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## Brazil may initiate a WTO dispute concerning import restrictions imposed on beef products

On 2 January 2013, officials from the Brazilian Ministry of Agriculture announced that a WTO dispute may be launched concerning restrictions imposed on imports of food products made with Brazilian beef meat and bones (hereinafter, Brazilian beef) by several WTO Members. Reportedly, there are currently nine markets with full or partial bans on Brazilian beef, eight of which are WTO Members: China, Japan, Jordan, Peru, Saudi Arabia, South Africa, South Korea and Taiwan (hereinafter, the eight countries). Brazil appears intentioned to file a formal complaint at the WTO if these countries do not lift their bans before March.

The eight countries have prohibited the importation of Brazilian beef after the World Organization for Animal Health (International Office of Epizootics, hereinafter, OIE) reported that a sample taken from a breeding cow that died in 2010 in the Brazilian State of Parana tested positive for atypical *bovine spongiform encephalopathy* (hereinafter, BSE), commonly known as the '*mad cow disease*'. In particular, as of 7 December 2012, China, Japan, Peru, Saudi Arabia, South Africa, South Korea and Taiwan implemented a full ban for 90 days, while Jordan (and Lebanon) restricted Brazilian beef only from the State of Parana. In principle, Chile was also to apply restrictions on Brazilian beef, but only on bone and beef flour. However, it decided to lift the ban after the OIE confirmed, in a report of 10 January 2013 (hereinafter, the OIE report), that Brazil's '*negligible BSE risk status*' did not change considering the occurrence of a single case of BSE. Given the successive export market closures, Brazil took diplomatic initiatives to demonstrate that its beef exports were safe (*e.g.,* delegations were dispatched to the top 20 importing nations in order to provide accurate information concerning Brazilian beef). Brazilian authorities explained that atypical BSE cases can occur spontaneously and that the Brazilian cow in question never entered the food chain. In Brazil's view, the countries enforcing the ban have no valid, scientifically-based justification for their import restrictions inasmuch as the OIE maintained Brazil's status as a beef producer having *'negligible BSE risk'* (*i.e.,* the safest of the categories which is given to countries that have shown that the disease is either non-existent or extremely restricted within their territories).

The restrictions imposed by the eight countries may be relevant to the obligations established by the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter, the SPS Agreement), which is the most relevant international instrument regulating the application of import restrictions due to sanitary concerns, including any measure '*applied to protect human life or health within the territory of a WTO Member from risks arising from diseases carried by animals […]*'. In the case at stake, while confirming an atypical BSE case in Brazil, the OIE also recognised Brazil's risk status as belonging to the lowest category. Article 3.1 of the SPS Agreement requires WTO Members to base their SPS measures on '*international standards, guidelines or recommendations*', which are defined under Annex A(3)(b) as, *inter alia*, guidelines and recommendations

developed under the auspices of the OIE for animal health and zoonosis (*i.e.,* any disease or infection that is naturally transmissible from vertebrate animals to humans). To the extent that the OIE's classification fulfils the definition of '*guideline or recommendation*', Article 3.1 of the SPS Agreement could be invoked by Brazil, inasmuch as the countries imposed the bans on the Brazilian beef despite the OIE having indicated the absence of BSE-related risks. The SPS Agreement allows WTO Members to adopt SPS measures resulting in a higher level of SPS protection than would be achieved by measures based on relevant international standards, provided that there is a scientific justification or as a consequence of the SPS level of protection that has been established on the basis of an appropriate assessment of the risks.

Therefore, in a potential WTO dispute, the eight countries would have to show that the import ban is warranted on scientific grounds or was based on an appropriate risk assessment, as required by Article 5.1 and as defined in Annex A(4) of the SPS Agreement as the '*evaluation of the likelihood of entry, establishment or spread of the disease within the territory of an importing Member according to the sanitary [or phytosanitary] measures which may be applied, and of the associated potential biological and economic consequences*'. In addition, the maintenance of the import prohibition on Brazilian beef without any sufficient scientific justification by the eight countries would also be contrary to Article 2.2 of the SPS Agreement. Furthermore, the imposition of a full ban on Brazilian beef could also be contrary to Article 5.3 of the SPS Agreement, which determines WTO Members' obligation to consider the less restrictive approach while applying a sanitary measure in order to limit the risks where the existence of a '*free-disease area*' has been recognised in accordance to Articles 5.2 and 6.2 of the SPS Agreement *i.e.*, in the present case the entire territory of Brazil, except the State of Parana. In this respect, Article 5.4, which requires WTO Members to minimise negative trade effects when determining the appropriate level of SPS protection, is also of relevance.

Brazil is one of the world's top beef exporters and, reportedly, 4.4% of the country's total beef exports have been affected by these restrictions. Among the eight countries, the most important markets for Brazilian beef are China and Saudi Arabia. Saudi Arabia is one of the largest importers of Brazilian beef, accounting for nearly 3% of Brazil's export sales. Whereas China accounts for just over 1% of Brazil's beef exports by volume, the country's growth potential makes it a priority market. In light of these circumstances, Brazil may likely be inclined to take WTO action should these countries not lift the restrictions placed on its beef products. The potential WTO dispute should be carefully monitored by all businesses facing SPS-related restrictions across the world, as well as by the domestic competent authorities of all WTO Members dealing with the application of sanitary measures.

### Advocate General Kokott agrees with the EU General Court decision that an action taken by the Inuit to annul the EU 'seals regime' was inadmissible

On 17 January 2013, Advocate General Kokott issued her opinion in relation to Case C-583/11 P, *Inuit Tapiritt Kanatami and Others v. Parliament and Council*, which is soon due to come before the EU Court of Justice on appeal, after the EU General Court decided in 2011 to reject an action by a body representing the interests of the Canadian Inuit against the EU's '*seals regime*' on inadmissibility grounds.

Before the EU General Court, the Inuit had sought the annulment of *Regulation (EC) No. 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products* (hereinafter, the EU Seals Regulation), which imposes a general ban on the importation and marketing of products, processed or unprocessed, derived or obtained from specimens of all species of *pinnipeds* (*Phocidae*, *Otariidae* and *Odobenidae*), including meat, oil, blubber, organs, raw fur skins and fur skins, tanned or dressed, including fur skins

assembled in plates, crosses and similar forms, and articles made from fur skins (for more information see Trade Perspectives, Issue No. 5 October 2012). Exempted from the ban are products that result from hunting activities traditionally conducted by Inuit and other indigenous communities and which contribute to their subsistence (*i.e.,* non-commercial activities), as well as seal products that are the by-products of hunting regulated by national law and conducted for the sole purpose of the sustainable management of marine resources. Under the EU Seals Regulation, entry of such products into the EU market is conditional upon compliance with specific formal requirements and certifications attesting that the seal products fall within the exception.

The EU General Court dismissed the Inuit action as inadmissible by an order of 6 September 2011, after it determined that the applicants were not '*directly concerned'* by the EU Seals Regulation since their legal situation was actually unaffected in comparison with *'those of the applicants who are active in the placing on the market of the European Union of seal products'*. In issuing this order, the EU General Court also pointed out that the EU Seals Regulation prohibits neither the seal hunting itself, nor the use or consumption of seal products that are not marketed. *Locus standi* before EU Courts is a controversial issue of EU law, particularly since the threshold that needs to be satisfied by individuals who wish to challenge EU measures of general application (*i.e.*, the requirement to prove that an act of general application affected '*them by reason of certain attributes peculiar to them, or by reason of a factual situation which differentiates them from all other persons and distinguishes them individually in the same way as the addressee of a decision*', also known as the '*Plaumann* formula') has being criticised as overly-burdensome. These rules were modified in 2009 with the entry into force of the *Treaty for the Functioning of the European Union* (hereinafter, TFEU), in respect of '*regulatory acts*'. In particular, Article 263(4) of the TFEU provides that '*(A)ny natural or legal person may, under the conditions laid down in the first and second paragraphs, institute proceedings against an act addressed to that person or which is of direct and individual concern to them, and against a regulatory act which is of direct concern to them and does not entail implementing measures*'. A level of uncertainty has arisen from the fact that the Treaties do not define what a '*regulatory act*' includes and the EU General Court in the Inuit case was, in fact, the first to interpret this term, finding that the second part of Article 263(4) TFEU covers all acts of general application, apart from legislative ones. This means that, under the new rules, individual applicants are still required to show direct and individual concern in order to challenge any '*legislative act'* (*i.e.,* any measures adopted through the ordinary or special legislative procedures), while other acts, such as Commission Regulations, which do not entail implementing measures, may be challenged where only a direct concern exists.

The Advocate General endorsed the EU General Court's view that the EU Seals Regulation could only be challenged where individuals could meet the higher '*direct and individual concern'* threshold. According to the Advocate General, it was not intended that the second part of Article 263(4) of the TFEU should extend to cover legislative acts, as such acts already enjoy a '*high degree of legitimation*'. If the EU Court of Justice agrees with the Advocate General's opinion, the Inuit will thus not be able to advance their substantive arguments against the EU Seals Regulation, in particular, that the legal basis for the Regulation (on Article 114 of the TFEU) is flawed. More specifically, in their action before the EU General Court, the Inuit argued that, while Article 114 of the TFEU allows the EU to legislate in order to facilitate the functioning of the EU internal market, the stated aim of the EU Seals Regulation is the protection of animal welfare, as opposed to harmonisation. The Inuit also alleged that the EU Seals Regulation infringes the principle of proportionality (*i.e.*, Article 5 of the *Treaty on the European Union*) because (i) it does not actually lead into an improvement of animal welfare and (ii) it disproportionally affects the applicants inasmuch as less restrictive alternatives would have been available (such as labelling requirements), and, finally, that the EU violated the *European Convention of Human Rights* in not considering the subsistence possibilities of the applicants.

The legality of the EU '*seal regime*' has been much disputed since 2011 *(see Trade Perspectives, Issues No. 4 of 25 February 2011 and No. 6 of 25 March 2011).* The WTO is expected to make a finding on the compatibility of the EU Seals Regulation with the EU's WTO commitments after Canada and Norway requested the establishment of a WTO panel, following failed consultations with the EU. Canada and Norway have recently requested the WTO Director-General to appoint a panel of experts to review the case *(see Trade Perspectives, Issue No. 18 of 5 October 2012)* in order to address Canadian and Norwegian complaints (for more background on the WTO dispute, see Trade Perspectives, Issues No. 1 of 13 January 2012 and Issue No. 18 of 5 October 2012).

The EU cases (the Inuit have also lodged an action for annulment against the implementing measure *Commission Regulation (EU) No. 737/2010 of 10 August 2010 laying down detailed rules for the implementation of Regulation (EC) No. 1007/2009 of the European Parliament and of the Council on trade in seal products in Regulation (EC) No. 1007/2009 of 16 September 2009* (*Case T-526/10*), which is currently pending), as well as the pending WTO case, should be monitored with interest. In practical terms, if the Advocate General's clarification of the current admissibility requirements is followed by the EU Court of Justice, then the pre-Lisbon '*direct and individual concern*' test will continue to be the applicable threshold that individuals or firms, attempting to take an action against an EU act adopted by the Parliament and the Council acting together through legislative procedure, must meet before the EU courts. The relaxation of the *locus standi* requirements for some private applicants will, in turn, be of particular interest to businesses attempting to challenge implementing measures such as Commission Regulations, where the details of EU Regulations or Directives are left for the Commission to implement.

## The EU amends the list concerning reinforced border controls of '*high-risk*' non-animal products and further escalates import controls on certain products

At a meeting of the EU Commission's Standing Committee on the Food Chain and Animal Health (hereinafter, SCoFCAH) held on 4 December 2012, the EU Member States approved an amendment to *Regulation (EC) No. 669/2009 implementing Regulation (EC) No. 882/2004 as regards the increased level of official controls on imports of certain feed and food of non-animal origin*, which has now been published as *Commission Implementing Regulation (EU) No. 1235/2012 of 19 December 2012*. The amendments to Annex I of *Regulation (EC) No. 669/2009,* which lists the *'high-risk'* products that are subject to increased controls, have been applicable since 1 January 2013.

Article 15(5) of *Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules*, provides for the drawing up of specific rules to govern the importation into the EU of certain food and feed products that present additional risks to the food chain. Since 25 January 2010, under *Regulation (EC) No. 669/2009 implementing Regulation (EC) No. 882/2004 as regards the increased level of official controls on imports of certain feed and food of non-animal origin*, imports of certain feed and food of non-animal origin from certain non-EU countries considered to be *'high-risk'* can only enter the EU through specific ports and airports approved as designated points of entry (DPEs) where official controls are carried out at a frequency (*i.e.*, a percentage of the total consignments) established in *Regulation (EC) No. 669/2009.* A *'high-risk'* product is a feed or food that carries either a known or an emerging risk to public health, due to the presence of contaminants and/or undesirable substances such as aflatoxins, salmonella, pesticide residues, norovirus and hepatitis A. In practice, importers and feed and food business operators must pre-notify DPEs at least one working day before the physical arrival of the consignment by completing the Common Entry Document (CED), which can be found at Annex II of *Regulation (EC) No. 669/2009*. Fees

are payable to the relevant authority where these controls are carried out. Complete consignments are detained by Custom officials until the required checks have been carried out. A documentary check is carried out on all consignments and an identity and physical check (including sampling and analysis) is carried out on some consignments at the frequency specified.

The list in Annex I of *Regulation (EC) No. 669/2009* has now been amended effective on 1 January 2013 in view of the occurrence and relevance of food incidents notified through the EU Rapid Alert System for Food and Feed (RASFF) and the findings of audits to third countries carried out by the Food and Veterinary Office, as well as the quarterly reports on consignments of feed and food of non-animal origin submitted by EU Member States to the EU Commission. A number of new products have been added to the list of foods, which are subject to reinforced border checks: dried vine fruit from Afghanistan (at a control frequency of 50% for the possible presence of Ochratoxin A), certain herbs, spices and vegetables from Vietnam (at a control frequency of 20% for the possible presence of pesticide residues) watermelons from Brazil (10% frequency for salomonella), strawberries from China (5% frequency for norovirus and hepatitis A), peas and beans from Kenya (10% frequency for pesticide residues), mint from Morocco (10% frequency for pesticide residues), watermelon seeds and derived products from Sierra Leone (50% frequency for aflatoxins). As a result of the improved level of compliance, the control frequency for a number of products has been reduced: aubergines and bitter melon from Dominican Republic, spices from India, and yardlong beans, aubergines and brassica vegetables from Thailand. Finally, because of the satisfactory results reported by EU Member States, peaches from Egypt, feed additives and pre-mixtures from India, and *Capsicum annuum* from Peru have been de-listed. The remaining entries on the list and their respective control frequencies remain unchanged. With a view to better targeting certain products set out in the list, TARIC codes have been added, where appropriate, or amended to align them with the revised Combined Nomenclature, applicable as of 1 January 2013.

Further to the addition and deletion of products from the '*high-risk*' products list, the EU is introducing specific safeguard legislation for the controls on some products to be escalated. These products will remain under the control of *Regulation (EC) No. 669/2009* until the safeguard legislation takes effect. The new measures will require testing of all consignments of those products prior to shipment. Health certification will be required to certify that the products have been sampled and analysed for the presence of the specified contaminant and have been found to be in compliance with EU law. All costs resulting from the official controls, including sampling, analysis, storage and any measures taken following non-compliance, are borne by the feed and food business operators. The products targeted by these measures are: groundnuts and peanut butter from Ghana (contaminant: aflatoxins); okra from India (pesticides); curry leaves from India (pesticides); groundnuts (peanuts) in shell and shelled, peanut butter, groundnuts otherwise prepared or preserved from India (aflatoxins), and watermelon seeds and derived products from Nigeria (aflatoxins).

The results from the increased frequency of controls of these products have shown a continuous high frequency of non-compliance with maximum levels of aflatoxins and maximum residue levels of pesticide residues established in EU legislation and at several times very high levels were observed. The EU Commission argues that these results provide evidence that the import of these foods and feeds constitute a risk for animal and human health and that no improvement of the situation could be observed after the period of increased frequency of controls at EU borders. Furthermore, the EU Commission states that no concrete and satisfactory action plan to remediate the shortcomings and deficiencies in the production and control systems has been received from the Ghanaian, Indian and Nigerian authorities, despite explicit requests. The products controlled because of an aflatoxin risk will be included under the requirements of *Commission Regulation (EC) No. 1152/2009 imposing special conditions governing the import of certain foodstuffs from*

*certain third countries due to contamination risk by aflatoxins*. The EU Commission's SCoFCAH (section controls and import conditions) voted unanimously in its 15 January 2013 meeting for the adoption of a *Commission Implementing Regulation laying down specific conditions applicable to the import of groundnuts from Ghana and India, okra and curry leaves from India and watermelon seeds from Nigeria and amending Commission Regulations (EC) No. 669/2009 and (EC) No. 1152/2009,* which will apply from 18 February 2013.

The WTO Agreement on Sanitary and Phytosanitary Measures provides that, while governments have the right to establish their own levels of protection and may adopt sanitary and phytosanitary measures necessary for the protection of human, animal or plant life or health, these are only permissible where they can be proved to be science-based, proportional, non-discriminatory and/or based on international standards. On 21 December 2012, the EU Commission notified the WTO's Committee on Sanitary and Phytosanitary Measures of the revision of *Commission Regulation (EC) No. 669/2009 regarding the increased level of official controls on imports of certain feed and food of non-animal origin.* Third country governments and food business operators should observe carefully any steps actually taken by the EU and address (or challenge) the potentially indiscriminate use of disproportionate or unscientific SPS measures, or measures not based on international standards. Under the SPS Agreement, any WTO Member also has the right to request its trading partners to discuss the recognition of equivalence or other trade facilitation tools such as mutual recognition. These are trade facilitation instruments that are worth considering when it comes to the impact on trade of import controls on food, feed, animals and plants.

## Investment protection issues at stake in the EU – Canada free trade negotiations

The Comprehensive Economic and Trade Agreement (hereinafter, CETA) between the EU and Canada is reportedly '*only weeks away*' from being completed, according to recent press reports. Negotiations between the two trading partners were launched in June 2009 with the aim of reaching a free trade agreement that constituted Canada's most comprehensive trade deal. Negotiations in areas such as rules of origin, trade in goods, sanitary and phytosanitary measures, as well as issues concerning monopolies, state enterprises and sustainable development were almost resolved in November 2012, according to leaked EU internal documents (for a further background on these areas, see Trade Perspectives Issue No. 9 of 4 May 2012). Conversely, substantial work remained to be done in respect of other topics, which, in the words of the EU Commission, could stay open '*until the last minute*'. In particular, these topics comprise services and investment, including investment protection, where sharp differences between the two trading partners remain.

According to the leaked documents, the investment protection section of the CETA will include provisions on, *inter alia*, the standard of fair and equitable treatment and indirect expropriation. '*Fair and equitable treatment*' sets out the baseline standard of treatment for investors and their investments. This treatment is often measured against the minimum standard of treatment of aliens as defined by customary international law. This is the case, for example, of Canada's Foreign Investment Promotion and Protection Agreement (FIPA) Model, in which the obligations regarding '*fair and equitable treatment*' and '*full protection and security*' are measured against the minimum standard of customary international law. This approach, however, is deemed by the EU to raise uncertainties, which are linked to the evolving nature of the customary law benchmark and to effectively lower the standard of protection. With the purpose of ensuring that the effective level of protection granted by this standard be not affected nor reduced, the EU proposes that the '*fair and equitable treatment*'

standard be linked to a clear set of criteria that would codify existing relevant jurisprudence that both parties are comfortable with.

Indirect expropriation has been increasingly addressed in recent investment agreements, including those of EU Member States. According to a definition provided by the Organisation for Economic Co-operation and Development, indirect expropriation refers to instances of '*interference by the state in the use of [the investor's] property or with the enjoyment of benefits, even where the property is not seized and the legal title not affected*'. The problematic aspect of indirect expropriation consists in identifying which measures taken by the host state and interfering with the investor's property should be considered '*indirect expropriation*' and give cause to compensation. This issue is particularly important as it has an impact on governments' right to regulate in sensitive areas such as health and safety, consumer protection and the environment, when such regulation affects investors' properties and assets. Recent model bilateral investment treaties (such as Canada's) contain the criteria spelling the difference between '*indirect expropriation*' and '*non-compensable*' regulation. In particular, the Canadian model provides in a separate Annex the definition of '*indirect expropriation*', as well as a number of criteria to be considered on a case-by-case basis when determining the existence of indirect expropriation. A provision clarifies that, except in rare circumstances, non-discriminatory regulatory actions by a Party that are designed and applied to protect legitimate public welfare objectives (such as public health, safety and the environment) do not constitute indirect expropriation. The '*rare circumstances*' are linked to instances of measures that are '*so severe in light of their purposes that they cannot be reasonably viewed as having been adopted in good faith*'. According to the leaked document, the EU is willing to accept the Canadian proposal that the criteria for interpretation of indirect expropriation be spelled out in a separate annex. However, the EU appears to reject the possibility that indirect expropriation linked to the pursuit of legitimate objectives be without compensation.

Lastly, substantive differences appear to remain in relation to the actual operation of ISDS, especially regarding the ability of locally established investments to resort thereto, a number of transparency issues, and Canada's alleged intention to exclude decisions adopted under the '*Investment Canada Act*' from the scope of ISDS. According to the EU, ensuring effective protection is a priority to guarantee that the negotiated rules create an investment-friendly framework for EU investors, which levels the playing field with US and Mexican investors on the Canadian territory. On the other hand, the EU wishes to exclude market access-related commitments (*i.e.*, pre-establishment liberalisation) from the scope of ISDS.

It is clear that further efforts are required concerning the CETA negotiations for a regulatory framework on investment that is satisfactory for both trading partners, inasmuch as negotiations still appear far from being completed. The CETA is called to provide EU operators with enhanced opportunities for export and investment in the Canadian market, along the lines of those granted to businesses from NAFTA countries. In addition, inasmuch as the CETA is among the first agreements of the EU where effective investment protection commitments are undertaken, the concessions exchanged will likely provide a benchmark for future negotiations with the EU. Notably, the investment component of the CETA looks poised to include all provisions that are currently foreseen in modern investment agreements, with its scope embracing both '*pre-establishment*' investment liberalisation as well as '*post-establishment*' investment protection. The disciplines on indirect expropriation will be particularly important: should the EU's approach be accepted by Canada, EU and Canadian investors will be entitled to claim compensation in instances of incidental deprivation of property caused by regulations concerning public policy objectives.

## Recently Adopted EU Legislation

### Market Access

- *Commission Implementing Regulation (EU) No. 64/2013 of 24 January 2013 amending Regulation (EC) No. 2535/2001 as regards the management of the WTO tariff quotas for New Zealand cheese and butter*

- *Regulation (EU) No. 19/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part*

### Trade Remedies

- *Regulation (EU) No. 20/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other*

- *Council Implementing Regulation (EU) No. 21/2013 of 10 January 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No. 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports of certain open mesh fabrics of glass fibres consigned from Taiwan and Thailand, whether declared as originating in Taiwan and Thailand or not*

### Customs Law

- *Commission Implementing Regulation (EU) No. 58/2013 of 23 January 2013 amending Regulation (EEC) No. 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No. 2913/92 establishing the Community Customs Code*

### Food and Agricultural Law

- *Commission Implementing Regulation (EU) No. 1115/2012 of 28 November 2012 temporarily suspending customs duties on imports of certain cereals for the 2012/13 marketing year*

- *Commission Implementing Regulation (EU) No. 65/2013 of 24 January 2013 amending Annex III to Regulation (EC) No. 826/2008 laying down common rules for the granting of private storage aid for certain agricultural products*

- *Commission Implementing Decision of 22 January 2013 authorising an extension of use of Chia (Salvia hispanica) seed as a novel food ingredient under Regulation (EC) No. 258/97 of the European Parliament and of the Council (notified under document C(2013) 123)*

**Trade-Related Intellectual Property Rights**

- *Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs*

**Other**

- *Commission Regulation (EU) No. 57/2013 of 23 January 2013 amending Regulation (EC) No. 1418/2007 concerning the export for recovery of certain waste to certain non-OECD countries*
- *Council Regulation (EU) No. 39/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements*
- *Council Regulation (EU) No. 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements*
- *Council Decision of 14 January 2013 amending the Council's Rules of Procedure*
- *Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part*

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