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P R E S S

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ITEMS DEBATED

AGRICULTURE

Market situation and support measures

The Commission updated the Council on the continued difficult market situation affecting the main agriculture sectors, notably the dairy, pigmeat and fruit and vegetables sectors. It also provided information on the implementation of the support measures agreed at the September 2015 and March 2016 Council meetings.

In the debate that followed, many ministers expressed continued concern about the current market downturn. They stressed the need to alleviate the condition of European farmers and help the sustainability of the most affected sectors. Ministers generally agreed on the need to consider further concrete measures as soon as possible. The presidency called upon the Commission to come forward with proposals, including financial support, at the next Council meeting in July.

The Commission recognised the persistent gravity of the market situation, although some recovery signs had been recorded in the pigmeat sector, and confirmed that the Commission was working on additional measures and expected to be able to present them at the July Council.

Following a continued crisis affecting several agricultural sectors the Council had endorsed a €500 million package of support measures for farmers in September 2015 (mainly direct aid) and a second package in March 2016 ([7108/16](#)). The latter featured mainly budget-neutral instruments such as the voluntary and temporary reduction of milk production and a temporary relaxation of state aid rules in case of Member States' support to farmers.

Since the March AGRIFISH Council, the agreed measures have been swiftly implemented and ministers have been keeping developments in the market situation under close scrutiny. Furthermore, additional initiatives have been undertaken by the Commission. These include the doubling of the quantitative ceilings for buying in skimmed milk powder and butter at a fixed price in the context of public intervention and the proposal for a further increase thereof, the announcement of the extension of the deadline by which member states may make CAP direct payments without reduction in the rate of reimbursement from the EU to the Member State to 15 October, and the adoption of a delegated regulation setting out further exceptional and temporary support measures for the fruit and vegetables sector.

The following "Any other business" items relating to the market situation were also dealt with:

– Warsaw statement of ministers of agriculture of France, Germany and Poland regarding common market measures

The Polish delegation informed the Council about the joint statement agreed upon by France, Germany and Poland calling on the Commission to propose and discuss an additional financial package in favour of European farmers ([10534/16](#)).

– Statement from Spain, France and Italy on market crisis

The Spanish delegation drew ministers' attention to the issue of the market crisis affecting the dairy, fruit and vegetables, pigmeat and beef sectors ([10251/16](#)). In their joint statement Spain, France and Italy encouraged the Commission to reinforce the existing market measures and consider new ones.

Agricultural markets task force

The Council was briefed by the chairman of the agricultural markets task force, Mr Cees Veerman, on the task force's ongoing work and expected results ([10584/16](#)).

Mr Veerman highlighted the role of the task force in providing expertise and advice on the farmers' position in the food supply chain, especially in relation to themes such as market transparency, unfair trade practices, and possible solutions to the existing imbalance of power along the food supply chain. With a view to the final report of the task force which is due later in the autumn, ministers were invited to contribute to the work of the task force by forwarding their input.

The establishment of the task force was decided as part of the comprehensive package of support measures decided by the Council in September 2015. Its mandate is to discuss relevant issues, such as market transparency, access for farmers to financial instruments and futures markets to hedge price risks, options for arranging contractual relations within the chain and legal possibilities for organising farmers' collective actions. All these measures are intended to improve the position of farmers in the food chain.

The first meeting of the task force took place on 13 January 2016 and was followed by other meetings on 8 March, 12 April and 24 May. Two final meetings are planned to take place on 28 June and 15 September, with a view to the presentation of a final report in the autumn of 2016.

Organic production and labelling of organic products

The Council was informed about the state of play of the proposed regulation on organic production, with regard to the negotiations with the European Parliament. Minister Van Dam highlighted the significant progress made during the Netherlands Presidency on most negotiating blocks, including the main political elements: imports, controls and non-authorised products and substances.

The proposal on organic production and labelling of organic products is aimed at revising the existing legislation on organic production and labelling of organic products so as to remove obstacles to the sustainable development of organic production in the EU. Its objectives are also to guarantee fair competition for farmers and operators, prevent fraud and unfair practices and improve consumer confidence in organic products.

The Council reached a general approach on the organic regulation on 16 June 2015 and the EP Committee on Agriculture and Rural Development (COMAGRI) voted on its report on 13 October 2015. Negotiations started in November 2015 and so far nine trilogues have taken place.

Evaluation of the FLEGT action plan and of the EU timber regulation (EUTR)

The Council adopted conclusions on forest law enforcement, governance and trade (FLEGT), which include an evaluation of the FLEGT action plan and of the EU timber regulation ([10721/16](#)). Ministers also had an exchange of views on additional actions that could be taken to promote better forest governance and sustainable forest management.

The Council conclusions mark an important step forward in the fight against deforestation and illegal logging. They highlight the positive contribution that FLEGT and the EUTR have made in reducing EU imports of illegal timber and in increasing the awareness of the general public and market operators regarding the issue of illegal logging. They also underline the need for the FLEGT action plan to be placed in the context of the overall efforts of the EU to achieve sustainable forest management. The conclusions also call upon member states and the Commission to do even more to address this issue, with a view to achieving sustainable forest management globally.

The FLEGT (Forest Law Enforcement, Governance and Trade) action plan was developed in 2003 and provides for a number of measures to exclude illegal timber from markets, improve the supply of legal timber and increase the demand for wood products from legal sources. The two main elements of the action plan are the EU timber regulation, and Voluntary Partnership Agreements (VPAs). VPAs are trade agreements with timber exporting countries that help to prevent illegal timber from being placed on the European market. Under the EU timber regulation (EUTR), wood carrying a FLEGT licence, or a CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) permit, is considered to comply with the EUTR.

During the exchange of views on additional actions to promote better forest governance and sustainable forest management, ministers highlighted the need for further actions coordinated at EU level, both within member states and towards third countries (through VPAs in the framework of FLEGT or through other means when this is not achievable). Ministers stressed that it was also necessary to have an integrated approach taking into account other actions and commitments at international level (Paris agreement on climate change, Agenda 2030 and UN Sustainable Development Goals, International Arrangements on Forests, etc.), in order to fight deforestation worldwide.

Food losses and food waste

The Council adopted conclusions calling upon member states and the Commission to reduce food losses and food waste ([10730/16](#)). The proposed Council conclusions welcome the Commission proposals, but urge the Commission to extend the scope of their actions also to food losses. A series of initiatives are set out to reduce food losses and waste in the future, such as improving monitoring and data collection, focusing on preventing food losses and waste and enhancing the use of biomass in future EU legislation, and facilitating the donation of unsold food products to charities.

The Food and Agriculture Organization of the United Nations (FAO) estimates that one third by weight of all food produced in the world is lost or wasted between the farm and the fork. In September 2015 the General Assembly of the United Nations adopted ambitious goals for the reduction of food losses and waste as part of its 2030 objectives for sustainable development. The objective is to halve per-capita global food waste at the retail and consumer levels, and reduce food losses along production and supply chains, including post-harvest losses.

In its December 2015 communication "Closing the loop – An EU action plan for the Circular Economy", the European Commission addressed the food waste issue, committed itself to the UN objective and proposed several measures.

Acceleration of sustainable plant protection

Ministers endorsed an implementation plan and recommendations on the acceleration of sustainable plant protection ([10041/1/16 REV 1+ADD1](#)). The plan acknowledges the progress the EU has made to date and identifies actions to be taken by the Commission, member states and stakeholders with the aim of increasing the availability of low-risk plant protection products and speeding up the implementation of Integrated Pest Management (IPM) in the EU.

The plan was prepared by an expert group proposed by the Netherlands and facilitated by the Commission after the AGRIFISH Council meeting on 22 October 2015. It comprises representatives of member states and of the EFSA (European Food Safety Agency). The group met five times between December 2015 and May 2016 and delivered an implementation plan and some recommendations.

In particular, it recommended measures to accelerate the availability of low-risk substances, further progress in sharing information on IPM between member states through EU training initiatives and the internet, and that the member states and the Commission follow up on the implementation of the plan by discussing its progress in the expert group, the Standing Committee and the Council.

FISHERIES

Sustainable management of external fishing fleets

Ministers agreed on a general approach on a proposed regulation on the sustainable management of external fishing fleets ([10143/16](#)).

The Council general approach focuses on technical improvements, simplified administrative procedures and better alignment with the control regulation of the Common Fisheries Policy (CFP). It also confirms the proposed broadening of the scope of the regulation to issues such as direct third country licences, chartering and 'reflagging'. Delegations broadly supported the presidency's compromise text and underlined the importance of having simpler rules and reducing administrative burdens.

The Commission proposal on external fishing fleets aims to modernise and simplify the current framework for the management of authorisations granted to EU vessels fishing outside EU waters, and of authorisations granted to third-country fishing vessels operating in EU waters. It also addresses key issues such as abusive reflagging and private fishing arrangements of EU fleets outside EU waters. The proposed regulation on external fishing fleets supplements the regulations on controls and on illegal, unreported and unregulated (IUU) fishing, which are key implementing pillars of the CFP.

The Commission submitted its proposal in December 2015 and the Council's examination started in January 2016 at working party level.

Fishing opportunities for 2017

The Council was briefed and held an exchange of views on a Commission communication concerning a consultation on fishing opportunities for 2017 ([10088/16](#) + [10088/16 ADD 1](#)).

The communication sets out the principles to be followed by the Commission in formulating its proposals for fishing opportunities for 2017, which are due for this autumn. The communication reports on the situation of the stocks, both globally and by region, and about the progress made on achieving maximum sustainable yield (MSY). The document also gives an overview of the economic performance of the EU fleet and underlines the Commission's continued commitment to long-term management plans and to management in accordance with scientific advice, with explicit reference to the achievement of MSY. Finally it includes a report on the implementation of the landing obligation one year after its introduction in 2015. Member states, stakeholders and the public are invited to provide suggestions on these policy orientations.

In its presentation the Commission highlighted an improvement in the scientific knowledge of the state of stocks. It reported progress towards achieving MSY levels, though concerns remain about overfishing in the Mediterranean. Concerning the methodology for proposing total allowable catches (TACs), the Commission underlined the importance of MSY levels as objectives and of implementing long-term management plans, provided that they are consistent with the CFP provisions. Finally, it stated that the consequences of the landing obligation on the setting of TACs would be considered on a case-by-case basis.

In the debate that followed, several delegations expressed support for reaching MSY for as many stocks as possible and compatibly with socio-economic considerations. Many ministers asked for the preparations for calculating the quota top-ups to be improved. Finally some delegations were concerned about the implementation of the landing obligation in the future.

The fishing opportunities for 2017 will be fixed under the objectives of the 2014 Common Fisheries Policy (CFP) and based on independent scientific advice. Under the CFP, the fishing pressure on stocks should be aligned with the MSY objective as soon as possible and by 2020 at the latest. This will help to ensure the achievement of good environmental status in European seas and reduce the impact of fishing on the marine ecosystem.

ANY OTHER BUSINESS

- ***Mediterranean partnership, Catania process and 2016 GFCM Annual Session (St Julian's, Malta, 30 May - 3 June)***

The Commission briefed the Council on its initiative to build a Mediterranean partnership, a form of comprehensive and cross-sectorial, cross-border enhanced cooperation for sustainable development in the region. The objective of the partnership is to unlock the potential of the green and blue economy.

Concerning fisheries, the Commission focused in particular on the Catania process and the 2016 annual session of the General Fisheries Commission for the Mediterranean (GFCM).

The Catania process started with a high-level seminar gathering EU member states in the Sicilian city with the aim of reversing the declining trend in the fish stocks in the Mediterranean, and ensuring sustainable fisheries. As the next step in the process a ministerial declaration is envisaged for March 2017.

The annual session of the GFCM took place in St Julian's, Malta, from 30 May to 3 June 2016, leading to the adoption of decisions on the recovery of fish stocks and the protection of vulnerable habitats in the Mediterranean and the Black Sea. On that occasion the GFCM endorsed the principles of a future strategy for the sustainability of Mediterranean and Black Sea fisheries, which will be fleshed out at a dedicated meeting in September 2016.

- ***Interpretation of article 61 of the CPR***

The Finnish delegation informed the Council of the need for clarity in the interpretation of articles 61 and 65 of regulation No 1303/2013, the so-called Common Provisions Regulation (CPR), on the financing of large private investments from the European Maritime and Fisheries Fund (EMFF). In order to improve legal certainty, it invited the Commission to propose an amendment to the CPR and introduce a retroactive exemption for the EMFF in articles 61 and 65. This would enable the financing of large private investment projects from the EMFF without deducting the net revenues.

The Finnish request was supported by several delegations and the Commission showed openness to clarifying the issue in future.

– *"Finding the balance: exploring solutions in the debate surrounding patents and plant breeders' rights"*

The Presidency informed the Council about the outcome of the conference "Finding the balance: exploring solutions in the debate surrounding patents and plant breeders' rights", held in Brussels on 18 May 2016.

The conference looked into the interface between plant protection deriving from plant breeders' rights and plant protection coming from a patent. The discussion focused on the frictions between the two systems and the potential lack of clarity in their relations. Several delegations shared these concerns. The Commission was open to working towards a clarification of the links between the two systems and supported measures that ensure fair access for breeders to patented material.

– *Endocrine disruptors*

The Commission presented its proposal for criteria to identify endocrine disruptors, based on the outcome of the public consultation that was held in 2014 ([10194/16](#)).

On 15 June 2016 the Commission adopted a package consisting of a communication accompanied by an impact assessment, and two draft legal acts under the Biocidal products legislation. In the package the Commission proposes to adopt a science-based approach to the identification of endocrine disruptors and to endorse the WHO definition. The latter defines a substance as an endocrine disruptor if it has an adverse impact on human health and an endocrine mode of action and if there is a causal link between the two. Ministers were encouraged to contribute to the debate on the criteria for definition.

In the debate that followed several ministers welcomed the Commission initiative but some asked for more ambition and greater protection of human health and the environment.

OTHER ITEMS APPROVED**ECONOMIC AND FINANCIAL AFFAIRS****VAT rules on vouchers**

The Council adopted a directive aimed at increasing legal certainty for transactions involving vouchers by harmonising national VAT rules in this area.

For details, see [press release](#).

Markets in financial instruments - Bank recovery and resolution

The Council decided not to object to the following regulations adopted by the Commission:

- regulation supplementing directive 2014/65/EU on markets in financial instruments with regard to regulatory technical standards on the authorisation, organisational requirements and publication of transactions for data reporting services providers ([10292/16](#) + [9857/16](#));
- regulation supplementing regulation 600/2014 on markets in financial instruments with regard to regulatory technical standards on the specification of the offering of pre-and post-trade data and the level of disaggregation of data ([10294/16](#) + [9856/16](#));
- regulation supplementing regulation 600/2014 on markets in financial instruments with regard to regulatory technical standards on access in respect of benchmarks ([10295/16](#) + [9858/16](#));
- regulation supplementing directive 2014/65/EU on markets in financial instruments with regard to regulatory technical standards on requirements to ensure fair and non-discriminatory co-location services and fee structures ([10296/16](#) + [9933/16](#) + *COR 1*);
- regulation supplementing directive 2014/59/EU on the recovery and resolution of failing banks with regard to regulatory technical standards on information on financial contracts that should be contained in detailed records ([10298/16](#) + [10030/16](#) + *ADD 1*).

The regulations are delegated acts pursuant to article 290 of the Treaty on the Functioning of the European Union. They can now enter into force, unless the European Parliament objects.

STATISTICS

Rail transport statistics on goods, passengers and accidents

The Council confirmed a political agreement with a view to amending regulation 91/2003 on rail transport statistics as regards the collection of data on goods, passengers and accidents ([10280/16](#)).

The amendments will update, improve and simplify the existing legal framework for European statistics on rail transport.

A final agreement between the Council and the European Parliament is still pending confirmation. The Parliament adopted its first-reading position on 11 March 2014.

[Regulation 91/2003](#) establishes a common framework for producing, transmitting, evaluating and disseminating comparable rail transport statistics in the EU.

Statistics on the transport of goods and passengers by rail are necessary to monitor and develop the common transport policy, and the transport elements of policies on the regions and on trans-European networks.

[Eurostat: Railway_passenger_transport_statistics](#)

AGRICULTURE

Prevention, control and eradication of certain transmissible spongiform encephalopathies

The Council decided not to oppose the adoption of a Commission regulation amending certain Annexes to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ([8717/16](#)).

Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals. It applies to the production and placing on the market of live animals and products of animal origin and in certain specific cases to exports thereof.

Residue levels of thiacloprid

The Council decided not to oppose the adoption of a Commission regulation amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards thiacloprid ([9486/16](#)).

Regulation (EC) No 396/2005 lays down rules on maximum residue levels of pesticides in or on food and feed of plant and animal origin.

The adopted amendment modifies the existing maximum residue levels of thiacloprid in honey and other apiculture products based on an assessment of the European Food Safety Authority, setting it at the level of 0.2 mg/kg on the basis of the available residue trials.

International Olive Council: adoption of EU position

The Council adopted a decision on the position to be taken on behalf of the EU in the framework of the International Olive Council (IOC), with regard to certain decisions to be adopted ([10013/16](#)).

Four of the IOC decisions concern modifications to the trade standards applying to the physical, chemical and organoleptic characteristics of olive oils and olive pomace oils. The fifth one concerns the endorsement of a new method of analysis for the determination of the peroxide value of olive oil. All of them affect Commission Regulation (EEC) No 2568/91.

The IOC is an international intergovernmental organisation in the field of olive oil and table olives. It was set up in Spain in 1959, under the auspices of the United Nations. The Council contributes to the sustainable and responsible development of olive growing and it serves as a world forum for discussing policy-making issues and tackling present and future challenges. The EU is member of the IOC.

FOREIGN AFFAIRS

European External Action Service's management of buildings

The Council adopted conclusions on the European External Action Service's management of its buildings around the world, following recommendations issued in the European Court of Auditors' special report No 7/2016.

Read the conclusions: [10016/16](#)

Audit on EU external migration spending in Southern Mediterranean and Eastern countries

The Council adopted conclusions on the EU external migration spending in Southern Mediterranean and Eastern Neighbourhood countries until 2014, following recommendations issued by the European Court of Auditors in its [special report No 9/2016](#).

Read the conclusions: [10021/16](#)

JUSTICE**Control measures for 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (α -pyrrolidinovalerophenone, α -PVP)**

The Council adopted an implementing decision on subjecting 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (α -pyrrolidinovalerophenone, α -PVP) to control measures ([10337/16](#)).

The proposal for an implementing decision was presented on 18 December 2015 by the Commission in accordance with Article 8(3) of Council Decision [2005/387/JHA](#) and on the basis of the risk assessment on 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (α -pyrrolidinovalerophenone, α -PVP) provided by EMCDDA.

EUROPEAN ECONOMIC AREA**Amendment to Protocol 31**

The Council adopted a decision on the position to be adopted on behalf of the EU within the EEA Joint Committee concerning an amendment to protocol 31 to the EEA agreement.

This amendment will enable the EEA EFTA states (Norway, Iceland, and Liechtenstein) to participate in the Union actions related to the budget line 33 02 03 01: “Company law”, entered into the general budget of the EU for the financial year 2016.

TRADE POLICY**EU-Colombia and Peru trade agreement - Croatia**

The Council adopted a decision concluding, on behalf of the EU and its member states, an additional protocol to the EU's trade agreement with Colombia and Peru to take account of Croatia's accession to the EU ([10042/16](#) + [12594/14](#) + [12595/14](#)).

ENERGY**Verification procedures in ecodesign requirements**

The Council decided not to oppose the adoption of a Commission regulation amending Regulations (EC) No 1275/2008, (EC) No 107/2009, (EC) No 278/2009, (EC) No 640/2009, (EC) No 641/2009, (EC) No 642/2009, (EC) No 643/2009, (EU) No 1015/2010, (EU) No 1016/2010, (EU) No 327/2011, (EU) No 206/2012, (EU) No 547/2012, (EU) No 932/2012, (EU) No 617/2013, (EU) No 666/2013, (EU) No 813/2013, (EU) No 814/2013, (EU) No 66/2014, (EU) No 548/2014, (EU) No 1253/2014, (EU) 2015/1095, (EU) 2015/1185, (EU) 2015/1188, (EU) 2015/1189 and (EU) 2016/XXX (air heating/cooling and chillers regulation) with regard to the use of tolerances in verification procedures ([8823/16](#))

These regulations will be amended in order to make it clear that the verification tolerances set out in the implementing measures for ecodesign requirements may only be used by the member states' authorities for the purpose of verifying compliance.

The Commission act is subject to what is known as the '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.

TRANSPORT**Interbus agreement on the international carriage of passengers**

The Council adopted a decision on the position to be adopted, on behalf of the EU, within the Joint Committee established under the agreement on the international occasional carriage of passengers by coach and bus (Interbus agreement). The position concerns the Joint Committee's draft decision 1/2016.

ENVIRONMENT

Emissions from heavy-duty vehicles

The Council decided not to oppose the adoption of a Commission regulation concerning emissions from heavy-duty vehicles. The regulation amends regulation (EU) No 582/2011. The amendments concern:

- the provisions on testing by means of portable emission measurement systems (PEMS)
- the procedure for the testing of the durability of replacement pollution control devices

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