

# Press Release

connect to the world of dairy



## EDA celebrates the 30<sup>th</sup> anniversary of the European protection of dairy terms, like “milk” and “butter”

In the EU, milk and dairy products have been legally recognised for decades as unique in their nutritional composition, quality and source, being the secretion from a mammal. For 30 years the specific EU legislative framework has provided to the European citizens a clear knowledge of what milk and milk products are and strongly protected them from being misled. On 14 June 2017, the European Court of Justice reaffirmed forcefully the uniqueness of milk and dairy in the court case C-422/16<sup>1</sup> strongly marking the 30<sup>th</sup> anniversary of the EU protection of dairy terms.

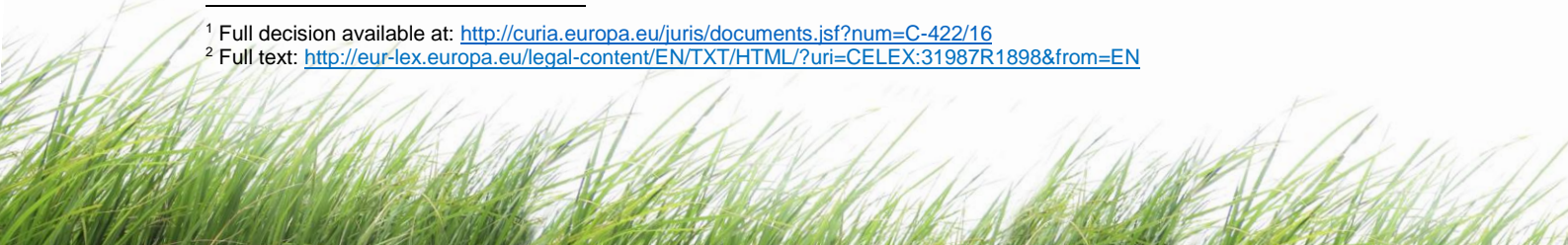
In light of specific milk qualities, the Council of the European Communities implemented on **2<sup>nd</sup> July 1987 a specific protection of dairy terms in Regulation (EEC) No 1898/87** on the protection of designations used in marketing of milk and milk products<sup>2</sup>. This Regulation first established a clear ‘EU’ definition of ‘milk’, as well as conditions of a fair competition between milk and competing products in the field of product designation, labelling and advertising. The Regulation has also served to promote milk and milk products in the EU. Today the protection of dairy terms remains of utmost importance as dairy products face unfair competition from the plant-based products, using terms reserved by law for dairy as well as dairy-related images, trying various ‘creative’ ways of by-passing the legally binding dairy names in marketing of plant-based products.

On 14 June 2017, the European Court of Justice clearly reaffirmed that purely plant-based products can never use dairy designations such as ‘milk’, ‘cream’, ‘butter’, ‘cheese’ or ‘yoghurt’ neither standing alone nor in combination, which are reserved by EU law for animal products.

Milk and plant-based look-alikes are two different products, of different origins, ingredient compositions and nutritional value. As the consumer should be able to make the difference between dairy products and plant-based alternative, the protection is more than ever needed.

<sup>1</sup> Full decision available at: <http://curia.europa.eu/juris/documents.jsf?num=C-422/16>

<sup>2</sup> Full text: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:31987R1898&from=EN>





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The roadmap<sup>3</sup> recently published by the Commission about the evaluation of marketing is a perfect opportunity to reinforce this protection.

Alexander Anton, EDA Secretary General commented the ruling: *“The unique and natural blend of micro- and macronutrients of milk and dairy products cannot be matched by any plant-based products. The European Court of Justice ruling protects European consumers: dairy terms like ‘milk’, ‘butter’, ‘whey’, ‘cheese’ or ‘yogurt’ cannot be used by vegetable ersatz-products. Even in explaining the difference on the packaging, those plant-based products are not allowed to misuse our dairy terms for marketing their products. We as the European Dairy Association (EDA) and all our members welcomed this clear ruling of the Court and we are pleased to celebrate this 30<sup>th</sup> anniversary of an important part of consumers protection and quality policy of the European Union.”*

- See a recent article published in the International Dairy Magazine → [LINK](#)
- See also our EDA Statement ‘What is milk? – or the story of Dairy Protected Terms’ → [LINK](#)

## ABOUT THE EUROPEAN DAIRY ASSOCIATION

The European Dairy Association represents the interests of dairy processors in the European Union. The membership of EDA consists of the associations of dairy processors in EU Member States.

## FOR MORE INFORMATION

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<sup>3</sup> [https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2017-3244337\\_en](https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2017-3244337_en)