

Procedure file

Basic information	
NLE - Non-legislative enactments	2020/0089(NLE)
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	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 International Trade	 WINKLER Iuliu	11/06/2020
		Shadow rapporteur	
		 HANSEN Christophe	
		 RODRÍGUEZ-PIÑERO Inma	
		 VEDRENNE Marie-Pierre	
		 BÜTIKOFER Reinhard	
		 KRAH Maximilian	
		 FRAGKOS Emmanouil	
		Committee for opinion	Rapporteur for opinion
	 Agriculture and Rural Development	The committee decided not to give an opinion.	
	 Fisheries		10/07/2020
		 MELO Nuno	
Council of the European Union	Commission DG	Commissioner	
European Commission			

Key events

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
Legal basis	Treaty on the Functioning of the EU TFEU 207-p4; Treaty on the Functioning of the EU TFEU 207-p3; Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 218-p7
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/9/03097

Documentation gateway

Document attached to the procedure		COM(2020)0214	27/05/2020	EC	
Preparatory document		COM(2020)0213	27/05/2020	EC	
Document attached to the procedure		08361/2020	09/07/2020	CSL	
Committee draft report		PE654.105	13/07/2020	EP	
Legislative proposal		08359/2020	16/09/2020	CSL	Summary
Committee opinion	PECH	PE657.257	13/10/2020	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0199/2020	29/10/2020	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0297/2020	11/11/2020	EP	Summary

Final act

[Decision 2020/1832](#)
[OJ L 408I 04.12.2020, p. 0001](#)

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

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 EUs overall strategy to promote the EUs 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

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.