



July 2, 2026

Megan Grimball, Esq.  
Chair, Section 301 Committee  
Office of the United States Trade Representative  
600 17<sup>th</sup> Street NW  
Washington, DC 20506

**Comments by the  
National Milk Producers Federation and the U.S. Dairy Export Council  
on the Initiation of Section 301 Investigation and Request for Public Comments:  
Vietnam's Acts, Policies, and Practices Related to Intellectual Property  
Protection and Enforcement  
Docket Number USTR-2026-0364**

Dear Ms. Grimball:

Our organizations submit the following comments in response to the Request for Comments on the Initiation of the Section 301 Investigation on Vietnam's Acts, Policies, and Practices Related to Intellectual Property Protection and Enforcement (USTR-2026-0364).<sup>1</sup> The National Milk Producers Federation (NMPF) and the U.S. Dairy Export Council (USDEC) appreciate the opportunity to present their views on this important issue.

NMPF develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF's cooperatives produce over two thirds the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies. NMPF provides a forum through which dairy farmers and their cooperatives formulate policy on national issues that affect milk production and marketing. NMPF's contribution to this policy is aimed at improving the economic interests of dairy farmers, thus assuring the nation's consumers an adequate supply of pure, wholesome, and nutritious milk and dairy products.

USDEC is a non-profit, independent membership organization representing the global trade interests of U.S. dairy farmers, dairy processors and cooperatives, dairy ingredient suppliers and export trading companies. Its mission is to enhance U.S. global competitiveness and assist the U.S. industry to increase its global dairy ingredient sales and exports of U.S. dairy products. USDEC and its 130-plus member companies are supported by staff in the United States and overseas in Mexico, South America, Asia, Middle East and Europe.

NMPF and USDEC take no position on the acts, policies, and practices identified in the Federal Register notice as these are unrelated to our members' exports. However, should USTR engage with Vietnam in connection with this investigation, we request that the following issues also be addressed.

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<sup>1</sup> See 91 Fed. Reg. 33,285 (June 3, 2026).

The European Union has misused geographical indications (GIs) to monopolize common food and beverage terms through trade agreements with numerous countries including Vietnam, including through exchanges of lists of terms that receive automatic protection as GIs without sufficient transparency or due process. To deal with this challenge, we request that USTR pursue broad common name assurances in line with those USTR has so successfully pursued in its Agreements on Reciprocal Trade with other countries, which involve commitments by these trading partners to protect over three dozen common cheese names like “parmesan” from European monopolization.

In parallel to that effort, it is important to preserve the rights Vietnam has already granted to U.S. dairy exporters yet refused to clearly confirm to date. Reflecting extensive prior U.S. government work with Vietnam, the European Union-Vietnam Free Trade Agreement (EVFTA) grandfathered prior users of certain cheese terms from the restrictions in the GI provisions of the EVFTA, based on the grandfathering date of January 1, 2017. Last year Vietnam finally took positive steps to resolve long-standing fontina and gorgonzola trademark application concerns that the marks could impair these grandfathering rights. This was a welcome step; however, other common name matters remain related to preserving these grandfathering rights.

First, there has not yet been resolution of long-running industry efforts to cancel a trademark for “asiago” in Vietnam due to the risk that it may pose to EVFTA grandfathering rights. Our industry filed this cancellation petition several years ago and a reply remains pending still. Second, Vietnam has refused repeated requests to explicitly confirm the list of companies that qualify for grandfathering because they shipped products prior to the January 1, 2017 deadline, despite the names of these companies having been communicated to Vietnam on multiple occasions. We request that USTR pursue resolution of both of these issues in order to preserve those established grandfathering rights.

On behalf of NMPF and USDEC’s 130-plus member companies, we appreciate the opportunity to provide comments on this important issue, and we remain available to provide any further clarification as needed. Should you have any questions, please feel free to contact Shawna Morris, whose contact information is provided below.

*Point of Contact:*

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