



Council of the  
European Union

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PV CONS 22  
AGRI 174  
PECHE 124

**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
**(Agriculture and Fisheries)**  
16 April 2018

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## 1. Adoption of the agenda

The Council adopted the agenda set out in 7720/1/18 REV 1.

## 2. Approval of "A" items

### a) Non-legislative list

7722/18

The Council adopted the "A" items listed in 7722/18 including COR and REV documents presented for adoption. Statements related to these items are set out in the Addendum.

For the following items, the related documents should read as follows:

### Fisheries

2. Council Decision on opening negotiations on Fisheries Partnership Agreement with the Kingdom of Morocco  
*Adoption*  
approved by Coreper, Part 1, on 11.04.2018
- 7448/18 + **ADD 1**  
**REV 1**  
7548/18 + ADD 1  
PECHE

### Transport

10. Amended proposal for a Decision on the EU-Canada Air Transport Agreement  
*Request for the consent of the European Parliament*  
approved by Coreper, Part 1, on 28.03.2018
- ☐ 7118/18 + **ADD 1**  
6730/18  
AVIATION

### Internal Market and Industry

12. Airworthiness Regulation  
*Adoption*  
approved by Coreper, Part 1, on 11.04.2018
- ☐ 7609/18  
6809/18  
+ **REV 1 (It)**  
UD
14. Council Decision on the conclusion of the EU-New Zealand agreement on cooperation and mutual administrative assistance in customs matters  
*Adoption*  
approved by Coreper, Part 1, on 11.04.2018
- ☐ 7307/1/18 REV 1  
7712/16  
+ **COR 1 (hu)**  
UD

### Delegated or Implementing Acts

#### Agriculture

16. Commission Regulation (EU) .../... of XXX amending Annex V to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the requirements for the removal of specified risk materials from small ruminants  
*Decision not to oppose adoption*  
approved by Coreper, Part 1, on 28.03.2018
- 7124/18 + **ADD 1**  
6295/18  
AGRILEG

## **Internal Market and Industry**

24. Commission Delegated Regulation (EU) .../... of 5.3.2018 supplementing Regulation (EU) 2017/1001 of the European Parliament and of the Council on the European Union trade mark, and repealing Delegated Regulation (EU) 2017/1430  
*Delegated act - Intention not to raise objections*  
approved by Coreper, Part 1, on 11.04.2018
- 7510/18  
6890/18  
**+ COR 1 (fr)**  
PI

- b) **Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)**
- 7723/18

## **Foreign Affairs**

1. **Regulation on protection against dumped or subsidised imports from countries not member of the European Community (TDI Modernisation)**
- Adoption of the Council's position at first reading and of the statement of the Council's reasons*  
approved by Coreper, Part 2, on 11.04.2018
- 7631/1/18 REV 1  
7631/18 ADD 1  
5700/18 + ADD 1  
WTO

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with the UK and Swedish delegations voting against and the Irish delegation abstaining.  
(Legal basis: Article 207(2) TFEU).

Statements to this item are set out in the Annex.

## **Research**

2. **Decision on the financial provisions for the Research Fund for Coal and Steel**
- Adoption*  
approved by Coreper, Part 1, on 28.03.2018
- 7200/18  
14532/17  
RECH

The Council adopted the Council Decision amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, as finalised by the legal-linguists and set out in 14532/17.

## **Legislative deliberations**

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

### AGRICULTURE

3. **Directive on unfair trading practices in the food supply chain**



*Presentation by the Commission*

The Council took note of the Commission's presentation of its proposal for a directive on unfair trading practices in the food supply chain.

The Council also took note of the first reactions thereon expressed by delegations.

### FISHERIES

4. **Regulation on a multi-annual plan for fish stocks in the Western Waters**



7287/18

7245/18

*Presentation by the Commission*

*Exchange of views*

The Council took note of the Commission's presentation and of the interventions made by Belgium, Denmark, Estonia, Finland, France, Germany, Ireland, Italy, Latvia, the Netherlands, Portugal, Spain, Sweden and the United Kingdom.

## Non-legislative activities

### AGRICULTURE

5. **Food losses and food waste: Assessment of progress made on the implementation of June 2016 Council conclusions** 2 6659/18

*Information from the Presidency and the Commission  
Exchange of views*

The Council took note of the information provided by the Presidency and the Commission on the progress made, including the written summaries presented in 6659/18.

During the exchange of views, Ministers estimated that considerable progress had been made on the implementation of the 2016 Council conclusions. They provided information on measures taken at national level (for example, national legislation, programmes and awareness-raising campaigns) and praised the work carried out by the Commission on the EU Platform on Food Losses and Food Waste.

However, the majority of Ministers urged to speed up the implementation in order to reach the ambitious target 12.3 set out in the UN 2030 Agenda. In their view, further action was needed in particular on measurement methodology, definitions and data, labelling, awareness raising, new technologies, research and innovation, incentives, marketing standards, exchange of best practices, using former food as feed and food donation.

Reduction of food losses and food waste is a priority for several Ministers. Some of them stressed that national action should remain the key for achieving progress. Ministers underlined that reduction of food losses and food waste is a cross-sectoral issue, having a strong link with circular economy and a certain environmental, economic and social dimension. Problems are complex, concern the entire food chain and require action and cooperation of all stakeholders.

Some Ministers underlined that agriculture plays a major role in combating food losses and food waste and they were of the view that the new programming period and the future CAP reform could present an opportunity to enhance prevention of food losses and food waste.

## Any other business


The Council addressed the following "any other business" items (6. a) - d))

### Fisheries





6. a) **Regulation (EU) No 1380/13 on Common Fisheries Policy (CFP): Interpretation of article 15** 7726/1/18 REV 1  
*Information from the Spanish delegation*

### Agriculture

- b) **TAIEX workshop: The role of wildlife in animal health management (Sofia, 8-9 March 2018)** 7564/18  
*Information from the Presidency*
- c) **High level Conference on African swine fever (ASF) (Warsaw, 26 March 2018)** 7427/18  
*Information from the Polish delegation*
- d) **Common measures to eradicate African Swine Fever in the EU** 7742/18  
*Information from the Danish delegation*
- e) **Current legislative proposal**  
**(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)**

**Regulation on the transparency and sustainability of the EU risk assessment in the food chain**  7744/18  
*Presentation by the Commission*

The Council took note of the information provided by the Commission on its proposal on the transparency and sustainability of the EU risk assessment in the food chain and of the first comments made by delegations.

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-  Item based on a Commission proposal
-  First reading
-  Special legislative procedure
-  Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)

STATEMENTS FOR THE COUNCIL MINUTES

Statements to the legislative "A" items set out in 7723/18

**Ad "A" item 1:**        **Regulation on protection against dumped or subsidised imports from countries not member of the European Community (TDI Modernisation)**  
*Adoption of the Council's position at first reading and of the statement of the Council's reasons*

**STATEMENT BY THE NETHERLANDS**

"The Netherlands can support the final agreement on the Modernisation of Trade Defence Instruments (MTDI). However, the Netherlands remains very concerned about the newly created possibility to enforce trade defense measures to be applied on the continental shelf by the Customs Authorities.

The Netherlands wants to make sure that this element of the MTDI proposal will be implemented only when the Union legislation has been amended in such a way as to facilitate the levying and collecting of duties and the necessary changes have been made to the customs IT systems in order to allow these systems to perform this new task. These changes need to be effected as part of the broader IT developments of the Multi Annual Strategic Plan (MASP) and the Union Customs Code IT work program. These conditions will have to be met in the further deliberations on the implementing act in the relevant Council working parties before its adoption."

**JOINT STATEMENT BY MALTA AND DENMARK**

"We note that the outcome on the Trade Defence Instruments Modernisation dossier is overall balanced and acceptable. Whilst accepting this outcome, we are nevertheless expressing our concern with the inclusion of the possibility of applying duties on the continental shelf.

This element was not part of the Commission proposal or the original Council position. It is disproportionate to the problem it aims to address and risks becoming an unreasonable administrative burden for certain Member States, in the form of practical monitoring, surveillance, costs and enforcement by the Customs Authorities.

In view of the work on this element, we would like to stress the need for a mechanism that is the least burdensome possible, both from the perspective of administration as well as of costs and call on the Commission to provide clarity at the earliest. The Commission should also not submit a proposal for an implementing act until all Member States are satisfied that the new provisions will be manageable in practice."

**STATEMENT BY SWEDEN**

"The proposal for a **Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1225/2009** will contribute to an increased level of trade protection, and thus harm the competitiveness of the EU industry."