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**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 23 July 2013
(OR. en)**

11486/13

**PV/CONS 35
AGRI 421
PECHE 278**

DRAFT MINUTES

Subject: **3249th** meeting of the Council of the European Union (**AGRICULTURE
AND FISHERIES**) held in Luxembourg on 24 and 25 June 2013

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1. **Adoption of the provisional agenda**

11126/13 OJ CONS 35 AGRI 393 PECHE 268

The Council adopted the above agenda.

NON LEGISLATIVE ACTIVITIES

2. **Approval of the list of "A" items**

11234/13 PTS A 47

The Council approved the list of "A" items listed in doc. 11234/13.

LEGISLATIVE DELIBERATIONS

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

3. **CAP Reform Package**

(Legal basis proposed by the Commission: 43(2) TFEU)

- (a) **Proposal for a Regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy (First reading)**
Interinstitutional file: 2011/0280 (COD)
10730/1/13 AGRI 370 AGRIFIN 95 CODEC 1395 REV 1
- (b) **Proposal for a Regulation of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (Single CMO Regulation) (First reading)**
Interinstitutional file: 2011/0281 (COD)
10784/1/13 AGRI 374 AGRIFIN 96 AGRIORG 83 CODEC 1411 REV 1
+ REV 1 ADD 1
- (c) **Proposal for a Regulation of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (First reading)**
Interinstitutional file: 2011/0282 (COD)
11102/1/13 AGRI 392 AGRISTR 69 CODEC 1502 REV 1
- (d) **Proposal for a Regulation of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy (Horizontal Regulation) (First reading)**
Interinstitutional file: 2011/0288 (COD)
11082/1/13 AGRI 391 AGRISTR 68 AGRIORG 88 AGRIFIN 101
CODEC 1495 REV 1
+ REV 1 ADD 1
- Political agreement
11171/13 AGRI 396 AGRIFIN 102 AGRISTR 71 AGRIORG 89 CODEC 1520
+ ADD 1

The Council reached an agreement on the adjusted and completed Council mandate on the CAP reform draft regulations as set out in docs 10730/1/13 REV 1, 10784/1/13 REV 1+ REV 1 ADD 1, 11102/1/13 REV 1, 11082/1/13 REV 1 + REV 1 ADD 1, 11171/13 ADD 1 + COR 1, 11546/13 + ADD 1, ADD 2 + ADD 3, 11561/13, as amended during the final discussion.

The Council confirmed that on this basis an agreement could be reached on the CAP reform draft regulations with the European Parliament and the Commission, subject to legal finalisation and legal linguistic revision.

The Member States and the Commission made the statements as set out in the Annex.

4. Any other business

Consequences of severe flooding in some EU regions

- Requested by the German, Austrian, Slovak and Czech delegations
11299/13 AGRI 410

The Council took note of the requests from DE, AT, SK and CZ delegations for assistance in addressing the consequences of the severe floods in May and June 2013.

STATEMENTS FOR THE COUNCIL MINUTES

Ad agenda item 3: CAP Reform Package

DIRECT PAYMENTS

**STATEMENT BY POLAND
on the scope of coupled support**

"In the framework of discussion in the Council for Agriculture and Fisheries Poland has consistently pointed out to the need for extending the scope of provisions of the Article 38 of the draft regulation on direct support. Poland calls for adding to the list of sectors those supported currently under article 68 of the Council Regulation 73/2009. This list should include in particular sectors of special importance in regions economically and environmentally vulnerable, including labour-intensive type of production, such as tobacco, important for rural labour market and for implementation of one of the Europe 2020 goals."

**STATEMENT BY THE COMMISSION
on article 9(2) of direct payments**

"Article 9(2) of the draft Direct Payments Regulation does not preclude a farmer from leasing a building, or buildings, or parts thereof, to third parties or from owning stables, provided those activities do not constitute the farmer's main occupation."

SCMO

**STATEMENT BY GREECE
on planting rights**

"Following the discussions in the Council on the EU vineyards plantation scheme, Greece considers that Member States may include into the annual planting authorisations according to Articles 54a, b and c, at regional level, vineyards already planted with double or triple purpose vine varieties which are not included, so far, in the production potential of vitivinicultural sector."

**STATEMENT BY POLAND
on equal possibilities for hops sector support under common organization of markets in agricultural products**

"In the framework of discussion in the Council for Agriculture and Fisheries, Poland has pointed out to a necessity for equal conditions for supporting hops sector under measures provided for in the draft regulation on common organization of markets in agricultural products. Poland does not accept those provisions which could be applied only in one Member State and calls for supplementing Article 54a of the draft regulation, in order to be able to support under this provision Polish hops producers as well."

**STATEMENT BY THE COMMISSION
on marketing standards (article 59(1a))**

"The Commission is keenly aware of the sensitivity of extending marketing standards to sectors or products which currently are not subject to these rules under the sCMO Regulation.

Marketing standards should only apply to sectors where there are clear expectations of the consumers and when there is a need to improve the economic conditions for the production and marketing of specific products as well as to their quality, or to take into account technical progress or need for product innovation. They should also avoid administrative burden, be simply understandable for the consumers and help producers to easily communicate the characteristics and attributes of their products.

The Commission will take into account any duly justified request from Institutions or representative organisation, as well as the recommendations of International Bodies, but before using its power to include new products or sectors in paragraph 1 of Article 59 will be required to carefully assess the specificity of that sector and present a report to the European Parliament and the Council evaluating, in particular, the need of the consumer, the costs and administrative burdens for operators including the impact on the internal market and on international trade, as well as the benefits offered to producers and to the end consumer."

**STATEMENT BY THE COMMISSION
on sugar**

"In order to aim for a balanced market and a fluid supply of sugar to the Union market during the remaining period of sugar quotas, the Commission will have regard to the interests of both Union sugar beet growers and raw cane refiners in applying the temporary market management mechanism laid down in Article 101da of the sCMO Regulation."

**STATEMENT BY THE COMMISSION
on the European Price Monitoring Tool**

"The Commission recognises the importance of collecting and disseminating available data on price developments in the different steps of the food chain. To this end, the Commission has developed a Food Prices Monitoring Tool for Food Products, which draws from the combined food related price index data collected by National Statistical Offices. This tool aims at bringing together and making available price development along the food chain, and allows comparison of price developments for relevant agricultural products, for food industries and the relevant consumer products. This tool is under constant improvement and will aim to expand the range of food chain products it covers and in general to meet farmers' and consumers' need for more transparency and food price building. The Commission shall report regularly to the European Parliament and to the Council on the activities of the European Food Price Monitoring Tool and the results of the latter's studies."

HORIZONTAL REGULATION

STATEMENT BY THE COMMISSION

on relation to late payments made by the paying agencies to beneficiaries (article 42(1))

"The European Commission declares that when it adopts rules on the reduction of reimbursement to the paying agencies in case of payment made to the beneficiaries after the latest possible date laid down by Union legislation, the scope of the current provisions related to late payments for EAGF will be maintained."

STATEMENT BY THE COMMISSION

on the level of implementation (article 112b)

"The European Commission confirms that in accordance with Article 4(2) TEU, the Union respects Member States' constitutional structures and, therefore, Member States are responsible for deciding at which territorial level they wish to implement the common agricultural policy, subject to respecting Union law and ensuring its effectiveness. This principle is applicable to all four Regulations of the CAP reform."

TRANSITIONAL ARRANGEMENTS

STATEMENT BY THE COMMISSION

on the transitional arrangements

"The Commission, in the framework of the discussions of the ad hoc basic act laying down certain transitional provisions on support for Rural Development, undertakes to examine Member States requests to extend the coverage of existing investment activities under the current programmes into the next programming period including the possibility of funding from the new financial resources. Hence, the Commission will aim at ensuring continuity of the implementation of such measures."
