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Trade-restrictive measures imposed by the EU against South African citrus fruits may be incompatible with WTO rules

On 11 December 2013, the EU Commission adopted emergency measures addressed at preventing that citrus black spot disease (hereinafter, CBS disease) from South Africa enter and spread in the territory of the EU. Such measures, established in *Commission Implementing Decision of 11 December 2013 on measures to prevent the introduction into and the spread within the Union of Guignardia citricarpa Kiely (all strains pathogenic to Citrus), as regards South Africa* (hereinafter, the EU Commission's Decision), were adopted following an agreement reached on 28 November 2013 by EU Member States within the Standing Committee on Plant Health.

CBS disease is a plant disease caused by the fungus *Guignardia citricarpa* (also known as *Phyllosticta citricarpa*), which affects citrus fruits. Although the disease is harmless to humans, it damages fruits' appearance by causing spots on fruit leaves and blemishes in fruits, as well as potentially reducing both quality and quantity of harvests. In addition, the symptoms of CBS disease may also develop after fruit harvest (*e.g.*, during transportation or storage). CBS disease is present in regions of Africa, Asia, Oceania and South America where citrus fruits are produced, but has never been detected in Europe and other parts of the world. *Guignardia citricarpa* Kiely (all strains pathogenic to citrus) is classified as a harmful organism under *Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community*, which lays down requirements for the importation into the EU of plants and fruits susceptible of carrying it.

The EU Commission's Decision was adopted following a number of interceptions (*i.e.*, notifications received by the EU Commission's rapid alert system concerning plant health – EUROPHYT) driven by the presence of CBS disease in South African citrus fruits at the EU's points of importation, which exceeded the threshold reportedly set by the EU. Sources suggest that the EU informed South Africa that it would impose trade restrictions if more than 5 interceptions per season took place. In 2013, EU Member States reported more than 30 interceptions.

According to the EU Commission's Decision, only citrus fruits originating from certain areas considered to be CBS-free in South Africa (*i.e.*, certain districts in the Northern Cape, the Free State Province and the North-West Province) may be exported to the EU. In addition, consignments are required to be accompanied by a certificate indicating that fruits have originated in a field of production subject to appropriate treatment against CBS disease and that none of the fruits harvested in the field of production have shown, in an appropriate official examination, symptoms of this disease.

The high degree of trade-restrictiveness of these measures appears to render them tantamount to an EU import ban, which looks poised to present problems of WTO-

compatibility. In fact, within the framework of the WTO Committee on Sanitary and Phytosanitary Measures, South Africa has since long voiced its concerns regarding the EU's measures to safeguard its domestic citrus-producing areas from CBS disease. In particular, at the meeting held in June 2013, South Africa raised a specific trade concern, supported by Argentina, whereby it recalled that trade-restrictive measures adopted by the EU in this respect lacked a scientific basis, inasmuch as infected fruit did not pose significant risks. South Africa also noted that bilateral talks were ongoing between the two trading partners within the framework of the International Plant Protection Convention (IPPC). The EU replied that any measures adopted in this regard responded to the EU's desire to remain CBS-free and noted that the European Food Safety Authority (hereinafter, EFSA) was soon expected to publish a draft Scientific Opinion on the risk of spread of CBS disease in the EU.

Indeed, EFSA's draft opinion, published in July 2013, concluded that a risk of CBS disease entering the EU was '*likely*' for citrus plants for planting and citrus fruits with leaves, '*moderately likely*' for fruits without leaves and '*unlikely*' for citrus leaves. EFSA also found that the establishment and spread of CBS disease were '*moderately likely*'. Finally, EFSA stated that there was a high degree of uncertainty concerning the consequences of the above and judged the EU's measures, which should focus on the prevention of entry, to be '*effective*'.

EFSA's draft conclusions were countered in a document consolidating the views from panels of experts from Argentina, Brazil, South Africa and the US, submitted within the framework of the subsequent consultation process opened by EFSA. The experts expressed their '*strong overall disagreement*' with EFSA's assessment, while they sided with the outcome of risk assessments previously conducted by experts in South Africa and the US, which found that citrus fruit is '*not a realistic pathway for CBS to enter, establish, spread and have significant economic impact*' in the EU. EFSA's final scientific opinion, reportedly to be soon finalised, is expected to provide further relevant scientific evidence.

From a WTO perspective, Members may adopt measures for the protection of human, animal or plant life or health provided that they comply with a number of requirements. In particular, Article 2.2 of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter, SPS Agreement) requires that such measures be necessary (*i.e.*, proportionate), that they be based on scientific principles and that they not be maintained without sufficient scientific evidence. Article 5 of the SPS Agreement further clarifies these requirements by mandating, *inter alia*, that SPS measures be based on an appropriate risk assessment. In addition, Article 5.6 establishes that SPS measures not be more trade-restrictive than required to achieve the level of protection chosen by the WTO Member adopting the SPS measures. South Africa appears to have repeatedly hinted that the EU's measures, including the adoption of trade restrictions after interceptions per season exceeded 5 (as it has been reported), are not scientifically-based, and therefore violate the SPS Agreement. In line with the Appellate Body's finding in *Japan – Agricultural products II*, that a rational relationship between the SPS measure at issue and the available scientific information should be demonstrated in order for a scientific justification to be valid, it appears that, within the context of a hypothetical WTO dispute, the EU would need to demonstrate that the measures adopted are justified by available scientific evidence. Arguably, the measures under the EU Commission's Decision are not based on the required scientific evidence.

The EU Commission's Decision may be considered a '*warning*' issued to South Africa, to the extent that the measures adopted apply to citrus fruits grown during the 2012/2013 season, which appears to conclude approximately at the same time as the measures were adopted. However, the EU Commission could allegedly extend the application of the measures to fruits grown in following seasons, which would have a substantial impact on South African citrus production and external trade. Additionally, similar EU measures may be eventually

adopted with regard to third countries exporting citrus to the EU. The recognised uncertainty around the relevant scientific evidence (or lack thereof), which is underpinning the EU's measures, calls for affected businesses to swiftly join forces and liaise with the relevant governmental authorities in order to carefully design a strategy and trigger the appropriate legal actions (possibly even WTO dispute settlement proceedings) that would ensure that South African citrus fruits continue to enjoy wide EU market access.

A new round of EU duty suspensions and tariff quotas came into effect

On 1 January 2014, the latest round of duty suspensions and tariff quotas came into effect in the EU. This round of duty suspensions and tariff quotas covered a large range of products, including, *inter alia*, vegetable oils, numerous metals, chemicals and additives, textiles, automotive parts, electronic components, and even bicycle frames. Though it was included in separate legislation, it is important to note that the EU also suspended duties on jet fuel.

In accordance with Article 31 of the Treaty on the Functioning of the European Union, the EU Council may approve suspension arrangements proposed by the EU Commission. Suspension arrangements allow products to enter the EU market duty free (*i.e.*, total suspension) or at reduced duty rate levels (*i.e.*, partial suspension). They may be granted for an unlimited quantity (*i.e.*, duty suspension) or a limited quantity (*i.e.*, through the establishment of a tariff rate quota). Duty suspensions and tariff quotas granted under this procedure are intended to stimulate the EU economy by lowering the cost of raw materials, semi finished goods or components that are not available (or not sufficiently available) in the EU, but which are needed by EU manufacturers to produce finished products. The intended benefits include improving the efficiency and competitiveness of EU industries, and to assist companies established in the EU to maintain or create employment and to modernise their structures.

To accomplish these objectives, there are a number of requirements that applicants must meet before a duty suspension or tariff quota may be approved. Generally, duty suspensions and tariff quotas will not be granted if identical, equivalent or substitute products are manufactured in sufficient quantities in the EU. Moreover, the relevant product should also not be available in any country in which the EU has a preferential trading agreement (*e.g.*, a free trade agreement). The imported goods must be an integral part of the final product, and thus cannot be intended for sale to end-consumers and must require further substantial processing. In addition, the imported goods concerned cannot be covered by an exclusive trading agreement or traded between parties with exclusive intellectual property rights in the goods. These two requirements are aimed at ensuring that tariff suspensions are available to all EU importers and third-country suppliers. Applicants must also indicate that they have made recent genuine, though unsuccessful, attempts to obtain the goods in the EU. Differences in price between the relevant imported product and potential substitutes are not taken into consideration. Lastly, the requested duty suspension must result in at least a EUR 15,000 savings per year for the applicant. Once a duty suspension or tariff quota is approved by the EU Council, the benefits are not limited to the original applicant. On this note, quotas are also applied on a '*first-come first-served*' basis.

Interested EU-based businesses have two opportunities per year to apply for a duty suspension or tariff quota on a relevant imported good. The deadlines for applications submitted to the EU Commission are 15 March and 15 September of each year. However, these requests must be submitted by an EU Member State, thus businesses must apply to the relevant EU Member State in advance of the EU Commission's deadline. Once a request is transmitted to the EU Commission, at least 3 meetings will take place with the Economic Tariff Questions Group over the next 9 months, during which other interested EU Member States or Directorates-General of the Commission (for instance, the Directorate-General for

Agriculture and Rural Development in the EU) may oppose the requested suspension or quota. Due to the substantial economic benefits, the number of applications, both submitted and approved, have increased in recent years. The recent increase may also be attributed, in part, to the EU's recent reform of its Generalised System of Preferences (hereinafter, GSP), which provides preferential tariff rates to certain developing countries. For example, the duty suspension on jet fuel was approved because of the negative economic impacts that would have occurred if jet fuel imported from countries that graduated from the GSP scheme were no longer duty free. Businesses that import raw materials or components from outside the EU and which are subject to significant duties should strongly consider whether they may qualify for a duty suspension or tariff quota before the next EU Commission's deadline and seek expert advice in order to successfully lodge an application and manage the related EU procedure.

Country of origin labelling for cocoa in chocolate?

Two elements of *Regulation (EU) No. 1169/2011 on the provision of food information to consumers* (hereinafter, FIR) appear to be of particular relevance to the chocolate industry: the voluntary indication of the country of origin or place of provenance of a food, which is not the same as that of its primary ingredient, and the mandatory country of origin labelling (hereinafter, COOL) for ingredients that constitute over 50% of a food.

It has been reported that under the FIR '*[t]he indication of the country of origin or of the place of provenance of a food should be provided whenever its absence is likely to mislead consumers as to the true country of origin or place of provenance of that product*', which is applicable to '*[i]ngredients that constitute over 50% of a food*'. It has been further reported that this FIR requirement will apply as of December 2014 and '*will require ingredients that constitute over 50% of a food to indicate origin*' and will '*threaten the practice of bean blending*' as in dark chocolate cocoa (cocoa butter and cocoa liquor), which often accounts for over 50% and up to around 70% of the final product, while milk chocolate contains roughly 30% cocoa. Cocoa appears to be regularly blended in chocolate products because it is a daily-traded commodity that varies significantly in price, availability and quality depending on weather, market conditions, as well as consumers' taste, quality preferences and expectations.

The assertion that the FIR will require ingredients that constitute over 50% of a food to indicate origin as of December 2014 is incorrect. According to Article 26(5)(f) of the FIR, by 13 December 2014, the EU Commission must submit reports to the EU Parliament and the EU Council regarding the mandatory indication of the country of origin or place of provenance of types of meat other than beef, fresh, chilled and frozen meat of swine, sheep, goats and poultry; milk; milk used as an ingredient in dairy products; unprocessed foods; single ingredient products; and ingredients that represent more than 50% of a food. The report on ingredients that represent more than 50% of a food could well concern cocoa in dark chocolate. Article 26(7) of the FIR provides that the reports must take into account the need for consumers to be informed, the feasibility of providing the mandatory indication of the country of origin or place of provenance and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the internal market and the impact on international trade. Based on the conclusions of the reports, the EU Commission may submit relevant legislative proposals, *inter alia*, on ingredients that represent more than 50% of a food.

However, the case of possible future legislation on the COOL of ingredients that constitute over 50% of a food adopted with paragraph 5 of Article 26 of the FIR as legal basis must also be distinguished from the provision set out in paragraph 3 of Article 26 of the FIR. Paragraph 3 sets out that '*[w]here the country of origin or place of provenance of a food is*

given and it is not the same as that of its primary ingredient: a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food'. By 13 December 2013, following impact assessments, the EU Commission had to adopt implementing acts concerning the application of paragraph 3 of Article 26 of the FIR (*i.e.*, on COOL of primary ingredient(s), where the food business operator provides the country of origin or place of provenance, and this differs from the origin/provenance of the food's primary ingredient). The EU Commission does not appear to have adopted the report on voluntary COOL for the primary ingredients of foods and a possible implementing act by the given deadline and it only published a report and an implementing Regulation for COOL for fresh, chilled and frozen meat of swine, sheep, goats and poultry (for more details, see Trade Perspectives, Issue 23 of 13 December 2013).

The EU Commission has commissioned an external study to investigate stakeholders' understanding on the notion of '*primary ingredient*' and its origin. The FIR defines '*primary ingredient*' as an ingredient or ingredients of a food that represent more than 50% of that food or which are usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required. Given the flexibility of this definition, the primary ingredient concept may be clarified, taking account of the food business operators' and consumers' point of views. Article 26(3) of the FIR will apply normally where the origin is indicated voluntarily by manufacturers on food labels, thus in absence of any mandatory provision. It will also apply where the origin is labelled because failure to indicate it might mislead the consumer, but even such cases are generally initiated by voluntary indications on food labels.

Article 26(3) of the FIR does not put any labelling obligation on food manufacturers. It must be noted that the issue at stake, voluntary origin labelling, refers to a clearly defined legal and concrete concept: while a given country of origin of a foodstuff can be voluntarily indicated on the label, the primary ingredient can still have a different origin (country or place). According to Article 24 of Regulation (EEC) No. 2913/92 establishing the EU Customs Code, '*goods whose production involved more than one country shall be deemed to originate in the country where they underwent their last, substantial, economically justified processing or working in an undertaking equipped for that purpose and resulting in the manufacture of a new product or representing an important stage of manufacture*'. It could be argued that on chocolate, voluntarily labelled as '*Swiss*' or '*Belgian*', but where the primary ingredient (*i.e.*, cocoa) originated in, *inter alia*, Ghana, Indonesia or the Ivory Coast, although the chocolate underwent the last substantial processing in Belgium or Switzerland, Article 26(3) of the FIR may require that the country of origin or place of provenance of the primary ingredient cocoa be also given, or that it is indicated as '*different to that of the chocolate*'.

In relation to the EU Commission's report (with a deadline of 13 December 2014) on the potential mandatory COOL of ingredients that constitute over 50% of a food according to Article 26(5)(f) of the FIR, it is recommended that the different stakeholders in the chocolate industry (and also, *inter alia*, producers of other products like canned tomatoes, soups, sauces where one ingredient exceeds 50% of the total food) urgently start developing a strategy on how to approach potential legislative proposals. Similar questions of blending ingredients from different sources, as in the case of cocoa beans in dark chocolate, have been experienced in the drafting of EU legislation on honey. In fact, Article 2(4)(a) of *Council Directive 2001/110/EC relating to honey* establishes that '*the country or countries of origin where the honey has been harvested shall be indicated on the label. However, if the honey originates in more than one EU Member State or third country that indication may be replaced with one of the following, as appropriate:* '*blend of EC honeys*', '*blend of non-EC honeys*', '*blend of EC and non-EC honeys*'. Using this approach, cocoa originating in one third country could be labelled as originating in, *inter alia*, Ghana. However, if the cocoa

originates in more than one third country (*e.g.*, Indonesia and the Ivory Coast), that indication could be replaced with '*blend of non-EU cocoa beans*'.

Concerning the report and implementing acts, which are still to be adopted by the EU Commission (although the 13 December 2013 deadline has passed) on COOL for primary ingredient(s), where the food business operator provides the country of origin or place of provenance, and this differs from the origin/provenance of the food's primary ingredient, food business operators must monitor any developments and ensure that their interests are safeguarded as these requirements may entail complex and costly labelling compliance.

Potential trade frictions between the EU and Brazil concerning bovine trade in 2014

Sources suggest that Brazil may be considering triggering WTO dispute settlement proceedings with the EU due to the stringent requirements that the EU allegedly maintains on the importation of Brazilian beef products. It appears that such requirements prevent Brazilian producers to fully enjoy the preferential market access granted under the so-called '*Hilton Beef Quota*'. In fact, estimates suggest that Brazil exports no more than 30% of its yearly allowance.

Under the '*Hilton Beef Quota*', Brazil is entitled to export 10,000 tonnes per year of '*boneless beef covered by CN codes 0201.30.00, 0202.30.90, 0206.10.95 and 0206.29.91 and meeting the following definitions: Selected cuts obtained from steers or heifers having been exclusively fed with pasture grass since their weaning. The carcasses shall be classified as "B" with fat cover "2" or "3" according to the official beef carcass classification established by the Ministry of Agriculture, Livestock and Supply in Brazil (Ministério da Agricultura, Pecuária e Abastecimento)*', at an in-quota rate of 20% *ad valorem*. Brazil was allocated 5,000 tonnes in 1997, as per *Commission Regulation (EC) No. 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat*. Subsequently, in 2009, pursuant to an amendment to *Commission Regulation (EC) No. 810/2008 of 11 August 2008 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat* (hereinafter, Commission Regulation (EC) No. 810/2008) Brazil's allowance was increased to a total of 10,000 tonnes as a consequence of the EU enlargement compensation negotiations, to reflect the modification of concessions in the Schedules of Bulgaria and Romania.

A particularly problematic aspect of the EU's system appears to be connected to the enhanced traceability requirements for Brazilian cattle eligible to be exported to the EU, which appear grounded, in relevant part, on the very definition of the quota requiring traceability '*from weaning*'. Similar requirements apply to Argentina and Uruguay, whereas other countries benefitting from preferential EU market access under the '*Hilton Beef Quota*' (*e.g.*, Australia, Canada, New Zealand and the US) are not mandated to comply with such requirement. In this light, it may be argued that the EU's requirements are WTO-inconsistent inasmuch as they contravene, particularly, a number of provisions under the SPS Agreement requiring, *inter alia*, that WTO Members not arbitrarily or unjustifiably discriminate between trading partners where '*identical conditions prevail*', as well as that SPS measures not constitute a disguised restriction on international trade.

In addition, Brazil's ability to export beef to the EU is also affected since recent years by the particularly stringent requirements on Brazilian holdings eligible for export to the EU, which the EU imposed through *Commission Decision of 17 January 2008 amending Annex II to Council Decision 79/542/EEC as regards the imports of bovine fresh meat from Brazil*

(Decision 2008/61/EC) to demonstrate that all requirements on EU food safety, animal, public health and veterinary certification conditions were met. These requirements were adopted following a mission of the EU Commission's DG Health and Consumers Protection's Food and Veterinary Office (FVO), which identified deficiencies in Brazil's performance to comply with the EU's import requirements for de-boned and matured bovine meat. The arguably discriminatory nature of the EU's requirements, imposed by the EU uniquely on Brazil and mandating official audits in 100% of the holdings intended to be included in the TRACES list (*TRAde Control and Expert System*, *i.e*., the EU Commission's integrated web-based veterinary system), as well as the lack of scientific grounds justifying their imposition, raised concerns as to their compatibility with the rules of the WTO.

The prejudice suffered by Brazilian exporters occurs while competing exporters from Australia, Canada, New Zealand, Uruguay and the US enjoy (in addition to the preferences granted under the '*Hilton Beef Quota*') duty-free access to the EU's beef market under the so-called '*High-Quality Beef Quota*'. This quota was established by *Council Regulation (EC) No. 617/2009 of 13 July 2009 opening an autonomous tariff quota for imports of high-quality beef* and is implemented by *Commission Implementing Regulation (EU) No. 481/2012 of 7 June 2012 laying down rules for the management of a tariff quota for high-quality beef.* The '*High-Quality Beef Quota*', which was opened as a result of the agreement reached between the EU and Canada and the US in order to settle the *EC-Hormones* WTO dispute, grants more favourable market access conditions to 48,200 tonnes of beef meeting the definition of '*High-Quality Beef*'.

Although the '*High-Quality Beef Quota*' is, in principle, open to all trading partners and does not provide for a country-specific allocation, the definition of '*High-Quality Beef*' appears to be tailored to the main benefit of Canada and the US, while products from the two major beef exporters to the EU (*i.e.*, Argentina and Brazil) are *de facto* excluded. In light of the factually discriminatory nature of this quota, concerns have already been raised by Argentina within the framework of the WTO Committee on Technical Barriers to Trade, where the argument has been made that the EU's failure to grant authorisation to Argentina to benefit from the quota amounted to a violation of the MFN treatment obligation under the WTO Agreement on Technical Barriers to Trade (see Trade Perspectives, Issue No. 13 of 28 June 2013).

Interested businesses and trade associations in Brazil and other countries which may be affected by the EU's actions should strongly consider avenues for redress. Some urgency may even be dictated by the fact that the Comprehensive Economic and Trade Agreement (CETA) recently agreed upon by Canada and the EU, and the soon-to-be-concluded Transatlantic Trade and Investment Partnership (TTIP) between the EU and the US will eventually absorb the EU's unilateral concessions under the '*High-Quality Beef Quota*' and resolve the issue of *de facto* discrimination.

Recently Adopted EU Legislation

Trade Remedies

- *Council Implementing Regulation (EU) No. 1371/2013 of 16 December 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 India and Indonesia, whether declared as originating in India and Indonesia or not*

- *Commission Regulation (EU) No. 1356/2013 of 17 December 2013 initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Implementing Regulation (EU) No. 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China by imports of certain slightly modified open mesh fabrics of glass fibres originating in the People's Republic of China, and making such imports subject to registration*

- *Council Implementing Regulation (EU) No. 1343/2013 of 12 December 2013 imposing a definitive anti-dumping duty on imports of peroxosulphates (persulphates) originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No. 1225/2009*

- *Council Implementing Regulation (EU) No. 1342/2013 of 12 December 2013 repealing the anti-dumping measures on imports of certain iron or steel ropes and cables originating in the Russian Federation following an expiry review pursuant to Article 11(2) of Regulation (EC) No. 1225/2009*

Customs Law

- *Commission Implementing Regulation (EU) No. 1366/2013 of 18 December 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Guatemala*

Food and Agricultural Law

- *Commission Implementing Regulation (EU) No. 1373/2013 of 19 December 2013 laying down detailed rules for implementing the system of export licences in the pigmeat sector*

- *Commission Implementing Regulation (EU) No. 1337/2013 of 13 December 2013 laying down rules for the application of Regulation (EU) No. 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry*

- *Commission Implementing Regulation (EU) No. 1333/2013 of 13 December 2013 amending Regulations (EC) No. 1709/2003, (EC) No. 1345/2005, (EC) No. 972/2006, (EC) No. 341/2007, (EC) No. 1454/2007, (EC) No. 826/2008, (EC) No. 1296/2008, (EC) No. 1130/2009, (EU) No. 1272/2009 and (EU) No. 479/2010 as regards the notification obligations within the common organisation of agricultural markets*

- *Commission Delegated Regulation (EU) No. 1363/2013 of 12 December 2013 amending Regulation (EU) No. 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers as regards the definition of 'engineered nanomaterials'*

Trade-Related Intellectual Property Rights

- *Commission Implementing Regulation (EU) No. 1352/2013 of 4 December 2013 establishing the forms provided for in Regulation (EU) No. 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights*

Other

- *Commission Implementing Decision of 9 January 2014 on recognition of the 'HVO Renewable Diesel Scheme for Verification of Compliance with the RED sustainability criteria for biofuels' for demonstrating compliance with the sustainability criteria under Directives 98/70/EC and 2009/28/EC of the European Parliament and of the Council*

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