Basic information

2020/0089(NLE) NLE - Non-legislative enactments	Procedure completed
EU/China Agreement: cooperation on and protection of geographical indications Accompanying procedure 2020/0089M(NLE) **Subject** 6.20.03 Bilateral economic and trade agreements and relations 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin **Geographical area** China	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	WINKLER Iuliu (EPP)	11/06/2020
	Shadow rapporteur HANSEN Christophe (EPP) RODRÍGUEZ-PIÑERO Inma (S&D) VEDRENNE Marie-Pierre (Renew) BÜTIKOFER Reinhard (Greens/EFA) FRAGKOS Emmanouil (ECR) KRAH Maximilian (ID) SCHOLZ Helmut (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	
PECH Fisheries	MELO Nuno (EPP)	10/07/2020

Council of the European Union

European Commission	Commission DG	Commissioner
	Agriculture and Rural Development	WOJCIECHOWSKI Janusz

Key events

Date	Event	Reference	Summary
27/05/2020	Preparatory document	COM(2020)0213	
16/09/2020	Legislative proposal published	08359/2020	Summary
17/09/2020	Committee referral announced in Parliament		
27/10/2020	Vote in committee		
29/10/2020	Committee report tabled for plenary, 1st reading/single reading	A9-0199/2020	
11/11/2020	Decision by Parliament	T9-0297/2020	Summary
23/11/2020	Act adopted by Council after consultation of Parliament		
04/12/2020	Final act published in Official Journal		

Technical information

Procedure reference	2020/0089(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	Accompanying procedure 2020/0089M(NLE)
Legal basis	Treaty on the Functioning of the European Union TFEU 207-p4 Treaty on the Functioning of the European Union TFEU 218-p7 Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 207-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/9/03097

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE654.105	13/07/2020	
Committee opinion	PECH	PE657.257	13/10/2020	
Committee report tabled for plenary, 1st reading/single reading		A9-0199/2020	29/10/2020	
Text adopted by Parliament, 1st reading/single reading		T9-0297/2020	11/11/2020	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	08361/2020	09/07/2020	
Legislative proposal	08359/2020	16/09/2020	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2020)0213	27/05/2020	Summary
Document attached to the procedure	COM(2020)0214	27/05/2020	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2020)0213	24/07/2020	
Contribution	PT_PARLIAMENT	COM(2020)0214	24/07/2020	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2020/1832
OJ L 408I 04.12.2020, p. 0001

EU/China Agreement: cooperation on and protection of geographical indications

2020/0089(NLE) - 27/05/2020

PURPOSE: to conclude the Agreement between the European Union and China on cooperation on, and protection of, geographical indications.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: China is EU's second-biggest trading partner and the EU is China's biggest trading partner. China and Europe trade on average over EUR 1 billion a day. Agri-food trade is an important component of this relation and its balance between the EU and China is clearly positive for the EU.

On 10 September 2010, the Council authorised the opening of negotiations on an Agreement with China with a view to obtaining the highest possible level of protection for geographical indications falling within its scope and to providing instruments to counter deceptive practices and wrongful uses of these indications.

On the basis of these directives, the Commission has negotiated with the People’s Republic of China an ambitious and comprehensive agreement on cooperation on, and protection of, geographical indications.

The development of China's middle class, which is expected to reach 500 million people in the next three years, stimulates demand for quality products and thus for those with a European geographical indication. The Agreement shall therefore benefit European producers and should be a boost to rural areas where these products are made.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the Union, 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 proposed Agreement aims to achieve the highest possible level of protection for geographical indications and to provide instruments to counter deceptive practices and wrongful uses of these indications.

In accordance with the negotiating directives, the Commission has obtained:

- a TRIPS+ level of protection on the Chinese market for EU geographical indications following the entry into force of the Agreement;

- the protection of an additional 175 GIs within four years of entry into force and a mechanism to add more GIs at a later stage;

- the coexistence of GIs with legitimate earlier trademarks, the vast majority of which belong to their legitimate owners in Europe.

The Agreement includes institutional provisions for the establishment of a Joint Committee to monitor the implementation of the Agreement and to intensify cooperation and dialogue in the field of geographical indications. The Council shall authorise the Commission to approve, on the Union’s behalf, the position to be adopted in the Joint Committee on proposed modifications to Annexes I and III to VI of the Agreement.

EU/China Agreement: cooperation on and protection of geographical indications

2020/0089(NLE) - 16/09/2020 - Legislative proposal

PURPOSE: to conclude the Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: on 10 September 2010, the Council authorised the opening of negotiations with China with a view to reaching a broad and ambitious agreement on cooperation on geographical indications and their protection.

The conclusion of the Agreement is part of the EU’s overall strategy to promote the EU’s policy on geographical indications. The initiative aims to provide a high level of protection, at least at the level provided for in Article 23 of the TRIPS+ Agreement, for a range of EU GIs to be protected in the People's Republic of China and Chinese GIs to be protected in the EU. This initiative shall give a competitive advantage to producers of GI products.

CONTENT: the Council's draft aims to approve, on behalf of the Union, the Agreement between the EU and China on cooperation on, and protection of, geographical indications.

The Agreement establishes the conditions for a high level of protection on the Chinese market for the proposed geographical indications.

In line with the objectives set out in the negotiating directives, the Commission secured:

- a TRIPs-plus level of protection to EU geographical indications following the entry into force of the Agreement which provides protection against translation, transcription or transliteration, and against the use of the said geographical indications accompanied by expressions such as ‘kind’, ‘type’, ‘style’, ‘imitation’ or the like in respect of a non-originating product;

- the protection of 175 additional geographical indications within four years of entry into force and a mechanism to add more geographical indications thereafter;

- the coexistence of geographical indications with legitimate earlier trademarks of which the vast majority belong to the legitimate owners of Europe.

The Agreement establishes a Joint Committee to amend the Annexes to the Agreement. The Council shall authorise the Commission to approve, on behalf of the Union, in the Joint Committee, modifications to Annexes I and III to VI to the Agreement.

EU/China Agreement: cooperation on and protection of geographical indications

2020/0089(NLE) - 11/11/2020 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 645 votes to 22, with 18 abstentions, a legislative resolution on the draft 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.

Parliament gave its consent to the conclusion of the agreement.

The agreement allows the protection of famous and valuable EU GIs in the Chinese market against imitation and usurpation. Under the deal, in a first phase, direct protection through the agreement of a list of 100 EU GIs and 100 Chinese GIs will be ensured as from the entry into force of the agreement.

In a second phase, within four years, an additional 175 GI names both from the EU and China will be protected under the Agreement. These names will have to follow the same registration procedure as the 100 names already covered by the agreement.

The agreement foresees the possibility to extend the scope after its entry into force to other product classes currently not covered under EU legislation, and in particular handicrafts.

The listed GIs will benefit from a very high level of protection going beyond the one offered under TRIPS, both for foodstuffs but also for wines and spirits.