FRATINIVERGANO
EUROPEAN LAWYERS
TRADE PERSPECTIVES©

Issue No. 17 of 19 September 2014

The Eurasian Customs Union may soon prohibit palm oil imports from Southeast Asia

Reports indicate that in October the Customs Union of Belarus, Kazakhstan and Russia (hereinafter, the Eurasian Customs Union or the ECU) is planning to amend its sanitary and epidemiological control regulations in a manner that will effectively prohibit the importation of refined palm oil from Indonesia and Malaysia. Belarus and Kazakhstan are not WTO Members (both are currently in the accession process), but the current information available shows that the measure would likely violate Russia's WTO obligations under the Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter, SPS Agreement), the General Agreement on Tariffs and Trade 1994 (hereinafter, GATT) and arguably the Agreement on Technical Barriers to Trade (hereinafter, TBT Agreement).

In March 2014, the Eurasian Economic Commission (hereinafter, EEC) published a draft decision *On Amending Chapter II of the Unified Sanitary and Epidemiological and Hygienic Requirements for Goods Subject to Sanitary and Epidemiological Supervision (Control) approved by the Decision of the Customs Union Commission No. 299 of 28 May 2010* (hereinafter, the Draft Decision). The original EEC Decision No. 299 of 28 May 2010 provides a table in Section 7 that applies to "*[o]ily raw materials and fat products*". The table indicates that vegetable oils generally may not have a peroxide value greater than 10.0 millimoles of active oxygen per kilogram (hereinafter, active oxygen/kg). Some exceptions to this general value are provided in a "*Notes*" column, where purified olive oil is limited to a peroxide value of 5.0 millimoles of active oxygen/kg, purified mixed olive oil and unrefined palm oil may not exceed 15 millimoles of active oxygen/kg and natural extra virgin olive oil is limited to 20 millimoles of active oxygen/kg. The Draft Regulation adds language in the "*Notes*" column limiting "*refined deodorized palm oil*" to 0.9 millimoles of active oxygen/kg.

News reports also indicate that the new peroxide value would only apply (*de facto*, if not *de jure*) to palm oil imported from Indonesia and Malaysia, thus allowing for countries such as the Netherlands to export refined palm oil into the ECU. Following the publication of the Draft Regulation, the EEC opened a 60-day public comment period from 27 March to 27 May 2014. Russia also notified the WTO SPS Committee of the measure on 2 April 2014, where it indicated that the proposed date of adoption would be October 2014 and that the Draft Decision would likely enter into force in November 2014. Contrary to what has been indicated in the news reports, Russia's notification to the WTO SPS Committee also states that the

measure will likely affect all trading partners and that it conforms to relevant international standards.

According to Article 2.1 of the SPS Agreement, WTO Members have the right to take SPS measures "*necessary for the protection of human, animal or plant life or health*", so long as the measures are not inconsistent with other provisions of the agreement. As explained further in Article 2.2, SPS measures must only be applied to the extent necessary, must be based on scientific principles and must normally be supported by sufficient scientific evidence (Article 5.7 allows for the use of "*available pertinent information*" where scientific evidence is insufficient). Article 3.1 obliges WTO Members to base their SPS measures on international standards. However, Article 3.3 allows for WTO Members to implement higher levels of SPS protection where there is a scientific justification for a Member's determination that the international standard is not sufficient. Article 3.4 goes on to name relevant standard-setting international organisations, including the *Codex Alimentarius Commission*. The *Codex Alimentarius* is a collection of internationally recognised food standards maintained by the Food and Agriculture Organisation and the World Health Organisation.

Codex Standard 210-1999 for named vegetable oils includes a section on quality characteristics, where it explains that the "*[t]he colour, odour and taste of each product shall be characteristic of the designated product. It shall be free from foreign and rancid odour and taste*". In this regard, Section 1.8 of *Codex Standard 210-1999* states that peroxide values for refined oils may be up to 10 milliequivalents of active oxygen/kg. It is important to note that the ECU's Draft Decision provides allowable peroxide values in millimoles, whereas the *Codex* standard uses units of milliequivalents. An equivalent is the amount of substance it takes to combine with 1 mole of hydrogen ions. When converted, 10 milliequivalents of peroxide is equal to 5 millimoles. With an allowable peroxide value of 0.9 millimoles, the ECU Draft Decision appears to be over 5 times more restrictive than the internationally-recognised *Codex* standard. It remains to be seen how Russia would attempt to justify a measure that is drastically stricter and, therefore, more trade restrictive than the relevant internationally recognised standard.

Though Russia notified the Draft Regulation to the WTO SPS Committee, citing food safety as the objective and rationale for the measure, it is possible that the measure is more appropriately classified as a technical regulation. Peroxide levels in food, particularly oils, determine the oxygenation of the food product, also known as rancidity. Though high levels of rancidity can render food unsafe for human consumption, the peroxide value would need to be significantly higher than the 10 milliequivalents of active oxygen/kg level allowable under *Codex Standard 210-1999*, and certainly higher than the 0.9 millimoles level used in the Draft Regulation. Indeed, the relevant section of the *Codex* standard deals with "*quality characteristics*" in food, namely the colour, odour and taste of the product. As a result, it may also be prudent for affected WTO Members, such as Indonesia and Malaysia, to address the issue also within the WTO TBT Committee. According to Article 2.2 of the TBT Agreement, WTO Members must "*ensure that technical regulations are not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade*". In particular, measures must not be "*more trade-restrictive than necessary to fulfil a legitimate objective*". According to Article 2.4, where relevant international standards exist, WTO Members normally need to use those standards as a basis for their own technical regulations. As is the case with regard to the consistency with the SPS Agreement, it is unclear how Russia could succeed in arguing that a regulation 5 times more restrictive than the relevant international standard is "*not more trade-restrictive than necessary*".

Lastly, if recent news reports are correct, the measure may be worthy of scrutiny under the GATT, as it potentially discriminates against Indonesia and Malaysia in favour of other countries exporting refined palm oil to ECU Members. Article I:1 of the GATT addresses the '*most-favoured nation*' (hereinafter, MFN) treatment, and requires that any advantage, favour,

privilege or immunity granted by a WTO Member to any product originating in any other country must be accorded immediately and unconditionally to the '*like*' product originating in the territories of all other WTO Members. This basic principle of international trade is also found in other WTO agreements. For instance, Article 2.3 of the SPS Agreement states that WTO Members must ensure that SPS measures do not arbitrarily or unjustifiably discriminate between WTO Members where identical or similar conditions prevail. With respect to technical regulations, Article 2.1 of the TBT Agreements also requires that WTO Members ensure that products imported from the territory of any WTO Member are accorded treatment no less favourable than that accorded to '*like*' products originating in any other country.

If the ECU's Draft Regulation were to be adopted and refined palm oil, '*like*' the one originating in Indonesia and Malaysia, were to be allowed to continue being imported into Russia, a WTO panel could find the measure to be WTO-inconsistent. The determination of '*likeness*' under Article I:1 of the GATT usually involves the consideration of four factors: (i) the properties, nature and quality of the products; (ii) the end-uses of the products; (iii) consumers' tastes and habits; and (iv) the tariff classification of the products. In this regard, if a WTO Member were to pursue a challenge against Russia, Russia would most likely have to focus its arguments on the properties, nature and quality of the product and consumers' tastes, as the end-uses and tariff classification of the imported refined palm oil would almost certainly be identical. Under Article 2.1 of the TBT Agreement, the '*like products*' test has typically been compared to Article III:4 of the GATT, and has been determined by examining the "*nature and extent of the competitive relationship*" between the relevant products (for more information, see the analysis of *US – Clove Cigarettes* in Trade Perspectives, Issue No. 8 of 20 April 2012). Whereas, according to the panel in *Australia – Salmon (Article 21.5 – Canada)*, Article 2.3 of the SPS Agreement prohibits not only discrimination between '*like*' products, but also between different products (*e.g.*, "*discrimination between Canadian salmon and Australian fish including non-salmonids*").

If the technical and legal discussions within the relevant WTO *fora* (*i.e.*, the SPS and/or TBT Committees) were not to allow for a resolution of the matter to be found, WTO Members that may be negatively affected and discriminated by Russia's measure would have to consider referring the dispute to the WTO Dispute Settlement Body. Interested parties should note that completion of the WTO dispute settlement process can sometimes take a long time. As a whole, the process usually begins by raising a '*specific trade concern*' within the appropriate WTO Committee, but formal action under the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes (known as the DSU) includes consultations, a panel stage, a possible Appellate Body phase, a reasonable period of time to implement a decision, and potential compliance proceedings. A full-fledged WTO dispute settlement proceeding may take a long time, but it may also prompt a WTO Member to amend or repeal the measure in order to avoid trade consequences. This often occurs at the consultations stage and provides a quick, inexpensive and non-confrontational solution.

Accordingly, affected countries need to act quickly in order to minimise the negative effects on their companies' businesses. Reports indicate that Indonesia already plans to raise a '*specific trade concern*' at the next WTO TBT Committee meeting on 5–6 November 2014. The same concern could also be raised at the next WTO SPS Committee meeting on 16–17 October 2014 and bilateral discussions should be entertained between affected countries and Russia. Interested stakeholders should closely monitor the situation and make sure the proper national authorities are contacted and taking appropriate action.

TiSA participants welcome its 8th round of negotiations in Geneva

On 22 September 2014, trade negotiators will gather in Geneva for the 8th round of negotiations on the Trade in Services Agreement (hereinafter, TiSA). This round of

negotiations, which is chaired by the EU, will last for a week. Recent reports indicate that participants will discuss new proposals on government procurement, environmental services and health services.

The TiSA is currently being negotiated by 23 members of the WTO, including Australia, Canada, Chile, Chinese Taipei, Colombia, Costa Rica, the European Union, Hong Kong China, Iceland, Israel, Japan, Korea, Liechtenstein, Mexico, New Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Switzerland, Turkey and the United States. Together, these countries account for 70% of world trade in services. With the impasse in WTO services negotiations in the Doha Round, the idea of moving the trade agenda forward in services through a stand-alone agreement on trade in services was proposed in 2012 with the aim of achieving a higher level of liberalisation in trade in services (see Trade Perspectives, Issue No. 10 of 18 May 2012). Although TiSA is being negotiated as a plurilateral agreement, its membership is open to all WTO Members. The participants have also ensured that the structure of TiSA provides for a credible pathway to future multilateralisation (see Trade Perspectives, Issue No. 4 of 22 February 2013). Earlier this year, the EU publicly supported China and Uruguay to join the TiSA, though they are still not currently part of the negotiations.

Since 27 April 2013, TiSA participants have completed 7 negotiating rounds, which encompassed a wide range of discussions on the core text of the agreement. Relevant topics include domestic regulation, transparency, entry of business persons and sector-specific negotiations focusing on the new and enhanced trade rules for, *inter alia*, e-commerce and telecommunications, financial services, professional services, air and maritime transportation, information and communication technology services and energy services. Eventually, TiSA will cover all services sectors, which is compatible with the scope of the commitments that WTO Members made under the WTO General Agreement on Trade in Services (hereinafter, GATS). Participants have confirmed that TiSA market access schedule commitments will use a '*positive list*' approach, meaning that only the services listed on the schedule are liberalised. The national treatment commitments will be scheduled on a '*negative list*' basis, which means that for any area where a party does not commit to apply full National Treatment, a reservation must be listed in the National Treatment column.

In the forthcoming round of TiSA negotiations, sources indicate that the EU will likely table a proposal on government procurement of services, which has been strongly supported by the *European Services Forum*, the EU trade association that represents more than 30 European business federations and more than 30 major EU companies. In the past, the EU, as a competitive player in the public procurement market, has been actively expanding its public procurement market by including this topic in bilateral trade talks such as, *inter alia*, the Transatlantic Trade and Investment Partnership, currently being negotiated with the US. However, this proposal by the EU may face opposition from other TiSA participants, which believe that this issue is already covered by the WTO Agreement on Government Procurement (hereinafter, GPA). The GPA is a plurilateral agreement within the framework of WTO that currently has 15 Parties (counting the EU as one Party), 12 of which are TiSA participants. The GPA, which WTO Members are not obliged to join, covers government procurement of both goods and services. Besides this overlap between GPA Parties and TiSA participants, the Trans-Pacific Partnership negotiations (see Trade Perspectives, Issue No. 10 of 16 May 2014), which includes 7 TiSA participants, will also have a government procurement chapter that may overlap with TiSA. Considering the complexity of the *status quo,* TiSA participants may be less motivated to incorporate public procurement of services in the current discussions.

Another new proposal will be made by Canada regarding environmental services, which aims to complement the parallel discussions on the Environmental Goods Agreement (hereinafter, EGA). The discussions on the EGA, involving 14 WTO Members representing 86% of global commerce in green technologies (see Trade Perspectives, Issue No. 14 of 11 July 2014), are

also scheduled to take place from 22 to 26 September 2014, at the same time as the forthcoming TiSA negotiations. Environmental goods and services are closely related to each other. In the past, the EU has also suggested changing the outdated classification of environmental goods and services during the Doha Round negotiations of the WTO. Moreover, all participants of the EGA negotiations are TiSA participants, except for Singapore and China, which makes the TiSA an ideal platform to conduct meaningful discussions on environmental services.

Besides the proposals on government procurement and environmental services, health-related services will also be discussed, on the basis of a proposal from Turkey. Furthermore, the negotiators aim at moving forward previous discussions relating to, *inter alia*, financial services, telecommunications, domestic regulation and '*Mode 4*' services – supply of services by natural presence of foreigners. By the end of 2014, 10 TiSA negotiating rounds will have taken place. There is no official deadline for completion of the negotiations. Nevertheless, service providers should continue to closely monitor the ongoing TiSA negotiations and take a pro-active stand in that the scope for important new market access opportunities remains ambitious and vast.

The EU Commission adopts proposals on veterinary medicines and medicated feed to improve animal and human health

In September 2014, the EU Commission adopted proposals for a new legislative framework on veterinary medicinal products and medicated feed: a *Proposal for a Regulation of the European Parliament and of the Council on veterinary medicinal products* (hereinafter, the Veterinary Medicines Proposal) and a *Proposal for a Regulation of the European Parliament and of the Council on the manufacture, placing on the market and use of medicated feed and repealing Council Directive 90/167/EEC* (hereinafter, the Medicated Feed Proposal). The principal objectives of the new framework are to improve the health and well-being of animals with better treatments for diseased animals, to combat antimicrobial resistance (hereinafter, AMR), to keep antibiotics effective for people and animals alike in the EU, and to foster innovation (*inter alia*, by extended data protection to certain veterinary medicines). The Veterinary Medicinal Products Proposal aims, in particular, at making more medicines available in the EU to treat and prevent diseases in animals, while the Medicated Feed Proposal aims at harmonising rules at the EU level.

At present, there is an insufficient number and range of medicines to prevent and treat diseases in animals in the EU, in particular for animals considered to be minor species (such as bees, fish, goats, and turkeys). The lack of suitable veterinary medicines results in poorer animal health and welfare, increased risks for human health, and economic and competitive disadvantages for EU farmers. The Veterinary Medicines Proposal builds upon existing EU rules in this area, which ensure that only medicines that have been granted a marketing authorisation can be placed on the market. However, the rules on the marketing authorisation procedure and the monitoring of side effects (*i.e.*, pharmacovigilance) are revised with the aim of ensuring the development of suitable medicines for animals in the EU. This appears particularly timely for minor species for which available medicines are currently lacking. To combat AMR and to help keep antibiotics effective in humans and animals, the Veterinary Medicines Proposal introduces the possibility of restricting the authorisation and use in animals of certain antimicrobials that are reserved to treat human infections.

The Medicated Feed Proposal will repeal and replace the outdated *Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community*. In addition to veterinary prescriptions, medicated feed is an important option for administering veterinary medicines to animals. Medicated feed is generally used to treat diseases in large groups of animals, in

particular pigs and poultry. Since Council Directive 90/167/EEC came into force, the situation in the majority of EU Member States has gradually deteriorated in that diverging rules have affected the efficient treatment of animals and the availability of medicated feed at competitive prices. In addition, the development of AMR has increased significantly. Production standards and marketing of medicated feed are currently not harmonised in the EU and there has been technical and scientific progress in this area. The Medicated Feed Proposal suggests that medicated feed can only be manufactured from specifically authorised veterinary medicines and by approved manufacturers. The scope of the proposal explicitly includes medicated feed for pets, so that they can be treated more easily with innovative medicated pet food.

In practice, because of the current lack of specification of production requirements (especially the provisions relating to incorporation of the medicine into the feed), there is a risk of incorrect dosage and ineffective treatment of animals, which can encourage the development of AMR. The Medicated Feed Proposal addresses AMR by tackling the misuse of antimicrobials in three ways. Firstly, it bans the use of medicated feed as a preventative measure or as a growth promoter (*i.e.*, "*to enhance performance*"). Secondly, it calls for the establishment of EU-wide residue limits for veterinary medicines in ordinary feed to avoid the development of AMR. Finally, it tightens the rules for prescribing and handling medicated feed with antimicrobials.

While most stakeholders appear to be satisfied with the long-awaited EU Commission proposals for new legislation in the field of veterinary medicines, the Federation of Veterinarians of Europe (FVE) expressed its disappointment that the EU Commission did not propose more significant steps towards a single EU market for veterinary medicines. In fact, although one of the goals of the proposals is improving the availability of veterinary medicines, it appears that the current situation (*i.e.*, an EU divided into national markets) will largely remain. Situations wherein the same medicine is allowed to be used in certain EU Member States and not in others are likely to stay unchanged. Especially for smaller EU Member States there appears to be a risk that many products will remain unavailable. Regarding the principle of mutual recognition (*i.e.*, that a product authorised in one EU Member States should be recognised by another), it appears that, in practice, it will still depend on the willingness of the producer of the veterinary medicine to apply for such recognition and the national authorities to accept product evaluations made by other EU Member States.

In this sense, there appears to be a margin for improvement of the proposed legislation, perhaps through a review of the different marketing authorisation procedures being proposed. The Veterinary Medicines Proposal provides, in Article 38-50 thereof, four different procedures for granting marketing authorisations: (i) a centralised procedure, in which the EU Commission grants an authorisation; (ii) procedures in which EU Member States grant the authorisation; (iii) a decentralised procedure; and (iv) a mutual recognition procedure.

Regardless of whether the authorisation is obtained at the EU or national level, the requirements for the safety, efficacy and quality of the product are supposed to be the same. In all authorisation procedures proposed the main part of the assessment of an application is the benefit-risk analysis of a product. The centralised procedure is mandatory for all veterinary medicinal products derived from biotechnology and optional with any other type of veterinary medicinal product. For products that are of interest in the majority of EU Member States, access to the centralised procedure can lead to savings for the marketing authorisation holder. The mutual recognition procedure applies to veterinary medicinal products already authorised in one EU Member State for which authorisation is requested in respect of two or more EU Member States. The decentralised procedure applies in cases where a medicine has not received a marketing authorisation in any EU Member State. It enables applicants to target their product to a limited group of EU Member States. After a marketing authorisation has been granted for the group of EU Member States in the original application, marketing authorisation holders can obtain an authorisation for additional EU Member States without

repeated scientific assessment. This should mean that, in principle, unnecessary duplication of work by competent authorities can be avoided, easing the extension of national marketing authorisations to other EU Member States and, therefore, increasing the availability of veterinary medicinal products in the EU. For the decentralised and mutual recognition procedures, an arbitration mechanism is proposed if an EU Member State cannot agree with the scientific assessment. If an applicant cannot agree with the outcome of an EU Member State's assessment, it may request re-examination by the European Medicines Agency. Currently, marketing authorisations have to be renewed every five years. The Veterinary Medicines Proposal provides for unlimited validity, which will most likely reduce the regulatory burden.

Both proposals have yet to be adopted by the EU Parliament and the Council. The EU Commission has proposed that the Veterinary Medicines Proposal shall apply two years after its entry into force (*i.e.*, 20 days after the publication in the EU's Official Journal) and the Medicated Feed Proposal one year after its entry into force. Stakeholders with an interest in these legislative procedures are advised to closely monitor any forthcoming developments.

WTO Members adopt a mediation procedure for the resolution of disagreements on sanitary and phytosanitary matters

The WTO SPS Committee has adopted a decision on a mediation procedure designed to assist WTO Members resolve their differences on SPS matters. The adoption of the *Procedure to Encourage and Facilitate the Resolution of Specific Sanitary or Phytosanitary Issues among Members in Accordance with Article 12.2* (hereinafter, the Decision) was agreed *ad referendum* (*i.e.*, subject to confirmation) by WTO Members at the meeting of the SPS Committee of 9-10 July 2014, where they were given until 5 September 2014 as a deadline to raise objections. Inasmuch as no objections have been raised, the Decision has now been formally adopted.

As the area of international trade has evolved since the creation of the WTO, focus has shifted from tariff issues (*i.e.*, lowering tariff barriers between and among WTO Members) to non-tariff measures. In some instances, these measures come in the form of SPS regulations (that at least claim to be and for the most part are) intended to protect human, animal or plant life or health. In many cases, these regulations are adopted as '*emergency measures*' and immediately affect the relevant product, providing little time for traders to prepare or for WTO Members to address the measures in a formal setting. Moreover, dispute resolution is both time-consuming and expensive for Members, and action in that *forum* is not always prudent from a cost-perspective given the sometimes limited number of products or trade volumes affected.

The new Decision by the SPS Committee should adequately address some of the time and cost deficiencies present in the WTO traditional dispute settlement system. The Decision effectively adds to or clarifies Article 12.2 of the WTO SPS Agreement, which, *inter alia*, states that "*[t]he Committee shall encourage and facilitate ad hoc consultations or negotiations among Members on specific sanitary or phytosanitary issues*". On this basis, the Decision lays down an additional avenue for the resolution of disagreements between WTO Members on SPS measures (as defined in Annex A(1) of the SPS Agreement) for them to engage in mediation (also referred to as '*ad hoc consultations*'), under the supervision of a Facilitator (*i.e.*, the Chairperson of the SPS Committee, unless the concerned Members agree otherwise). In relevant part, the Decision establishes that the '*requesting Member*' transmit a written request for consultations to the '*responding Member*', which, within a period of 30 days (unless otherwise agreed) must indicate in writing whether it accepts or rejects the request. All documents must be shared with the Chairperson and, on a voluntary basis, circulated within the SPS Committee. During consultations, the Facilitator must encourage and facilitate the

exchange between the concerned Members with a view to solving the disagreement, including by actively suggesting possible avenues. In principle, consultations must not last longer than 180 days, although any party may withdraw at any time. Once concluded, the Facilitator must produce a written factual report for the consulting Members. It is important to note that solutions stemming from the new procedures will not constitute legally binding agreements and will not preclude the relevant parties from pursuing traditional WTO dispute settlement. In effect, the procedures simply provide another mechanism to facilitate mutually agreed solutions regarding SPS issues.

This procedure, which is voluntary and confidential to the extent decided by the relevant Members, will now provide a useful middle ground between discussions held in the context of SPS Committee meeting and full-fledged dispute settlement proceedings. This mechanism will allow WTO Members to submit requests to the SPS Committee and negotiate adequate solutions to issues in an informal and confidential manner. Significant beneficiaries to the new SPS facilitation procedures may be developing counties, who have historically found the WTO dispute settlement process difficult and costly to utilise. The decreased cost and timeline of this procedure may also be beneficial to traders in the sense that their governments may be more willing to quickly address issues affecting trade, given the limited political impacts of the new procedures. Interested stakeholders should assess whether they too can benefit from the newly-adopted SPS procedures.

Recently Adopted EU Legislation

Trade Remedies

- *Commission Implementing Regulation (EU) No. 976/2014 of 15 September 2014 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 slightly modified open mesh fabrics of glass fibres, also originating in the People's Republic of China*

Customs Law

- *Commission Implementing Decision of 10 September 2014 accepting a proposal by a group of exporting producers together with the China Chamber of Commerce for Import and Export of Machinery and Electronic Products for clarifications concerning the implementation of the undertaking referred to in Implementing Decision 2013/707/EU*

Food and Agricultural Law

- *Commission Implementing Decision of 17 September 2014 on recognition of the 'Trade Assurance Scheme for Combinable Crops' for demonstrating compliance with the sustainability criteria under Directives 98/70/EC and 2009/28/EC of the European Parliament and of the Council*

- *Council Decision of 15 September 2014 on the position to be adopted on behalf of the European Union within the Council of Members of the International Olive Council concerning the prolongation of the 2005 International Agreement on olive oil and table olives*

- *Commission Implementing Regulation (EU) No. 968/2014 of 12 September 2014 amending Implementing Regulation (EU) No 170/2013 laying down transitional measures in the sugar sector by reason of the accession of Croatia*

- *Commission Recommendation of 10 September 2014 on the monitoring of the presence of 2 and 3-monochloropropane-1,2-diol (2 and 3-MCPD), 2- and 3-MCPD fatty acid esters and glycidyl fatty acid esters in food*

Ignacio Carreño, Eugenia Laurenza, Songyuan Li, Anna Martelloni, Blanca Salas, Bruno G. Simões and Paolo R. Vergano contributed to this issue.