



**COUNCIL OF
THE EUROPEAN UNION**



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PRESS RELEASE

3182nd Council meeting

Agriculture and Fisheries

Brussels, 16 July 2012

President

Mr Sofoclis ALETRARIS

Minister for Agriculture, Natural Resources and Environment
of Cyprus

P R E S S

Main results of the Council

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

*Concerning agriculture, two public debates took place in the Council on the proposals for regulations on **rural development** and the **common organisation of the markets in agricultural products** within the framework of the **common agricultural policy (CAP)** reform.*

*As regards fisheries, the ministers held an exchange of views on a Commission communication concerning a consultation on **fishing opportunities for 2013**.*

*Finally, the Council was briefed on **the situation of the dairy sector, the consequences of wildfires for agriculture in Spain, cooperation with China in the agri-food sector, a conference of directors of EU paying agencies, animal welfare during transport and North East Atlantic mackerel management**.*

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- 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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PARTICIPANTS

Belgium:

Ms Sabine LARUELLE

Minister for the Middle Classes, SMEs, the Self-Employed and Agriculture

Bulgaria:

Mr Miroslav NAYDENOV

Minister for Agriculture and Food

Czech Republic:

Mr Petr BENDL

Minister for Agriculture

Denmark:

Ms Mette GJERSKOV

Minister for Food, Agriculture and Fisheries

Germany:

Mr Robert KLOOS

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Minister for Agriculture

Ireland:

Mr Simon COVENEY

Minister for Agriculture, Food and the Marine

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Ms Georgia BAZOTI-MITSONI
Mr Andreas PAPASTAVROU

Minister for Agriculture
Secretary General for Food and Agriculture
Deputy Permanent Representative

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Minister for Agriculture, Food and the Environment

France:

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Mr Frédéric CUVILLIER

Minister for Agriculture and Agroalimentary
Minister for Ecology, Sustainable Development and Energy

Italy

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Deputy Permanent Representative

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Minister for Agriculture, Viticulture and Rural Development, Minister for Sport, Minister with responsibility for Economic Solidarity

Hungary:

Mr György CZERVÁN

State Secretary, Ministry of Rural Development

Malta:

Mr Patrick MIFSUD

Deputy Permanent Representative

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Minister for Agriculture and Foreign Trade

Austria:

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Federal Minister for Agriculture, Forestry, the Environment and Water Management

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Deputy State Secretary, Ministry of Agriculture and Rural Development

Portugal:

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Minister for Agriculture, Maritime Affairs, the Environment and Regional Planning
State Secretary for Agriculture

Mr José DIOGO ALBUQUERQUE

Romania:

Mr Daniel CONSTANTIN

Minister for Agriculture and Rural Development

Slovenia:

Mr Franc BOGOVIČ

Minister for Agriculture and the Environment

Slovakia:

Ms Magdaléna LACKO-BARTOŠOVÁ

State Secretary, Ministry of Agriculture and Rural Development

Finland:

Mr Jari KOSKINEN

Minister for Agriculture and Forestry

Sweden:

Mr Magnus KINDBOM

State Secretary, Ministry for Rural Affairs

United Kingdom:

Mr Jim PAICE

Minister of State for Agriculture and Food Department for Environment, Food and Rural Affairs

Commission:

Mr Dacian CIOLOȘ

Member

Mr John DALLI

Member

Ms Maria DAMANAKI

Member

.....

The Government of the Acceding State was represented as follows:

Croatia:

Ms Snježana ŠPANJOL

Deputy Minister for Agriculture

ITEMS DEBATED

Presidency work programme

The Cyprus Presidency gave a public presentation on its work programme in the agriculture and fisheries sectors ([12261/12](#)).

The agricultural policy priorities of the Presidency will include:

- To take forward the common agricultural policy (CAP) reform by:
 - Organising focused debates on specific issues of the four main CAP regulations of the CAP reform package (direct payments, rural development, single common market organisation (CMO) and financing the CAP).
 - Preparing the adoption of a partial general approach on the key elements of the CAP reform package for November.
 - Adopting in agreement with the European Parliament the proposals concerning transitional measures for direct payments and the wine sector.
- The alignment of the agricultural legislation with the Lisbon Treaty, for which the Presidency hopes to reach an agreement with the European Parliament on some proposals such as outermost regions and smaller Aegean islands.
- The quality schemes for agricultural products on which the Presidency will ensure the final adoption of the text following the agreement reached with the European Parliament under the Danish Presidency.

As regards food and veterinary issues the Presidency intends to work on:

- The revision of the hygiene package and the regulation on official controls.
- The new animal health law.
- The new pet regulation covering the non-commercial movements of pet animals and animal health requirements in the intra EU trade and imports of pets.

The priorities for fisheries policy will focus on:

- The reform of the common fisheries policy (CFP) by:
 - Deepening the debate on certain parts of the CFP reform package (new basic regulation, new common market organisation and new European maritime and fisheries fund 2014-2020) on the basis of the general approach adopted in June 2012.
 - Preparing a partial general approach on the proposal for the European maritime and fisheries fund (EMFF) 2014-2020.
- The debate on the yearly communication from the Commission on fishing opportunities for 2013 which will prepare the political agreements on total allowable catches (TACs) and quotas (fishing opportunities for certain fish stocks for EU vessels, for the deep-sea, Baltic Sea and the Black Sea).
- The conclusion of proposals for the renewal of several bilateral protocols to fisheries partnership agreements.
- Other important proposals:
 - Technical measures (amendment of 850/98) must be adopted to ensure continuity of the provisional technical measures that expire by the end of the year.
 - 12 mile access regime (Art. 17 of the current CFP provisions) which expires by the 31st of December 2012, should be prolonged until the new CFP is adopted.
 - Trade measures which should be adopted under this Presidency.
 - Shark finning for which the Presidency will seek an agreement at first reading.

Reform of the CAP

Ministers held two orientation debates in the framework of the common agricultural policy (CAP) reform. The discussions focussed on specific issues in:

- the proposal for a regulation on support for rural development (rural development regulation) ([15425/1/11](#)).
- the proposal for a regulation establishing a common organisation of the markets in agricultural products (Single CMO regulation) ([15397/2/11](#)).

Rural development

Most of the delegations agreed that in light of the challenges modern agriculture faces due to climate change and price volatility, risk management has become essential for farmers. Many member states also supported the Commission proposal on risk management through the second pillar, allowing flexibility to member states in its implementation, as well as the possibility of combining the measures with other actions under pillar II.

However, some delegations were not convinced about support for risk management under the second pillar and oppose, in particular, the income stabilisation tool, as they were concerned that the measure would require a high level of funding, and therefore absorb a large portion of their national envelope at the expense of other measures, such as climate and environment actions. In their view, the provisions of Pillar I provide sufficient safety-nets for the farmer's income.

With regard to the level of support, the majority of delegations found the rates proposed by the Commission appropriate. Some of the delegations nevertheless expressed the wish to see the level of aid intensity increased, in order to match current levels of support. Several delegations also requested the reduction of the 30% threshold at which farmers qualify for support. This threshold is based on WTO rules. Some delegations requested flexibility to continue existing systems and tools such as indexing which was mentioned as valuable solution to simplify the loss of income calculations.

Single CMO

There was broad support within the Council for the proposed exceptional support measures. Nonetheless, some member states considered that the proposed approach was not sufficiently ambitious and that more might be done.

On the market disturbance provision (Article 154), some delegations would prefer to have a clear definition of crisis or more reassurance that this measure would only be used in truly exceptional situations. On the other hand, many of the delegations considered that the Commission must be able to react swiftly and flexibly to unpredictable situations and factors.

A majority of the member states supported extending the scope of this provision to all products (i.e. the deletion of Article 154(2)).

As regards measures concerning animal disease and loss of consumer confidence due to public, animal or plant health risks (Article 155), most of the countries were satisfied with the Presidency text and the extension of the scope of measures on loss in consumer confidence to all sectors of the single CMO.

Some delegations also asked for an increased EU co-financing rate.

Finally on the measures to resolve specific problems (Article 156), most member states acknowledged the importance of this provision and were in favour of maintaining a high degree of flexibility for the Commission to act.

The CAP reform package was presented by the Commission at the Agriculture Council meeting in October 2011. The Council has already held general policy debates on the proposals for regulation on direct payments, rural development and on the single common market organisation at the Agriculture Council meetings in November and December last year and in January this year.

In March this year ministers held a debate on the simplification of the CAP. At its meeting in April, the Council held an orientation debate on young farmers, small farmers, voluntary coupled support and top ups for farmers in areas with natural constraints, as well as on internal distribution, the definition of "active farmer" and the capping of support to large farms. In May the Council held another orientation debate on the greening of the CAP and as recently as June it held one on rural development issues.

In addition to these debates the Danish Presidency also presented a progress report highlighting the progress achieved during the first half of 2012 on key issues of the CAP reform proposals.

Fishing opportunities for 2013

The Council was briefed and held an exchange of views on a Commission communication concerning a consultation on fishing opportunities for 2013 ([10746/12](#)).

Most of the member states acknowledged the global improvement of the state of the fish resource. Concerning data-poor stocks, many delegations said they would prefer a case by case approach based on the existing total allowable catches (TACs).

During the discussion on fishing opportunities, several delegations referred to the agreement reached in June this year under the Danish Presidency to achieve maximum sustainable yields (MSY) by 2015 where possible (e.g. when scientific advice on the stocks was available in the necessary detail) and by 2020 at the latest.

Several delegations mentioned the need to review the fishing effort for cod in order to adapt it to the actual situation of this stock. In general setting pluriannual plans was also considered essential by a majority of member states.

Many delegations regretted the continuation of last year's practice of presenting two proposals for 2013 fishing opportunities for certain fish stocks for EU vessels: one on internal stocks and another on shared and international stocks.

In its presentation, the Commission said that fish stocks were generally in a better state than last year, with the increasing number of stocks at MSY level. The Commission also highlighted the improved scientific information on fish stocks that was available: the number of data-poor stocks for which no quantitative advice was available had been greatly reduced since last year.

The communication sets out the general approach to be taken by the Commission in drawing up its proposals for fishing opportunities. The Commission will seek the views of the regional advisory councils (RACs) and of all the relevant stakeholders through a public consultation.

The document outlines the state of the fish stocks. The communication also proposes a limited overview of the economic performance of the EU fleet and insists on the commitment to long-term plans management and to management in accordance with scientific advice. The early scientific indications point to a more positive advice compared to last year.

The communication outlines the proposed working method for proposing the total allowable catches (TACs). Long-term management plans and international agreements will be directly implemented. In the case of species for which ICES has developed an MSY framework, the Commission intends to apply it directly, although it indicated that a gradual implementation by 2015 could be acceptable, if compatible with the advice. In addition, where provisional scientific advice exists, it should be used for setting the TACs and where there is no scientific advice, a precautionary approach is recommended.

Lastly it should be noted that:

- Management by functional units has to be considered for the relevant stocks, such as Norway lobster.
- No "horizontal" solution is proposed for data-poor stocks, as last year.

The effort management regime will be reviewed, in a process involving a wide range of stakeholders.

Concerning the 2013 fishing opportunities for certain fish stocks for EU vessels, the Commission has the intention this year to continue with last year's practice of presenting two proposals: one on internal stocks and another on shared and international stocks. The first formal proposal will be submitted to Council in September, the second in November.

The Commission's deep-sea, Baltic Sea and the Black Sea proposals will be submitted to Council in September, October and November, respectively.

ANY OTHER BUSINESS

31st conference of the directors of paying agencies of the EU

At the initiative of the Danish delegation, ministers were informed about the general conclusions of the 31st conference of the directors of EU paying agencies which took place in Horsens (Denmark) on 20 and 21 June 2012 ([12231/12](#)).

The Danish delegation reported on the conclusions drawn at the conference by the directors of paying agencies, who mentioned the possible risk of an increased cost and administrative burden with the reform proposal as it stood. Together with Denmark, several member states took the view that these conclusions supported the need for a simplification of the CAP.

The main theme of the conference in Horsens was the practical implementation of the present proposal for reform of the common agricultural policy. Working groups carried out a detailed analysis of the difficulties of implementation in three specific areas:

- Greening;
- The future land parcel identification system (LPIS);
- The paying agencies' role in the assessment of error rates.

This conference is a bi-annual meeting between the heads of EU paying agencies, representatives of agricultural sector institutions of EU candidate states and representatives of EU institutions. The aim of the meeting is to discuss issues which are of interest to EU paying agencies, exchange ideas and best practices in task completion and to discuss problems connected with the operations of paying agencies.

Market situation for milk and dairy products

Poland and Lithuania asked the Commission for appropriate measures against the deteriorating situation of the market of milk and dairy products in the EU ([12448/12](#)). The Commission then gave the Council its evaluation of the situation ([12236/12](#)).

Some member states supported the request by Poland and Lithuania to the Commission for market measures:

- in the short term, a temporary restoration of export refunds;
- in the longer term, an increase in the current reference and intervention prices of butter and skimmed milk powder.

Other member states, while acknowledging the situation described by Poland and Lithuania, took the view, along with the Commission, that measures were not needed now or would not be effective. They would like the Commission to continue monitoring the situation in the milk and dairy market.

In its report on the situation of the milk and dairy market during the first months of this year, the Commission noted that the current decrease in the milk price was linked to several factors including the global increase in milk production and the seasonal nature of the production. It also noted that this decrease in prices had a greater effect in some member states with a specific situation and structural problems in this sector.

However, the Commission said it was still closely following the evolution of the milk market. On the basis of its evaluation of the situation, the Commission would return to this matter at a later Council meeting if necessary. It was ready to activate appropriate measures when it considered that there was a need.

Fires in Spain - Consequences for agriculture

Ministers were briefed by the Spanish delegation about the consequences of wildfires for agriculture in the country ([12480/12](#)).

Very recently, Spain's worst forest fires in more than a decade broke out in the eastern part of the country near the city of Valencia. The damage caused by the fires could result in the region being affected by a serious degradation of its forest ecosystems, the depopulation of rural areas and the abandonment of farms, which would endanger the economic stability of the region and, consequently, its social and ecological stability. In view of the current economic crisis and the region's economic, social and environmental problems in restoring normality, Spain was seeking assistance from the EU.

For the consequences of the wildfires on forestry and agricultural activities, the Commission declared itself ready to examine quickly a demand made by Spain in the framework of the rural development fund.

Cooperation with China on agriculture

The Council was briefed by the Commission on the content of the EU-China Cooperation Plan on Agriculture and Rural Development, which Commissioner Ciolos signed with the Chinese Minister of Agriculture during his visit to China from 8 to 13 June 2012 ([12456/12](#)).

The Plan aims to strengthen EU-China cooperation with a view to addressing common and global challenges more effectively, particularly with regard to food security, sustainable use of natural resources, climate change, food safety, rural development and organic farming.

Animal welfare during transport

Following the adoption in June of Council conclusions on the protection and welfare of animals ([10478/12 ADD1](#)), Austria and the Netherlands briefed the Council on the welfare of farm animals during transport ([12403/12](#)).

As the report from the Commission on the impact of regulation 1/2005 on the protection of animals during transport is taken into account in the conclusions, Austria and the Netherlands considered it essential for the EU to commit itself to reinforcing the current legal framework in this area by envisaging a revision of regulation 1/2005 on the protection of animals during transport in particular by setting a time limit for the transport of animals.

Some member states supported Austria and the Netherlands in asking for a revision of the current legal provisions on the protection of animals during transport, while others rejected such revision.

In its report, the Commission considers that an amendment of the regulation would not be the most appropriate approach to address the identified problems and that a steady legal situation will allow member states and stakeholders to focus on enforcement within a stable legal framework. This position was re-iterated by the Commission in response to the Austrian and Dutch requests, while it undertook to have all relevant data examined.

North East Atlantic mackerel stock - trade measures

The Irish delegation supported by France, Spain and Portugal, reported on the a state of play concerning mismanagement of the mackerel stock in the North East Atlantic and asked the Commission for more details about the potential trade measures that could be envisaged in this case.

Several other member states supported Ireland, France, Spain and Portugal in describing the deterioration in the North East Atlantic mackerel stock as being due to huge TACs unilaterally set by Iceland and the Faroe Islands in recent years; they would like restrictive measures to be taken in the framework of the provisions agreed between the Council and the European Parliament if negotiations with Iceland and the Faroe Islands failed again.

The Commission said it was ready to activate trade measures if necessary. A round of negotiations with Iceland and Faroe Islands was scheduled for September.

In June, an agreement was reached between the Council and the European Parliament on a regulation on trade measures in relation to countries allowing non sustainable fishing. This regulation provides a framework allowing the EU to take restrictive measures such as limitations on EU imports for protecting fish stocks against third countries engaged in unsustainable practices in the management of fish resources that they share with the EU. Once all procedural steps are completed, this regulation should be adopted by the Council and the European Parliament at first reading, probably at the end of September this year.

When in place, this instrument would make it possible to tackle situations such as the one currently threatening the stock of North-East Atlantic mackerel where huge unilateral total allowable catches (TACs), generally exceeding the scientifically advised TACs, have been set by Iceland and the Faroe Islands.

OTHER ITEMS APPROVED

AGRICULTURE

Contractual relations in milk sector - Transnational cooperation

Regulation 261/2012 amending regulation 1234/2007 as regards contractual relations in the milk and milk products sector empowers the Commission to adopt delegated acts ([12020/12](#)).

The purpose of the delegated act proposed by the Commission is to lay down rules on:

- the recognition of transnational producer organisations and transnational associations of producer organisations;
- the establishment and the conditions of administrative assistance to be given by the relevant competent authorities in the case of transnational cooperation;
- the calculation of the volume of raw milk covered by the negotiations between recognised producer organisations and processors or collectors of raw milk.

The Commission notified this act on 28 June 2012. In accordance with regulation 1234/2007, the Council may object to this delegated act within a period of two months from the notification (i.e. up to 28 August 2012). Given the calendar constraints at this time of the year and in order to allow a proper exercise of its rights, the Council opted for an extension of the period for raising objections on this delegated regulation by two months.

FISHERIES

Partnership agreement with Denmark and Greenland - Conclusion

The Council adopted a decision on the signing on behalf of the EU, and the provisional application of the protocol setting out the fishing opportunities and financial contribution provided for in the fisheries partnership agreement with Denmark and Greenland ([11116/12](#)).

The EU, on one hand, and Denmark and Greenland, on the other hand initialled a fisheries partnership agreement in 2006; the current protocol setting out the fishing opportunities and financial contribution provided for in the partnership agreement, entered in force from 1 January 2007. Since the current protocol will expire on 31 December 2012, a new protocol was initialled on 3 February 2012. The new protocol provides EU fishing vessels with fishing opportunities in Greenlandic waters and should be applied provisionally from 1 January 2013.

In addition, the Council adopted a regulation establishing the method and the deadline in the event of underutilisation of fishing opportunities under this protocol ([11115/12](#)). This regulation establishes that if it appears that the number of fishing authorisations or the amount of fishing opportunities allocated to the EU under this protocol are not fully utilised, the Commission is to inform the member states concerned. The absence of a reply within the deadline to be set by the Council is to be considered as confirmation that the vessels of the member state concerned are not making full use of their fishing opportunities during the given period.

HEALTH

Marketing authorisations for medicinal products - Medical devices

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

- a regulation amending Commission regulation 1234/2008 concerning the examination of variations to the terms of marketing authorisations for medicinal products for human use and veterinary medicinal products ([9425/12](#));
- a regulation concerning particular requirements as regards the requirements laid down in Council directives 90/385 and 93/42 with respect to active implantable medical devices and medical devices manufacture utilising tissues of animal origin ([9264/12](#)).

The Commission regulations are subject to the " 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.

TRADE POLICY**Anti-dumping - Mesh fabrics of glass fibres - Malaysia**

The Council adopted a regulation extending the definitive anti-dumping duty imposed by regulation 791/2011 on imports of certain open mesh fabrics of glass fibres originating in China to imports of certain open mesh fabrics of glass fibres consigned from Malaysia, whether declared as originating in Malaysia or not ([11742/12](#)).

EMPLOYMENT**Mobilisation of the European Globalisation Adjustment Fund for Denmark and Spain**

The Council adopted two decisions mobilising a total amount of EUR 7.76 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in Denmark and Spain. An amount of EUR 6.46 million is allocated to workers in the Danish shipbuilding industry who have been laid off following the relocation of production to lower-cost non-EU countries as a consequence of the current financial and economic crisis. An amount of EUR 1.30 million is mobilised for laid-off workers in the Spanish construction sector where demand for new houses has decreased significantly owing to a reduction in loans to the sector and to individuals in the wake of the crisis.

DEVELOPMENT COOPERATION**Appropriate measures for the Republic of Guinea**

The Council decide to extend the period of application of the appropriate measures laid down for the Republic of Guinea in Decision 2011/465/EU and amending that Decision. See: [11652/12](#).

COMMON SECURITY AND DEFENCE POLICY**EUCAP SAHEL Niger**

The Council gave the green light for the a new Common Security and Defence Policy mission to support the fight against organised crime and terrorism in the Sahel region: EUCAP SAHEL Niger. For more details, see press release [11999/12](#).

EUCAP Nestor

The Council created the legal basis for a civilian CSDP mission to support regional maritime capacity-building in the Horn of Africa and Western Indian Ocean states. At the same time, the Council approved the concept of operations for the mission. For details, see press release [12562/12](#).

EUPOL Afghanistan

The Council approved a new budget for the EU police mission in Afghanistan: EUPOL Afghanistan will have EUR 56.87 million available for the period from 1 August 2012 to 31 May 2013.

FOREIGN AFFAIRS**EU Special Representative for the African Union**

The Council extended the mandate of Mr Gary QUINCE, EU Special Representative to the African Union, until 30 June 2013.

Somalia - restrictive measures

The Council prohibited the import and transport of charcoal from Somalia, whether or not such charcoal originated in Somalia. It also banned related insurance and financial assistance. In addition, the Council updated the list of persons and entities subject to restrictive measures. These decisions reflect changes made to the UN sanctions regime against Somalia.

Afghanistan - restrictive measures

The Council adapted the EU restrictive measures in view of the situation in Afghanistan to changes decided at UN level. The amendments add three persons and two entities to the list of those subject to the measures. At the same time, two individuals were removed from the list.

APPOINTMENTS**Committee of the Regions**

The Council appointed Mr Piero LACORAZZA, Mr Piero FASSINO and Mr Mauro D'ATTIS (Italy) ([12157/12](#)); Ms Jasna GABRIČ (Slovenia) ([12284/12](#)), and Mr Javier FERNÁNDEZ FERNÁNDEZ (Spain) ([12199/12](#)), as members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015.
