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European Union

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AGRI 171  
AGRILEG 73

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: Draft DECISION OF THE JOINT COMMITTEE ON ORGANIC PRODUCTS  
adopting its Rules of Procedure

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DRAFT

**DECISION No 1 OF THE JOINT COMMITTEE  
ON ORGANIC PRODUCTS**

**of ... 2021**

**adopting its Rules of Procedure**

THE JOINT COMMITTEE ON ORGANIC PRODUCTS,

Having regard to the Agreement between the European Union and the Republic of Chile on trade in organic products<sup>1</sup> (the ‘Agreement’), and in particular Article 8 thereof,

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<sup>1</sup> OJ L 331, 14.12.2017, p. 4.

Whereas Article 8(5) of the Agreement provides that the Joint Committee on Organic Products is to adopt its own rules of procedure,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Rules of Procedure of the Joint Committee on Organic Products, as set out in the Annex to this Decision, are hereby adopted.

*Article 2*

The Decision shall apply from the date of its adoption.

*Article 3*

The text of this Decision is drawn up in duplicate in English and Spanish, each of those texts being equally authentic. Each Party may provide for translations into its other official languages.

Done at ....., on .....

*For the Committee on Organic Products*

*The Head of the Delegation  
of the of the European Union*

*The Head of the Delegation  
of the Republic of Chile*

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## ANNEX

### RULES OF PROCEDURE OF THE JOINT COMMITTEE ON ORGANIC PRODUCTS

#### *Article 1*

##### *Duties*

The Joint Committee on Organic Products (the ‘Joint Committee’) established pursuant to Article 8 of the Agreement between the European Union (the ‘EU’) and the Republic of Chile (‘Chile’) shall perform the duties provided for in Article 8(3) of the Agreement.

#### *Article 2*

##### *Co-chairs*

1. The Joint Committee shall be co-chaired by a representative of the EU and a representative of Chile.
2. Each co-chair may delegate all or any of the functions of co-chair to a nominated deputy, in which case all references hereafter to the co-chair apply equally to the nominated deputy.

*Article 3*  
*Secretariat*

An official of the European Commission and an official of the Under-Secretariat of International Economic Relations of Chile shall be designated as contact persons for all matters relating to the Joint Committee and shall act jointly as secretaries of the Joint Committee.

*Article 4*  
*Correspondence*

1. A copy of all correspondence relating to the Joint Committee shall be sent to the two secretaries.
2. Correspondence may be by any written means, including electronic mail.

*Article 5*  
*Meetings*

1. The Joint Committee shall meet once a year. Either Party may request to convene a meeting. The Parties shall agree on the date, manner or place of the meeting within 90 days of such a request.

2. The Joint Committee may hold meetings physically or by other means such as videoconference or telephoneconference.
3. Physical meetings shall take place, as far as possible, in the EU and in Chile alternately.

#### *Article 6*

#### *Agendas for the meetings*

1. The secretaries shall establish the draft agenda of each meeting by mutual agreement. The draft agenda may include any item covered by Article 8(3) of the Agreement. The draft agenda shall be sent to the co-chairs no later than 20 working days before the date of the meeting.
2. A final agenda shall be sent to the co-chairs at least five working days before the date of the meeting.
3. The agenda shall be adopted by the co-chairs at the start of each meeting. Any item not on the agenda may be added to the final agenda if the co-chairs so agree.

## *Article 7*

### *Modification of Annex I or Annex II to the Agreement*

1. Either Party may request to add, remove or update the products in the list of products in Annex I or Annex II to the Agreement.
2. Such requests shall be sent to the co-chairs at least ten working days before the start of the meeting and shall include a complete dossier containing the main arguments in support of the request.
3. Each Party shall examine the request of the other Party in accordance with its respective applicable legal requirements and procedures.

## *Article 8*

### *Decisions and recommendations*

1. The Joint Committee shall make its recommendations and adopt its decisions by consensus as provided for in Article 8(5) of the Agreement.
2. If equivalence is recognised by the other Party, the Joint Committee shall adopt a decision to modify Annex I or Annex II to the Agreement in accordance with Article 8(3)(b) of the Agreement.



3. Recommendations of the Joint Committee to review the Agreement under Article 11(2) of the Agreement shall be addressed to the Parties and shall be signed by the co-chairs.

#### *Article 9*

##### *Minutes*

1. The draft minutes of each meeting shall be drawn up by the secretaries within 30 days of the end of the meeting. The draft minutes shall record the items discussed, recommendations made and decisions adopted.
2. The minutes shall be approved in writing by both Parties within 60 days of the date of the meeting or by any other date agreed by the Parties. Once approved, the minutes shall be signed in duplicate by the co-chairs. An original copy of the minutes shall be kept by each co-chair.

#### *Article 10*

##### *Expenses*

1. Each Party shall bear the expenses it incurs as a result of taking part in the meetings of the Joint Committee.
2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.

*Article 11*  
*Publicity and confidentiality*

1. Unless otherwise decided by the co-chairs, the meetings of the Joint Committee shall not be public.
  2. The deliberations of the Joint Committee shall be confidential.
  3. Where a Party submits information which it considers to be confidential under its laws, the other Party shall treat that information as confidential under Article 10 of the Agreement.
  4. Each Party may decide to publish the decisions and recommendations of the Joint Committee in its respective official publication.
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