of common name users. These deficiencies must be addressed as U.S. work on this important issue continues."

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About USDEC

The U.S. Dairy Export Council (USDEC) is a non-profit, independent membership organization that represents the global trade interests of U.S. dairy producers, proprietary processors and cooperatives, ingredient suppliers and export traders. Its mission is to enhance U.S. global competitiveness and assist the U.S. industry to increase its global dairy ingredient sales and exports of U.S. dairy products. USDEC accomplishes this through programs in market development that build global demand for U.S. dairy products, resolve market access barriers and advance industry trade policy goals. USDEC is supported by staff across the United States and overseas in Mexico, South America, Asia, Middle East and Europe.

About NMPF

The National Milk Producers Federation, based in Arlington, VA, develops and carries out policies that advance the wellbeing of dairy producers and the cooperatives they own. The members of NMPF's cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies. Visit www.nmpf.org for more information.