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## Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

2014/891/EU:

- ★ **Commission Implementing Decision of 8 December 2014 amending Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (notified under document C(2014) 9230)<sup>(1)</sup> .....** 17

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<sup>(1)</sup> Text with EEA relevance

## II

(Non-legislative acts)

## REGULATIONS

**COMMISSION IMPLEMENTING REGULATION (EU) No 1309/2014****of 9 December 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 <sup>(1)</sup>,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

*Article 2*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 December 2014.

*For the Commission,  
On behalf of the President,  
Jerzy PLEWA  
Director-General for Agriculture and Rural Development*

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## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)			
CN code	Third country code (1)	Standard import value	
0702 00 00	AL	65,0	
	IL	116,6	
	MA	82,6	
	TN	139,2	
	TR	107,0	
	ZZ	102,1	
	0707 00 05	AL	63,5
EG		191,6	
JO		258,6	
MA		164,1	
TR		137,5	
ZZ		163,1	
0709 93 10		MA	67,0
	TR	126,4	
	ZZ	96,7	
0805 10 20	AR	35,3	
	MA	68,6	
	SZ	37,7	
	TR	61,9	
	UY	32,9	
	ZA	47,9	
	ZW	33,1	
	ZZ	45,3	
	0805 20 10	MA	66,2
		ZZ	66,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	107,2	
	JM	168,3	
	TR	76,7	
	ZZ	117,4	
	0805 50 10	TR	71,7
ZZ		71,7	
0808 10 80	BA	32,4	
	BR	54,7	
	CA	135,6	
	CL	79,5	

*(EUR/100 kg)*

CN code	Third country code <sup>(1)</sup>	Standard import value
0808 30 90	NZ	96,9
	US	93,0
	ZA	99,9
	ZZ	84,6
	CN	82,9
	TR	174,9
	ZZ	128,9

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

# DECISIONS

## COUNCIL DECISION

of 4 December 2014

### on the approval, on behalf of the European Union, of the Hague Convention of 30 June 2005 on Choice of Court Agreements

(2014/887/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), in conjunction with point (a) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) The European Union is working towards the establishment of a common judicial area based on the principle of mutual recognition of judicial decisions.
- (2) The Convention on Choice of Court Agreements concluded on 30 June 2005 under the auspices of the Hague Conference on Private International Law ('the Convention') makes a valuable contribution to promoting party autonomy in international commercial transactions and to increasing the predictability of judicial solutions in such transactions. In particular, the Convention ensures the necessary legal certainty for the parties that their choice of court agreement will be respected and that a judgment given by the chosen court will be capable of recognition and enforcement in international cases.
- (3) Article 29 of the Convention allows Regional Economic Integration Organisations such as the European Union to sign, accept, approve or accede to the Convention. The Union signed the Convention on 1 April 2009, subject to its conclusion at a later date, in accordance with Council Decision 2009/397/EC <sup>(1)</sup>.
- (4) The Convention affects Union secondary legislation relating to jurisdiction based on the choice of the parties and to the recognition and enforcement of the resulting judgments, in particular Council Regulation (EC) No 44/2001 <sup>(2)</sup>, which is to be replaced as of 10 January 2015 by Regulation (EU) No 1215/2012 of the European Parliament and of the Council <sup>(3)</sup>.
- (5) With the adoption of Regulation (EU) No 1215/2012 the Union paved the way for the approval of the Convention, on behalf of the Union, by ensuring coherence between the rules of the Union on the choice of court in civil and commercial matters and the rules of the Convention.
- (6) When signing the Convention, the Union declared under Article 30 of the Convention that it exercises competence over all the matters governed by the Convention. Consequently, the Member States shall be bound by the Convention by virtue of its approval by the Union.
- (7) The Union should, when approving the Convention, in addition make the declaration allowed under Article 21 excluding from the scope of the Convention insurance contracts in general, subject to certain well-defined exceptions. The objective of the declaration is to preserve the protective jurisdiction rules available to the policyholder, the insured party or a beneficiary in matters relating to insurance under Regulation (EC) No 44/2001. The exclusion should be limited to what is necessary to protect the interests of the weaker parties in insurance contracts. It should therefore not cover reinsurance contracts nor contracts relating to large risks. The Union should at the same time make a unilateral declaration stating that it may, at a later stage in light of the experience acquired in the application of the Convention, reassess the need to maintain its declaration under Article 21.

<sup>(1)</sup> Council Decision 2009/397/EC of 26 February 2009 on the signing on behalf of the European Community of the Convention on Choice of Court Agreements (OJ L 133, 29.5.2009, p. 1).

<sup>(2)</sup> Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 12, 16.1.2001, p. 1).

<sup>(3)</sup> Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).

- (8) The United Kingdom and Ireland are bound by Regulation (EC) No 44/2001 and are therefore taking part in the adoption and application of this Decision.
- (9) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

*Article 1*

The Hague Convention of 30 June 2005 on Choice of Court Agreements ('the Convention') is hereby approved on behalf of the European Union <sup>(1)</sup>.

*Article 2*

The President of the Council is hereby authorised to designate the person(s) empowered to deposit, on behalf of the Union, the instrument of approval provided for in Article 27(4) of the Convention.

The deposit of the instrument of approval referred to in the first subparagraph shall take place within one month of 5 June 2015 <sup>(2)</sup>.

*Article 3*

1. When depositing the instrument of approval provided for in Article 27(4) of the Convention, the Union shall, in accordance with Article 21 of the Convention, make a declaration relating to insurance contracts.

The text of that declaration is attached as Annex I to this Decision.

2. When depositing the instrument of approval provided for in Article 27(4) of the Convention, the Union shall make a unilateral declaration.

The text of that declaration is attached as Annex II to this Decision.

*Article 4*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 4 December 2014.

*For the Council*  
*The President*  
A. ORLANDO

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<sup>(1)</sup> The text of the Convention was published in OJ L 133, 29.5.2009, p. 3, together with the Decision on signature.

<sup>(2)</sup> The date of entry into force for the Union of the Convention will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.



## ANNEX I

**Declaration by the European Union at the time of approval of the Hague Convention of 30 June 2005 on Choice of Court Agreements ('the Convention') in accordance with Article 21 thereof**

The objective of this declaration which excludes certain types of insurance contracts from the scope of the Convention is to protect certain policyholders, insured parties and beneficiaries who, according to internal EU law, receive special protection.

1. The European Union declares, in accordance with Article 21 of the Convention, that it will not apply the Convention to insurance contracts, except as provided for in paragraph 2 below.
2. The European Union will apply the Convention to insurance contracts in the following cases:
  - (a) where the contract is a reinsurance contract;
  - (b) where the choice of court agreement is entered into after the dispute has arisen;
  - (c) where, without prejudice to Article 1(2) of the Convention, the choice of court agreement is concluded between a policyholder and an insurer, both of whom are, at the time of the conclusion of the contract of insurance, domiciled or habitually resident in the same Contracting State, and that agreement has the effect of conferring jurisdiction on the courts of that State, even if the harmful event were to occur abroad, provided that such an agreement is not contrary to the law of that State;
  - (d) where the choice of court agreement relates to a contract of insurance which covers one or more of the following risks considered to be large risks:
    - (i) any loss or damage arising from perils which relate to their use for commercial purposes, of, or to:
      - (a) seagoing ships, installations situated offshore or on the high seas or river, canal and lake vessels;
      - (b) aircraft;
      - (c) railway rolling stock;
    - (ii) any loss of or damage to goods in transit or baggage other than passengers' baggage, irrespective of the form of transport;
    - (iii) any liability, other than for bodily injury to passengers or loss of or damage to their baggage, arising out of the use or operation of:
      - (a) ships, installations or vessels as referred to in point (i)(a);
      - (b) aircraft, in so far as the law of the Contracting State in which such aircraft are registered does not prohibit choice of court agreements regarding the insurance of such risks;
      - (c) railway rolling stock;
    - (iv) any liability, other than for bodily injury to passengers or loss of or damage to their baggage, for loss or damage caused by goods in transit or baggage as referred to in point (ii);
    - (v) any financial loss connected with the use or operation of ships, installations, vessels, aircraft or railway rolling stock as referred to in point (i), in particular loss of freight or charter-hire;
    - (vi) any risk or interest connected with any of the risks referred to in points (i) to (v);
    - (vii) any credit risk or suretyship risk where the policy holder is engaged professionally in an industrial or commercial activity or in one of the liberal professions and the risk relates to such activity;
    - (viii) any other risks where the policy holder carries on a business of a size which exceeds the limits of at least two of the following criteria:
      - (a) a balance-sheet total of EUR 6,2 million;
      - (b) a net turnover of EUR 12,8 million;
      - (c) an average number of 250 employees during the financial year.

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## ANNEX II

**Unilateral declaration by the European Union at the time of the approval of the Hague Convention of 30 June 2005 on Choice of Court Agreements ('the Convention')**

The European Union makes the following unilateral declaration:

'The European Union declares that it may, at a later stage in the light of the experience acquired in the application of the Convention, reassess the need to maintain its declaration under Article 21 of the Convention.'

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**COUNCIL DECISION****of 4 December 2014****on the approval, on behalf of the European Union, of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007**

(2014/888/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), in conjunction with point (a) of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) The Union is working towards the establishment of a common judicial area based on the principle of mutual recognition of judicial decisions.
- (2) The Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (hereinafter referred to as the 'Rail Protocol'), adopted in Luxembourg on 23 February 2007, makes a useful contribution to the regulation at international level in its area. It is therefore desirable that the provisions of that instrument which concern matters falling within the exclusive competence of the Union be applied as soon as possible.
- (3) The Commission negotiated the Rail Protocol on behalf of the European Community, for the parts falling within the exclusive competence of the Community.
- (4) Article XXII(1) of the Rail Protocol provides that Regional Economic Integration Organisations which have competence over certain matters governed by that Protocol may sign, accept, approve or accede to it.
- (5) Some of the matters governed by Council Regulation (EC) No 44/2001<sup>(1)</sup>, to be replaced as of 10 January 2015 by Regulation (EU) No 1215/2012 of the European Parliament and of the Council<sup>(2)</sup>, Council Regulation (EC) No 1346/2000<sup>(3)</sup>, Regulation (EC) No 593/2008 of the European Parliament and of the Council<sup>(4)</sup>, Directive 2008/57/EC of the European Parliament and of the Council<sup>(5)</sup> and Regulation (EC) No 881/2004 of the European Parliament and of the Council<sup>(6)</sup>, are also dealt with in the Rail Protocol.
- (6) The Community signed the Rail Protocol on 10 December 2009 following the adoption, on 30 November 2009, of Council Decision 2009/940/EC<sup>(7)</sup>.
- (7) The Union has exclusive competence over some of the matters governed by the Rail Protocol, while the Member States have competence over other matters governed by that instrument.
- (8) The Union should therefore approve the Rail Protocol.

<sup>(1)</sup> Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 12, 16.1.2001, p. 1).

<sup>(2)</sup> Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).

<sup>(3)</sup> Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ L 160, 30.6.2000, p. 1).

<sup>(4)</sup> Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 177, 4.7.2008, p. 6).

<sup>(5)</sup> Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1).

<sup>(6)</sup> Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency (Agency Regulation) (OJ L 164, 30.4.2004, p. 1).

<sup>(7)</sup> Council Decision 2009/940/EC of 30 November 2009 on the signing by the European Community of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007 (OJ L 331, 16.12.2009, p. 1).

- (9) Article XXII(2) of the Rail Protocol provides that, at the time of signature, acceptance, approval or accession, a Regional Economic Integration Organisation shall make a declaration specifying the matters governed by that Protocol, in respect of which competence has been transferred to that organisation by its Member States.
- (10) The Community made the required declaration regarding its competence at the time of the signature of the Rail Protocol. The Union should, however, renew that declaration at the time of approval of the Rail Protocol in order to correct a factual mistake and to take into account legislative developments and the accession of the Republic of Croatia to the Union.
- (11) Articles VI, VIII, IX and X of the Rail Protocol apply only where a Contracting State has made a declaration pursuant to Article XXVII of the Rail Protocol and under the conditions specified by that declaration. At the time of approval of the Rail Protocol, the Union should not make a declaration pursuant to Article XXVII(2) concerning the application of Article VIII, nor should it make any of the declarations pursuant to Article XXVII(1) and (3). The competence of the Member States concerning the rules of substantive law as regards insolvency will not be affected.
- (12) The United Kingdom and Ireland are bound by Regulation (EC) No 44/2001, to be replaced as of 10 January 2015 by Regulation (EU) No 1215/2012, Regulation (EC) No 1346/2000, Regulation (EC) No 593/2008, Directive 2008/57/EC and Regulation (EC) No 881/2004, and are therefore taking part in the adoption and application of this Decision.
- (13) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

*Article 1*

The Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007, is hereby approved on behalf of the European Union <sup>(1)</sup>.

*Article 2*

The President of the Council is hereby authorised to designate the person(s) empowered to deposit, on behalf of the Union, the instrument of approval provided for in Article XXI of the Rail Protocol <sup>(2)</sup>.

*Article 3*

At the time of approval of the Rail Protocol, the Union shall make the declaration set out in the Annex, in accordance with Article XXII(2) of that Protocol.

*Article 4*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 4 December 2014.

*For the Council*

*The President*

A. ORLANDO

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<sup>(1)</sup> The text of the Rail Protocol has been published in OJ L 331, 16.12.2009, p. 5, together with the Decision on signature.

<sup>(2)</sup> The date of entry into force for the Union of the Rail Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

## ANNEX

**Declaration to be made pursuant to Article XXII(2) concerning the competence of the European Union over matters governed by the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (the 'Rail Protocol'), adopted in Luxembourg on 23 February 2007, in respect of which the Member States have transferred their competence to the Union**

1. Article XXII of the Rail Protocol provides that Regional Economic Integration Organisations which are constituted by sovereign States and which have competence over certain matters governed by that Protocol may sign, accept, approve or accede to it on condition that they make the declaration referred to in Article XXII(2). The Union has decided to approve the Rail Protocol and is accordingly making that declaration.
2. The Member States of the European Union are the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand-Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.
3. However, this declaration does not apply to the Kingdom of Denmark, in accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union.
4. This declaration is not applicable to the territories of the Member States to which the Treaty on the Functioning of the European Union does not apply (see Article 355 of that Treaty) and is without prejudice to such acts or positions as may be adopted under the Rail Protocol by the Member States concerned on behalf of and in the interests of those territories.
5. The Member States of the European Union have transferred competence to the Union as regards matters which may affect or alter the rules of Council Regulation (EC) No 44/2001 <sup>(1)</sup>, to be replaced as of 10 January 2015 by Regulation (EU) No 1215/2012 of the European Parliament and of the Council <sup>(2)</sup>, Council Regulation (EC) No 1346/2000 <sup>(3)</sup>, Regulation (EC) No 593/2008 of the European Parliament and of the Council <sup>(4)</sup>, Directive 2008/57/EC of the European Parliament and of the Council <sup>(5)</sup> and Regulation (EC) No 881/2004 of the European Parliament and of the Council <sup>(6)</sup>.
6. As far as the numbering system of vehicles is concerned, the Union has adopted, by way of Commission Decision 2006/920/EC <sup>(7)</sup>, amended on 14 November 2012 by Commission Decision 2012/757/EU <sup>(8)</sup>, a numbering system which is appropriate for the purpose of identification of railway rolling stock as referred to in Article XIV of the Rail Protocol.

Furthermore, as far as data exchange between Member States of the European Union and the International Registry is concerned, the Union has made considerable progress by way of Commission Decision 2007/756/EC <sup>(9)</sup>, amended on 14 November 2012 by Decision 2012/757/EU. Under that Decision, the Member States of the European Union have implemented National Vehicle Registers, and duplication of data with the International Registry should be avoided.

<sup>(1)</sup> Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 12, 16.1.2001, p. 1).

<sup>(2)</sup> Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).

<sup>(3)</sup> Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ L 160, 30.6.2000, p. 1).

<sup>(4)</sup> Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 177, 4.7.2008, p. 6).

<sup>(5)</sup> Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1).

<sup>(6)</sup> Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency (Agency Regulation) (OJ L 164, 30.4.2004, p. 1).

<sup>(7)</sup> Commission Decision 2006/920/EC of 11 August 2006 concerning the technical specification of interoperability relating to the subsystem Traffic Operation and Management of the trans-European conventional rail system (OJ L 359, 18.12.2006, p. 1).

<sup>(8)</sup> Commission Decision 2012/757/EU of 14 November 2012 concerning the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system in the European Union and amending Decision 2007/756/EC (OJ L 345, 15.12.2012, p. 1).

<sup>(9)</sup> Commission Decision 2007/756/EC of 9 November 2007 adopting a common specification of the national vehicle register provided for under Articles 14(4) and (5) of Directives 96/48/EC and 2001/16/EC (OJ L 305, 23.11.2007, p. 30).

7. The Union does not make a declaration pursuant to Article XXVII(2) concerning the application of Article VIII, nor does it make any of the declarations pursuant to Article XXVII(1) and (3). The Member States keep their competence concerning the rules of substantive law as regards insolvency.
  8. The exercise of the competence which the Member States have transferred to the Union pursuant to the Treaty on European Union and to the Treaty on the Functioning of the European Union is, by its nature, liable to continuous development. In the framework of those Treaties, the competent institutions may take decisions which determine the extent of the competence of the Union. The latter therefore reserves the right to amend this declaration accordingly, without this constituting a prerequisite for the exercise of its competence with regard to matters governed by the Rail Protocol.
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**COUNCIL DECISION****of 9 December 2014****establishing the position to be adopted on behalf of the European Union within the General Council of the World Trade Organization on the accession of the Republic of Seychelles to the World Trade Organization**

(2014/889/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2) and the first subparagraph of Article 207(4), in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 31 May 1995, the Government of the Republic of Seychelles applied for accession to the Marrakesh Agreement establishing the World Trade Organization (WTO), pursuant to Article XII of that Agreement.
- (2) A Working Party on the accession of the Republic of Seychelles was established on 11 July 1995 in order to reach agreement on terms of accession acceptable to the Republic of Seychelles and all WTO Members.
- (3) The Commission, on behalf of the Union, has negotiated a comprehensive series of market opening commitments on the part of the Republic of Seychelles which satisfy the Union's requests, taking into account the bilateral trade relations with the Republic of Seychelles in the context of the EU-ACP partnership and the undertaking by the Republic of Seychelles to pursue trade liberalisation in a full Economic and Partnership Agreement.
- (4) Those commitments are now embodied in the Protocol of Accession of the Republic of Seychelles to the WTO ('the Protocol of Accession').
- (5) Accession to the WTO is expected to make a positive and lasting contribution to the process of economic reform and sustainable development in the Republic of Seychelles.
- (6) The Protocol of Accession should therefore be approved.
- (7) Article XII of the Agreement establishing the WTO provides that the terms of accession are to be agreed between the acceding Member and the WTO, and that the Ministerial Conference of the WTO approves the terms of accession on the WTO side. Article IV.2 of the Agreement establishing the WTO provides that in the intervals between meetings of the Ministerial Conference, its functions shall be conducted by the General Council.
- (8) Accordingly, it is necessary to establish the position to be adopted on the Union's behalf within the General Council of the WTO on the accession of the Republic of Seychelles to the WTO,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be adopted on behalf of the European Union within the General Council of the World Trade Organization on the accession of the Republic of Seychelles to the World Trade Organization is to approve the accession.

*Article 2*

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 9 December 2014.

*For the Council*  
*The President*  
C. DE VINCENTI

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**COMMISSION IMPLEMENTING DECISION****of 8 December 2014****authorising the placing on the market of chia oil (*Salvia hispanica*) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council***(notified under document C(2014) 9209)***(Only the English text is authentic)**

(2014/890/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients <sup>(1)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) On 12 November 2012, the company Functional Products Trading S.A. made a request to the competent authorities of the United Kingdom to place chia oil (*Salvia hispanica*) on the market as a novel food ingredient to be used in vegetable oils and as a food supplement.
- (2) On 8 July 2013, the competent food assessment body of the United Kingdom issued its initial assessment report. In that report it came to the conclusion that chia oil (*Salvia hispanica*) meets the criteria for novel food set out in Article 3(1) of Regulation (EC) No 258/97.
- (3) On 13 September 2013, the Commission forwarded the initial assessment report to the other Member States.
- (4) Reasoned objections were raised within the 60 day period laid down in the first subparagraph of Article 6(4) of Regulation (EC) No 258/97. In accordance with Article 7(1) of Regulation (EC) No 258/97 a Commission Implementing Decision should be made that takes into account the objections raised. The additional explanations provided by the applicant alleviated the concerns to the satisfaction of the Member States and the Commission.
- (5) Directive 2002/46/EC of the European Parliament and of the Council <sup>(2)</sup> lays down requirements on food supplements. The use of chia oil (*Salvia hispanica*) should be authorised without prejudice to the requirements of that legislation.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

*Article 1*

Chia oil (*Salvia hispanica*) as specified in Annex I may be placed on the market in the Union as a novel food ingredient for the uses defined and at the maximum levels established in Annex II without prejudice to the provisions of Directive 2002/46/EC.

*Article 2*

The designation of chia oil authorised by this Decision on the labelling of the foodstuffs containing it shall be 'Chia oil (*Salvia hispanica*)'.

<sup>(1)</sup> OJ L 43, 14.2.1997, p. 1.

<sup>(2)</sup> Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements (OJ L 183, 12.7.2002, p. 51).

## Article 3

This Decision is addressed to Functional Products Trading S.A., Av. Luis Pasteur 5842 Of. 302 — Vitacura, Santiago, Chile.

Done at Brussels, 8 December 2014.

For the Commission  
Vytenis ANDRIUKAITIS  
Member of the Commission

## ANNEX I

SPECIFICATION OF CHIA OIL (*SALVIA HISPANICA*)**Description:**

Chia oil is produced from Chia (*Salvia hispanica* L.) seeds (99,9 % pure) by cold-pressing. No solvents are used and, once pressed, the oil is held in decantation tanks and a filtration process employed to remove impurities.

Test	Specification
Acidity expressed as oleic acid	Not more than 2 %
Peroxide value	Not more than 10 meq/kg
Insoluble impurities	Not more than 0,05 %
Alpha linolenic acid	Not less than 60 %
Linoleic acid	15-20 %

## ANNEX II

AUTHORISED USES OF CHIA OIL (*SALVIA HISPANICA*)

Food category	Use levels
Fats and oils	Not more than 10 %
Food supplements	Not more than 2 g/day

**COMMISSION IMPLEMENTING DECISION****of 8 December 2014****amending Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC***(notified under document C(2014) 9230)***(Text with EEA relevance)**

(2014/891/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC <sup>(1)</sup>, and in particular the fourth subparagraph of Article 29(1) and Article 29(2) thereof,

Whereas:

- (1) Directive 96/23/EC lays down measures to monitor the substances and groups of residues listed in Annex I thereto. This Directive requires that third countries from which Member States are authorised to import animals and animal products covered by that Directive submit a residue monitoring plan providing required guarantees. That plan should, at least, include the groups of residues and substances listed in Annex I of that Directive.
- (2) Commission Decision 2011/163/EU <sup>(2)</sup> approves the plans provided for in Article 29 of Directive 96/23/EC submitted by certain third countries listed in the Annex to that Decision for the animals and animal products indicated in that list ('the list').
- (3) Mexico is currently included in the list as regards, inter alia, equine. However, the latest audits carried out by the Commission in Mexico have confirmed serious shortcomings in the capacity of the Mexican authorities to carry out reliable checks and in particular to attest the absence of substances prohibited by Council Directive 96/22/EC <sup>(3)</sup>.
- (4) The entry for Mexico as regards equine should therefore be removed from the list.
- (5) Decision 2011/163/EU should therefore be amended accordingly.
- (6) In order to avoid any disruption to trade, a transitional period should be laid down to cover the relevant consignments from Mexico which were dispatched to the Union before the date of application of this Decision.
- (7) The measures provided for in this Decision will be reviewed by the Standing Committee on Plants, Animals, Food and Feed, in light of the guarantees provided by the Mexican authorities.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Decision 2011/163/EU is replaced by the text set out in the Annex to this Decision.

<sup>(1)</sup> OJ L 125, 23.5.1996, p. 10.<sup>(2)</sup> Commission Decision 2011/163/EU of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (OJ L 70, 17.3.2011, p. 40).<sup>(3)</sup> Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3).

*Article 2*

For a transitional period until 1 March 2015, Member States shall accept consignments of meat and meat products of equidae imported from Mexico and intended for human consumption provided that the importer demonstrates that the products had been certified and dispatched to the Union prior to 15 January 2015.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 8 December 2014.

*For the Commission*  
Vytenis ANDRIUKAITIS  
*Member of the Commission*

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## ANNEX

## ANNEX

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aqua- culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
AD	Andorra	X	X		X								
AE	United Arab Emirates							X (1)					
AL	Albania		X				X		X				
AM	Armenia												X
AR	Argentina	X	X		X	X	X	X	X	X	X	X	X
AU	Australia	X	X		X		X	X			X	X	X
BA	Bosnia and Herzegovina					X	X	X	X				X
BD	Bangladesh						X						
BN	Brunei						X						
BR	Brazil	X			X	X	X						X
BW	Botswana	X			X							X	
BY	Belarus				X (2)		X	X	X				
BZ	Belize						X						
CA	Canada	X	X	X	X	X	X	X	X	X	X	X	X
CH	Switzerland	X	X	X	X	X	X	X	X	X	X	X	X
CL	Chile	X	X	X		X	X	X			X		X
CM	Cameroon												X
CN	China					X	X		X	X			X

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aqua- culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
CO	Colombia						X						
CR	Costa Rica						X						
CU	Cuba						X						X
EC	Ecuador						X						
ET	Ethiopia												X
FK	Falklands Islands	X	X										
FO	Faeroe Islands						X						
GH	Ghana												X
GM	Gambia						X						
GL	Greenland		X								X	X	
GT	Guatemala						X						X
HN	Honduras						X						
ID	Indonesia						X						
IL	Israel					X	X	X	X			X	X
IN	India						X		X				X
IR	Iran						X						
JM	Jamaica												X
JP	Japan	X					X						
KE	Kenya							X (1)					
KG	Kyrgyzstan												X
KR	South Korea						X						
LB	Lebanon												X
LK	Sri Lanka						X						

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aqua- culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
MA	Morocco						X						
MD	Moldova					X	X		X				X
ME	Montenegro	X	X	X		X	X		X				X
MG	Madagascar						X						X
MK	former Yugoslav Republic of Macedonia <sup>(4)</sup>	X	X	X		X	X	X	X		X		X
MU	Mauritius						X						
MX	Mexico						X		X				X
MY	Malaysia					X <sup>(3)</sup>	X						
MZ	Mozambique						X						
NA	Namibia	X	X								X		
NC	New Caledonia	X <sup>(3)</sup>					X				X	X	X
NI	Nicaragua						X						X
NZ	New Zealand	X	X		X		X	X			X	X	X
PA	Panama						X						
PE	Peru					X	X						
PF	French Polynesia												X
PH	Philippines						X						
PN	Pitcairn Islands												X
PY	Paraguay	X											
RS	Serbia <sup>(5)</sup>	X	X	X	X <sup>(2)</sup>	X	X	X	X		X		X
RU	Russia	X	X	X		X		X	X			X <sup>(6)</sup>	X
RW	Rwanda												X
SA	Saudi Arabia						X						

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aqua- culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
SG	Singapore	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>		X <sup>(3)</sup>	X	X <sup>(3)</sup>					
SM	San Marino	X		X <sup>(3)</sup>									X
SR	Suriname						X						
SV	El Salvador												X
SZ	Swaziland	X											
TH	Thailand					X	X						X
TN	Tunisia					X	X				X		
TR	Turkey					X	X	X	X				X
TW	Taiwan						X						X
TZ	Tanzania						X						X
UA	Ukraine	X		X		X	X	X	X				X
UG	Uganda						X						X
US	United States	X	X	X		X	X	X	X	X	X	X	X
UY	Uruguay	X	X		X		X	X			X		X
VE	Venezuela						X						
VN	Vietnam						X						X
ZA	South Africa										X	X	
ZM	Zambia												X
ZW	Zimbabwe						X					X	

<sup>(1)</sup> Camel milk only.

<sup>(2)</sup> Export to the Union of live equidae for slaughter (food producing animals only).

<sup>(3)</sup> Third countries using only raw material either from Member States or from other third countries approved for imports of such raw material to the Union, in accordance with Article 2.

<sup>(4)</sup> The former Yugoslav Republic of Macedonia; the definitive nomenclature for this country will be agreed following current negotiations at UN level.

<sup>(5)</sup> Not including Kosovo (this designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence).

<sup>(6)</sup> Only for reindeer from the Murmansk and Yamalo-Nenets regions.'









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