



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 30 January 2013**

**16166/12  
ADD 1**

**PV CONS 59  
ECOFIN 935**

**ADDENDUM to DRAFT MINUTES**

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Subject: **3198th** meeting of the Council of the European Union (**ECONOMIC and  
FINANCIAL AFFAIRS**) held in Brussels on 13 November 2012

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<sup>1</sup> Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

## **LEGISLATIVE DELIBERATIONS**

*(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)*

### **"A" ITEMS**

#### **1. Regulation of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs [First reading] (LA + S)**

PE-CONS 41/12 AGRI 456 AGRIORG 112 AGRILEG 102 CODEC 1805

OC 373

+ COR 1 (bg,cs,da, it,nl,pl,pt,sk,sv)

+ COR 2 (da)

+ COR 3 (el)

+ REV 2 (ro)

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) and the first paragraph of Article 118 of the TFEU).

#### **Council statement**

"The Council has noted the importance the European Parliament attaches to the extension of the system for management of production of PDO and PGI cheese to other PDO and PGI products.

The Council commits itself to discuss the issue of the management of the supply of PDO and PGI products in the context of its negotiations with the European Parliament on the Commission CAP reform proposal on the Single CMO which includes provision for instruments to regulate supply on agricultural markets."

#### **Statement by the German delegation**

"Germany endorses and supports the proposal for a Regulation of the European Parliament and the Council on quality schemes for agricultural products. In this regard, Germany also welcomes, in principle, the schemes regarding the introduction of a label "**mountain product**".

In Germany, the processing of mountain products is, as a rule, conducted outside of the defined mountain areas. The reason for this is the better location along the transport routes in the regions concerned. This allows the processing establishments to process the products manufactured by several mountain farmers. This results in cost advantages for the processing establishments that, with a view to promoting the production of quality products in mountain areas, allows the disbursement of higher producer prices to mountain farmers.

Against this backdrop, Germany underlines the authorisation of the European Commission provided for in Art. 31 (3) of the Regulation to grant exemptions for the processing of products in mountain areas through a delegated act in duly justified cases and so as to take account of natural constraints.

Germany requests the European Commission to make use of this authorisation."

**2. Directive of the European Parliament and of the Council amending Directive 2008/106/EC on the minimum level of training of seafarers [First reading] (LA + S)**

PE-CONS 40/12 TRANS 230 MAR 96 SOC 625 CODEC 1795 OC 361

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 100(2) of the TFEU).

**Commission statement**

"The Commission underlines that it is contrary to the letter and to the spirit of Regulation 182/2011 (OJ L 55 of 28.2.2011, p. 13) to invoke Article 5(4)(2), point b) in a systematic manner. Recourse to this provision must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception to the general rule established by Article 5(4) recourse to subparagraph 2, point b), cannot be simply seen as a "discretionary power" of the Legislator, but must be interpreted in a restrictive manner and thus must be justified."

**3. Decision of the European Parliament and of the Council on the European Year of Citizens (2013) [First reading] (LA)**

- Adoption of the legislative act

PE-CONS 49/12 FREMP 108 POLGEN 138 FIN 557 CULT 106  
CODEC 1932 OC 432

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 21(2) of the TFEU).

4. **Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy [First reading] (LA)**  
PE-CONS 53/12 PECHE 352 CODEC 2177 OC 516

The Council approved the European Parliament's position at first reading and adopted the proposed act, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU).

5. **Decision of the European Parliament and of the Council amending Council Decision 2008/971/EC to include forest reproductive material of the 'qualified' category and to update the name of the authorities responsible for the approval and control of the production [First reading] (LA)**  
PE-CONS 54/12 AGRILEG 139 SEMENCES 8 FORETS 65 CODEC 2246  
OC 532

The Council approved the European Parliament's position at first reading and adopted the proposed act, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU).

6. **Decision of the European Parliament and of the Council amending Council Decision 2003/17/EC by extending its period of application and by updating the names of a third country and of the authorities responsible for the approval and control of the production [First reading] (LA)**  
PE-CONS 55/12 AGRILEG 143 CODEC 2273 OC 535

The Council approved the amendments set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU).

## AGENDA ITEMS

### 3. Economic governance - Two pack

- a) **Regulation on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area**
- b) **Regulation on the strengthening of economic and budgetary surveillance of Member States experiencing or threatened with serious difficulties with respect to their financial stability in the euro area**
  - State of play

The President informed Ecofin on the state of play of negotiations on the Two pack. Having taken into account the invitation of the European Council to reach an agreement before the end of the year, the Council updated its negotiating position.

### 4. Revised capital requirements rules (CRD IV)

- a) **Proposal for a Regulation of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms [First reading]**
- b) **Proposal for a Directive of the European Parliament and of the Council on the access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and amending Directive 2002/87/EC of the European Parliament and of the Council on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate [First reading]**
  - Information from the Presidency  
15654/12 EF 244 ECOFIN 901 CODEC 2540

The President informed the Council on the state of play on the file and on the on-going negotiations with the European Parliament. The aim of the Presidency in these negotiations is to maintain the political balance that was agreed by the Council on 15 May 2012, while working for an agreement with the Parliament before the end of the year.

## 5. Banking Supervision Mechanism

- a) **Council Regulation conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions**
- b) **Regulation of the European Parliament and of the Council amending Regulation (EC) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) as regards its interaction with Council Regulation (EU) No.../... conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions [First reading]**
  - Orientation debate  
15663/12 EF 245 ECOFIN 902 CODEC 2542

The Council had an exchange of views on key open issues on the file, with the aim to provide political guidance to the Ad Hoc Working Party in charge of the file. The President announced that the item would be on the agenda on the ECOFIN Council on 4 December, with a view to reaching an agreement on the texts that will steer the political discussions with Parliament.

## 6. Financial Transaction Tax (FTT)

- State of play  
15390/12 FISC 144 ECOFIN 871

After the Commission presented the proposal, the Council had an exchange of views on how to take the FTT file forward in the light of the recently received proposal for a Council Decision authorising enhanced cooperation in the area of financial transaction tax (doc. 15390/12).

On this occasion, NL expressed it is seriously considering joining the proposed enhanced cooperation under the following conditions: the FTT should not be dedicated to the EU own resources; it should be proportionate in order not to overburden the financial sector and should not have any direct or indirect impact on the pension funds of the Netherlands.

In the light of views expressed, the Presidency concluded that it will reflect on how to proceed in practical terms, both at the level of the Council and its preparatory bodies.

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