

COMMISSION DECISION**of 14 November 2022****approving, on behalf of the European Union, a modification of Appendix 1 to Annex XIII to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part**

(2022/C 435/07)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2012/735/EU of 31 May 2012 on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part ⁽¹⁾, and in particular Article 4 thereof,Having regard to Council Decision 2016/2369/EU of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador ⁽²⁾,

Whereas:

- (1) The entry into force of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part, ('the Agreement') is pending. The Agreement applies provisionally in respect of all three states.
- (2) However, Article 209 of the Agreement provides for the possibility to add new geographical indications to Appendix 1 to Annex XIII to the Agreement after having completed the objection procedure and after having examined the geographical indications as set out in Article 208 thereof.
- (3) Colombia submitted to the Union a request to add a new geographical indication to Appendix 1 to Annex XIII to the Agreement. The Union completed the objection procedure and the examination of one new geographical indication of Colombia.
- (4) Peru submitted to the Union a request to add new geographical indications to Appendix 1 to Annex XIII to the Agreement. The Union completed the objection procedure and the examination of six new geographical indications of Peru.
- (5) Ecuador submitted to the Union a request to add new geographical indications to Appendix 1 to Annex XIII to the Agreement. The Union completed the objection procedure and the examination of three new geographical indications of Ecuador.
- (6) Article 257(2) of the Agreement provides that the Sub-Committee on Intellectual Property, established by the Parties in accordance with Article 257(1) of the Agreement, is responsible for assessing the information referred to in Article 209 of the Agreement and for proposing to the Trade Committee, established by the Parties in accordance with Article 12(1) of the Agreement, the modification of Appendix 1 to Annex XIII to the Agreement.
- (7) On 20 October 2022, the Sub-Committee on Intellectual Property assessed the information in relation to the new geographical indication of Colombia, the six new geographical indications of Peru and the three new geographical indications of Ecuador, and proposed to the Trade Committee to modify Appendix 1 to Annex XIII to the Agreement accordingly.

⁽¹⁾ OJ L 354, 21.12.2012, p. 1.

⁽²⁾ OJ L 356, 24.12.2016, p. 1.

- (8) Article 13(1)(d) of the Agreement establishes that the Trade Committee is responsible for evaluating and adopting decisions envisaged in the Agreement regarding any subject matter which is referred to it by the specialised bodies established according to the Agreement.
- (9) Pursuant to Article 14(3) of the Agreement, in the cases referred to in Article 12(4) any decision shall be adopted by the EU Party and the signatory Andean country concerned and shall have effect only between those Parties. As these cases relate exclusively to the bilateral relationship between the EU Party and Colombia, the EU party and Ecuador, the EU Party and Peru, and has been discussed in three bilateral sessions of the Sub-Committee on Intellectual Property, the provisions of Article 12(4) apply.
- (10) Appendix 1 to Annex XIII to the Agreement should therefore be modified and the modifications should be approved on behalf of the Union,

HAS DECIDED AS FOLLOWS:

Article 1

The modifications of Appendix 1 to Annex XIII to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part, set out in the draft Decisions of the Trade Committee, are hereby approved on behalf of the Union.

The draft Decisions of the Trade Committee are set out in the Annexes to this Decision.

Article 2

The Head of the Union Delegation in the Trade Committee is authorised to approve the decisions of that Committee on behalf of the Union.

Article 3

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

After their adoption, the Decisions of the Trade Committee shall be published in the Official Journal of the European Union.

Done at Brussels, 14 November 2022.

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

ANNEX 1

DECISION No 1/2022 OF THE TRADE COMMITTEE
of [...] 2022
modifying Appendix 1 to Annex XIII to the Trade Agreement between the European Union and its
Member States, of the one part, and Colombia, Ecuador and Peru, of the other part

THE TRADE COMMITTEE,

Having regard to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part, and in particular Article 13(1)(d) thereof,

Whereas:

- (1) On 21 November 2017 Colombia submitted to the Union its request to add a new geographical indication to Appendix 1 to Annex XIII to the Agreement pursuant to Article 209 of the Agreement. The Union completed the objection procedure and the examination of one new geographical indication of Colombia.
- (2) On 20 October 2022, pursuant to Article 257(2) of the Agreement, the Sub-Committee on Intellectual Property, in a session between the Union Party and Colombia, assessed the information in relation to the geographical indication and proposed to the Trade Committee to modify Appendix 1 to Annex XIII to the Agreement.
- (3) Appendix 1 to Annex XIII to the Agreement should therefore be modified.
- (4) The decision to modify Appendix 1 to Annex XIII to the Agreement may be adopted in a session of the Trade Committee between the Union Party and Colombia, pursuant to Article 14(3) of the Trade Agreement, as it relates exclusively to the bilateral relationship between them and does not affect the rights and obligations of another signatory Andean Country,

HAS DECIDED AS FOLLOWS:

Article 1

In the table under point (a) 'Geographical Indications of Colombia for agricultural and foodstuff products, wines, spirit drinks and aromatised wines' in Appendix 1 to Annex XIII to the Agreement, the entry in the Annex to this Decision is added.

Article 2

This Decision, done in duplicate, shall be signed by representatives of the Trade Committee 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 Colombia's delegation

ANNEX

(a) 'Geographical Indications of Colombia for agricultural and foodstuff products, wines, spirit drinks and aromatised wines'

BOCADILLO VELEÑO

Fruit paste

ANNEX 2

DECISION No 2/2022 OF THE TRADE COMMITTEE
of [...] 2022
modifying Appendix 1 to Annex XIII to the Trade Agreement between the European Union and its
Member States, of the one part, and Colombia, Ecuador and Peru, of the other part

THE TRADE COMMITTEE,

Having regard to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part, and in particular Article 13(1)(d) thereof,

Whereas:

- (1) On 31 October 2017 Peru submitted to the Union its request to add new geographical indications to Appendix 1 to Annex XIII to the Agreement pursuant to Article 209 of the Agreement. The Union completed the objection procedure and the examination of six new geographical indications of Peru.
- (2) On 20 October 2022, pursuant to Article 257(2) of the Agreement, the Sub-Committee on Intellectual Property, in a session between the Union Party and Peru, assessed the information in relation to the geographical indications and proposed to the Trade Committee to modify Appendix 1 to Annex XIII to the Agreement accordingly.
- (3) Appendix 1 to Annex XIII to the Agreement should therefore be modified.
- (4) The decision to modify Appendix 1 to Annex XIII to the Agreement may be adopted in a session of the Trade Committee between the Union Party and Peru, pursuant to Article 14(3) of the Trade Agreement, as it relates exclusively to the bilateral relationship between them and does not affect the rights and obligations of another signatory Andean Country,

HAS DECIDED AS FOLLOWS:

Article 1

In the table under point (c) 'Geographical Indications of Peru for agricultural and foodstuff products, wines, spirit drinks and aromatised wines' in Appendix 1 to Annex XIII to the Agreement, the entries in the Annex to this Decision are added.

Article 2

This Decision, done in duplicate, shall be signed by representatives of the Trade Committee 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 Peru's delegation

ANNEX

(c) 'Geographical Indications of Peru for agricultural and foodstuff products, wines, spirit drinks and aromatised wines'

| | |
|-------------------------------|---------------|
| ACEITUNA DE TACNA | Olive |
| CACAO AMAZONAS PERÚ | Cacao |
| CAFÉ MACHU PICCHU - HUADQUIÑA | Coffee |
| CAFÉ VILLA RICA | Coffee |
| LOCHE DE LAMBAYEQUE | Fruit |
| MACA JUNÍN-PASCO | Plant product |

ANNEX 3

DECISION No 3/2022 OF THE TRADE COMMITTEE
of [...] 2022
modifying Appendix 1 to Annex XIII to the Trade Agreement between the European Union and its
Member States, of the one part, and Colombia, Ecuador and Peru, of the other part

THE TRADE COMMITTEE,

Having regard to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part, and in particular Article 13(1)(d) thereof,

Whereas:

- (1) On 28 November 2018 Ecuador submitted to the Union its request to add new geographical indications to Appendix 1 to Annex XIII to the Agreement pursuant to Article 209 of the Agreement. The Union completed the objection procedure and the examination of three new geographical indications of Ecuador.
- (2) On 20 October 2022, pursuant to Article 257(2) of the Agreement, the Sub-Committee on Intellectual Property, in a session between the Union Party and Ecuador, assessed the information in relation to the geographical indications and proposed to the Trade Committee to modify Appendix 1 to Annex XIII to the Agreement accordingly.
- (3) Appendix 1 to Annex XIII to the Agreement should therefore be modified.
- (4) The decision to modify Appendix 1 to Annex XIII to the Agreement may be adopted in a session of the Trade Committee between the Union Party and Ecuador pursuant to Article 14(3) of the Trade Agreement, as it relates exclusively to the bilateral relationship between them and does not affect the rights and obligations of another signatory Andean Country,

HAS DECIDED AS FOLLOWS:

Article 1

In the table under point (d) 'Geographical Indications of Ecuador for agricultural and foodstuff products, wines, spirit drinks and aromatised wines' in Appendix 1 to Annex XIII to the Agreement the entries in the Annex to this Decision are added.

Article 2

This Decision, done in duplicate, shall be signed by representatives of the Trade Committee 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 Ecuador's delegation

ANNEX

(d) 'Geographical Indications of Ecuador for agricultural and foodstuff products, wines, spirit drinks and aromatised wines'

| | |
|------------------------------|--------|
| | |
| CAFÉ DE GALAPAGOS | Coffee |
| MANÍ DE TRANSKUTUKÚ | Peanut |
| PITAHAYA AMAZÓNICA DE PALORA | Fruit |