



FAKE PARMIGIANO REGGIANO ON ADVERTISING PANELS AT THE ANUGA TRADE FAIR IN COLOGNE: GERMAN AUTHORITIES INTERVENE AND THE COLOGNE COURT BANS ADVERTISING

Reggio Emilia, 13 October 2023 - The 2023 edition of Anuga, the world's leading food&beverage exhibition, saw the Parmigiano Reggiano Consortium once again taking action to report **fake Parmigiano Reggiano**, leading to the prompt intervention of German authorities.

This is not the first time a fake Parmesan cheese has made its way into the European Union, where it is absolutely forbidden to sell or advertise these counterfeit products.

In this particular case, the product - an American grated cheese bearing the term "Parmesan" - was displayed on an advertising panel.

Initially, the Consortium asked for, and obtained, the intervention of the German authorities in charge of official controls, who requested that the American company remove the term "PARMESAN" displayed on the advertising totem.

After further checks revealed that the company had not removed the term, the Consortium filed an ex parte precautionary appeal before the Cologne Court, which very quickly issued an injunction banning the operator from advertising in Germany cheese with the "PARMESAN" designation as depicted in the contested image, and instructing it to hand over all products and materials in violation of the injunction to a court officer.

The court officer carried out the order by fully removing the term 'PARMESAN' from the cheese image on the totem.

In this regard, it is worth recalling the sentence obtained by the Commission and the Consortium in February 2008 before the Court of Justice of the European Union, which ruled that **"Parmesan" is not a generic term** but must be regarded as an evocation of the "Parmigiano Reggiano" designation and therefore cannot be used for cheeses that do not comply with the Italian PDO specifications.

"The prompt intervention of the German authorities following our complaint," points out the President of the Consortium, **Nicola Bertinelli**, *"is linked to the fact that, after years of disputes, we have secured legislation from the European Union that leaves no room for ambiguity when it comes to protection, involving as it does, among other things, the obligation to protect PDOs 'ex officio' in all EU member states, with direct responsibility of the latter for monitoring compliance. The decision of the Cologne Court, as has already happened in the past with previous rulings, is in line with the principles established by the Court of Justice."*

"In Europe - continues Bertinelli - our enforcement system has reached levels of effectiveness not yet possible worldwide and the European Union is working to address this issue in the context of free trade agreements with third countries. Outside the EU, there is



still deceptive use of terms evoking our designation, with clearly negative consequences for local consumers and for our potential exports. This additional attack made within Europe demonstrates the need to improve the quality of the European Community trade show system. We need trade fairs to share common rules in order to ensure that our exhibitions are 'fake-free,' thus avoiding unnecessary and costly interventions by consortia and courts."

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