



Common food and wine terms – like *parmesan*, *bologna* or *chateau* – are used on thousands of American products to accurately guide consumers to foods they know and love. Europe wants to monopolize these terms to unfairly stifle competition from American-made goods.

**Tell the U.S. Trade Representative to make protecting common food and wine terms a core policy objective in all trade discussions.**

## WHY ARE COMMON NAMES IMPORTANT?

Geographical indications (GIs) are used to describe specialized products made in a specific region in a specific manner in order to protect the unique nature of that product, such as Idaho potatoes.

But no one would ever think that Idaho potato growers have exclusive use of the standalone terms Idaho or potatoes. GIs are not meant to be used to restrict generic names or common terms that derive from part of the protected name, but all too often that's what is taking place in key U.S. export markets.

The European Union (EU) misuses protections meant for proper GIs to monopolize common food and wine terms and raise unjustified trade barriers to block American exports. Europe's aggressive campaign poses a grave threat to American farmers, food producers and the consumers who will no longer have access to the cheeses, meats, and wines they know and love – such as the feta on your salad, the bologna in your sandwich or the chateau labeling on your favorite bottle of wine.

## A LASTING SOLUTION REQUIRES CREATIVE STRATEGY – AND A STRONG WILL

The U.S. Trade Representative Office (USTR), U.S. Department of Agriculture and the U.S. Patent and Trade Office have led extensive interagency efforts on the critical issue of GIs. To date, they have made notable advancements to pursue fairer intellectual property (IP) rules for American exports. However, it's time to

match the EU's strong will to protect their GIs with equal determination and a more comprehensive approach to tackling this unlawful method to keep U.S. exports out of markets.

As part of this comprehensive approach, we need Congress's support to counter the EU's GI strategy with one that defends common food and wine terms in all trade-related or regulatory discussions, including those of importance to cheese, meat, wine and other food producers across the United States.

This is the only way to truly stop the EU from continuing to exploit protections meant for valid GIs to limit competition and block U.S. exports. America's farmers, food producers and exporters are counting on Congress to act now by conveying to our negotiators the best way forward on this long-standing issue.

This effort is supported by a diverse coalition of farm and agricultural groups led by the Consortium for Common Food Names, including the American Farm Bureau Federation, National Association of State Departments of Agriculture, National Milk Producers Federation, North American Meat Institute, U.S. Dairy Export Council, and the Wine Institute.



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## A SHORT HISTORY OF EUROPE'S LONG-STANDING EFFORTS TO ERECT BARRIERS TO TRADE

The EU uses trade negotiations with other countries to require that these nations impose barriers on U.S. exports in order to gain access to the European market. The EU also works to influence foreign governments to adopt EU-style GI policies and IP systems.

Depending on the market, the EU's deals on GIs can prohibit a wide range of cheese, meat and wine terms. The EU may even bar labels such as "feta-type" or "similar to bologna" or prohibit the use of translations and terms simply similar to the protected GI.

Below is a non-comprehensive list of trade agreements or negotiations that the EU has used to block U.S. exports and limit U.S. use of generic terms:

- 2009: EU-South Korea Free Trade Agreement Implemented
- 2013: EU-Central America Free Trade Agreement Implemented
- 2016: EU-Canada Free Trade Agreement Implemented
- 2019: EU-Mercosur Free Trade Agreement Concluded in Principle
- 2019: EU-Japan Free Trade Agreement Implemented
- 2019: EU-China 100 for 100 GIs Agreement Concluded
- 2020: EU-Mexico Free Trade Agreement Concluded
- 2020: EU-Vietnam Free Trade Agreement Implemented

USTR has worked to establish new IP rules to help combat this issue, but all too often countries have simply disregarded those IP rules. With USMCA, USTR took an incremental yet very important step forward by negotiating two side letters that help to create a bit firmer ground for the U.S. to use in combatting the EU's efforts. That was particularly needed given the EU's work to obtain the exclusive use of many generic names through the EU-Mexico Free Trade Agreement, despite long-standing use of these terms in Mexico.

Congress must build upon the work they began with the passage of USMCA by insisting that this Administration, as well as future ones, now take a further big step forward in order to provide a genuinely solid platform from which the U.S. can effectively protect common food and wine terms and ensure that this objective is established as an essential element in all future trade-related discussions. This will allow USTR to more efficiently use government resources to protect market access rights for American producers.

*By putting protections for common food and wine terms first in trade discussions, we will ensure that American-made products do not come in last.*

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## ABOUT THE CONSORTIUM FOR COMMON FOOD NAMES

The Consortium for Common Food Names (CCFN) is an independent, international non-profit alliance whose goal is to work with leaders in agriculture, trade, and intellectual property rights to foster the adoption of high standards and model geographical indication guidelines throughout the world. CCFN's supporters include the American Farm Bureau Federation, National Association of State Departments of Agriculture, National Milk Producers Federation, North American Meat Institute, U.S. Dairy Export Council, and the Wine Institute.