



Council of the
European Union

094779/EU XXV.GP
Eingelangt am 26/02/16

EN

6072/16

(OR. en)

PRESSE 5
PR CO 5

OUTCOME OF THE COUNCIL MEETING

3446th Council meeting

Agriculture and Fisheries

Brussels, 15 February 2016

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FOOD LAW

- Authorisation of Steviol glycosides as a sweetener in food
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CUSTOMS UNION

- Union Customs Code electronic systems

¹ • Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
• Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
• Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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ITEMS DEBATED

PRESIDENCY WORK PROGRAMME

The Netherlands Presidency gave a presentation on its work programme in the agriculture and fisheries sectors.

The Presidency considers agriculture and fisheries to be vital to the EU economy and to global food security. The world is facing the challenge of having to feed at least nine billion people by 2050 in a way the Earth can cope with. More innovation and more sustainability should foster improved food production, both in the EU and beyond.

In light of this, the Presidency's agricultural policy priorities will include:

- starting the discussion on the future of the CAP after 2020;
- focusing on effective simplification of the reformed CAP;
- monitoring market developments which are still cause for concern in many sectors, including dairy and pig farming;
- aiming for a political agreement with the European Parliament on organic farming;
- addressing the position of primary producers in the food production chain in the light of the recently established Agricultural Markets Task Force.

The priorities for fisheries policy will include:

- aiming to achieve more sustainability as agreed in the framework of the reformed Common Fisheries Policy (CFP);
- concluding a political agreement on the multiannual plan for sustainable fish stock management in the Baltic Sea;
- aiming for political agreements on the deep-sea and data collection regulations;
- establishing a Council position on the sustainable management of external fishing fleets.

As regards food, veterinary and phytosanitary matters, the Presidency intends to:

- focus on taking action against antimicrobial resistance, in particular by promoting closer cooperation between the health and agriculture sectors;
- address the imbalance between patent law and plant breeders' rights;
- discuss possible actions against food losses and food waste;
- consider options for increasing the availability of more sustainable, low-risk plant protection products.

On forestry issues the Presidency will:

- discuss the evaluations of the EU's efforts to tackle the trade in illegally harvested timber, conducted by the European Court of Auditors and the European Commission.

AGRICULTURE

Animal welfare

Ministers held an exchange of views on animal welfare based on a position paper prepared by the German, Swedish, Danish and Netherlands delegations which calls for an EU platform on animal welfare to be established for stakeholders and competent authorities ([5708/16](#)).

The Council broadly supported the establishment of such an EU-platform. Several member states noted in particular that, given the current high level of EU standards for animal welfare, a level playing field should be ensured for EU and non-EU producers, especially with a view to ever decreasing trade barriers, and that the platform should focus on uniform implementation of existing animal welfare legislation.

During a meeting of the Danish, German and Netherlands ministers on 14 December 2014 in Vught (the Netherlands), a "Joint Declaration on Animal Welfare" was adopted. The Joint Declaration established that the EU should maintain its global leading position in the animal welfare field after the expiration of the EU strategy for the protection and welfare of animals end of 2015. In this respect, the Declaration proposed to address three areas: better regulation, better animal welfare and better awareness and knowledge. In addition, it called upon the Commission to establish a EU platform on animal welfare for stakeholders and competent authorities.

As a follow-up, Germany, Denmark and the Netherlands, joined by Sweden, agreed on a common "position on the establishment of a EU platform on animal welfare" which was the basis for the discussions in the Council.

Some of the objectives of the EU platform could be to:

- facilitate the exchange of experiences and best practices;
- give visibility to initiatives carried out to promote animal welfare;
- develop partnerships amongst stakeholders;
- identify best practices in member states;
- allow networking, including the sharing of knowledge and information on research and development;
- boost stakeholders' commitment to contribute to the promotion of animal welfare;
- discuss the improvement of animal welfare legislation.

International agricultural trade issues

Ministers were briefed by the Commission on the state of play of international agricultural trade issues ([5888/16](#)).

Several ministers noted that international negotiations should be balanced and should focus on the removal of non-tariff barriers. They regarded certain issues, such as the protection of geographical indications and the high level of EU standards, as decisive elements which constituted defining characteristics of EU agriculture. Some member states recalled however the importance of international trade negotiations in order to facilitate trade between the EU and its partners.

The trade processes currently ongoing at bilateral, regional and multilateral level cover important issues for EU agricultural trade. World demand for agricultural products continues to rise, driven by global population growth and the increase in average incomes, which has resulted in the diversification of consumption towards more animal products. The EU remains the top exporter and importer of agri-food products, despite the negative effects of the Russian ban and sanitary and phytosanitary-related (SPS) barriers. The EU continues to take action to counterbalance these effects by seeking to increase exports to other destinations and alternative markets.

More than half of EU agricultural trade takes place under bilateral/regional agreements or autonomous preferences. A significant number of free trade agreements have been concluded recently with, for example, Ukraine, Morocco, West Africa, the Southern African Development Community, Canada and Vietnam. Further bilateral and regional negotiations are under way or planned, for example with the USA (TTIP), Mercosur, India, China and Japan.

The eleventh round of negotiations on the EU-US Transatlantic Trade and Investment Partnership (TTIP) took place in Miami at the end of October 2015. On this occasion, new tariff offers were exchanged, in particular on agriculture. EU agriculture has both defensive and offensive interests in the TTIP and the EU is seeking to preserve an appropriate balance both within the agriculture chapter itself and between agriculture and the other chapters under negotiation. The next round of negotiations will take place from 22 to 26 February in Brussels.

On 19 December 2015, at its 10th Ministerial Conference in Nairobi, Kenya, the World Trade Organisation (WTO) delivered a trade deal improving rules on agricultural trade with benefits for developing countries. One of the key features of the deal is that it will stop the use of subsidies and other schemes to unfairly support agricultural exports. The elimination of export subsidies will protect vulnerable farmers in developing countries from their damaging effects as well as contribute to a level playing field for EU farmers.

Agricultural research

The Commission presented the state of play of the development of a long-term EU strategy for agricultural research to the Council ([5999/16](#)) based on the outcome of a conference on the issue which took place from 26 to 28 January 2016 in Brussels.

On this occasion, most of the delegations welcomed the proposed direction of agricultural research in the framework of Horizon 2020. In this respect they highlighted the need to offer a large and inclusive view of agricultural research and innovation. Some member states stressed that the strategy should take better account of forestry as a key element of sustainable agriculture.

The strategy is meant to be an input in programming the remaining three years (2018-2020) of Horizon 2020 and in guiding agricultural research activities after 2020. The Commission plans to publish the strategy in April.

The proposed strategy aims to harness EU investments in the framework programme for research and innovation to achieve the following main objectives:

- ensuring food security in the long term;
- addressing the environmental sustainability and resilience of land-based primary production, as well as food and non-food systems;
- boosting the sustainable growth of rural territories.

The strategy will focus on land-based primary production centred around agriculture and forestry, but will also extend to food and non-food chains and the rural economy. In particular, close links will be established with research and innovation in the food area.

FISHERIES

External fishing fleets

The presentation to the Council of a proposal on the sustainable management of external fishing fleets repealing regulation 1006/2008¹ was followed by an exchange of views on the issue ([15262/1/15 REV 1](#)).

Member states welcomed the proposal and supported the contribution it could make to combating illegal fisheries. However, several delegations expressed concerns regarding the administrative burden the proposal might entail. They pointed out a need for consistency with existing regulation. Some member states questioned the delegation accorded to the Commission in withdrawing authorisations.

The objective of the Commission proposal is to modernise the management of authorisations granted to EU vessels to fish outside EU waters, and of authorisations granted to third country fishing vessels to operate in EU waters. In this respect, the proposal provides for the repeal of the current regulation 1006/2008 governing the management of those authorisations. Together with the regulations on control and on illegal, unreported and unregulated (IUU) fishing, the regulation on authorisations is one of the three implementing pillars of the Common Fisheries Policy (CFP).

The recently reformed CFP (regulation 1380/2013²) covers the conservation of marine biological resources and the management of fisheries and fleet exploiting those resources in EU waters in addition to those operated by EU fishing vessels outside EU waters. The new CFP promotes a sustainable, ecosystem-based and precautionary approach to fisheries management, emphasising the coherence between its internal and external dimensions.

The Parliament has not yet started his work on this file. The Presidency intends to reach an agreement on a general approach in the Council in the second half of the semester.

¹ Council Regulation (EC) No 1006/2008 of 29 September 2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters (OJ L 286, 29.10.2008, p. 33).

² Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy (OJ L 354, 28.12.2013, p. 22).

ANY OTHER BUSINESS

Market situation

The Polish delegation briefed the ministers on the continued difficulties faced by the pig and milk sectors ([5886/16](#)). In addition, the Spanish delegation also described to the Council the current market situation affecting several agricultural sectors, in particular the milk and the fruit and vegetables sectors ([5882/16](#)). Those contributions fed into the debate on the market situation organised by the Presidency during the working lunch.

The Polish delegation voiced its concerns regarding the dairy and pig meat markets and asked for more financial resources to compensate for the impact of the Russian ban and the summer 2015 drought, export refunds for both the dairy and pig meat sectors, the raising of reference thresholds in the milk sector and the re-launch of the private storage aid mechanism for pig meat. Poland requested initiatives to open new markets and reopen the Russian market for EU agricultural products.

For its part, the Spanish delegation came back to the difficult situation of the pig meat and dairy sectors and highlighted the specific difficulties experienced by the vegetables sub-sector, notably tomatoes, as a consequence of over-production, market saturation and increased pressure from third countries imports. In light of this, Spain advocated for withdrawal prices to be increased to compensate for the ineffective crisis management measures currently in place.

Antimicrobial resistance

The Presidency briefed the ministers on the outcome of a conference on antimicrobial resistance (AMR) which took place on 9 and 10 February in Amsterdam (the Netherlands). The Presidency was pleased that high level delegations of all EU Member States, Switzerland, Norway, the EC and representatives of the WHO and FAO attended the conference. All participants at the conference acknowledged that AMR is an urgent cross border threat both to human and animal health. Effective and ambitious approaches at national, EU and global levels are required to fight against this threat. The Presidency intends now to build on the results of the conference to have Council conclusions adopted on this issue in June.

Member states welcomed the conference and the initiative on AMR referring mainly to actions already taken at national level and the need for coordinated actions. Since the current EU action plan on AMR ends this year and since the Commission considers the issue a priority, the Commission is working on a follow up action plan .

An EU action plan against AMR has been in place for a number of years. In addition, the World Health Assembly last year unanimously adopted the global action plan on AMR. However, the success of all these initiatives relies on the commitment and willingness of governments to take action. Based on a 'One Health' approach involving closer cooperation between health and agriculture ministers, action is required not only at global level but also at EU, national and local levels across different sectors.

African swine fever

The Polish delegation expressed its dissatisfaction on recent European measures in Poland and requested for European assistance to Ukraine, both with the aim of eradicating African swine fever (ASF) ([5664/16](#)).

The Polish delegation considered that the recent extension of the areas in Poland subject to restrictions due to ASF is unjustified, due to the stable situation of the disease and the control measures adopted by the authorities. Some Member States supported the European measures taken, one Member State stressed the need for future measures to be taken careful, given the economic consequences of such measures.

Several member states supported the Polish delegation on its plea for the EU to provide Ukraine with financial support to control ASF in its territory and prevent the spread of the disease to the EU. Several cases of ASF in wild boars and domestic pigs have recently been recorded in Ukraine. A number of delegations highlighted that some other foreign countries sharing a common border with the EU should also be provided with a financial support.

The Commission confirmed that it was ready to finance prevention and control of ASF in Ukraine but Ukraine had not provided the requested information, necessary to do so. As for the extension of areas restricted due to ASF, the Commission defended the measures taken, them being consistent and merely in line with the rules established for the eradication of that contagious disease. The Commission informed delegations about a ministerial conference on in Estonia at the end of February where the eradication strategy for ASF would be discussed and could be updated.

OTHER ITEMS APPROVED

FOOD LAW

Authorisation of Steviol glycosides as a sweetener in food

The Council decided not to oppose the adoption of the following two Commission regulations:

- a regulation authorising the use of steviol glycosides (E 960) as a sweetener added to the energy-reduced or with no added sugars beverages ([5241/16](#))
- a regulation authorising the use of steviol glycosides as a sweetener added to mustard ([5234/16](#)).

The Commission regulations are subject to the so called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

Food flavourings - Removal from the EU list

The Council decided not to oppose the adoption of a Commission regulation removing the following genotoxic substances from the EU list of authorised food flavourings:

- 2,6,6-trimethyl-1-cyclohexen-1-carboxaldehyde (FL No. 05.121)
- myrtenyl formate (FL No. 09.272)
- myrtenyl-2-methylbutyrate (FL No. 09.899)
- myrtenyl-3-methylbutyrate (FL No. 09.900)

The Commission regulation is subject to the so called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

CUSTOMS UNION

Union Customs Code electronic systems

The Council decided not to object to a Commission regulation supplementing the Union Customs Code as regards transitional rules of the code where electronic systems are not yet operational ([15515/15](#) and [15515/15 ADD 1](#)).

The Commission regulation lays down provisions for a transitional period, up to 31 December 2020, during which the electronic systems for the exchange of information between customs authorities and the Commission and for the storage of such information are finalised.

The [Union Customs Code](#) will serve as the new framework for customs throughout the Union. It will streamline and simplify procedures and facilitate more efficient customs transactions in line with modern-day needs; complete the shift by customs authorities to a fully-electronic environment and reinforce swifter customs procedures for compliant and trustworthy economic operators.

The new code will become applicable as from 1 May 2016, once the necessary Commission delegated and implementing acts are in force.

The Commission regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. This means that now that the Council has decided not to object to it, the act can enter into force, unless the European Parliament objects.

EMPLOYMENT

Integration of the long-term unemployed into the labour market

The Council adopted a recommendation on the integration of the long-term unemployed into the labour market ([15107/15](#)).

The recommendation is targeted at a group that was hit especially hard by the economic crisis: long-term jobseekers aged over 30, and those aged between [25 and 30] who do not benefit from the Youth Guarantee

WRITTEN PROCEDURE**Fishing opportunities 2016**

The Council adopted by written procedure:

- on 18 January a regulation fixing for 2016 the fishing opportunities for certain fish stocks in the Black Sea ([15319/15](#) + [15319/15 COR 1](#) + [15319/15 ADD 1](#)).
- on 22 January a regulation fixing for 2016 the fishing opportunities for certain fish stocks to EU vessels in Union and certain non-Union waters ([15521/15](#) + [15521/15 ADD 1](#) + [15521/15 ADD 2](#) + [15521/15 ADD 1 REV 1](#) + [15521/15 ADD 2 REV 1](#) + [15521/15 COR 1](#) + [15521/15 COR 2](#)).

A political agreement had been reached on those regulations at the Agriculture and Fisheries Council meeting on 15 December 2015. Each year, in accordance with Article 43(3) of the TFEU the Council takes a decision based on a Commission proposal with regard to fishing opportunities for the stocks in the Atlantic, the North Sea and international fisheries in which EU vessels participate. The Council also decides on an annual basis on the fishing opportunities in the Black Sea and the way they are allocated to the Member States concerned (i.e. Bulgaria and Romania).
