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## OUTCOME OF THE COUNCIL MEETING

3365th Council meeting

### Agriculture and Fisheries

Brussels, 26 January 2015

President **Jānis Dūklavs**  
Minister for Agriculture

# P R E S S

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  - Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
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## ITEMS DEBATED

### Presidency work programme

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

The agricultural policy priorities of the Presidency will include:

- Focusing on the **simplification of the reformed Common Agricultural Policy (CAP)** with an emphasis on how to implement the basic acts in a simpler way with particular attention to rural development
- Continuing the work on the proposal on **organic farming** to reach a general approach in the Council by the end of the Presidency with a view to future negotiations with the Parliament on this issue;
- Working on **market developments**, including the Russian agricultural import ban by encouraging political debate in Council.

As regards food and veterinary issues, the Presidency intends to:

- Work towards reaching an agreement with the Parliament on the legislative proposal on **animal health**;
- Continue the work on a more integrated and horizontal approach to **official controls** so as to reach a compromise between the member states with a view to launching negotiations with the Parliament;
- Continue discussion of the compromise text on a harmonised approach to **protective measures against pests of plants** and represent the interests of the EU and its member states under the **International Plant Protection Convention (IPPC)**;
- Start the examination of the new proposal on **fertilisers**;
- Finalise work on **novel food**.

The priorities for fisheries policy will focus on:

- Taking forward work on the **multiannual management plans** to ensure the sustainable management of fisheries, with the examination of the proposal for a regulation of the establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea;
- Reaching a balanced compromise with the Parliament on the "**Omnibus**" **regulation** and concluding negotiations on the **landing obligation**;
- Coordinating the EU position and representation at negotiations concerning protocols to **agreements on fisheries partnership with third countries**, as well as annual meetings with **regional organisations** responsible for fisheries management.

On the subject of forests, the Presidency will continue to promote the European model of forest management. Efforts will also be focused on the preparation of the EU position and presentation of the EU model at the United Nations Forum on Forests, to be held in May 2015.

## **FISHERIES**

### **Multiannual management plan for fish stocks in the Baltic**

The Council was briefed by the Commission and held a public exchange of views on a proposal for a regulation establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea ([14028/14](#)).

Member states generally welcomed the proposal considering that it would be a test case for a new generation of multiannual management plans. Whilst pointing out that there were issues needing further discussion, such as the legal basis or the detail of the acts delegated to the Commission, most of the ministers looked forward optimistically to the examination of the proposal in the months ahead. Accordingly, the Presidency hoped to reach a draft Council position on the proposal before the end of the Presidency in order to launch the negotiations with the Parliament as soon as possible.

This management plan aims to ensure that the Baltic stocks of cod, herring and sprat are exploited in a sustainable way in accordance with the principles of maximum sustainable yield (MSY). It aims to replace the existing management plan for the Baltic Sea cod stocks (in place since 2007) with a multispecies approach as the stocks of herring and sprat are not yet included in a management plan. In view of the strong influence that biological interactions and environmental effects have on those fish stocks, exploitation rates and patterns need to be adapted. In addition, scientific advice has indicated that the current exploitation rates for some of the Baltic fish stocks are not consistent with achieving MSY.

The proposal belongs to a new generation of multiannual management plans designed on the basis of principles agreed jointly between the Council and the Parliament, following the report on the subject by the inter-institutional Task Force. The Task Force was created to resolve an inter-institutional disagreement on the allocation of responsibilities between the Council and the European Parliament under article 43 of the Lisbon Treaty.

## **AGRICULTURE**

### **Market developments, including the impact of the Russian ban**

The Council discussed market developments and in particular the impact on the EU market of the import ban on EU agricultural product imposed by Russia in August 2014 ([5397/15](#)). In response to the ban, the Commission triggered emergency market support measures for fruit, vegetables and dairy products, while also providing funds for Common Agricultural Policy (CAP) promotion programmes.

While acknowledging the measures, the member states expressed concern that they might prove insufficient to alleviate the consequences of the ban on the EU market. Ministers called for more to be done for the sectors concerned, by extending the scope of certain measures and diversifying the tools used. The Bulgarian and the Romanian delegations mentioned the need for further measures in their own dairy sector which was only marginally covered by the emergency market measures for this sector ([5522/15](#)). Some member states also drew attention to the difficulties encountered by the pigmeat sector, for which no market measures had so far been taken.

Member states expressed diverging views with regard to the relevant quantitative criteria for designating the situation on the market as a 'crisis situation'. Some insisted, for example, in the need to take into account a decrease of the farmers' profit margin in addition to the price of the product. Others stressed that a crisis situation tended to affect a particular sector or region and that only a case-by-case designation could be envisaged.

The Commission pointed out that some emergency market measures had already been extended to mitigate the effect of the Russian ban in the coming months. For dairy products, it stressed the importance of obtaining updated information from the member states, monitoring the market through the Milk Market Observatory and considering an action if needed. Concerning pig meat, the Commission indicated its readiness to evaluate the market situation and discuss further measures if necessary at the next agriculture Council.

## **ANY OTHER BUSINESS**

### ***– Implementation of the landing obligation***

The Presidency and the Commission briefed the ministers on the state of play of negotiations as regards the proposal for an "omnibus" regulation (on the landing obligation) that was currently being discussed by the Council and the Parliament.

Member states supported the way forward presented by the Latvian Presidency aimed at reaching a rapid agreement on the issue with the Parliament. This would ensure a proper implementation of the landing obligation which is already in force in some fisheries since the beginning of the year. The compromise focuses in particular on the scope of the regulation. Ministers stressed, however, that any agreement should not increase the administrative burden for member state particularly in terms of reporting.

A central objective of the reformed Common Fisheries Policy (CFP) is the progressive elimination of discards in all EU fisheries through the introduction of an obligation to land all catches. The "omnibus" regulation contains a package of amendments to existing control and technical measures regulations to implement the landing obligation agreed under the reformed CFP.

### ***– Future of the sugar sector***

At the request of the Italian delegation, the ministers discussed the future of the sugar sector which currently faces a difficult economic situation([5460/14](#)).

Several member states supported Italy's call regarding measures which would ensure a smooth transition when the current sugar quota system ends in 2017. Some others pointed out with the Commission that the end of the quota system for sugar had been decided in 2008 and that the reformed CAP had postponed the deadline by two years to facilitate the transition. The Commission announced its readiness to set up an expert group to take stock of the end of the quota system.

By adopting the reformed CAP in 2013, the EU confirmed its decision to abolish the sugar quota system from October 2017. Since then market data have shown a constant price reduction in sugar prices in the EU.

### ***– Russian ban on import of pigs and pig products***

In the framework of the import ban on pig and pig products imposed by Russia in relation to African swine fever, several member states supported the Polish delegation which recalled the importance of EU solidarity in particular when discussing the resumption of EU exports with the Russian authorities.



## **OTHER ITEMS APPROVED**

### **AGRICULTURE**

#### **Animal feed - Requirements for additives**

The Council decided not to oppose the adoption of a Commission amendment to regulation 1831/2003 on additives for use in animal nutrition ([16243/14](#)).

Regulation 1831/2003<sup>1</sup> authorises technological additives exerting a function on the active substance contained in the preparation, e.g. by stabilising or standardising it, or facilitating its handling or incorporation into feed. However, since technological progress contributes to the development of new preparations, closer consideration should be given to the specificities of additives consisting of preparations and to providing greater transparency and clarity when placing them on the market. It is therefore appropriate to include in annex III of the above-mentioned regulation additional labelling requirements for this type of additives and for premixtures containing them. Annex IV on general conditions of use should also be amended.

This 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.

### **FISHERIES**

#### **Illegal fishing - Trade measures against Sri Lanka**

The Council added Sri Lanka to the list of non-cooperating third countries in fighting illegal, unreported and unregulated (IUU) fishing pursuant to regulation 1005/2008 establishing a Community system to prevent, deter and eliminate IUU fishing ([5035/15](#)).

This decision triggers measures affecting the trade in fisheries products and other fisheries-related activities with Sri Lanka in order to put a stop to commercial benefits stemming from illegal fishing activities. Ultimately, fisheries products caught by vessels from this country will be banned from being imported into the EU.

The adoption of the decision to add Sri Lanka to list follows a formal warning given to 8 countries (including Sri Lanka) in November 2012 and a process of open dialogue with the countries concerned.

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<sup>1</sup> OJ L 268 18.10.2003, p. 29.

Regulation 1005/2008 establishes a Community system to prevent, deter and eliminate IUU fishing. This key instrument in the fight against illegal fishing aims to allow access to the EU market only to fisheries products that have been certified as legal by the flag state or the exporting state concerned.

### **Partnership between EU and Kiribati - Negotiations for a renewal of the protocol**

The Council adopted a decision authorising the Commission to open negotiations on behalf of the EU for the renewal of the protocol setting out the fishing opportunities and financial contribution provided for in the fisheries partnership agreement (FPA) between the EU and the Republic of Kiribati.

The current protocol will apply until September 2015. The new protocol between the EU and Kiribati should be in line with the Council conclusions of 19 March 2012 on the Commission communication of 13 July 2011 on the external dimension of the Common Fisheries Policy (CFP) as well as Regulation No 1380/2013 on the CFP<sup>1</sup>.

### **Fishing opportunities 2015**

The Council adopted by written procedure on 19 January

- a regulation fixing for 2015 fishing opportunities for certain fish stocks to EU vessels in Union and certain non-Union waters ([17058/14](#) + [ADD 1](#), [ADD 2](#), [ADD 3](#)).
- a regulation fixing for 2015 the fishing opportunities for certain fish stocks in the Black Sea ([16422/1/14 REV 1](#)).

A political agreement had been reached on those regulations at the Agriculture and Fisheries Council meeting on 16 December 2014. Each year, in accordance with to 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. Furthermore the Council decides also 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).

## **FOREIGN AFFAIRS**

### **Restrictive measures - Côte d'Ivoire**

The Council amended EU restrictive measures against Côte d'Ivoire. To take account of a decision at UN level, one person has been removed from the list of those subject to sanctions.

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<sup>1</sup> OJ L 354/2013, p. 22.

## **ENVIRONMENT**

### **Kyoto Protocol**

The Council

- approved the text of the Doha Amendment ([10400/14 ADD1](#) + [10400/14 ADD1COR1](#)) to the Kyoto Protocol
- decided to sign the agreement between the EU and its member states on one hand, and Iceland on the other, concerning Iceland's participation in the second commitment period of the Kyoto Protocol ([10881/14](#) + [10881/14 COR1](#))
- approved the text of the agreement concerning Iceland's participation in the second commitment period of the Kyoto Protocol ([10941/14](#) + [10941/14 COR1](#)),

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

## **ENERGY**

### **Convention on Nuclear Safety**

The Council adopted a decision issuing directives to the Commission for the negotiation of amendments to the Convention on Nuclear Safety in the framework of a Diplomatic Conference ([5209/15](#)).

The Contracting Parties to the Convention agreed in 2012 to start a review process to strengthen its effectiveness.

The Community is a Contracting Party to the Convention, which was adopted in June 1994 by a Diplomatic Conference convened by the International Atomic Energy Agency (IAEA). The Convention entered into force on 24 October 1996.

### **Ecodesign requirements for solid fuel local space heaters**

The Council decided not to oppose the adoption of a Commission regulation implementing Directive [2009/125/EC](#) of the European Parliament and of the Council concerning ecodesign requirements for solid fuel local space heaters ([15078/14](#)).

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.

### **Ecodesign requirements for solid fuel boilers**

The Council decided not to oppose the adoption of a Commission regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for solid fuel boilers ([15278/14](#)).

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.

## **HEALTH**

### **Tissues and cells**

The Council decided not to oppose the adoption of the following two Commission directives on tissues and cells:

- a directive implementing directive 2004/23/EC as regards the procedures for verifying the equivalent standards of quality and safety of imported tissues and cells ([16626/14](#))
- a directive amending directive 2006/86/EC as regards certain technical requirements for the coding of human tissues and cells ([16988/14](#)).

The Commission directives 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.

## **FOOD LAW**

### **Food supplements**

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

- a regulation adding (6S)-5-methyltetrahydrofolic acid, glucosamine salt as a source of folate to the list of vitamin and mineral substances which may be used in the manufacture of food supplements ([15716/14](#))

- a regulation placing the substance Yohimbe under EU scrutiny and prohibiting Ephedra herb and its preparations in foods ([15793/14](#)).

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.

### **Health claims made on foods**

The Council decided not to oppose the adoption of the following two Commission regulations on health claims made on foods:

- a regulation refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health ([15794/14](#))
- a regulation refusing to authorise certain health claims made on foods and referring to children's development and health ([15795/14](#)).

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.

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