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Judgment of the General Court in Case T-361/21 | Papouis Dairies and Others v Commission

The General Court dismisses an action brought against registration of the name 'Halloumi' as a protected designation of origin

In April 2021, at the request of the Cypriot authorities, the European Commission registered the name 'Χαλλούμι' (Halloumi)/'Hellim' as a protected designation of origin (PDO). Halloumi is a Cypriot cheese with a characteristic smell and taste. It is made from sheep's or goat's milk, or a mixture thereof, with or without cow's milk. It has the property of not melting at high temperatures.

Papouis Dairies Ltd, a Cypriot company, and also other persons, request the General Court of the European Union to annul the Commission Implementing Regulation ¹ on the registration of the name 'Χαλλούμι' (Halloumi)/'Hellim' as a PDO.

By its judgment, **the General Court dismisses the action in its entirety.**

It finds that, at the time of the check to ascertain whether the registration as a PDO complies with EU law, the Commission is not required to check whether the method of obtaining the product described in the application for registration complies with a prior national production standard. In any event, the application for registration of halloumi cheese is not in conflict with the prior national standard relevant to the present case. The General Court notes that **that standard does not preclude the proportion of goat's milk or sheep's milk or a mixture thereof in that cheese from being higher than the proportion of cow's milk.**

Next, the General Court rejects the arguments to the effect that the Commission failed to note the presence of manifest errors regarding the description of the link between the quality and characteristics of the product and its geographical origin. The General Court also dismisses the argument to the effect that the Commission failed to carry out a proper examination of the halloumi production market and the situation of the undertakings marketing that product.

Lastly, the General Court observes that, although, where a measure adopted by the authorities of the Member State concerned in the national phase of the registration procedure is annulled by a national court after registration of the name, it is for the Commission to determine the inferences to be drawn from the annulment pronounced by the national court, that does not automatically entail nullity of the registration act adopted by the Commission.

NOTE: An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to European Union law. The Member States, the European institutions and individuals may, under certain conditions, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

NOTE: An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of

the General Court within two months and ten days of notification of the decision.

Unofficial document for media use, not binding on the General Court.

The [full text and, as the case may be, the abstract](#) of the judgment are published on the CURIA website on the day of delivery.

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Pictures of the delivery of the judgment are available from '[Europe by Satellite](#)' ☎ (+32) 2 2964106

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¹ [Commission Implementing Regulation \(EU\) 2021/591](#) of 12 April 2021 entering a name in the register of protected designations of origin and protected geographical indications ('Χαλλούμι' (Halloumi)/'Hellim' (PDO)).