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The EU Parliament's INTA Committee approves the regulation implementing the bilateral safeguard clause of the EU-South Korea FTA

On 7 February 2011, the EU Parliament's Committee on International Trade (hereinafter, INTA Committee) recommended that the Parliament gives its consent to the ratification of the EU-South Korea Free Trade Agreement (hereinafter, FTA). The INTA Committee's endorsement follows its approval, on 25 January 2011, of the final compromise reached with the Council on the regulation implementing the bilateral safeguard clause provided in the agreement.

Negotiations between the EU and South Korea were officially launched in May 2007 and were conducted, for the EU, by the EU Commission, on the basis of a mandate approved by the EU Council. The agreement was initialled on 15 October 2009. On 16 September 2010, with the achievement of Italy's consent (see Trade Perspectives, Issue No. 17 of 24 September 2010), the EU Council authorised the signature of the FTA and agreed on its provisional application as of 1 July 2011. The agreement was officially signed by the 27 EU Member States, the EU Commission and South Korea on 6 October 2010, at an EU-South Korea Summit.

The FTA provides for a bilateral safeguard clause, according to which the Parties to the agreement may suspend further reductions of the customs duty rate of a product, or increase up to the MFN rate the duty rate of a product, should the liberalisation of trade between them lead to a situation of import surges, causing or threatening to cause serious injury to their relevant domestic industries. The mechanism requires the adoption of EU internal legislation to further detail certain procedural aspects, such as the initiation of the safeguard investigation or the rights of the parties involved.

The legislative procedure for the adoption of the implementing regulation has involved the EU Commission (in the initial phase), the EU Parliament and the EU Council (see Trade Perspectives, Issue No. 13 of 2 July 2010). On 25 January 2011, the INTA Committee approved the final compromise on the regulation implementing the bilateral safeguard measures reached with the Council in mid-December 2010. The resulting draft text of the implementing regulation contains certain provisions that are intended to strengthen the response to concerns raised by the EU industry, which stands to be primarily affected by the FTA.

According to the agreed text, a safeguard measure may be imposed where a product originating in South Korea is, as a result of the reduction or the elimination of the customs duties on that product, being imported by the EU in such increased quantities and under such conditions as to cause or threaten to cause serious injury to the EU industry producing a like or directly competitive product. Particular emphasis is put on the monitoring of imports

and exports and on the provisions implementing Article 14 of the Protocol 1 on Rules of Origin attached to the FTA on duty draw-back and duty exemptions.

In particular, the draft implementing regulation requires the Commission to set up a system to monitor the evolution of import and export statistics of South Korean products in sensitive sectors potentially affected by the duty drawback system applied in South Korea and maintained under the FTA. The scope of the monitoring may be broadened to other sectors upon a request by the industries concerned. In addition, for a period of five years following the entry into force of the FTA, and upon reasoned requests from EU industry, the Commission must pay particular attention to any increase in the import of finished sensitive products from South Korea into the EU, where such an increase is attributable to increased use of parts or components imported into Korea from third countries which have not concluded a free trade agreement with the EU and which are covered by the provisions on customs duty draw-back or exemption from customs duty. Sensitive products include, *inter alia*, textiles and clothing, consumer electronics and passenger cars. This provision is intended to respond to concerns of EU industries competing in the EU market with Korean manufacturers that source cheaper imports from China (and other Asian countries) and benefit from duty draw-backs and duty exemptions, and is linked to Article 14 of the Protocol on Rules of Origin Protocol, providing, *inter alia*, that a review of the Parties' application of duty draw-back schemes will not be discussed before five years from the entry into force of the FTA. The monitoring system ensures that, until a review of the duty draw-back may be initiated, safeguard measures can be promptly triggered on those imports which benefit from duty draw-back schemes. The draft implementing regulation establishes further that Parties must exchange information for the purposes of the review of the duty draw-back system foreseen in Article 14 of the Protocol on Rules of Origin that may be started upon request by either Party after five years from the entry into force of the FTA. The exchange of information system will cover, *inter alia*, parts and components of vehicles and consumer electronics and a list of key tariff lines that are not specific for automotive, but important for car manufacturing and other related sectors, to be drawn up by the Commission together with the EU industry.

As it stands, the proposed text allows investigations to be triggered upon a request by an EU Member State, by the EU's industry, or on the Commission's own initiative (*ex officio*), where sufficient evidence of the existence of injury factors justifies such action. The *ex officio* investigation by the Commission may also be initiated upon a recommendation by the EU Parliament. Finally, an investigation may also be initiated in case of a surge of imports concentrated in one or more EU Member States, provided that there is sufficient *prima facie* evidence that the conditions for initiation are met.

Other key features of the proposed text include the broadening of the factors that need to be taken into account for the injury determination and the possibility of subjecting imports of products from Korea to prior EU surveillance measures, where the import trend could lead to one of the situations justifying the application of a safeguard measure. Surveillance measures may also be introduced where the surge of imports of products falling into sensitive sectors is concentrated in one or more EU Member States.

Safeguard measures may consist of (i) suspensions of further reduction of the rate of customs duty on the good concerned under the FTA; or (ii) increases in the rate of customs duty on the good to a level which does not exceed the lesser of the MFN applied rate in effect at the time the measure is taken or the base rate of customs duty specified in the Schedules attached to the FTA. The proposed text appears to provide for the possibility of applying provisional safeguard measures *inaudita altera parte* (*i.e.*, without previous consultations with the other party). The possibility of applying regional safeguard measures, initially introduced by the EU Parliament, has been dropped (see Trade Perspectives, Issue No. 13 of 2 July 2010).

The EU regulation governing the adoption of multilateral (*i.e.*, WTO) safeguards has been seldom used by EU authorities. There are, in fact, inherent limits connected to the use of this trade remedy (as opposed, for example, to anti-dumping and countervailing duties), which include evidence that '*serious injury*' be suffered by the domestic industry, the MFN application of the safeguards, and the need to offer compensation to the exporting countries affected by the safeguard measures. Although some of these elements are also characterised by the EU-South Korea bilateral safeguard mechanism, both the specific context and provisions of the EU-South Korea FTA (and the effects that the agreement stands to have on certain industries) and specific flexibilities contained in the draft EU implementing regulation, may warrant a greater recourse to this mechanism. Provisions of the draft implementing regulation are aimed at strengthening cooperation between EU industry and the Commission and require that data resulting from the monitoring activities be shared among the EU institutions and with EU industry. Therefore, the potentially affected industries stand to play a significant role in the implementation of the bilateral safeguard.

The EU Parliament is now to approve the INTA Committee's reports on the bilateral clause and on the FTA at its plenary session on 17 February 2011. The FTA and the implementing regulation on the bilateral safeguard are due to enter into force on 1 July 2011.

EU Member States may ban GM crops under arguable public order exception

It appears that a draft document produced by the Consumer Affairs Division of the European Commission's Directorate General of Health and Consumers suggests that EU Member States could ban the cultivation of genetically modified crops (hereinafter, GM crops) in order to preserve public order in the face of widespread European opposition to GM technology. The report has not yet been publicly released. Instead, it will form the basis of a discussion to be held in Brussels on 11 February 2011 between experts from EU Member States and EU Commission officials.

A ban by an EU Member State on GM crop production within its borders would not appear to be a *prima facie* violation of WTO law. This is because such a ban would not appear to restrict the actual trade of a product. Such a ban may nevertheless give rise to related trade issues. Such issues might include, for instance, an import ban on GM crop seeds used to produce GM crops.

Press reports indicate that, to defend an EU Member State against a potential WTO claim, the EU Commission report suggests a list of grounds for protective measures. In addition to the preservation of public order, this list reportedly includes, *inter alia*, the protection of public morals (such as religious or philosophical concerns over GM technology); the preservation of farming diversity; safeguarding the choice of producers and consumers to grow and buy non-GM products; the preservation of cultural and historical heritage; and broadly-defined social policy objectives.

This list was apparently compiled by the EU Commission in order to assist EU Member States in deciding whether or not to allow GM crops to be grown on their soil. The Commission's report was apparently a response to a request by several EU Members for legal arguments to support national GM cultivation bans in case these were challenged at the WTO. Yet it should be noted that, as the representative of the EU Member States at the WTO, the EU Commission would itself be ultimately responsible for defending a WTO legal challenge brought against an EU Member State.

By providing EU Member States with a list of arguments which might support a cultivation ban on GM crops, the EU Commission reportedly hopes to decrease opposition from several

large EU Members to the EU Commission's plan to devolve to the EU Member State level the decision-making on the cultivation of GM crops. The EU Commission originally proposed its intention to combine an EU GM crop authorisation system with a new power for EU Member States to opt out of the EU's GM crop authorisation process on 2 March 2010 (See Trade Perspectives, Issue No. 7 of 9 April 2010). Under the current system, decisions on GM crop cultivation are taken collectively at the EU level.

The EU Commission's proposed policy change apparently stems from its desire to break an *impasse* within the EU concerning GM crop approvals, as only twp GM crop varieties have been approved for cultivation in the EU over the last 13 years. This compares to more than 150 GM crop varieties which have apparently been approved globally during that same time period.

A closer analysis of the measures reportedly proposed in the Consumer Affairs Division's draft document suggests that many of these defences could be vulnerable to a legal challenge at the WTO. EU Member States could attempt to justify a GM crop cultivation ban based on public morals and the preservation of public order by invoking Article XX(a) of the GATT. Although this provision does not explicitly refer to public order, at least one leading scholar believes that a WTO panel may consider it to be a tacit element of this paragraph. However, an EU Member State would have little WTO case law to rely upon in support of this argument: Article XX(a) of the GATT has only once been addressed in WTO dispute settlement (*i.e.*, *China – Publications and Audiovisual Products.* See Trade Perspectives, Issue No. 16 of 4 September 2009). In assessing the use of this exception, a panel would likely analyse whether the ban on the cultivation of GM crops is necessary to protect public morals and whether the EU Member State had any alternatives reasonably available. If a WTO panel follows previous GATT reports such as *Thailand – Cigarettes*, an EU Member State might furthermore have to demonstrate that the ban was reasonably calculated to achieve the objective stated in Article XX(a). As per the *US – Section 337* panel report, a panel could combine this analysis with an assessment of whether the GM crop production ban constituted a minimum derogation from the GATT. The minimum derogation principle asks whether there are alternative measures reasonably available that would be as effective as the measure adopted, but which would be less trade-restrictive than the measure adopted. This could be a difficult legal test to meet.

An EU Member State could alternatively attempt to defend a GM crop cultivation ban based on Article XX(d) of the GATT. This provision addresses measures which are necessary to secure compliance with laws or regulations that are not themselves inconsistent with the provisions of the GATT. Article XX(d) provides an illustrative, yet non-exhaustive, list of such measures. An EU Member State could attempt to argue that the ban on GM crop cultivation is in accordance with a domestic law that does not itself violate the GATT. However, a complaining WTO Member could respond that the GM crop cultivation ban constitutes a disguised import prohibition against, *inter alia*, GM crop seeds, and as such, the domestic law is inconsistent with the GATT. A complaining WTO Member could ask a panel to follow the *Korea – Various Meausures on Beef* and the *EC – Asbestos* cases and to rule that the GM crop ban fails to pass the weighing and balancing test. According to WTO 'jurisprudence', this test considers the importance of the interest pursued by the law with which the challenged measures sought to secure compliance, whether the objective pursued by the challenged measure contributed to the desired end of the law, and whether a reasonably available alternative measure existed.

The other arguments reportedly proposed in the Consumer Affairs Division's draft document could also be vulnerable in a WTO dispute. A protection of human health defence under Article XX(b) of the GATT could be open to a WTO challenge based on the necessity test, meaning that a panel might examine whether a GM crop ban is '*necessary'* to achieve the policy objective of protecting human health. A protection of human health defence could also

be challenged under, *inter alia*, Articles 2.2, 5.1, 5.4 and 5.6 of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter, SPS Agreement). For instance, the WTO panel in *EC – Biotech* concluded that a *de facto* EU moratorium on biotech products violated the SPS Agreement.

An argument under Article XX(f) of the GATT, that the preservation of farming diversity requires a ban on GM crop cultivation, could be challenged by an argument that the ban is not primarily aimed at this objective. In order to justify a trade-restrictive GM crop ban, a panel might follow the reasoning in the *US – Gasoline* case and require that the GM crop ban be primarily aimed at the preservation of farming diversity. Although the *US – Gasoline* panel focused on Article XX(g) (*i.e.*, protection of an exhaustible natural resource), a panel examining an Article XX(f) argument might conclude that the ordinary meaning of the strong wording in Article XX(f) (*i.e.*, '*imposed for the protection of national treasures of artistic, historic or archaeological value*') requires that the GM crop ban be, similar to the *US – Gasoline* interpretation of Article XX(g), primarily aimed at preserving farming diversity.

Finally, invoking town and country planning as a justification for banning GM crop cultivation truly appears to be an exercise of 'creative legal thinking'. It may be assumed that any such attempt would be justified (and challenged) under either the Agreement on Technical Barriers to Trade (hereinafter, TBT Agreement) or the SPS Agreement. Insofar as a town or country zoning decision were to ban the cultivation of GM crops due to technical zoning planning regulations, this could be intended (and challenged) as a technical barrier to trade under, *inter alia*, Articles 3.1 and 3.5 of the TBT Agreement. However, the zoning decision would have to be identified as having a trade-restrictive effect. A WTO Member attempting to export, for example, GM crop seeds to an EU Member State could argue that a zoning regulation that bans GM crop cultivation constitutes a technical regulation concerning a production method within the meaning of Annex 1.1 of the TBT Agreement. This is, of course, assuming that the possible EU town or country zoning regulation did not constitute a sanitary or phytosanitary measure. Otherwise, the TBT Agreement would clearly not apply and the measure would fall within the scope of application of the SPS Agreement.

The draft document apparently also states that EU Member States must ensure that restrictions are justified, proportionate and non-discriminatory. This language appears to draw inspiration from the *chapeau* of Article XX of the GATT. The *chapeau* functions to prevent an abuse of the individual Article XX exceptions listed in the provision. In assessing the invocation of one of the enumerated exceptions under Article XX of the GATT, a panel would likely assess whether the Article XX GATT derogation complies with the Article XX *chapeau*. Based on this assessment, a panel might conclude that an EU Member State's ban on GM crop cultivation constitutes arbitrary discrimination, unjustifiable discrimination, or a disguised restriction on trade.

More details concerning the EU Commission's new plan for GM crop approval within the EU may emerge in the weeks following the 11 February 2011 meeting in Brussels. Application by the EU Commission of the subsidiary principle regarding GM crop approval could create significant new commercial opportunities for the GM industry in Europe by expanding the number of EU Member States willing and able to allow GM crop production. Interested commercial parties should monitor the developments closely.

EU Committee of the Regions recommends introducing a logo for local food

Following a request from the EU Agriculture Commissioner, Dacian Cioloş, and as part of the consultations on the future of the Common Agriculture Policy (hereinafter, CAP), the EU Committee of the Regions (hereinafter, CoR) adopted, in its plenary session on 27 January 2011, an outlook opinion on local food systems.

According to Article 300 of the Treaty on the Functioning of the European Union, the CoR exercises advisory functions to the EU Parliament, the EU Council and the EU Commission. The CoR consists of representatives of regional and local bodies who either hold a regional or local authority electoral mandate, or are politically accountable to an elected assembly. The members of the CoR are completely independent in the performance of their duties in the EU's general interest. With the entry into force of the Lisbon Treaty, the role of the CoR has been strengthened within the legislative process. The EU Commission is now obliged to consult in more fields with the CoR, as early as the pre-legislative phase. Once a legislative proposal has been made by the EU Commission, consultation of the CoR is again obligatory if the proposal concerns one of the many policy areas that directly affect local and regional authorities.

The request to the CoR was made on 9 June 2010 as part of the consultation on the future of the CAP, which is due to be reformed by 2013. After a wide-ranging public debate, the EU Commission presented on 18 November 2010 a Communication on 'The CAP towards 2020', which outlines options for the future CAP and launches the debate with the other institutions and with stakeholders. The presentation of legal proposals is foreseen for 2012.

The CoR outlook opinion (in the pre-legislative phase) highlights many benefits of local food systems on rural development. Local food systems can promote economic growth, as the short chains between producers and consumers promote local jobs and help local businesses acquire a larger market. Local food systems can also bring social advantages, as short distribution channels help to create greater interaction between farmers and consumers, thus allowing food producers to react more effectively to demands for sustainable production methods. And with the reduction of 'food miles', local food systems mean fewer emissions, helping the EU to meet its climate change ambitions. Paragraph 45 of the opinion recommends that '*the EU should introduce a new logo and identify a common symbol and scheme identity for local products, to be added to the Agriculture Product Quality Policy regulation. Use of the EU logo would be on a voluntary basis, with existing quality marks in the Member States and regions remaining valid and useable. Each Member State must also retain the right to introduce its own quality marks within its regions/provinces in future*.'

To make possible the use of a logo, and to achieve other policy recommendations established in the opinion, it is paramount to define the concept of 'local food product'. Paragraph 33 of the opinion suggests that a local food product is produced locally/regionally; it contributes to the local/regional rural development strategy; it is sold to the consumer through the shortest chain possible; it can be sold at a local retail store or open-air market based on a local contract (but cannot be sold, under the local food label, to a retail central buying department); it is targeted at consumers with one or more specific 'selling points' (such as taste, freshness, high quality, cultural motivation, local tradition, local speciality, animal welfare, environmental value, health aspects or sustainable production circumstances); it is sold as close to the site of production as it is reasonably possible (the distance variables may differ according to product, region and circumstances, but come down to one crucial question: is the point of sale the closest one that the consumer has access to? - this may vary from 1 to over 30 miles); and it is connected to a local food system.

The CoR outlook opinion raises a number of interesting issues. General EU food labelling rules also apply to voluntary labelling schemes. Directive 2000/13/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs states that the labelling and methods used must not be such as could mislead the purchaser to a material degree, particularly as to the characteristics of the foodstuff and, in particular, as to its nature,

identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production. The indication of the place of origin or provenance shall only be compulsory regarding the labelling of foodstuffs where failure to give such particulars might mislead the consumer to a material degree as to the true origin or provenance of the foodstuff. Therefore, a local food logo would need clear criteria and the use of it would need to be monitored and controlled appropriately, including audits and inspections. The CoR opinion proposes that local and regional authorities should be responsible for registering and monitoring local products and granting the 'local product' logo. Furthermore, local food systems could also be a facilitator for foods eventually registered under the EU Protected Designation of Origin (PDO), Protected Geographical Indication (PGI), Traditional Speciality Guaranteed (TSG), or Organic Farming (OF) schemes.

The intention of the opinion does not seem to be to increase the percentage of local food in the EU market (which in the EU seems to be only 20%, as opposed to 80% globally), but to professionalise local food systems and make it easier for consumers to identify local products, and to provide a choice without replacing industrial agriculture. The opinion recognises that it is impossible to meet global food demands through local food production alone, and that large volumes require not local food systems, but rather large-scale, efficient production and export. It might also be necessary to carefully assess whether such a local food system may contravene international trade rules by indirectly limiting food imports, for example, of fresh fruit and vegetables.

As to the next steps in the procedure, defining a local food product does not appear to be an easy task, considering in particular different population densities and agricultural models in the EU Member States. For food producers and retailers, it is important to see that under the proposed system, agreements may be entered into by producers and local supermarkets, including branches of national chains. However, products carrying a local label could not be distributed via retailers' national buying departments. A producer selling a product both in its local region of production, and nationally, would be required to use separate sets of labelling and packaging for local and national retail points of sale, with the resulting headaches and additional costs.

EU-Ukraine could sign Association Agreement in 2011

A Polish diplomatic source has reportedly stated that Ukraine could sign an association agreement with the EU sometime during the second half of 2011. This would occur during the Polish presidency of the EU Council. This comment came on the heels of a visit to Poland by Viktor Yanukovich, Ukraine's President.

The negotiations between the EU and Ukraine on an association agreement are occurring within the context of a longstanding desire by both parties to improve economic integration and political cooperation. The EU has designated Ukraine as a priority partner within the European Neighbourhood Policy, a foreign relations programme which aims at improving political and economic ties between the EU and neighbouring states. In November 2009, the EU's Cooperation Council adopted a new EU-Ukraine Association Agenda (hereinafter, the Agenda). The EU and Ukraine have also launched negotiations on a free trade agreement as a core element of a possible association agreement.

The Agenda outlines the EU's conditions regarding reforms relating to law enforcement and the judiciary, which Ukraine must satisfy before the EU will finalise an association agreement. These include strengthening the independence of legal institutions, bolstering respect for human rights and fundamental freedoms, combating corruption, improving cooperation in addressing common security threats, addressing illegal migration and human trafficking, and improving police cooperation in order to suppress organised crime. The EU's

reform requirements for Ukraine's energy sector include improving cooperation on nuclear safety, and strengthening the integration of the EU-Ukrainian energy markets.

The EU has also enumerated various trade requirements which Ukraine must fulfil before the EU will sign an association agreement. These include reducing trade barriers by bringing Ukrainian legislation on technical regulations, standardisation, and conformity assessments (hereinafter, TBT measures) into line with EU regulations; aligning Ukraine's sanitary and phytosanitary measures (hereinafter, SPS measures) and animal health and welfare legislation with that of the EU; improving Ukrainian enforcement of intellectual property rights law; improving the transparency of Ukrainian customs valuation procedures; and harmonising Ukrainian public procurement legislation with that of the EU.

Difficulties between the parties in negotiating certain trade aspects of the association agreement have, however, arisen. Although chapters on customs and trade facilitation, public procurement, and intellectual property rights are reportedly close to provisional completion, discussions on SPS measures and TBT measures have not yet produced an agreement.

Additional roadblocks to an association agreement apparently include Ukraine's request that the association agreement incorporate legal language granting Ukraine a prospect of accession to the EU, a reported Ukrainian insistence on visa-free movement of Ukrainian citizens within the EU at an early date, and an apparent Ukrainian request for formal language in the association agreement guaranteeing the territorial integrity and sovereignty of Ukraine. The EU has so far declined to grant Ukraine an automatic process by which its citizens could eventually acquire visa-free movement within the EU. The EU has also resisted granting Ukraine any assurances of territorial integrity; this Ukrainian request could be viewed as an attempt to extract from the EU a commitment similar to the guarantee of territorial integrity extended between NATO Members via Article 5 of the North Atlantic Treaty.

Between 2000 and 2005, EU exports to Ukraine more than doubled in value, rising to 36 billion EUR. Despite this substantial increase in trading activity, Ukraine nevertheless remains one of the EU's smallest trading partners. However, if an association agreement were to be successfully concluded between the EU and Ukraine, economic relations between the two parties would receive a considerable boost. New commercial opportunities may open in various sectors, including pharmaceuticals, heavy machinery and agriculture. Interested business parties should assist their respective Governments and negotiators in ensuring that their commercial interests are looked after and must plan ahead in order to benefit from a potential EU-Ukraine Association Agreement.

Recently Adopted EU Legislation

Market Access

- *Commission Regulation (EU) No 105/2011 of 4 February 2011 fixing the allocation coefficient to be applied to applications for import licences for olive oil lodged from 31 January to 1 February 2011 under the Tunisian tariff quota and suspending the issue of import licences for the month of February 2011*

- *Commission Regulation (EU) No 90/2011 of 3 February 2011 laying down detailed rules for implementing the system of export licences in the poultrymeat sector*

- *Commission Decision of 3 February 2011 on certain measures to prevent the transmission of the African swine fever virus from Russia to the Union (notified under document C(2011) 503) (1)*

- *Communication from the Commission relating to the available quantity for the May 2011 subperiod in the framework of certain quotas opened by the European Union for products in the rice sector*

- *Decision No 1/2010 of the Joint Committee on Agriculture set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 13 December 2010 concerning the amendments to the Appendices to Annex 4*

Trade Remedies

- *Council Implementing Regulation (EU) No 82/2011 of 31 January 2011 imposing a definitive anti-dumping duty on imports of okoumé plywood originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 and terminating a partial interim review pursuant to Article 11(3) of Regulation (EC) No 1225/2009*

- *Council Decision of 25 October 2010 on the signing, on behalf of the Union, of an Agreement in the form of a Protocol between the European Union and the Hashemite Kingdom of Jordan establishing a dispute settlement mechanism applicable to disputes under the trade provisions of the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part*

- *Council Decision of 25 October 2010 on the signing, on behalf of the European Union, of an Agreement between the Union and the Kingdom of Morocco establishing a Dispute Settlement Mechanism*

- *Council Decision of 25 October 2010 on the signing, on behalf of the Union, of an Agreement in the form of a Protocol between the European Union and the Arab Republic of Egypt establishing a dispute settlement mechanism applicable to disputes under the trade provisions of the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part*

Customs Law

- *Commission Regulation (EU) No 111/2011 of 7 February 2011 concerning the classification of certain goods in the Combined Nomenclature*

- *Commission Regulation (EU) No 112/2011 of 7 February 2011 concerning the classification of certain goods in the Combined Nomenclature*

- *Commission Regulation (EU) No 113/2011 of 7 February 2011 concerning the classification of certain goods in the Combined Nomenclature*

- *Council Decision of 18 January 2011 on the signing, on behalf of the European Union, and provisional application of the Protocol extending to customs security measures the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra*

- *Explanatory Notes to the Combined Nomenclature of the European Communities*

Food and Agricultural Law

- *Commission Decision of 4 February 2011 authorising the placing on the market of a fish (Sardinops sagax) peptide product as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document C(2011) 522)*

- *Commission Decision of 2 February 2011 authorising the placing on the market of a mycelial extract from Lentinula edodes (Shiitake mushroom) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document C(2011) 442) 2011/74/EU*

- *Commission Decision of 2 February 2011 authorising the placing on the market of a chitin-glucan from Aspergillus niger as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document C(2011) 480)*

- *Commission Directive 2011/9/EU of 1 February 2011 amending Council Directive 91/414/EEC to include dodine as active substance and amending Decision 2008/934/EC*

- *Commission Directive 2011/8/EU of 28 January 2011 amending Directive 2002/72/EC as regards the restriction of use of Bisphenol A in plastic infant feeding bottles*

Trade-Related Intellectual Property Rights

- *Commission Regulation (EU) No 106/2011 of 7 February 2011 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Cerezas de la Montaña de Alicante (PGI)]*

- *Commission Regulation (EU) No 92/2011 of 3 February 2011 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Salame Piacentino (PDO)]*

- *Commission Regulation (EU) No 93/2011 of 3 February 2011 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Fontina (PDO)]*

- *Commission Regulation (EU) No 94/2011 of 3 February 2011 entering a name in the register of protected designations of origin and protected geographical indications [Carciofo Spinoso di Sardegna (PDO)]*

- *Commission Regulation (EU) No 95/2011 of 3 February 2011 entering a name in the register of protected designations of origin and protected geographical indications [Arancia di Ribera (PDO)]*

- *Commission Regulation (EU) No 96/2011 of 3 February 2011 entering a name in the register of protected designations of origin and protected geographical indications [Limone di Siracusa (PGI)]*

- *Commission Regulation (EU) No 97/2011 of 3 February 2011 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Welsh Beef (PGI)]*

- *Commission Regulation (EU) No 91/2011 of 2 February 2011 entering a name in the register of protected designations of origin and protected geographical indications (Hofer Rindfleischwurst (PGI))*

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