

PARMIGIANO
REGGIANO

GIs GROUPS STRATEGIES
AND TOOLS TO FIGHT
MISLEADING PRACTICES

THE PARMIGIANO
REGGIANO EXPERIENCE

24/11/2021



THE «traditional» GI APPROACH

From the producers' point of view, any behavior tends to be **considered deceptive and harmful**



And these sentence, especially when excessive, are based on opinions without official and formal evidences

THE «new» GI APPROACH

The starting point must be **the consumer** (without opposing the interests of producers) and the focal question – for each potential case - is: **Is there a consumer deception?**



On this basis, legal arguments can be built, starting **on a quantitative and scientific approach**

THE «new» GI APPROACH

The role of opinion, interviews, historical documents, commercial documents, etc., remains relevant

BUT

the main pillar is (and MUST BE) THE OPINION
OF THE CONSUMER

The TOOL is the MARKET SURVEY

GI GROUPS INTERVENTION LEVEL

MISLEADING & GIs



BEFORE INTNL
AGREEMENT

IN PROGRESS

TRADEMARK
REGISTRATION

THE PR EXPERIENCE (some examples from a big directory)

USA



pre-Ttip
discussions
&
negotiations

CANADA



Supporting
the Ceta
negotiations
(ongoing)

AUSTRALIA



Legal action against
Kraft registration of
“Kraft parmesan” as a
private trademark

KEY QUESTION 1: IS THE NAME PARMESAN GENERIC?

If no consumer traces the name “parmesan” to a specific geographical origin, and in particular Italy, then we can state it is a generic name (without risks of misleading the consumers).

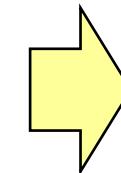


Otherwise, if the answers are different, that means the use of “parmesan” confuses the consumer (as well as causing damage to the product mentioned)

Parmesan is a cheese typical of a specific area or country?:

USA (2015) – 1,236 interviews

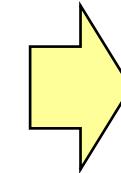
YES
66%



Of which
ITALY
90%

New Zeland (2018) – 1,290 interviews

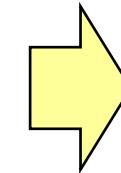
YES
76%



Of which
ITALY
90%

AUSTRALIA (2018) – 1,337 interviews

YES
78%



Of which
ITALY
95%

KEY QUESTION 1: IS THE NAME PARMESAN GENERIC?

If Parmesan were generic, no references to the geographical origin would be indicated



The use of the term “parmesan” (as demonstrated by the surveys) for a cheese other than Parmigiano Reggiano is a misleading practice for the consumer

KEY QUESTION 2: PARMESAN and SOUNDING PACKS



A

Which is the
Country of origin of
the «Parmesan»
cheese showed in
the pic?

(first A then B)
*Both products
made in Usa*



B

KEY QUESTION 2: PARMESAN and SOUNDING PACKS

A

B

38%

ITALY

67%

52%

US

22%

10%

Others

11%

Results show that the use of **italian sounding signs and elements on pack, cause a misleading effect** on the perception of geographical origin

MISLEADING vs TRANSPARENCY

The fight of GIs against misleading practices isn't a way to open a trade war or to rise up new commercial barriers, but ..



For GIs, this fighting arena is **the way to be on the side of the consumers** (and, consequently, of the producer in good faith)

THE ROLE OF CONSUMERS SURVEY AS A GI PROTECTION TOOL

The results shown, offer an example of a solid and objective tool to be used to strengthen actions to protect GIs from misleading practices

THE SURVEY TOOL: SOME KPI's

Interviews: at least 1,000 (up to 2-3,000 depending on market size)

Average costs: from 6-8.000 € to 25.-30.000 € (it depends on Country / World region)

Additional costs: statistical processing or legally valid opinions may be required

SOME FINAL PROPOSALS

To oriGIn and GI system

- Spread the experiences on management of this approach (share and build a “culture” of misleading fights among GIs)
 - Provide technical support for such investigations
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To public authorities

- Extend the use of public instruments (ie in EU Reg. 1144) to cover the costs of such actions
- Carry out targeted surveys in the pre-start phase of commercial negotiations in relevant markets (ie In EU the Eurobarometer approach)

Thank you for the attention

