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Important preferential access to the EU market and incentive for reform: Sri Lanka regains GSP+ beneficiary status

On 18 May 2017, the EU published *Commission Delegated Regulation (EU) 2017/836 of 11 January 2017 amending Annex III to Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preferences*, inserting Sri Lanka in the relevant Annex of the EU's *Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences* (hereinafter, GSP Regulation) and thereby conferring GSP+ beneficiary status to Sri Lanka. Sri Lanka will now be granted significantly improved access to the EU market, in exchange for its commitment to effectively implement 27 international conventions that it has ratified on human rights, labour conditions, the protection of the environment and good governance. This is an important step for Sri Lanka, a recognition of its successful reform efforts, and a great opportunity for the country's economic operators and traders.

The EU's Generalised Scheme of Preferences (hereinafter, GSP) is a system of unilateral trade concessions that reduces or eliminates tariffs on a wide range of exports from developing countries and least-developed countries. The GSP is used to increase export revenue in developing countries in order to reduce poverty and promote sustainable development and good governance. The GSP preferential arrangements focus solely on granting tariff preferences for trade in goods. The EU's GSP has been in place since 1971, although it has periodically been subject to reviews of varying depth and extent. On 31 October 2012, the EU adopted its most recent iteration of the GSP scheme through *Regulation (EU) No 978/2012* (see *Trade Perspectives*, Issue No. 21 of 16 November 2012), which applies since 1 January 2014. The architecture of the scheme has undergone significant changes over time. In its current form, the EU's GSP foresees three types of preferential arrangements: a general arrangement (for developing countries matching certain eligibility criteria) and two special arrangements: 1) a special incentive arrangement for sustainable development and good governance or '*GSP+*'; and 2) a special arrangement for least-developed countries, known as the '*Everything But Arms*' (EBA) arrangement.

Sri Lanka had already been a beneficiary of the previous GSP+ scheme, but the EU revoked its GSP+ status in 2010 because it determined that the Sri Lankan Government, at that time, had failed to address reported human rights violations in the country. In July 2016, after the new Sri Lankan Government stepped up its reform efforts, Sri Lanka applied again for GSP+. On 11 January 2017, the European Commission (hereinafter, Commission) adopted *Commission Delegated Regulation (EU) 2017/836,* adding Sri Lanka to the relevant Annex of

the EU's GSP Regulation. This recent renewed granting of the preferences is considered a vote of confidence by the EU, counting on the Government of Sri Lanka to continue the reforms and maintain the progress it has made. Economic operators in Sri Lanka expect significant benefits from the GSP+ status. In particular, the apparel industry is expecting a 10-15% boost in export earnings within 12 months, with certain exporters even expecting a 25% increase in export volumes over 18 months. Further sectors expecting important gains are the agro-food sector, particularly the sector of fresh and processed fruits and vegetables, and the seafood sector.

The Regulation inserting Sri Lanka in the relevant Annex of the EU's GSP Regulation entered into force on 19 May 2017 and Sri Lankan exporters can immediately benefit from the respective trade preferences. However, economic operators looking at exporting to the EU market will still have to abide by the relevant laws and regulations pertaining to the EU customs legislation, in particular those of the Union Customs Code (hereinafter, UCC). The UCC was adopted on 9 October 2013 and entered into force on 30 October 2013. However, most of its substantive provisions only apply since 1 May 2016. Thus, EU customs legislation has changed vis-à-vis the one in force at the time when Sri Lanka last benefitted from GSP+. Notable changes relate to the area of rules of origin. As part of the implementation of the UCC, the EU also adopted *Commission Delegated Regulation No 2015/2446* and *Commission Implementing Regulation No 2015/2447*, providing more detailed rules for EU Member States and EU trading partners. In particular, Articles 37 to 70 and Part II of Annex 22-03 of *Commission Delegated Regulation (EU) 2015/2446* provide the relevant rules of origin for the GSP scheme. The most important change for exporters and their administrative duties is delivered by *Commission Implementing Regulation No 2015/2447*, which introduces a registered exporter system (hereinafter, REX). The REX system will progressively and completely replace the currently existing system of origin certification based on '*certificates of origin*' issued by governmental authorities and on '*invoice declarations*' made out under certain conditions by economic operators. The REX is entirely based on the principle of self-certification by the economic operators themselves, who will issue so-called '*statements on origin*'. To be eligible to issue such '*statements on origin*', economic operators have to be registered in a database by the beneficiary country's competent authorities. Once registered, the economic operator will become a '*registered exporter*'. The REX system applies since 1 January 2017, but Sri Lanka has notified the Commission that it would delay the application of the REX system until 1 January 2018. Additionally, a transition period of twelve months applies, allowing Sri Lanka to continue to issue the former paper-based certificates to exporters, who are not yet registered, until the end of 2018. It is of great importance that Sri Lankan authorities implement the REX system and that exporters familiarise themselves with the new rules in order to allow for a smooth transition without disrupting the trade.

In addition to the issues directly linked to the GSP Regulation and the GSP+ scheme, Sri Lankan economic operators in all relevant sectors should also be aware of other relevant EU legislation, particularly with respect to consumer and environmental protection. For a wide range of products, notably agro-food products, but also textiles, machinery, consumer electronics, and pharmaceuticals, detailed technical regulations and labelling requirements must be applied and respected. Additionally, the EU's REACH Regulation (Registration, Evaluation, Authorisation and Restriction of Chemicals) was adopted to improve the protection of human health and of the environment from the risks that can be posed by chemicals, and it prohibits the use of certain substances in consumer goods. Any sector-specific legislation must be taken into account, so as to avoid delays and/or market withdrawals when exporting Sri Lankan goods to the EU. Exporters must prepare in order to avoid time-consuming and costly conflicts with EU and EU Member States' authorities in cases of non-compliance.

Apart from the trade related aspects, the key elements of the GSP+ scheme are focussed on human rights, labour conditions, the protection of the environment and good governance. The European Commissioner for Trade, Cecilia Malmström, confirmed this on 31 May 2017 during a debate on the issue in the plenary of the European Parliament. Commissioner Malmström lauded the reform efforts by the Government of Sri Lanka and noted that it had

resolved to act on controversial issues. However, she also noted that the Commission was still not fully satisfied and had identified a number of shortcomings that should be addressed. Indeed, the granting of GSP+ beneficiary status to Sri Lanka has been controversial in the EU. As recently as 27 April 2017, the European Parliament voted to defeat a resolution aimed at denying Sri Lanka GSP+ status, the proponents of which had cited too little progress in the area of human rights protection in Sri Lanka. However, the Commission reportedly aims at supporting Sri Lanka's efforts and at co-operating in all areas in which implementation of the 27 international conventions referred to in the GSP+ scheme remains unsatisfactory. Additionally, the Commissioner noted that, contrary to recent media reports, Sri Lanka would already be included in the upcoming GSP+ status report. Every other year, the Commission is required to submit to the Council of the EU and to the European Parliament a status report, assessing the compliance of GSP+ beneficiary countries with their reporting obligations under the conventions and the status of the respective implementation. The first status report was issued in January 2016 and the Annex to the report contains a detailed assessment of each beneficiary's situation under the 27 conventions enumerated in the GSP Regulation. The next report, covering the period from 2016 to 2017, will be issued in January 2018. Therefore, a first EU monitoring mission to Sri Lanka is already scheduled to take place in September 2017, four months after the grating of GSP+ beneficiary status. The Commissioner called on the European Parliament to play an active role in the monitoring and to use its leverage to support reforms in Sri Lanka.

As of 19 May 2017, Sri Lanka's economic operators are eligible to benefit from the regained preferential market access. However, certain administrative requirements need to be implemented by the Government of Sri Lanka and Sri Lankan exporters must familiarise themselves with the relevant rules and regulations. All stakeholders should continue to co-operate to ensure compliance with the preconditions of the GSP+ scheme, namely the compliance and implementation of the 27 international conventions. With the first EU monitoring mission to Sri Lanka already scheduled for September 2017, Sri Lanka should stay on its reform path and ensure that the trade preferences remain in place so as to allow its economic operators to benefit and contribute to the sustainable economic growth of the country.

The European Commission takes action against the Comoros, Saint Vincent and the Grenadines and Liberia with respect to illegal, unreported and unregulated fishing

On 23 May 2017, the Commission issued '*red cards*' under the EU's illegal, unreported and unregulated (hereinafter, IUU) fishing framework to the Comoros and Saint Vincent and the Grenadines, as well as a '*yellow card*' to Liberia. The decisions serve as the latest step in the Commission's commitment to fight IUU fishing. Nevertheless, as exemplified by the actions of other EU trading partners, a practical path is available towards the removal of said designations for affected countries.

IUU fishing refers to fishing that: 1) lacks authorisation, does not comply with conservation and management measures developed by regional fishery management organisations, or violates national laws or international obligations (*i.e.*, is illegal); 2) is not properly reported under international, regional or national laws and regulations (*i.e.*, is unreported); and 3) is performed by vessels with no national flag or that jeopardise fish stocks (*i.e.*, is unregulated). The decision by the Commission is based on the EU's IUU Regulation (*i.e.*, *Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing*), which entered into force in 2010, and the additional instruments adopted in November 2013 (see *Trade Perspectives*, Issue No. 23 of 13 December 2013). The EU's framework to fight IUU fishing requires the flag State to certify the origin and legality of fishery products in order to trace the fishery products on the EU market. If a country is unable to comply with international rules, the Commission will first attempt to assist and improve the legal framework of said

country *via* its *'card system'.* The first issuance by the Commission (*i.e.*, issuance of a '*yellow card*') pre-identifies the country as non-cooperative and opens a six-month formal dialogue to assist the country to improve its system. After the six-month formal dialogue (which can be extended), the Commission evaluates the country's situation and either lifts the pre-identified status (*i.e.*, issues a '*green card*') or formally identifies the country as being non-cooperative (*i.e.*, issues a '*red card*'). A '*red card*' results in the imposition of a ban of all fishery products imported directly or indirectly from the country listed as non-cooperative (see *Trade Perspectives*, Issue No. 16 of 11 September 2015).

The Commission, in its public release following the issuance of '*red cards*' to the Comoros and Saint Vincent and the Grenadines, stated that it considers said countries serve as '*flags of convenience*'. In other words, the countries are used to register ships in a sovereign state different from that of their owners. In regards to the Comoros, the Commission stated that registration is partly outsourced to natural and legal persons outside of the Comoros, that most of the Comorian fleet (*i.e.*, approximately 20 vessels) operates in breach of Comorian law and of the requirements in the eastern Atlantic Ocean, and that the Commission has collected evidenced demonstrating illegal at-sea transhipments and joint operations. Meanwhile, the Commission claims that the Comoros has, *inter alia*, failed to address the problems of its registry and failed to enforce relevant laws and regulations. With regards to Saint Vincent and the Grenadines, the Commission stated that the country's relevant regulatory framework is inadequate (*i.e.*, while the registration procedure is under the mandate of the Ministry of Agriculture, Land and Fisheries, the competent authority for the conservation of marine resources has no control over this registry). The Commission also stated that approximately 33 vessels registered in Saint Vincent and the Grenadines operate within waters that fall under the scope of the International Commission for the Conservation of Atlantic Tunas (*i.e.*, the ICCAT), the catches of which then land or are transhipped in Trinidad and Tobago, where controls are inadequate. Accordingly, the Commission claims that Saint Vincent and the Grenadines has failed to properly control and monitor its long distance fleet, has not updated its legal framework, and that there remain issues with respect to registration and traceability. With regards to Liberia, the Commission opened a dialogue in 2014 to evaluate compliance with the IUU Regulation, which resulted in the identification of numerous shortcomings (*e.g.*, a lack of control over the activities of Liberian-flagged vessels, an outdated legal framework, and a lack of compliance with relevant international rules). The issuance of a '*yellow card*' by the Commission was admittedly done, at least in part, in order to raise political awareness of the issues following the adoption of an Executive Order by the President of Liberia that appears to compromise the conservation and sustainable management of fish stocks.

The Commission has remained active in its enforcement of the IUU Regulation since its adoption, but it has also shown lenience and a willingness to cooperate with third countries that make efforts to reform their relevant legal frameworks. In total, the Commission has issued '*yellow cards*' to 24 third countries, with ten of said countries later taking the necessary actions to receive '*green cards*'. Six countries were eventually deemed non-cooperating, while four were '*black-listed*' by the Council of the EU. Of the four '*black-listed*', three made sufficient reforms to then be removed from said list (*i.e.*, Belize in December 2014, Sri Lanka in April 2016 and Guinea in October 2016). The fourth, Cambodia, however, remains '*black-listed*' and has not made adequate efforts to improve its situation. Currently, eleven countries are under formal dialogue with the Commission: Cambodia, St Kitts and Nevis, St Vincent and the Grenadines, Tuvalu, Thailand, Comoros, Taiwan, Kiribati, Sierra Leone, Trinidad and Tobago, and Liberia. For each country, the Commission has developed tailor-made action plans, while monitoring progress and continuing bilateral cooperation to work towards normal trade relations.

Although the IUU Regulation references a six-month formal dialogue to address issues with the domestic legal frameworks in countries where '*yellow cards*' have been issued, the Commission appears willing to extend this time period if efforts are progressing in the right direction. For example, in April 2015, Thailand received a '*yellow card*' from the Commission due to its inadequate legal framework on fisheries and poor monitoring, traceability and

control systems. Even so, more than two years later, the Commission has not elevated the issue with Thailand to the issuance of a '*red card*'. Indeed, the Commission has indicated that it continues to cooperate with the Thai authorities and to monitor their progress. For its part, Thailand has taken numerous steps. In relevant part, Thailand's Department of Fisheries introduced the 2015 Fisheries Act, which seeks to ensure the sustainability of marine resources and that all fishing activities in Thailand meet global standards. Furthermore, in May 2016, the Thai Command Centre for Combating Illegal Fishing established three working committees to, *inter alia*, address the general public's complaints regarding local fishing, commercial fishing and legal implications. In addition, other related agencies have been appointed to work towards the enforcement of international fisheries laws. Nonetheless, the Commission recently stated that "*[w]hile the Thai authorities have demonstrated a clear and high-level commitment to redress the IUU situation, there is still a long way ahead for the full enforcement of the new legal framework and the effective control of the Thai fleet operating both in Thai waters and beyond*".

Of the most recent actions taken by the Commission against the Comoros, Saint Vincent and the Grenadines, and Liberia, Liberia may have the most incentive to immediately cooperate with the Commission. Notably, the Comoros and Saint Vincent and the Grenadines do not export fisheries products to the EU, and thus the '*red cards*' are unlikely to have immediate trade impacts. However, with the launching of a six-month dialogue with the Commission, Liberia must begin making efforts to work with the Commission so that it is not later issued a '*red card*'. As demonstrated with previous and current dialogues that the Commission has opened, the key is to show progress and a willingness to reform current legal frameworks and practices. Liberia, and any other countries that find themselves under formal dialogue with the Commission, should consider seeking outside advice in order to ensure that their interests are properly accounted for.

An update on nutrient profiles: advertising HFSS food to children and an open letter on nutrient profiles for nutrition and health claims

On 10 May 2017, the European Parliament's Committee on Culture and Education (hereinafter, CULT) voted (with 17 votes in favour, 9 against and 4 abstentions) on a report on the proposal for a *Directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities* (hereinafter, AVMSD). The proposed AVMSD would establish provisions on restrictions of advertisements for food and drinks that are high in fat, sugar and salt (hereinafter, HFSS foods) to children and on related nutrient profiles for such foods. Also related to the matter of nutrient profiles, on 15 May 2017, five mayor food companies and three civil society organisations sent a joint letter to the Commission expressing their support for the urgent adoption of EU-wide nutrient profiles for nutrition and health claims.

The Commission's proposal for an amended AVMSD, published on 25 May 2016, seeks to respond to the market, consumption and technological changes in the audiovisual media landscape, due to ever-increasing convergence between television and services distributed via the Internet. Traditional broadcasting in the EU remains strong in terms of viewership, advertising revenues and investment in content (around 30% of revenues). However, broadcasters are extending their activities online and new players offering audiovisual content via the internet (*e.g.*, video-on-demand providers and video-sharing platforms) are getting stronger and competing for the same audiences, although they are subject to different rules and varying levels of consumer protection. The general objectives of the AVMSD proposal are to: 1) enhance the protection of minors and consumers in general through, where possible, harmonised EU audiovisual standards; 2) ensure a level playing field between traditional broadcasters, on-demand audiovisual media services and video-sharing

platforms; and 3) simplify the legislative framework, in particular on commercial communications.

As regards commercial communications, the AVMSD proposal aims at reducing the burden of TV broadcasters while maintaining, and even reinforcing, those rules seeking to protect the most vulnerable. For example, the revised AVMSD maintains the strict 20% limit on advertising time, but gives broadcasters more flexibility as to when advertisements can be shown. It also allows more flexibility regarding product placement and sponsorship. Finally, it encourages the adoption of self- and co-regulatory codes of conduct regarding inappropriate audiovisual commercial communications, accompanying or included in '*programmes with a significant children's audience*', of HFSS foods and beverages. The current AVMSD only requests EU Member States and the Commission to encourage media service providers to develop codes of conduct regarding such inappropriate communications, which accompany or are included in '*children's programmes*', of such foods and beverages.

The CULT Committee's report considers that the notion '*programmes with a significant children's audience*' suggested by the Commission in its proposal is neither clear nor legally sound, because programmes not initially targeting children, such as sport events or TV singing contests, may fall within this category. The report, therefore, suggests to keep the current terminology of '*children's audience*' and '*children programmes*' in the revised AVMSD. It must be recalled that, on request of the CULT Committee, which is leading scrutiny of the AVMSD proposal, the European Parliament's Committee on Environment, Public Health and Food Safety (hereinafter, ENVI) adopted on 31 January 2017 an opinion on the proposed AVMSD, in which it called for restrictions of advertisements for HFSS foods more generally during '*children's programmes and in content aiming at a children's audience, including social networks*' (see *Trade Perspectives*, Issue No. 3 of 10 February 2017).

The CULT's Committee's proposed amendment related to '*children's programmes*', instead of '*programmes with a significant children's audience*', is significant. Given that many popular prime-time TV programmes have also a children's audience and would not fall under the restrictions (which would apply only to specific '*children's programmes*' like animated cartoon films), the CULT Committee, therefore, appears to favour '*watering down*' the Commission's proposal and also the ENVI Committee's opinion.

However, the members of both committees, ENVI and CULT, did agree with the Commission that there was no need to include specific nutrient profiles to define HFSS foods or what products are considered '*unhealthy*' under the AVMSD. The Commission's proposal only refers to "*certain widely recognised nutritional guidelines [that] exist at national and international level, such as the World Health Organisation (WHO) Regional Office for Europe's nutrient profile model, in order to differentiate foods on the basis of their nutritional composition in the context of foods television advertising to children"*. The ENVI Committee's opinion suggested to delete the specific mention of the WHO's nutrient profile model, but encouraged EU Member States to ensure that self-and co-regulatory codes of conduct, such as the *EU Pledge* initiative and others developed in the framework of the Commission's Platform for Action on Diet, Physical Activity and Health, are used to effectively reduce the exposure of children to audiovisual commercial communications regarding HFSS foods. The *EU Pledge* is a voluntary commitment of the World Federation of Advertisers to the EU Platform for Action on Diet, Physical Activity and Health. Through it, major food companies, including *Coca-Cola, Mars, Mondelez, Nestlé* and *Unilever*, have agreed not to advertise to children under 12, except for products fulfilling certain nutritional criteria (see *Trade Perspectives*, Issue No. 3 of 10 February 2017). The CULT Committee, in its latest report, suggests not to make any reference at all to the WHO nutrient profile model or the *EU Pledge*.

After the report of the European Parliament's CULT Committee was tabled for a plenary debate and vote within the European Parliament, on 23 May 2017, a '*general approach*' was reached by the Council of the EU (hereinafter, Council) on this legislative proposal. A '*general approach*' agreed in the Council can help to speed up the legislative procedure and

even facilitate an agreement at first reading between the two institutions, as it provides the European Parliament with an indication of the Council's position prior to their first reading opinion.

In the general context of nutrient profiles, it is interesting to note that, on 15 May 2017, the major food companies *Coca-Cola*, *Danone*, *Nestlé*, *PepsiCo* and *Unilever* sent a joint letter to the European Commission expressing their support for the urgent adoption of EU-wide nutrient profiles for nutrition and health claims. Also backing the call are three civil society organisations (*i.e.* the European Heart Network, the European Public Health Alliance and the European Consumer Organisation).

Under *Regulation (EC) No. 1924/2006 on nutrition and health claims made on foods* (hereinafter, NHCR), nutrient profiles are generally intended to determine whether foods are, based on their nutrient composition, eligible to bear claims. The establishment of nutrient profiles under the NHCR has proven to be difficult. Under the Commission's Regulatory Fitness and Performance programme (hereinafter, REFIT), the concept of nutrient profiles is currently re-evaluated and may even be abandoned (see *Trade Perspectives*, Issue No. 8 of 22 April 2016, Issue No. 12 of 17 June 2016 and Issue No. 13 of 26 June 2015).

The joint letter states that, without the underpinning of nutrient profiles, the EU's legal framework for nutrition and health claims made on foods has been incomplete for the past ten years. The signatories believe that this situation is unsustainable and needs to be rectified as soon as possible for two main reasons: 1) the lack of nutrient profiles to underpin the ability to make claims may result in consumers being misled about the healthfulness and nutritional attributes of products; and 2) the absence of EU-wide nutrient profiles undermines the level playing field that the industry needs in order to compete fairly and to innovate. The signatories are concerned that the fitness check of the NHCR, which is currently under way, will further delay the establishment of nutrient profiles. The signatories call on the Commission to propose EU-wide nutrient profiles for nutrition and health claims without further delay and remain willing to contribute, to provide their expertise and to be part of the discussion.

The developments and discussions on nutrition profiles under the NHCR over the years can be well observed through monitoring of the Commission's replies to MEPs' questions on the topic. On 7 June 2010, the Commission said that "*the setting of nutrient profiles is a science based, flexible and proportionate approach, agreed by the Council and the European Parliament when they adopted the NHCR and there is no alternative foreseen in the legislation to avoid foods too high in fat, salt or sugars to continue to bear claims. Commission services have been working on the setting of nutrient profiles since the receipt of the opinion of the European Food Safety Authority (EFSA) in January 2008*". In September 2010, the Commission noted that it continued to discuss with EU Member States and interested stakeholders potential nutrient profile models, testing their feasibility and proportionality. Given the considerable political interest and the intense debate that this key implementing measure has raised, the deadline foreseen in the NHCR (*i.e.*, January 2009) could not be met. The Commission expressed, however, that it had "*every intention to set nutrient profiles and will endeavour to submit draft measures that will be in line with the opinion of EFSA, ensuring consumers receive accurate and fair nutritional information and taking into account potential effects on businesses, especially small ones*". On 26 January 2011, the Commission acknowledged that "*EFSA's opinion recognises the importance in the overall diet of some food categories for which adapted profiles are foreseen*".

The changing regulatory framework in the EU was addressed by the Commission on 20 August 2012: "*At the time the Commission's proposal for the NHCR was presented in 2003, there was no requirement for impact assessments to be carried out for all legislative proposals. Today the Commission's policy is to carry out an impact assessment for all new policy initiatives, including implementing measures which may have significant impacts. Impact assessments are carried out by Commission's services on the basis of the Commission Impact Assessment Guidelines and always involve the consultation of*

interested parties". Finally, on 14 February 2017, the Commission stated that "*the Commission decided to carry out an evaluation of the NHCR in its Better Regulation Communication of 19 May 2015 and published its roadmap. The evaluation will focus notably on nutrient profiles. A decision on the next steps will be taken once the outcome of this evaluation will be finalised. The evaluation exercise is progressing and the outcome is expected in the first quarter of 2018".*

Despite the call on the Commission to urgently set nutrition profiles for nutrition and health claims before the REFIT evaluation has concluded, it appears that it is still going to take time until they are set, if they are established at all. It must be noted that the nutrient profile model developed by the WHO Regional Office for Europe has been specifically designed for use by governments for the purpose of restricting the marketing of foods to children. The purpose of the nutrient profiles referred to in the NHCR is different, as it is to govern the use of nutrition and health claims made on food. As regards the proposal for an amended AVMSD, a date establishing when it is submitted for a vote in the European Parliament's plenary has not been set yet. Developments in the EU on the AVMSD proposal and, in particular, on the development of nutrient profiles, should be closely monitored and operators should be prepared to participate in shaping potentially upcoming EU legislation by interacting with EU Institutions, Governments, relevant trade associations and affected stakeholders.

Recently Adopted EU Legislation

Customs Law

- *Commission Implementing Regulation (EU) 2017/931 of 31 May 2017 laying down the allocation coefficient to be applied to the quantities covered by the applications for import licences lodged from 19 May 2017 to 26 May 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2081 for certain cereals originating in Ukraine*

Trade Remedies

- *Commission Implementing Regulation (EU) 2017/942 of 1 June 2017 imposing a definitive anti-dumping duty on imports of tungsten carbide, fused tungsten carbide and tungsten carbide simply mixed with metallic powder originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council*

- *Commission Implementing Regulation (EU) 2017/941 of 1 June 2017 withdrawing the acceptance of the undertaking for two exporting producers under Implementing Decision 2013/707/EU confirming the acceptance of an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China for the period of application of definitive measures*

Food and Agricultural Law

- *Commission Implementing Regulation (EU) 2017/940 of 1 June 2017 concerning the authorisation of formic acid as a feed additive for all animal species*

- *Commission Implementing Regulation (EU) 2017/911 of 24 May 2017 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin*

- *Commission Regulation (EU) 2017/893 of 24 May 2017 amending Annexes I and IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council and Annexes X, XIV and XV to Commission Regulation (EU) No 142/2011 as regards the provisions on processed animal protein*

Other

- *Information on the entry into force of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands*

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