

14398/18

(OR. en)

PRESSE 60
PR CO 60

OUTCOME OF THE COUNCIL MEETING

3651st Council meeting

Agriculture and Fisheries

Luxembourg, 19 November 2018

President **Elisabeth Köstinger**
Austrian federal minister for sustainability and tourism

P R E S S

Rue de la Loi/Wetstraat 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/press>

14398/18

1
EN

CONTENTS¹

ITEMS DEBATED

AGRICULTURE	4
Post-2020 CAP reform package: - financing, management and monitoring of the CAP - common organisation of agricultural products	4
Market situation	6
Plant protection	6
Task force rural Africa	8
FISHERIES	9
Fishing opportunities for certain deep-sea fish stocks for 2019-2020	9
ANY OTHER BUSINESS	9
Implementation of the European Maritime and Fisheries Fund (EMFF)	9

OTHER ITEMS APPROVED

AGRICULTURE

– Pesticides: maximum residue levels for iprodione	10
– International Olive Council: EU position in the Council of Members	10

HEALTH

– Recent scientific opinions on particular substances that may be used in food contact materials to be taken into account	11
– N-(2-methylcyclohexyl)-2,3,4,5,6-pentafluorobenzamide to be listed as an evaluated substance in the Union list of flavouring substances	11

¹

- 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.

JUSTICE AND HOME AFFAIRS

– Schengen information system (SIS)	12
– Fight against antisemitism	12
– Prüm decisions	12
– Prüm decisions	12
– Prüm decisions	12

ENVIRONMENT

– Ecolabel - New criteria for graphic paper, tissue paper and tissue products	13
---	----

FOREIGN AFFAIRS

– EU-Ukraine association committee in trade	13
---	----

TRANSPORT

– International road transport - work of crews	14
--	----

TRANSPARENCY

– Transparency - Public access to documents	14
---	----

ITEMS DEBATED

AGRICULTURE

Post-2020 CAP reform package:

- **financing, management and monitoring of the CAP**
- **common organisation of agricultural products**

In public session, the Council considered two progress reports on the work carried out in the Council preparatory bodies on the Commission proposals for regulations on financing, management and monitoring of the CAP, and on a common organisation of agricultural products. Ministers were also invited to answer the following questions:

- What are your views on the implications of the adaptation of the proposed horizontal regulation to the new CAP delivery model within the proposed CAP strategic plans regulation, particularly with regard to the perceived increased responsibilities of national bodies, such as paying agencies and certification bodies? Do you believe that the proposed new annual performance clearance will result in a more efficient management of the CAP?
- What is your view on the current market support measures and their effectiveness in the past years? Do you consider that the currently available market instruments are already sufficient to react in a flexible and timely manner to a market crisis or do you see a need to add to the existing instruments to improve their reactivity and flexibility?

Ministers focused their interventions on the increased responsibilities of national bodies in the implementation and monitoring of the CAP and restated the need for a simple and effective CAP without excessive administrative burdens. Even though ministers welcomed the proposed move to a performance-based model grounded on enhanced subsidiarity, they criticised some aspects of the new result-based performance framework. Misgivings concerned a possible increase in the workload of paying agencies and certification bodies, the foreseen annual performance report and controls on conditionality. Ministers generally highlighted that an adequate transition period is needed to implement the planned changes.

As to the CMO, ministers considered in general that existing market support instruments had proved to be effective against market disturbances. However, some considered that exceptional measures should be triggered in a faster way or even automatically.

During the meeting the Slovak delegation informed the Council on the outcome of the international conference "Risk Valuation and Risk Management Tools in the Agri-Food Sector" which took place in Bratislava on 17-18 October 2018.

The CAP reform package is worth €365 billion and consists of three proposals for:

- a regulation on CAP strategic plans ([9645/18](#) + [ADD 1](#))
- a regulation on financing, managing and monitoring of the CAP ([9634/18](#) + [ADD 1](#))
- a regulation on a common market organisation of agricultural products ([9556/18](#))

and an impact assessment ([9646/18](#) + [ADD 1](#) + [ADD 2](#)).

The Commission's proposals introduce a new delivery model by which member states will have more flexibility in terms of how to use their funds and will be able to tailor-make their programmes. A single set of 9 EU-wide economic, environmental and social objectives will be identified at EU level and each member state will have to draw up a strategic plan covering the whole programming period, setting out how it intends to meet those objectives, using both direct payments and rural development. The Commission will approve each plan to ensure consistency and the protection of the single market and monitor progress towards objectives and targets using a set of result indicators agreed at EU level.

The Commission proposals also outline new obligations and incentives for farmers on the environment and climate action front. Direct payments will be conditional on enhanced environmental and climate requirements and member states will have to offer eco-schemes to support farmers in going beyond the mandatory requirements, funded with a share of their national direct payments allocations.

Moreover the new CAP will better target small and young farmers thereby facilitating generational renewal, and will try and foster greater use of knowledge and innovation.

Market situation

As a continuation of the practice at previous meetings of the **Agriculture and Fisheries Council**, the Commission provided an update on the market situation in the main agricultural sectors, with particular emphasis on the dairy, sugar and pigmeat sectors.

Ministers welcomed the generally positive economic situation and outlook in the main market segments, but also expressed concerns over the difficult situation in the sugar and pigmeat sectors. The Commission took the opportunity to announce that it would convene a high-level meeting of member states to monitor the sugar sector closely.

In recent years agricultural markets have faced certain challenges, in particular following the Russian ban coupled with excess supply worldwide, increased price volatility in the wake of the end of dairy quotas and various outbreaks of diseases such as African Swine Fever. In response, several support packages were adopted and implemented in 2015 and 2016 focusing in particular on cash-flow measures, market stabilisation and production reduction, the functioning of the food supply chain and other measures such as promotion of European agriculture internally and on export.

The last Council discussion on developments in the most important agricultural markets took place in June 2018. On that occasion, ministers shared the broadly positive assessment of the market situation given by the Commission, but also restated their commitment to monitoring future developments closely.

Plant protection

The Council had an exchange of views on current challenges in the field of plant protection. In particular, ministers were invited to answer the following questions:

- on plant health:
According to you, which actions should be undertaken to reduce the impact of new exotic diseases and pests on agriculture and forestry as well as on the environment?

- on plant protection products (PPPs) and their availability:
What are your views on the current developments in the approval and authorisation system at EU level?
What are in your view the effects of the successive non-reapprovals of conventional active substances on European agriculture and farmers?

Many ministers highlighted the importance of certain elements of the new plant health and official control regulations, due to come into application in December 2019: prevention, awareness-raising among both operators and the wider public, research. They also stressed that adequate financial and human resources should be devoted to the full and timely implementation of the new legislative framework.

As to plant protection products, ministers generally highlighted the importance of ensuring the competitiveness of EU crops and expressed concerns about the reduction in the number of available active substances, especially for minor uses. As alternatives to conventional active substances, some suggested the mutual recognition between member states of approved PPPs, the authorisation of low-risk active substances and integrated pest management.

Legislation in the plant health sector has recently been overhauled through the adoption of regulation 2016/2031 on protective measures against pests of plants, and regulation 2017/625 on official controls, which will come into application on 14 December 2019. Those two regulations provide the overall framework for a new, more proactive approach, which is meant to address the challenges presented by the growing trade in plants, plant products and other related objects and climate change. Both phenomena heighten the risk of threats from pests of plants, which can easily spread throughout the EU territory if they are not quickly eradicated or adequately contained.

PPPs and the chemical active substances they contain represent an issue of increasing political and societal salience. The Commission is continuing a wide ex-post review of the regime for the authorisation of pesticides (REFIT) and could address a report to the Council and the EP in Spring 2019. A legislative proposal to streamline regulation 1107/2009 on the placing of plant protection products on the market and regulation 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin may also follow during the next legislative term.

A special committee on the Union's authorisation procedure for pesticides (PEST Committee) has been created within the European Parliament and it had its constitutive meeting on 12 March 2018.

The AgriFish Council discussed the issue of plant protection in November 2017, based on a Commission report on the implementation of the directive on sustainable use of pesticides by member states, in which the Commission highlighted a number of shortcomings despite the significant progress made.

Task force rural Africa

The Commission, together with the TFRA's chairman Mr Tom Arnold, informed the Council about the work of the task force, which is due to deliver its report by the end of the year, and the key issues identified: (i) using a territorial approach to make rural areas more attractive; (ii) supporting ongoing transition in African agriculture; (iii) investing in developing a sustainable African food industry; (iv) supporting management of African natural resources and developing climate-resilient strategies. The initiative was widely welcomed by ministers who then shared ideas on how to prioritise action and maximise the impact of investments in African agriculture and rural development.

Ministers then exchanged views, focusing on the following questions:

- What priorities would you identify when looking at an enhanced policy dialogue with Africa in the area of agriculture and food production?
- How best should the Commission and Member States work together to maximise the impact of their support and their investments on African rural and agricultural development?

Many ministers underlined the importance of responsible public and private investments in Africa's agri-food sector in order to use the full potential of this sector to create jobs in Africa's rural areas, especially for a rapidly growing young population. They also agreed that there was scope for enhancing synergies and complementarity between Commission and member state actions to boost inclusive and sustainable economic development in Africa's rural areas. Ministers further underlined the importance of enhanced political dialogue with Africa on agriculture-related issues and highlighted in this respect a range of priority areas, including joint efforts under the 2030 Agenda, the Paris Climate Agreement and the African Union Malabo Declaration. Finally, ministers agreed that the biannual EU-Africa Union agriculture ministerial meetings were an excellent opportunity to strengthen the political dialogue with Africa and looked forward to preparing, jointly with the Commission, the next ministerial meeting scheduled for June 2019.

In line with the top priority given by the EU agenda to EU-Africa relations, the task force was set up in April 2018. It comprises 6 international experts and its mandate is to provide recommendations on how to strengthen the African rural sector, and how to maximise the role of the EU in creating jobs and economic development in African agriculture, agribusiness and agro-industries.

The TFRA will hold 6 dedicated full-day sessions: the first meeting took place on 24 May 2018, back-to-back with the African Union Commission-European Commission college-to-college meeting, and the last one is scheduled for 10-11 December 2018.

The TFRA will present a final report with recommendations by the end of the year including, where appropriate, proposals for further initiatives in this field to be submitted under the joint Africa-EU strategy (JAES). The Commission intends to present the final recommendations at the EU-Africa high-level forum of EU and AU heads of state and government, organised by the Austrian presidency, in Vienna on 18 December 2018.

FISHERIES

Fishing opportunities for certain deep-sea fish stocks for 2019-2020

The Council agreed on the total allowable catches (TACs) and quotas for certain deep-sea stocks in the EU and international waters in the North-East Atlantic for 2019 and 2020. The fish stocks concerned are: deep sea sharks, black scabbardfish, alfonsino, roundnose grenadier and red seabream.

[Deep-sea fish stocks: agreement on catch limitations over 2019 and 2020](#)

ANY OTHER BUSINESS

Implementation of the European Maritime and Fisheries Fund (EMFF)

The Council was updated by the Commission on the implementation of the EMFF. According to the Commission, the rate of execution of the EMFF seems low compared to other funds such as the cohesion or rural development funds. The Commission highlighted the risk of de-commitment of part of the EMFF budget at the end of 2018 and urged member states to accelerate programme implementation and spending through calls for proposals, selection of projects and financing agreements with beneficiaries.

OTHER ITEMS APPROVED

AGRICULTURE

Pesticides: maximum residue levels for iprodione

The Council decided not to oppose the adoption of three Commission regulations amending regulation 396/2005 as regards maximum residue levels for iprodione in or on certain products.

Regulation 396/2005 establishes the maximum quantities of pesticide residues permitted in products of animal or vegetable origin intended for human or animal consumption. These maximum residue levels (MRLs) include, on the one hand, MRLs which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific MRL has been set. MRL applications are communicated to the European Food Safety Authority (EFSA) which issues a scientific opinion on each intended new MRL. Based on EFSA's opinion, the Commission proposes a regulation such as those listed above to establish a new MRL or to amend or remove an existing MRL and modifying the annexes of regulation 396/2005 accordingly.

International Olive Council: EU position in the Council of Members

The Council adopted a decision on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council (IOC) as regards the conditions for the accession of the government of Syria to the International Agreement on Olive Oil and Table Olives, 2015.

HEALTH

Recent scientific opinions on particular substances that may be used in food contact materials to be taken into account

The Council decided not to oppose the adoption of a Commission regulation amending and correcting regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food ([13624/18](#)).

The Commission regulation aims at amending regulation (EU) No 10/2011 following the publication by the European Food Safety Authority of further scientific opinions on particular substances that may be used in food contact materials ('FCM') as well as on the permitted use of already authorised substances. It also aims at correcting certain textual errors and ambiguities that have been identified.

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 decision unless the European Parliament objects.

N-(2-methylcyclohexyl)-2,3,4,5,6-pentafluorobenzamide to be listed as an evaluated substance in the Union list of flavouring substances

The Council decided not to oppose the adoption of a Commission regulation amending annex I to regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the substance N-(2-methylcyclohexyl)-2,3,4,5,6-pentafluorobenzamide ([13616/18](#)).

On 1 February 2017, the European Food Safety Authority (EFSA) completed the evaluation of the safety of the substance when used as a flavouring substance and concluded that its use does not give rise to safety concerns at the estimated levels of dietary intake. EFSA also noted that this substance is intended to be used as a substance with flavouring modifying properties. The conditions of use of this substance should therefore reflect this fact. Based on this, restrictions of use for certain foods in certain food categories should be introduced.

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

JUSTICE AND HOME AFFAIRS

Schengen information system (SIS)

The Council today adopted three regulations on the use of the Schengen Information System. The SIS is being reinforced through updated rules which will address potential gaps in the system and introduce several essential changes on the types of alert entered.

Fight against antisemitism

The Council approved the acquisition by the EU of permanent international partner status with the International Holocaust Remembrance Alliance (IHRA). ([14048/18](#))

Prüm decisions

The Council adopted an implementing decision determining that, for the purposes of automated searching and comparison of **DNA data**, **Ireland** is entitled to receive and supply personal data pursuant to articles 3 and 4 of decision 2008/615/JHA as from the date of the entry into force of the implementing decision. ([11282/18](#))

Prüm decisions

The Council adopted an implementing decision determining that, for the purposes of automated searching of **dactyloscopic data**, **Ireland** is entitled to receive and supply personal data pursuant to article 9 of decision 2008/615/JHA as from the date of the entry into force of the implementing decision. ([11265/18](#))

Prüm decisions

The Council adopted an implementing decision determining that, for the purposes of automated searching of **dactyloscopic data**, **Croatia** is entitled to receive and supply personal data pursuant to article 9 of decision 2008/615/JHA as from the date of the entry into force of the implementing decision. ([11284/18](#))

[See press release](#)

ENVIRONMENT

Ecolabel - New criteria for graphic paper, tissue paper and tissue products

The Council decided not to oppose the adoption of a Commission decision establishing the EU Ecolabel criteria for graphic paper, tissue paper and tissue products ([12061/18](#) and [13384/18](#)).

This decision establishes a new set of criteria for each of the two product groups to better reflect best practice in the market for these product groups. The new criteria and related assessment and verification requirements for each product group should remain valid until 31 December 2024, taking into account the innovation cycle for the two product groups.

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

FOREIGN AFFAIRS

EU-Ukraine association committee in trade

The Council adopted the EU position to be taken within the EU-Ukraine association committee in trade configuration.

[EU-Ukraine relations](#)

TRANSPORT

International road transport - work of crews

The Council adopted an EU position for the group of experts on the European agreement concerning the work of crews of vehicles engaged in international road transport (AETR) of the United Nations Economic Commission for Europe (UNECE) ([13916/18](#) [13711/18](#) and [13711/18 ADD 1](#)).

The position targets better security and data protection standards for the non-EU contracting parties by redirecting their connection to the TACHOnet, the telematic network for automatic exchange of information on driver cards, via the eDelivery platform developed by the Commission.

TRANSPARENCY

Transparency - Public access to documents

On 19 November 2018, the Council approved the reply to confirmatory application No 26/c/02/18 ([12846/18](#)).
