



Council of the
European Union

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2020/0089 (NLE)

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AGRI 157
COASI 53

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications

COUNCIL DECISION (EU) 2020/...

of...

**on the conclusion of the Agreement
between the European Union and
the Government of the People's Republic of China
on cooperation on, and protection of, geographical indications**

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 Article 207(4), in conjunction with point (a)(v) of the second subparagraph of Article 218(6) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision (EU) 2020/...¹⁺, the Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications ('the Agreement'), was signed on ...⁺⁺, subject to its conclusion at a later date.
- (2) The Agreement seeks to obtain the highest possible level of protection for geographical indications and to provide instruments to counter deceptive practices and wrongful uses of geographical indications.
- (3) Article 10 of the Agreement establishes a Joint Committee responsible for amending the Annexes to the Agreement.
- (4) It is appropriate for the Council to authorise the Commission, in accordance with Article 218(7) of the Treaty, to approve on behalf of the Union, within the Joint Committee, modifications to Annexes I and III to VI of the Agreement.
- (5) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

¹ Council Decision (EU) 2020/... of ... on the signing, on behalf of the Union, of the Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications (OJ L ...).

⁺ OJ: Please insert in the text the number of the Decision in document ST 8356/20 and complete the corresponding footnote.

⁺⁺ OJ: Please insert the date of signing of the Agreement in document ST 8361/20.

Article 1

The Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications is hereby approved on behalf of the Union.¹⁺

Article 2

1. For the purposes of amending the references to the law applicable in the Parties, the Commission is authorised to approve, on behalf of the Union, modifications to Annex I to the Agreement.
2. For the purposes of Article 3 of the Agreement, the Commission is authorised to approve, on behalf of the Union, modifications to Annexes III and IV to the Agreement, as well as the corresponding modifications to Annexes V and VI to the Agreement. Where interested parties cannot reach an agreement following objections relating to a geographical indication, the Commission shall adopt a position in accordance with the procedure laid down in Article 57(2) of Regulation (EU) No 1151/2012 of the European Parliament and the Council.²

¹ The text of the Agreement is published in [OJ L ...].

⁺ Delegations: see document ST 8361/20.

² Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Article 3

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 14(1) of the Agreement.¹

Article 4

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

Done at ...

For the Council

The President

¹ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.