



Brussels, 30.1.2014  
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2014/0015 (NLE)

Proposal for a

**COUNCIL DECISION**

**on the position to be taken by the European Union within the Joint Committee on Agriculture set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, as regards the amendment of Decision No 2/2003 of that Committee**

## EXPLANATORY MEMORANDUM

### **1. CONTEXT OF THE PROPOSAL**

The Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter referred to as ‘the Agreement’) entered into force on 1 June 2002.

In 2011 the two Parties adopted Annex 12 to the Agreement, which concerns the protection of designations of origin and geographical indications for agricultural products and foodstuffs.

Pursuant to Article 15(6) of Annex 12 to the Agreement, the ‘PDO/PGI’ working group assists the Joint Committee on Agriculture (hereinafter referred to as ‘the Committee’) at the latter’s request.

Decision No 2/2003 of the Committee set up the working groups and adopted their terms of reference.

Following the adoption of Annex 12 to the Agreement, Decision No 2/2003 of the Committee should be amended, particularly as regards the basis in the Agreement and the terms of reference of the ‘PDO/PGI’ working group.

### **2. RESULTS OF THE CONSULTATIONS WITH INTERESTED PARTIES AND IMPACT ASSESSMENTS**

The aim of the proposal is simply to amend Decision No 2/2003 of the Committee as regards, in particular, the basis in the Agreement and the terms of reference of the ‘PDO/PGI’ working group. The text of the Joint Committee Decision has been drawn up in cooperation with the Swiss authorities. No impact assessment has been carried out.

### **3. LEGAL ASPECTS OF THE PROPOSAL**

The Decision is based on the Treaty on the Functioning of the European Union, and in particular Article 207(4) in conjunction with Article 218(9) thereof.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products<sup>1</sup> (hereinafter referred to as ‘the Agreement’) entered into force on 1 June 2002.
- (2) Article 6 of the Agreement sets up a Joint Committee on Agriculture (hereinafter referred to as ‘the Committee’), which is responsible for the administration of the Agreement and ensures its good functioning.
- (3) In accordance with Article 6(4) and (7) of the Agreement, on 21 October 2003 the Committee adopted its Rules of Procedure<sup>2</sup> and set up the working groups needed to administer the Annexes to the Agreement<sup>3</sup>.
- (4) By Decision No 2/2003 of the Joint Committee several working groups, including the ‘PDO/PGI’ working group, were set up and their terms of reference adopted. In accordance with the Annex to that Decision, the main task of the ‘PDO/PGI’ working group was to consider the mutual protection of PDOs and PGIs.
- (5) In 2011 the European Union and the Swiss Confederation concluded an Agreement on the protection of designations of origin and geographical indications<sup>4</sup>, amending the Agreement by adding a new Annex 12 on the protection of designations of origin and geographical indications for agricultural products and foodstuffs.
- (6) The ‘PDO/PGI’ bilateral working group met in order to examine, in particular, the amendment of Decision No 2/2003 of the Joint Committee as regards the terms of reference of the ‘PDO/PGI’ working group so as to take into account the amendment of the Agreement.

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<sup>1</sup> OJ L 114, 30.4.2002, p. 132.

<sup>2</sup> Common position adopted by the Council on 21 July 2003; Decision No 1/2003 of the Joint Committee of 21 October 2003 concerning the adoption of its Rules of Procedure (OJ L 303, 21.11.2003, p. 24).

<sup>3</sup> Common position adopted by the Council on 21 July 2003; Decision No 2/2003 of the Joint Committee of 21 October 2003 concerning the setting-up of the working groups and the adoption of the terms of reference of those groups (OJ L 303, 21.11.2003, p. 27).

<sup>4</sup> OJ L 297, 16.11.2011, p. 3.

- (7) Decision No 2/2003 of the Joint Committee concerning the setting-up of the working groups and the adoption of the terms of reference of those groups should therefore be amended,

HAS ADOPTED THIS DECISION:

*Article 1*

The European Union position within the Joint Committee on Agriculture set up by Article 6 of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products shall be based on the draft Decision of the Joint Committee on Agriculture annexed to this Decision.

Minor amendments to the draft Decision may be agreed to by the representatives of the Union within the Joint Committee on Agriculture without the need for a new Council Decision.

*Article 2*

The Decision of the Joint Committee on Agriculture shall be published in the *Official Journal of the European Union*.

*Article 3*

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels,

*For the Council  
The President*