



Position Paper

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EDA position supporting the protected designations and definitions/marketing standards for milk and dairy products and on an EU Definition of 'CHEESE'

EU product definitions/marketing standards support the dairy dynamics

EU product definitions/marketing standards are essential to facilitate trade by setting common trading references and they play an important role when it comes to inform consumers on product characteristics and protect them from deception.

EU product definitions/EU marketing standards are set to encourage high quality production, facilitate trade within the dairy supply chain, improve profitability of the whole dairy sector and protect consumer interests. For the European dairy sector specifically the **protection of dairy terms** and **EU product definitions/EU marketing standards** assure the smooth functioning of the internal market for the dairy sector, guarantee high quality production through the protection of dairy terms, improve the competitiveness of the whole dairy sector and protect the consumer interests for the high value nutritional products.

Within the EU, product definitions/marketing standards facilitate the proper functioning of the internal market and hence are the basis for the success of the European dairy sector, as backbone for the rural areas and provider of valuable nutrition.

Protection of dairy terms and product definitions/marketing standards - the current legal framework

At European level, the **protection of dairy terms** applies to all dairy products, guaranteeing that dairy products are made out of milk and milk products. In addition, the **EU product definitions/EU marketing standards** established for quite some specific dairy products detail their definition. Such an EU definition does not exist for cheese.

With more than 50% of the European milk processed into cheese, cheese is the core dairy product when it comes to adding value to European milk at both the internal market and the global market level.

The **protection of dairy terms** and the product definitions/marketing standards are anchored in the framework of the Common Agricultural Policy.

Council **Regulation (EU) No 1308/2013** of 17 December 2013 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) has maintained the sectoral approach provided by the previous Common Market Organisations on the marketing standards for almost 30 years within the Union.

Beyond the market intervention schemes, the specific standards for dairy have proven of crucial importance for the **smooth functioning of the internal market for milk and dairy products**. The EU single market is the EU's most valuable asset and – with more than 85% of the European milk consumed within the Union – the main instrument to propel Europe's dairy sector forward.

For the whole dairy supply chain, the utmost importance of the **protection of dairy terms** and the product



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definitions/marketing standards for our sector and its future development are an evidence.

Towards the completion of the EU Single Market – towards an EU definition of cheese

Following the Communication from the EU Commission on agricultural product quality policy and subsequent debates, it seems appropriate to elaborate an EU definition of cheese, in order to take into account the **expectations of consumers** and to contribute to the improvement of the economic conditions for the production and marketing of agricultural products and their quality.

A definition of cheese can contribute to improving the economic conditions for the production and marketing and the quality of such product. The application of such standard is therefore in the interest of producers, traders and consumers.

Such a definition of cheese is necessary in order to adapt to constantly changing market conditions, evolving consumer demands and in order to avoid creating obstacles to product innovation. **The definition of cheese should take into account, inter alia, the true nature and essential characteristics of the product** concerned and lay down a definition and common rules governing the composition, manufacturing specifications and labelling of cheese, so as to ensure its free movement within the EU.

Furthermore, differences between national laws concerning cheese do not allow a **level playing field** and could hinder fair competition or create technical barriers to trade, and thereby have a direct effect on the functioning of the Common Market.

A definition of cheese has to take into account the expectations of the consumers, the specificity of the dairy sector and recommendations of International bodies. In order to meet the international standards according Art. 5 (3) Regulation (EC) No 178/2002, the definition of cheese should base itself as a general rule on the **Codex Alimentarius**.

The EU and its Member States have actively contributed to the development of an international standard for cheese according Art. 13 Regulation (EC) No 178/2002. Therefore, the **Codex General Standard for Cheese** (adopted in 1999 and revised in 2013, CODEX STAN 283-1978 – see *annex*) is an **acknowledged basis** for such an EU definition.

As the experience shows and in accordance with the principles of subsidiarity and proportionality established by Article 5 (3) of the Treaty on the Functioning of the European Union (TFEU), the objective of laying down a common definition and rules for cheese and bringing the provisions into line with general EU legislation on foodstuffs cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Union. **A definition of cheese is needed to complete the internal market for dairy products.**

A legal framework for the future

The existing definitions/marketing standards for dairy products are rightly based on Art. 43 Treaty on the Functioning of the European Union (TFEU) and within the agricultural market competence.

To keep this legal basis is essential for safeguarding the interests of the whole dairy chain, from the dairy farmers and their processing companies up to the consumers relying on high quality and healthy products within our Single Market.

The CAP will be under re-evaluation, and the existing scheme of the **protection of dairy terms** and the definitions/marketing standards as well as new definitions, like a definition of cheese, must continue to have a solid legal basis within the CAP framework.

The European Dairy would be very pleased to discuss the importance of the protection of dairy terms and definitions/marketing standards with the European Commission at any time.