

EU-CHINA

GEOGRAPHICAL INDICATIONS AGREEMENT



THE EU-CHINA AGREEMENT ON GEOGRAPHICAL INDICATIONS: A LANDMARK AGREEMENT

《中欧地理标志协定》：
一个具有里程碑意义的协议

Georges-Henry CARRARD
International Relations Officer- China
DG Agriculture and Rural Development
European Commission

国际关系专员-中国
欧委会农业和农村发展总司

EU-CHINA

GEOGRAPHICAL INDICATIONS AGREEMENT



CONTENTS

目 录

1. Geographical Indications (GIs) in the EU:

欧盟的地理标志：

Reminder

提示

2. EU-CN cooperation on GIs :

中欧在地理标志方面的合作：

A (long) success story

一个（漫长的）成功故事



What is the definition of a Geographical Indication? 地理标志的定义

1. Defined
geographical area +
确定的地理区域



2. **Specific
product**
具体产品



+ 3. Link between 1 and 2.
1和2之间的关联





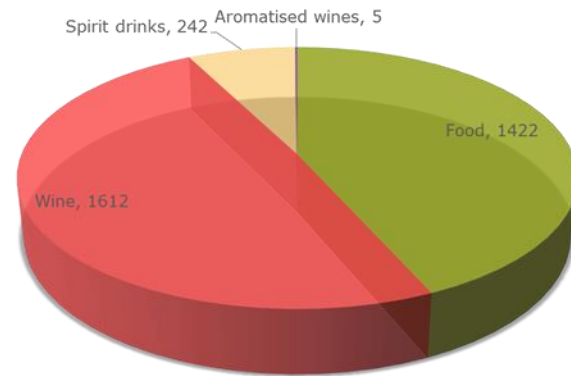
GIIs in the EU: more than 4800 GIIs protected (Sept. 2020)

欧盟的地理标志：受保护地理标志超过4800个（截至2020年9月）

3281 EU GIIs protected

3281个受保护的欧盟地理标志

- **Wines: 1612** (around 50%)
- **葡萄酒：1612个**（约占**50%**）
- **Food: 1422** (around 45%)
- **食品：1422个**（约占**45%**）
- Spirits: 242
- 烈酒：242个
- Aromatised wines: 5
- 芳香葡萄酒：5个

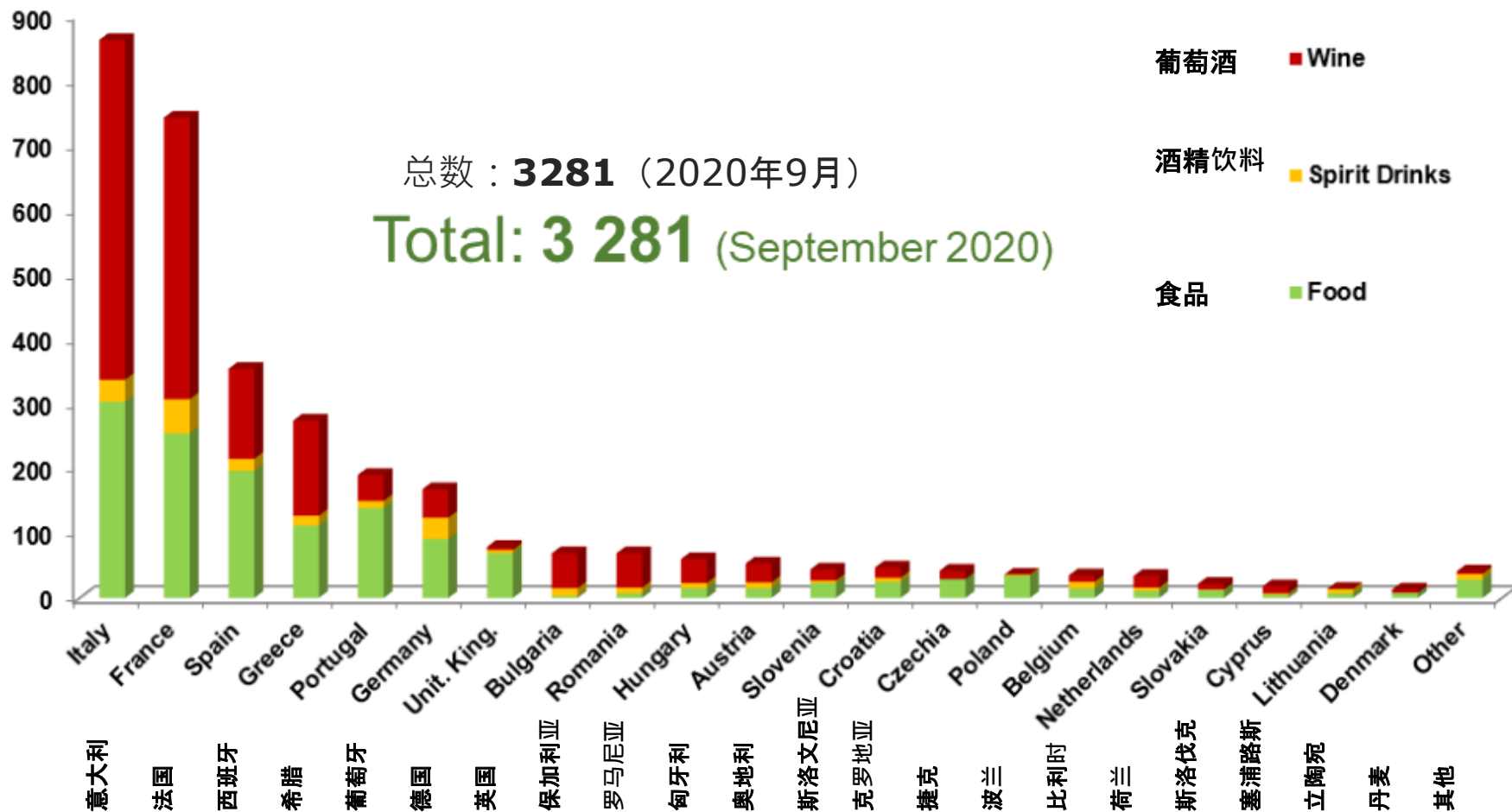


1593 non-EU GIIs protected (through agreements)

1593个受保护的欧盟外地理标志（依据相关协议）

Registered GIs by EU MS and by sector (September 2020)

各成员国及行业的注册地理标志 (2020年9月)



International Framework 国际立法框架

Paris Convention for the Protection of Industrial Property (1883)

《保护工业产权巴黎公约》（1883年）

WTO: TRIPS agreement as framework - Articles 22-24 (legal basis for bilateral agreements)

世界贸易组织：知识产权协定作为框架 – 第22-24条（双边协议的法律依据）

WIPO: Geneva Act of the Lisbon agreement (multilateral register)

世界知识产权组织：斯本协定日内瓦文本（多边注册）



GIs in the EU: comprehensive legislation

欧盟的地理标志：全面立法

Agri products and food - Regulation (EU) No 1151/2012
农产品和食品 - 欧盟第1151/2012号条例



Wines – Regulation (EC) No 1308/2013
葡萄酒 - 欧盟委员会第1308/2013号条例



Spirits – Regulation (EU) 2019/787
烈酒 - 欧盟第2019/787号条例



Aromatised wines – Regulation (EU) No 251/2014
芳香葡萄酒 - 欧盟第251/2014号条例

Next steps in the EU 欧盟的下一步行动

Revision of the EU geographical indications (GIs) systems in agricultural products and foodstuffs, wines and spirit drinks

农产品、食品、葡萄酒和烈酒领域欧盟地理标志制度的修订

Contents: 内容 :

- improving sustainable production under the schemes 根据相关计划加强可持续生产水平
- improving enforcement 提高执法水平
- empowering producer groups 赋能生产者团体
- reducing internet theft 减少互联网盗窃
- better tailoring schemes to producers in all EU regions 为全欧盟生产者量身定制实施计划
- reviewing ways to promote and protect the EUs' traditional foods 进一步促进和保护欧盟传统食品
- speeding up registration procedures. 加快注册流程

Planned for third quarter 2021 计划于2021年第3季度开展

GIs in the EU: quality and authenticity guaranteed and identified

欧盟的地理标志：质量和真实性得到保证和认定

Well known EU GI logos for 欧盟知名地理标志标识

PGI Protected Geographical Indication

PGI - 受保护的地理标志

(at least one production step in the geographical area)

(至少有一个生产步骤在地理区域中完成)



PDO Protected Denomination of Origin

PDO - 受保护的原产地名称

(all production steps in the geographical area)

(所有生产步骤都在地理区域中完成)



GI Benefits to Consumers

地理标志对消费者的好处

- The EU GI system provides **guarantees on**:
欧盟地理标志体系能够**保证**：
 - **Origin** of the product 产品的**原产地**
 - **Quality** of the product (specifications) 产品的**质量**（规格）
 - **Authenticity** of the product (no imitation) 产品的**真实性**（非仿品）
- Ensured by **controls** on production site and on market
通过对生产地点和市场的**控制**提供保障
- Offers a **wider choice** to consumers
为消费者提供了**更多选择**



EU GIs: what is in it for consumers? 欧盟地理标志：对消费者有何好处？

Factors influencing European consumers food product purchases: 欧洲消费者食品采购影响因素：

QC13 How important or not are the following factors in your decision to buy food products?
(% - EU)

QC13: 在您的食品购买决策中，以下因素的重要度如何？ (%-欧盟)

Labels most identified
by consumers:
消费者最能识别的标签：



Special Eurobarometer 473 – Europeans, Agriculture and CAP, February 2018
欧洲晴雨表专项调查 (473) — 欧洲人、农业及共同体农业政策，2018年2月

GI Benefits to Producers

地理标志对生产者的好处

- GI name reserved to products respecting the specifications
地理标志名称将保留给符合规范的产品
Can be used by all producers respecting the GI product specifications
可供所有符合地理标志产品规范的生产商使用
- Production maintained in the geographical area
在该地理区域内保持生产
- Administrative protection by public authorities
政府当局给予行政保护
- GI logos used to differentiate competing goods. Differentiation on the market allows a better price. Consumers prepared to pay more for quality.
地理标志标识可用于区分竞品。市场上的差异化可以提供更好的价格。消费者愿意为更好的质量付更高的价格



Benefits for society 对社会的好处

GIs maintain **jobs** and **economic activities** in rural areas
地理标志维持农村地区的**就业机会**与**经济活动**

GIs encourage the preservation of 地理标志鼓励保护:

- **Biodiversity and Sustainable agriculture** 生物多样性及可持续农业
- **Local savoir-faire and traditional methods** 当地特有及传统方法
- **Landscapes** → tourism 景观→旅游业





Some EU GIs sold on China market 中国市场出售的部分欧盟地理标志



GIs in the EU: a treasure worth € 75 billion

欧盟的地理标志：一个价值750亿欧元的宝藏

See EU Commission study (April 2020) on “Economic value of EU quality schemes and GIs)

见欧盟委员会关于“欧盟质量计划和地理标志的经济价值”的研究（2020年4月）



Study on economic value of EU
quality schemes, geographical
indications (GIs) and
traditional specialties
guaranteed (TSGs)
Final Report

Significant sales value: € 74.8 billion in 2017, around 6.8% of the total EU food and drink sector sales

显著的销售价值：2017年达**748**亿欧元，约占欧盟食品和饮料行业销售总额的6.8%

Significant export value: € 16.9 billion (20% of GI value is exported)

显著的出口价值：**169**亿欧元(地理标志产品价值的20%用于出口)

High value premium: on average price of a GI product is double the price of a similar non-GI product

高价值溢价：地理标志产品的平均价格是类似非地理标志产品价格的两倍。

EU-CHINA

GEOGRAPHICAL INDICATIONS AGREEMENT



CONTENTS

目 录

1. Geographical Indications (GIs) in the EU:

欧盟的地理标志：

Reminder

提示

2. EU-CN cooperation on GIs :

中欧在地理标志方面的合作：

A (long) success story

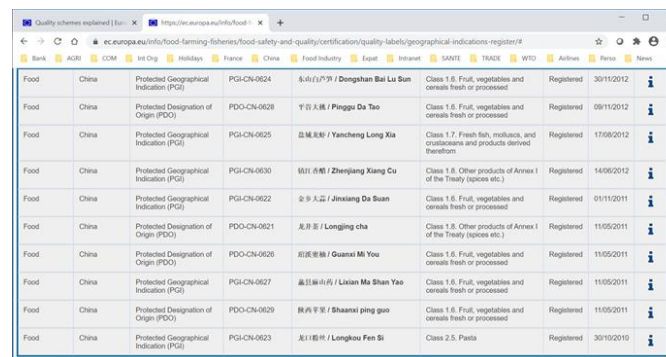
一个（漫长的）成功故事

EU-CN cooperation on GIs – an early start

中欧在地理标志方面的合作 ——起步较早

- **2006:** launch of EU-CN « 10+10 » pilot project on GIs
2006年：启动中欧 “10+10” 地理标志试点项目
- **2010:** launch of negotiations on bilateral EU-CN agreement on GIs
2010年：启动中欧地理标志双边协定谈判
- **2012: first achievement - completion of EU-CN« 10+10 » pilot project on GIs** -10 EU GIs protected in CN and 10 CN GIs protected in EU (listed in EU GI register)

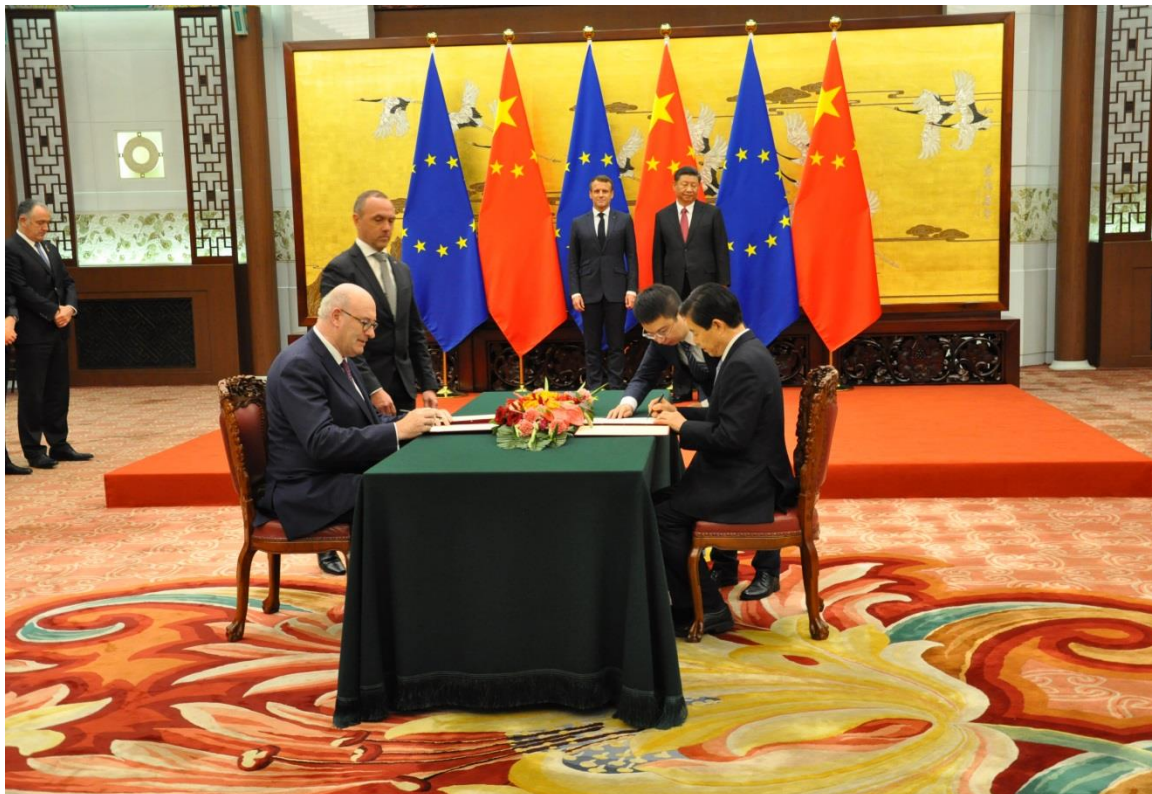
2012年：完成中欧 “10+10” 地理标志试点项目，取得第一项成果 ——10个欧盟地理标志在中国获得保护，同时，10个中国地理标志在欧盟也获得保护（列入欧盟地理标志登记册）。



Food	China	Protected Geographical Indication (PGI)	PGI-CN-0624	冬菇 / Dongshu Bai Lu Sun	Class 1.6, Fruit, vegetables and cereals fresh or processed	Registered	30/11/2012
Food	China	Protected Designation of Origin (PDO)	PDO-CN-0628	平遥 / Pingyao Da Tao	Class 1.6, Fruit, vegetables and cereals fresh or processed	Registered	09/11/2012
Food	China	Protected Geographical Indication (PGI)	PGI-CN-0625	盐城龙虾 / Yancheng Long Xia	Class 1.7, Fresh fish, mollusks, and crustaceans and products derived therefrom	Registered	17/08/2012
Food	China	Protected Geographical Indication (PGI)	PGI-CN-0630	崑崙 / Kunlun Xiang Cu	Class 1.6, Other products of Annex I of the Treaty (spices etc.)	Registered	14/06/2012
Food	China	Protected Geographical Indication (PGI)	PGI-CN-0622	金乡大蒜 / Jinxiang Da Suan	Class 1.6, Fruit, vegetables and cereals fresh or processed	Registered	01/11/2011
Food	China	Protected Designation of Origin (PDO)	PDO-CN-0621	龙井 / Longjing cha	Class 1.8, Other products of Annex I of the Treaty (spices etc.)	Registered	11/05/2011
Food	China	Protected Designation of Origin (PDO)	PDO-CN-0626	阳澄湖大闸蟹 / Yangcheng Lake Da Zha	Class 1.6, Fruit, vegetables and cereals fresh or processed	Registered	11/05/2011
Food	China	Protected Geographical Indication (PGI)	PGI-CN-0627	崑崙山 / Kunlun Ma Shan Yao	Class 1.6, Fruit, vegetables and cereals fresh or processed	Registered	11/05/2011
Food	China	Protected Designation of Origin (PDO)	PDO-CN-0629	陕西洋姜 / Shaanxi ping jiao	Class 1.6, Fruit, vegetables and cereals fresh or processed	Registered	11/05/2011
Food	China	Protected Geographical Indication (PGI)	PGI-CN-0623	龙口粉丝 / Longkou Fen Si	Class 2.5, Pasta	Registered	30/10/2010

« D-Day No 1 »: 6 November 2019 Conclusion of the EU-CN GI agreement negotiations (after 22 rounds)

“决胜日”议程#1：2019年11月6日《中欧地理标志协定》谈判结束(历经22轮)



Joint Press Statement by Commissioner Phil Hogan and Minister Zhong Shan on the End of the Negotiations of an Agreement between the European Union and the Government of the People's Republic of China on Cooperation on, and Protection of, Geographical Indications

We, Commissioner Hogan and Minister Zhong Shan, meeting in Beijing on the 6th of November 2019, are honoured to announce the end of the negotiations of an agreement between the European Union and the government of the People's Republic of China on cooperation on, and protection of, geographical indications, after eight years of negotiation.

This future agreement is likely to be one of the most significant trade agreement negotiated between the European Union and the People's Republic of China in recent years. It should provide high protection for European names on the Chinese market and for Chinese names on the European market. It should be another step in the global recognition of geographical indications, allowing us to preserve the traditional way of producing these high quality products, conserving our food heritage, and contributing to rural economies, to European and Chinese consumers as well as society at large.

The conclusion of these negotiations was a commitment taken at the last EU-China Summit and is a powerful and concrete step for an increased cooperation between the European Union and China. The future agreement should be a sign to the world of our commitment to deeper trade relations. It should be a symbol of our openness and our adherence to international rules as a basis for trade relations.

The text of the agreement will now follow the relevant procedures from both parties to allow the respective Chinese and European Institutions to conclude the agreement as soon as possible so that European and Chinese producers and consumers can start enjoying its benefits.

Commissioner for Agriculture and Rural
Development
EUROPEAN COMMISSION



Phil Hogan

Minister of Commerce
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF
CHINA

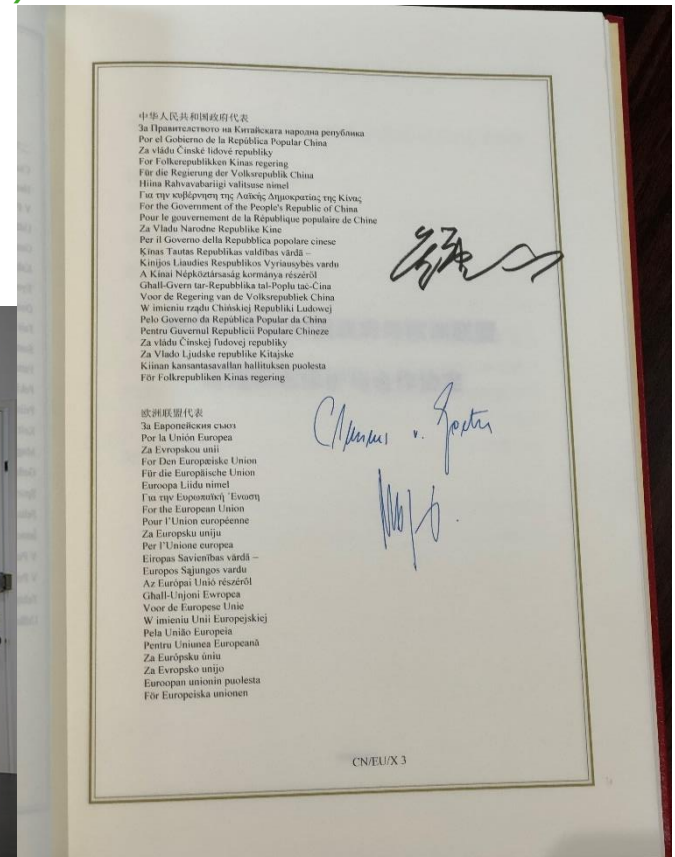
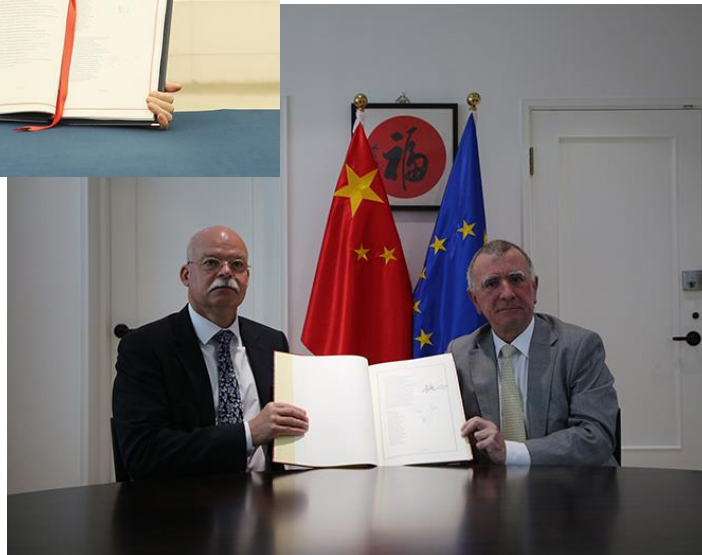
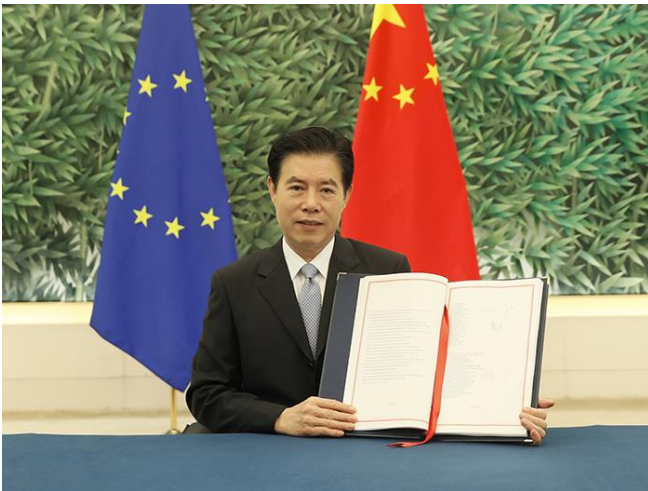


Zhong Shan



« D-DAY No 2 »: 14 September 2020 Signing of the EU-CN GI Agreement (first trade agreement EU-CN)

“决胜日”议程#2：2020年9月14日签署《中欧地理标志协定》
(中欧第一个贸易协定)



« D-DAY No 3 » : Q1-2021

Entry into Force of the EU-CN GI agreement

“决胜日”议程#3：《中欧地理标志协定》将于2021年第一季度正式生效



100 EU GI names to be protected in CN including Cava, Champagne, Feta, Irish whiskey, Münchener Bier, Parmigiano Reggiano, Polska Wódka, Porto, Prosciutto di Parma and Queso Manchego

100个欧盟地理标志名称将在中国获得保护，包括卡瓦酒，香槟，菲达奶酪，爱尔兰威士忌，慕尼黑啤酒，乌佐茴香酒，波兰伏特加，波特酒，帕尔玛火腿和蒙切哥乳酪等产品

100 CN GI names to be protected in EU including Pixian Dou Ban (Pixian Bean Paste), Anji Bai Cha (Anji White Tea), Panjin Da Mi (Panjin rice) and Anqiu Da Jiang (Anqiu Ginger)

100个中国地理标志名称也将在欧盟获得保护，包括郫县豆瓣、安吉白茶、盘锦大米、安丘大姜等产品

EU-CN GI agreement: not the end of the story Implementation still to come

《中欧地理标志协定》：不是故事的终结，尚待实施

Art.1: scope

第1条：范围

Art.2: established GIs

第2条：知名地理标志

Art.3: addition of GIs

第3条：地理标志的增加

Art.4: scope of protection of GIs

第4条：地理标志的保护范围

Art.5: right of use of GIs

第5条：地理标志的使用权

Art.6: relationship with trademarks

第6条：关联商标

Art.7: enforcement of protection

第7条：保护的实施

Art.8: general rules

第8条：一般规则

Art.9: exchange of information

第9条：信息交流

Art.10: joint committee

第10条：联合委员会

Art.11: cooperation

第11条：合作

Art.12: territorial scope

第12条：领域范围

Art.13: authentic texts

第13条：正本

Art.14: entry into force

第14条：生效



EU-CN GI agreement: not the end of the story Implementation still to come 《中欧地理标志协定》：不是故事的终结，尚待实施

- **Article 2 + Annexes 3 and 4: 100 CN GIs + 100 EU GIs** to be protected at entry into force

第2条+附件3和4：100个中国地理标志+100个欧盟地理标志在协定生效时**立即**获得保护。

- **Article 3 + Annexes 5 and 6: 175 CN GIs + 175 EU GIs** to be protected during the first 4 years after entry into force (once examination procedure completed) – more additions possible

第3条+附件5和6：175个中国地理标志和175个欧盟地理标志将在协定生效后的头4年内获得保护（前提是完成审查程序）——可能会有增添。



EU-CN GI agreement: not the end of the story Implementation still to come 《中欧地理标志协定》：不是故事的终结，尚待实施

- **Article 4: high level of protection** against any use on similar product not originating in the place indicated by the GI or not compliant with the GI specifications

第4条：高水平保护，防止非原产于地理标志所示地点或不符合地理标志规格类似产品的使用

- **Article 7: enforcement of protection** by authorities

第7条：相关主管部门负责实施保护

- **Article 10: Joint Committee to monitor implementation**

第10条：联合委员会将监督执行情况

- **Article 11: cooperation on enforcement**

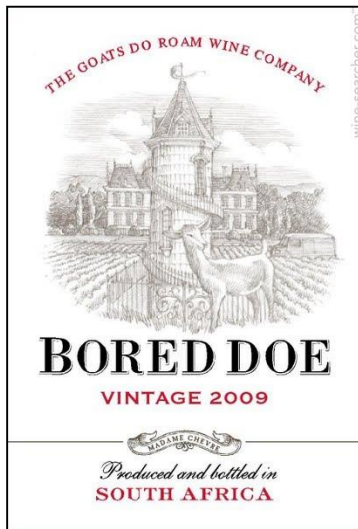
第11条：执法合作

Why is enforcement necessary 执法的必要性

- In 2020 Bordeaux wins landmark case over counterfeits in China
- 2020年，波尔多在中国的产地造假案件中胜诉
- Fake “Bordeaux” products available including on e-commerce platform.
- 假冒“波尔多”产品在包括电商等多个渠道有售
- Reported by the Conseil Interprofessionnel du Vin de Bordeaux (“CIVB”)
- 由法国波尔多葡萄酒行业协会举报
- large number of goods (nearly 10,000 bottles) involved
- 涉案货物数量巨大（近1万瓶）
- First criminal judgment for a GI infringement in China.
- 中国针对地理标志侵权启动的首次刑事审判



Why is enforcement necessary: Examples of usurpation/evocation 执法必要性：冒用 / 联想



Evocation of "Bordeaux"
"Bordeaux" (波尔多) 联想



Evocation of "Côte-Rôtie"
"Côte-Rôtie" (罗第丘) 联想



Prosciutto Parma style
"Prosciutto Parma" 风格



Evocation of "Feta"
"Feta" (菲达) 联想

EU-CHINA

GEOGRAPHICAL INDICATIONS AGREEMENT



**Year 2021: Another chapter in
the EU-CN GI success story,
the « implementation » chapter**

**2021年：将揭开中国-欧盟地理标志合作
这个漫长成功故事的新篇章 -
《中欧地理标志协定》的实施。**



More information on EU GIs:

有关欧盟地理标志的更多信息：

https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/quality-schemes-explained_en