

Protection for 'Made in Switzerland' designations Geographical indications/appellations of origin to include foodstuffs

Switzerland - Meyer Lustenberger

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The Swiss Federal Council has decided that the 'Swissness' legislation project should include foodstuffs.

In October 2008 Switzerland launched a legislative project to ensure the protection of geographical indications referring to Switzerland and the Swiss cross. To this end, the council directed that the [Federal Department of Justice and Police](#) draft a legislative dispatch on the amendment of the trademark legislation and the law on the protection of coats of arms.

The consultation process for the 'Swissness' legislation project had started on November 28 2007 and ended on March 31 2008. The aim of the revision was to:

- reinforce the protection of the 'Made in Switzerland' designations and the Swiss cross; and
- implement more precise regulations on the 'Made in Switzerland' designations and the Swiss cross to provide greater legal certainty and clarity.

The council had previously stated that for goods to be described as 'Swiss', at least 60% of the production costs must have been incurred in Switzerland. It thus created a working group to assess how these criteria would apply to foodstuffs (processed natural products) and natural products. In particular, the working group had to consider whether such specific criteria on the origin of goods could coexist with the provisions of the Food Products Act (especially those on the labelling of goods).

Based on the assessment of the working group, on March 25 2009 the Federal Council stated that the 'Swissness' legislation project should be extended to foodstuffs.

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