



Media relations
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Media Release

regarding judgment B-6947/2023 of 02 April 2025

Enough holes in Emmentaler cheese

The Federal Administrative Court loosens production requirements for Emmentaler cheese as a measure to prevent the holes from shrinking and upholds the appeal lodged by Emmentaler Switzerland.

Emmentaler Switzerland Consortium Emmentaler AOP, the producer organisation for Emmentaler cheese, wins its lawsuit against the Federal Office for Agriculture (FOAG) before the Federal Administrative Court. On appeal the Court included the use of *hay flower powder* for cheese production in the product specification of the protected designation of origin.

For the past twenty years, the number of holes in the renowned cheese has been gradually decreasing. In 2015, Agroscope, the federal agricultural research centre, discovered why: with the introduction of modern milking machines, fewer hay particles now enter the milk through the air. The hay particles are necessary to form the characteristic holes during fermentation. The FOAG argued that the cheese quality was still very high.

The Court reminds that the originality and high quality of agricultural products with a Protected Designation of Origin (PDO or "AOP") must be preserved and that, therefore, any easing of specification rules must remain exceptional. In the case at hand, however, the Court deems that the Consortium has presented sufficient evidence and that the impact on originality and on marketing of the products was adequate. Since there is also the possibility of too many holes emerging inside the cheese, there is no risk that cheese production would become standardised as a result. This Judgment may be appealed to the Federal Supreme Court.

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About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 395 employees (334 FTE) and its 78 judges (70 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.