

REPORT ON EU TRADE AGREEMENTS

EU-CETA

The agreement, **provisionally entered into force** on 21 September 2017 and still waiting to be ratified by some Member States, **protects 172 GIs**, mainly agri-food.

The list of GIs covered by the Agreement **may be amended to include new GIs, registered after the conclusion of the Agreement**. On the contrary, **GIs already registered before the agreement and not included in the list, cannot be included in the list**. In general, the recognition and protection of GIs in Canada is improved following CETA, because Canada has established a new system of protection that allows GIs not listed in the agreement to apply for protection in Canada.

A permanent negotiating tool, the **EU/Canada Committee on GIs**, has also been established to report on GI issues.

More information: [EC focus on EU-CETA](#)

[GUIDE TO GEOGRAPHICAL INDICATIONS IN CANADA](#)

EU-JAPAN

Entered into force on 1 February 2019, **it covers 211 GIs** mainly in the agri-food sector. The list of geographical indications covered by the Agreement **may be amended to include new GIs**. There is an improvement compared to CETA, **as any GI can be added later**. It is also possible to apply for protection through the Japanese protection system.

The EU/Japan Committee on GIs has been established thanks to this trade deal.

More information: [EC focus on EU-Japan Economic Partnership Agreement](#)

EU – MERCOSUR

The EU and the Mercosur states (Argentina, Brazil, Paraguay and Uruguay) reached a **political agreement** for a trade deal on 28 June 2019. With the entry into force of the agreement, **357 GIs will be protected**.

According to the text of the agreement, the use of a GI will be prohibited for products that do not have that geographical origin, and expressions such as "class", "type", "style", "imitation" and "like" will not be permitted. In addition, the Agreement protects GIs from the misleading use of symbols, flags or images suggesting a "false" geographical origin.

For some GIs, there are exceptions that limit their protection, like the *Grandfathering* or *Prior user*: if a product name was used before it was included in the agreement, the users can continue to do so (it applies to a shortlist). Nevertheless, for the first time, EU manufacturers will have access to the list of operators from Mercosur countries authorised to use these names. This list of *prior users* will be made public before the adoption of the agreement, which will not be signed until the list has been ratified.

As regards the annex on GIs, **it may be amended by adding new GIs**. However, a point of concern is the provision of a list of names that should be considered generic. These are common names such as cheese, ham.

More information: [EC focus on EU- Mercosur Trade agreement](#)

EU – VIETNAM

The agreement, signed on 30th June 2019, following the approval by the European Parliament and the Council as well as after the ratification by the Vietnamese National Assembly, entered into force at the beginning of August 2020. **169 GIs will be protected** and the list of GIs covered by the Agreement can be amended and **any GIs can be added later**. Protection of certain EU GIs will be subject to certain limitations (Champagne, Parmigiano Reggiano, Feta).

Click here to read the [analysis](#) realised by AREPO services.

More information: [EC focus on EU-Vietnam Trade Agreement](#)

EU – CHINA

The Chinese market has its own well-established system of geographical indications.

EU-China bilateral agreement, aiming to **protect 100 EU GIs in China** against imitation and counterfeiting, entered into force on March 1st, 2021. The agreement also provides for the protection of 100 Chinese GIs in the EU.

Four years after its entry into force, **the scope of the agreement will be extended to a further 175 GIs on both sides**, which will have to follow the same registration procedure as the 100 names already covered. The agreement also includes a mechanism to add more geographical indications thereafter. It worth notice that **US-China Economic Trade Agreement**¹ could somehow affect EU-China GIs agreement, since it requires China to ensure that all decisions taken in connection with any other trading partner's application for GI recognition under an international agreement do not compromise market access for US exports to China.

Click here to read the [analysis](#) realised by AREPO services.

More information: [EU-China agreement on GIs](#)

EU – AUSTRALIA

UPDATED

Negotiations between EU and the Australian Government for a comprehensive and ambitious Free Trade Agreement started in June 2018. The EU has identified the protection of EU GIs as one of its key objectives in the negotiations and **has requested that Australia protect about 400 GIs** (234 names of spirits and 166 names of food products), in addition to the wine GIs that are already protected in Australia. In many cases the EU is not seeking to protect names such as Camembert and Pecorino, but rather **compound names** such as Camembert de Normandie and Pecorino Romano.

The [fifteenth round of negotiations](#) for an EU-Australia trade agreement was held in Brussels in April 2023. Discussions on EU Geographical Indications names are still ongoing, especially due to the lack of a common vision on conflicts with prior uses for a limited number of names.

More information: [Towards an EU-Australia Trade Agreement](#)

¹https://ustr.gov/sites/default/files/files/agreements/phase%20one%20agreement/Economic_And_Trade_Agreement_Between_The_United_States_And_China_Text.pdf

EU – NEW-ZEALAND

UPDATED

New Zealand and the European Union (EU) launched negotiations for a free trade agreement (FTA) in June 2018. After reaching an agreement on 30 June 2022, the text was signed on 9 July 2023. **It officially entered into force on May 1st, 2024.**

It will guarantee protection in New Zealand to **the full list of EU wines and spirits (around 2000 names) and to 163 GIs for food products.**

The Agreement protects as well 23 wine GIs from NZ and it foresees the opportunity for both Parties **to add more GIs in the future.** Additions to the list may not exceed 30 PDO PGIs from each Party every three years from the date of entry into force of this Agreement.

Thanks to the agreement reached, the use of a GI term for non-genuine GI products will be prohibited and expressions such as 'kind', 'type', 'style', 'imitation' or the like will not be allowed. Furthermore, the agreement grants protection from misleading use of symbols, flags or images suggesting a "false" geographical origin.

More information: [EC focus on EU-New Zealand Trade agreement](#)

[EU and New Zealand sign ambitious free trade agreement](#)

[EU-New Zealand Factsheet](#)

EU – INDIA

UPDATED

On 8 May 2021, the EU and Indian leaders' agreed to resume negotiations for a *"balanced, ambitious, comprehensive and mutually beneficial"* trade agreement (talks were suspended in 2013), and **to launch separate negotiations on an agreement on geographical indications.**

The EU and India share similar values in protecting their GIs. The agreement will aim to assure simplified access to the quality products for consumers on both sides and promote GIs globally.

The first round of negotiations on GIs was held from 27 June to 1 July 2022 in New Delhi. The Parties discussed the EU request for protection of GIs under the bilateral agreement; **India's request to also protect non-agriculture GIs through the agreement;** control and enforcement provisions essential for the implementation of the agreement; India's requirement to register authorized users for each GI; the EU request for providing high level (Article 23+ TRIPS) of protection beyond wines and spirits.

Reports of negotiations are available [here](#).

More information: [Towards an EU-India trade agreement](#)

EU – CHILE

The EU and Chile concluded negotiations to modernise the trade part of the existing EU-Chile Association Agreement on 9 December 2022.

The agreement includes a comprehensive chapter covering intellectual property rights (IPR), including Geographical Indications. It guarantees higher standards of IPR protection and enforcement than the TRIPS Agreement.

The agreement will **protect 216 names of EU GIs** for food and drinks in Chile. This on the top of the existing agreement on wines and spirits, which protects 1,745 GIs for wines and 257 GIs for spirits and aromatised wines. The agreement **allows adding new GIs under the protection of the agreement in the future.**



This will make it illegal to sell imitations:

- the use of a GI term for non-genuine products will be prohibited;
- expressions such as 'kind', 'type', 'style', 'imitation' or the like will not be allowed, and;
- protection from misleading use of symbols, flags or images suggesting a 'false' geographical origin.

More information: [Towards an EU-Chile Advanced Framework Agreement](#)

USEFUL LINKS

European Commission: [Negotiations and Agreements](#)

European Parliament: [Trade agreements: what the EU is working on](#)