



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 15 May 2012  
(OR. en)**

**8741/12**

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the conclusion of the Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs

**COMMON GUIDELINES**

**Consultation deadline for Croatia: 18.5.2012**

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**COUNCIL DECISION No .../2012/EU**

**of**

**on the conclusion of the Agreement  
between the European Union and the Republic of Moldova  
on the protection of geographical indications  
of agricultural products and foodstuffs**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of 207(4), in conjunction with Article 218(6)(a)(v) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament<sup>1</sup>,

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<sup>1</sup> OJ C...

Whereas:

- (1) The Commission has negotiated, on behalf of the Union, an Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs (the "Agreement").
- (2) The Agreement will allow the reciprocal protection of the geographical indications of the Union and the Republic of Moldova, as well as contribute to the approximation of legislation among the neighbouring countries of the Union.
- (3) In accordance with Council Decision 2010/xxx of [...], the Agreement was signed on [...], subject to its conclusion.
- (4) Certain tasks for implementation of the Agreement have been attributed to the Joint Committee set up pursuant to Article 11 thereof, including the power to amend certain technical aspects of the Agreement as well as certain Annexes thereto.
- (5) The internal procedure for establishing the Union's position in that Joint Committee on matters relating to the Agreement should be defined.
- (6) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

### *Article 1*

The Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs (the "Agreement") and the Declaration attached thereto are hereby approved on behalf of the Union.\*

### *Article 2*

The Commission shall represent the Union in the Joint Committee set up pursuant to Article 11 of the Agreement (the "Joint Committee").

Modifications to the Agreement through decisions of the Joint Committee shall be approved by the Commission on behalf of the Union.

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\* Delegations : For the text of the Agreement and the Declaration see document 8742/12.

Where interested parties cannot reach a common position following objections relating to a geographical indication, the Commission shall adopt such a position in accordance with the examination procedure laid down in Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>1</sup>. In doing so, the Commission shall be assisted by either of the following, depending on the products covered by the geographical indications concerned:

- (a) the Standing Committee on Protected Geographical Indications and Protected Designations of Origin established by Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs<sup>2</sup>;
- (b) the Management Committee for the Common Organisation of Agricultural Markets established by Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)<sup>3</sup>; or
- (c) the Committee for Spirit Drinks established by Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of spirit drinks<sup>4</sup>.

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<sup>1</sup> OJ L 55, 28.2.2011, p. 13.

<sup>2</sup> OJ L 93, 31.3.2006, p. 12.

<sup>3</sup> OJ L 299, 16.11.2007, p. 1.

<sup>4</sup> OJ L 39, 13.2.2008, p. 16.

*Article 3*

The President of the Council shall designate the person(s) empowered to give, on behalf of the Union, the notification provided for in Article 14 of the Agreement.

*Article 4*

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council*

*The President*

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