

### Supreme Court rejects 'raclette' indication of origin Switzerland - Meyer Lustenberger

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The Swiss Supreme Court has held that since the name raclette defines a dish and not the ingredient of the dish, it cannot be registered as an indication of origin for the ingredient (Case 2A.496/2007, October 15 2007).

Raclette cheese is the basis of the traditional Swiss dish 'raclette'. The dish consists of melted cheese served with boiled potatoes and accompanied by ground black pepper, pickled onions and gherkins. The French verb 'racler', which means 'to scrape', gave its name to the dish, as the melted cheese is scraped off a block of cheese.

Swiss cheese producers of the canton of Valais sought to register the name raclette as a protected geographical indication. The [Federal Office for Agriculture](#) ruled that the name raclette qualifies as an indication of origin. The decision was appealed to the Board of Appeal of the Secretariat of Economics. The board overturned the decision, arguing that raclette was not the name of the cheese but of the dish.

The decision was appealed to the Supreme Court. The court concluded that the dish had been well known for a long period of time in Switzerland, and historic analysis revealed that the dish had been called 'raclette' for a longer period of time than the cheese itself.

The decision is significant since Swiss consumers eat an average of 14,000 tons of raclette cheese each year. As the name raclette cannot be registered as a protected indication of origin, foreign producers may supply raclette cheese for this typically Swiss dish.

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