

COMMISSION DECISION (EU) 2022/796**of 12 May 2022****approving, on behalf of the European Union, an amendment to Annex XVIII to the Association Agreement between the European Union and its Member States, on the one hand, and Central America, on the other**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Council Decision 2012/734/EU of 25 June 2012 on the signing, on behalf of the European Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, and the provisional application of Part IV thereof concerning trade matters ⁽¹⁾ and in particular Article 4 thereof,

Whereas:

- (1) The entry into force of the Association Agreement between the European Union and its Member States, on the one hand, and Central America on the other, ('the Agreement') is pending.
- (2) However, Article 353(4) of the Agreement provides for the provisional application of Part IV of the Agreement concerning trade matters. Consequently, Part IV of the Agreement has been provisionally applied since 1 August 2013 in respect of Honduras, Nicaragua and Panama, since 1 October 2013 in respect of Costa Rica and El Salvador, and since 1 December 2013 in respect of Guatemala.
- (3) Article 247 of the Agreement provides for the possibility to add new geographical indications to Annex XVIII ('Protected Geographical Indications') to the Agreement after having completed the objection procedure and after having been successfully examined by the competent national or regional authorities in accordance with the relevant rules and procedures for the Association Council.
- (4) Costa Rica submitted to the Union a request to add one new geographical indication to Part B of Annex XVIII to the Agreement. The Union completed the objection procedure and the examination of that new geographical indication.
- (5) El Salvador submitted to the Union a request to add ten new geographical indications to Part B of Annex XVIII to the Agreement. The Union completed the objection procedure and the examination of those new geographical indications.
- (6) Pursuant to Article 6 of the Agreement, the Association Council established pursuant to Article 4 of the Agreement has the power to modify the list of geographical indications set out in Annex XVIII to the Agreement.
- (7) Article 274 of the Agreement establishes a Sub-Committee on Intellectual Property, which may recommend, for approval by the Association Council, modifications of the list of geographical indications set out in Annex XVIII to the Agreement.
- (8) On 13 June 2022, the Sub-Committee on Intellectual Property assessed the information in relation to the additional geographical indication of Costa Rica and El Salvador and recommended to the Association Council to modify Part B of Annex XVIII to the Agreement accordingly.
- (9) Part B of Annex XVIII to the Agreement should therefore be amended accordingly and the amendments should be approved on behalf of the Union,

⁽¹⁾ OJ L 346, 15.12.2012, p. 1.

HAS DECIDED AS FOLLOWS:

Article 1

The amendments to part B of Annex XVIII, to the Agreement set out in the draft Decision of the Association Council, are hereby approved on behalf of the Union.

The draft Decision of the Association Council is attached to this Decision.

Article 2

The representative of the Union in the Association Council is authorised to approve the decision of the Association Council on behalf of the Union.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

After its adoption, the Decision of the Association Council shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 May 2022.

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

ANNEX

**DRAFT DECISION No [...] / 2022 OF THE EU-CENTRAL AMERICA ASSOCIATION COUNCIL
on the amendment to Annex XVIII ('Protected Geographical Indications') to the Agreement
establishing the Association between the European Union and its Member States, on the one hand,
and Central America, on the other**

THE EU-CENTRAL AMERICA ASSOCIATION COUNCIL,

Having regard to the Agreement establishing the Association between the European Union and its Member States, on the one hand, and Central America, on the other hand, and in particular Article 247 thereof,

Whereas:

- (1) The Agreement establishing the Association between the European Union and its Member States, on the one hand, and Central America, on the other hand (hereinafter referred to as 'the Agreement') ⁽¹⁾ has been provisionally applied since 1 August 2013 in respect of Honduras, Nicaragua and Panama, since 1 October 2013 in respect of Costa Rica and El Salvador, and since 1 December 2013 in respect of Guatemala.
- (2) Article 247 of the Agreement provides for the possibility to add new geographical indications to Annex XVIII ('Protected Geographical Indications') to the Agreement after having completed the objection procedure and after having been successfully examined by the competent national or regional authorities in accordance with the relevant rules and procedures for the Association Council.
- (3) On 2 July 2020, Costa Rica submitted to the Union its request to add one new geographical indication to Annex XVIII (Protected Geographical Indications) to the Agreement pursuant to Article 247 of the Agreement. The Union has completed the examination and the objection procedure, published on 6 December 2021 ⁽²⁾, of Costa Rica's new geographical indication.
- (4) On 7 June 2021, El Salvador submitted to the Union its request to add ten new geographical indications to Annex XVIII (Protected Geographical Indications) to the Agreement pursuant to Article 247 of the Agreement. The Union has completed the examination and the objection procedure, published on 28 December 2021 ⁽³⁾, of El Salvador's new geographical indications.
- (5) On 13 June 2022, pursuant to Article 274(2) of the Agreement, the Sub-Committee on Intellectual Property, in a joint meeting between the EU and Central America parties, concluded, following prior assessment of the information provided in relation to the new geographical indications of Costa Rica and El Salvador, to recommend to the Association Council to modify Annex XVIII to the Agreement accordingly.
- (6) The Association Council has the power to take the decision by mutual agreement in accordance with article 11 of its Rules of Procedure.
- (7) Annex XVIII to the Agreement should therefore be modified as outlined in this decision,

⁽¹⁾ OJ L 346, 15.12.2012, p. 3.

⁽²⁾ INFORMATION NOTICE – PUBLIC CONSULTATION Geographical Indications from Costa Rica to be protected as Geographical Indications in the European Union (OJ C 489, 6.12.2021, p. 10).

⁽³⁾ INFORMATION NOTICE – PUBLIC CONSULTATION Geographical Indications from El Salvador to be protected as Geographical Indications in the European Union (OJ C 522, 28.12.2021, p. 20) and Corrigendum to INFORMATION NOTICE – PUBLIC CONSULTATION – Geographical Indications from El Salvador to be protected as Geographical Indications in the European Union (OJ C 30, 20.1.2022, p. 2).

HAS DECIDED AS FOLLOWS:

Article 1

The entries in the Annex to this Decision are added to the table in Part B of Annex XVIII 'Protected Geographical Indications' of the Agreement, as established by Decision No 5/2014 of the EU-Central America Association Council ⁽⁴⁾.

Article 2

This Decision, done in duplicate, shall be signed by representatives of the EU-Central America Association Council who are authorized to act on behalf of the Parties for purposes of modifying the Agreement.

This Decision shall be effective from the date of the later of these signatures.

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

Done at

For the Trade Committee

Head of EU delegation

Head of Central America delegation

⁽⁴⁾ Decision No 5/2014 of the EU-Central America Association Council of 7 November 2014 on the geographical indications to be included in Annex XVIII of the Agreement (OJ L 196, 24.7.2015, p. 59).

ANNEX

Country	Name	Products
Costa Rica	Tarrazú	Coffee
El Salvador	Café Alotepec	Coffee
El Salvador	Café Bálsamo Quezaltepec	Coffee
El Salvador	Café Cacahuatique	Coffee
El Salvador	Café Chichontepec	Coffee
El Salvador	Café Tecapa Chinameca	Coffee
El Salvador	Camarón Bahía de Jiquilisco	Shrimp
El Salvador	Chaparro	Grain-based distilled spirit drink
El Salvador	Jocote Barón Rojo San Lorenzo	Fresh fruit
El Salvador	Loroco San Lorenzo	Fresh vegetable
El Salvador	Pupusa de Arroz de Olocuilta	Thick griddle flatbread (tortilla) made with rice