



Brussels, 25 September 2019
(OR. en)

12443/19
CRS CRP 30

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

11 September 2019

I. Adoption of the agenda

11944/19 OJ CRP1 30 + ADD 1
12011/1/19 REV1 OJ CRP2 30

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 1)

Transport, Telecommunications and Energy

2. Meeting of the Council (Transport, Telecommunications and Energy) on 20 September 2019:
Preparation

A Clean Planet for all: A European strategic long-term vision
for a prosperous, modern, competitive and climate neutral
economy – Transport aspects
Policy debate

11140/19

The Committee prepared this item for the Council.

3. Meeting of the Council (Transport, Telecommunications and Energy) on 24 September 2019:
Preparation

1. Communication on the draft national energy and climate plans, "United in delivering the Energy Union and climate action" 11859/19
Exchange of views

The Committee prepared this item for the Council.

2. The energy sector beyond 2030: Towards climate neutrality 11861/19
Exchange of views

The Committee prepared this item for the Council.

COREPER (PART 2)

General Affairs

30. Meeting of the Council (General Affairs) on
16 September 2019: Preparation

- a) Multiannual Financial Framework 2021-2027
State of play

The Committee prepared this item for the Council.

- b) Preparation of the European Council on 17-18 October
2019: 11928/19
Annotated Draft Agenda
Exchange of views

The Committee took note of the annotated draft agenda of the European Council on
17-18 October 2019.

- c) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

Institutional Affairs

Appointments

57. Filling of vacancies in the Commission
State of play

The Committee took note of the state of play. It agreed that the Presidency would inform the
European Parliament of the letters it had received and agreed to revert to this issue at one of
its forthcoming sessions.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

None.

"I" items approved

COREPER (PART 1)

Institutional Affairs

4. **Minutes of Council Meetings**

Approval

- | | | |
|----|----------------------|-----------------------------------|
| a) | COMPET 27-28.05.2019 | 9689/19 + ADD 1 |
| b) | TTE 6-7.06.2019 | 10105/19 + ADD 1 |
| c) | AGRIFISH 18.06.2019 | 10428/1/19 REV 1
+ ADD 1 REV 1 |

Appointments

- | | | |
|-----|--|-------------------------------------|
| 5. | One alternate member (RO) of the Management Board of the European Centre for the Development of Vocational Training (Cedefop)
<i>Adoption</i> | 11302/1/19 REV 1
11301/19
SOC |
| 6. | One member (NL) of the Advisory Committee for the Coordination of Social Security Systems
<i>Adoption</i> | 11356/1/19 REV 1
SOC |
| 56. | One member (LU) in the Management Board of the European Foundation for the Improvement of Living and Working Conditions
<i>Adoption</i> | 11575/19
11574/19
SOC |

Judicial Affairs

- | | | |
|----|--|-----------------|
| 7. | Case T-526/19 (Nord Stream 2 AG v Council and European Parliament)
<i>Information note for the Permanent Representatives Committee (Part I)</i> | 11875/19
JUR |
| 8. | Case T-530/19 (Nord Stream AG v European Parliament and Council)
<i>Information note for the Permanent Representatives Committee (Part I)</i> | 11876/19
JUR |

Transport

9. Preparation of the 40th ICAO Assembly
(Montreal, 24 September - 4 October 2019)
USOAP CMA structured review
Endorsement 11883/19
TRANS
10. Reply to ICAO State letter on CORSIA Sustainable Aviation
Fuel
Endorsement 11886/19
TRANS

EU positions for international negotiations

11. Council Decision on the EU position regarding draft CESNI
standards on professional qualifications
Adoption 11276/19
11037/19 + ADD 1
TRANS
12. Council Decision on the EU position in the Western Central
Atlantic Fishery Commission
Adoption 11510/19
11384/19
+ ADD 1 REV 1
PECHE
13. Council Decision on the EU position in the Fishery Committee
for the Eastern Central Atlantic
Adoption 11511/19
11386/19
+ ADD 1 REV 1
PECHE
14. Council Decision with a view to COP 13 of the Conservation of
Migratory Species of Wild Animals Convention
Adoption 11885/19
11880/19
ENV

Fisheries

15. Council Decision authorising the opening of negotiations for the
establishment of a regional fisheries management organisation
or arrangement for the conservation and management of marine
living resources in the Western Central Atlantic Ocean
Adoption 11528/19 + COR 1
11515/19 + ADD 1
PECHE

Agriculture

16. Katowice Declaration on forests for the climate
Endorsement 11794/19
FORETS

Delegated or Implementing Acts

Agriculture

17. Commission Regulation (EU) .../... of XXX on reference points for action for non-allowed pharmacologically active substances present in food of animal origin and repealing Decision 2005/34/EC
Decision not to oppose adoption 11788/19
11246/19 + ADD 1
AGRILEG
18. Commission Regulation (EU) .../... of XXX amending and correcting Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels for certain undesirable substances in animal feed
Decision not to oppose adoption 11792/19
11204/19 + ADD 1
AGRILEG
19. Commission Delegated Regulation (EU) .../... of 19.6.2019 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances
Delegated act - Intention not to raise objections 11950/19
11376/19 + ADD 1
AGRILEG

20. Commission Delegated Regulation (EU) .../... of 28.6.2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs

11949/19 + COR 1
+ ADD 1-4
11372/19 + ADD 1
AGRILEG

Delegated act - Intention not to raise objections

Statement by Spain

"España está a favor de actos legislativos que contribuyan a mejorar la sanidad animal en Europa. Creemos que uno de los aspectos más importantes para conseguir este objetivo es el disponer de una adecuada trazabilidad de los animales. Sin embargo, defendemos que esta trazabilidad debería ser proporcionada al riesgo existente, debería ser posible y fiable desde el punto de vista técnico y no debería incurrir en costes económicos excesivos a los ganaderos

Desafortunadamente, observamos que la redacción propuesta de los artículos 45 y 46 del acto delegado especifica que los animales ovinos y caprinos que en una primera fase son trasladados a un establecimiento de engorde y posteriormente se destinan directamente a su sacrificio en matadero antes de que tengan 12 meses, deberán ir identificados individualmente con un crotal auricular convencional y uno de los medios listados en los puntos (c) al (f) del anexo III del Reglamento. En la práctica, esta redacción supone el uso adicional de una identificación electrónica que elevará el coste económico de la identificación en unos animales que tienen un bajo valor económico. Este requerimiento será una novedad ya que no se exige en la legislación vigente.

Por lo tanto, nos oponemos a esta obligación y pedimos a la Comisión que, de aceptarse finalmente el acto delegado, evalúe y revise esta medida lo antes posible para mantener el sistema de identificación vigente basado en el crotal auricular convencional. Consideramos que este sistema actual es fiable para controlar la trazabilidad de los movimientos al matadero en este tipo de animales y que es asumible económicamente por los ganaderos."

Courtesy translation

"Spain is in favour of legislative acts which contribute to improving animal health in Europe. We believe that one of the most important elements for achieving this objective is adequate traceability of animals. However, our view is that this traceability should be proportionate to the actual risk, technically feasible and reliable and not impose excessive financial costs on farmers.

Unfortunately, we note that the proposed wording of Articles 45 and 46 of the delegated act specifies that ovine and caprine animals which are initially moved to a fattening establishment and then directly to a slaughterhouse before the age of 12 months must be identified individually by a conventional ear tag and by one of the means of identification listed in points (c) to (f) of Annex III of the Regulation. In practice, this wording implies the additional use of electronic identification which will increase the financial cost of identification for animals which have a low economic value. This requirement will be an innovation since it does not figure in the current legislation.

We are therefore opposed to this obligation and would ask the Commission, if the delegated act is ultimately accepted, to evaluate and revise this measure as soon as possible, in order to maintain the current system of identification based on the conventional ear tag. In our view, the current system is a reliable means of ensuring the traceability of movements of animals of this type to the slaughterhouse, and is economically viable for farmers."

Statement by Greece

"Regarding article 45.2 of the abovementioned delegated act, Greece would like to state the following:

National rules in Greece require that all ovine and caprine animals under 6 months of age and intended to destinations other than direct slaughter, are individually identified by conventional means. Greek authorities consider that in this case, the obligation for electronic identification would raise the cost for the producers without providing significant traceability benefits."

Statement by Portugal

"Chapter 1 of title 2 (traceability of kept ovine and caprine animals, means and methods of identification):

Article 45 Obligations on operators of kept ovine and caprine animals as regards the means and methods of identification of those animals, their application and use

Paragraph 1 allows ovine and caprine animals intended to be moved directly to a slaughterhouse before the age of 12 months to be identified by at least a conventional ear tag attached to an ear flap on the animal or a conventional pastern band with the unique registration number of the establishment of birth of the animal or the identification code of the animal;

Paragraph 2 specifies that animals not intended to be moved directly to slaughterhouses before the age of 12 months shall be individually identified by a conventional ear tag and by one of the means listed in points (c) to (f) of Annex III of this regulation.

There are a certain derogations of the application of Art. 45.2 , but none allows to have a similar identification as proposed in Art. 45.1.a) for animals aged less than twelve months intended to be moved directly to a slaughterhouse.

These provisions amend significantly the measures currently in force in Portugal which allow an identification like those in Art. 45.1.a) for ovine and caprine animals of less of 12 months intended to be moved directly or not to a slaughterhouse.

Taking in account the Portuguese organisation of the ovine and caprine sector, the individually identification of all the ovine and caprine animals of less than twelve months that goes to fattening houses before the slaughterhouse **will have tremendous heavy economic consequences** considering the poor economic value of these animals.

For the above mentioned reasons, **the Portuguese authorities object this delegated act proposed by the Commission.**"

Statement by Cyprus

"Cyprus objects the delegated act proposed by the Commission as it amends substantially the current method of identification which has been shown to render this identification option reliable, as regards the traceability of movements to the slaughterhouse of this category of animals.

The new provisions amend significantly the current system applied in Cyprus which, allows the identification of animals of the age of less than 12 months moved either directly or not to a slaughterhouse, to be identified by using only a conventional ear tag bearing the registration number of the establishment of birth of the animal, according to the provisions of Art. 45.1.a).

Taking in account the organization of the ovine and caprine sector in Cyprus, the proposal for new provisions for the identification of all ovine and caprine animals of the age of less than 12 months which are directed to fattening establishments prior the slaughterhouse, will have major negative social and economic consequences for both farmers and consumers, let alone the unnecessary administrative burden.

There are certain derogations of the application of Art. 45.2, but none of them foresees the option of having the same identification as proposed in Art. 45.1.a) for the animals of age less than twelve months intended to be moved indirectly to a slaughterhouse.

If the delegated act is finally adopted, the Commission should evaluate and review this Act the soonest in order to allow the MS to avail from the option of maintaining the current identification system based on the conventional farm code ear tag."

Internal Market and Industry

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|-----|---|------------------------------------|
| 21. | Commission Regulation (EU) .../... of XXX amending Annex V to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
<i>Decision not to oppose adoption</i> | 11592/19
11157/19 + ADD 1
MI |
| 22. | Commission Regulation (EU) .../... of XXX amending Annex VI to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
<i>Decision not to oppose adoption</i> | 11590/19
11367/19+ADD1
MI |
| 23. | Commission Regulation (EU) .../... of XXX correcting the German language version of Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008
<i>Decision not to oppose adoption</i> | 11587/19 + COR 1
11165/19
MI |

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| 24. | Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers
<i>Decision not to oppose adoption</i> | 11588/19
11184/19 + ADD 1
MI |
| 25. | Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 582/2011 as regards Auxiliary Emission Strategies (AES), access to vehicle OBD information and vehicle repair and maintenance information, measurement of emissions during cold engine start periods and use of portable emissions measurement systems (PEMS) to measure particle numbers, with respect to heavy duty vehicles
<i>Decision not to oppose adoption</i> | 11589/19
11248/19+ADD 1
MI |
| 26. | Commission Directive (EU) .../... of XXX amending, for the purposes of adaptation to technical and scientific developments, point 13 of part III of Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards aluminium
<i>Decision not to oppose adoption</i> | 11621/19
11477/19
MI |
| 27. | Commission Directive (EU) .../... of XXX amending Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council for the purpose of adopting specific limit values for chemicals used in certain toys, as regards formaldehyde
<i>Decision not to oppose adoption</i> | 11622/19
11481/19
MI |
| 28. | Commission Regulation (EU) No .../.. of XXX amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
<i>Decision not to oppose adoption</i> | 11617/19
11483/19 + ADD 1
COMPET |
| 29. | Commission Delegated Regulation (EU) .../... of 23.7.2019 amending Annexes I and V to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals
<i>Delegated act - Intention not to raise objections</i> | 11616/19
11474/19
CHIMIE |

COREPER (PART 2)

Institutional Affairs

Appointments

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|-----|---|-------------------------------------|
| 31. | A member (DE) of the Committee of the Regions
<i>Adoption</i> | 11768/19
11766/19
CDR |
| 32. | An alternate member (SE) of the Committee of the Regions
<i>Adoption</i> | 11798/19 + COR 1
11796/19
CDR |
| 33. | A member (DK) of the European Economic and Social
Committee
<i>Adoption</i> | 10132/19
10131/19
CES |
| 34. | A member (DE) of the European Economic and Social
Committee
<i>Adoption</i> | 11779/19
11780/19
CES |

Transparency

- | | | |
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| 35. | Public access to documents
Confirmatory application No 18/c/03/19
<i>Adoption</i> | 11910/19
INF
API |
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Statement by Poland

"Poland would like to confirm its opposition to giving access to the documents mentioned in document 11910/19 containing the draft reply to confirmatory application 18/c/03/19 until the end of the proceeding before the CJEU.

In our view, given new circumstances (proceedings in the Court of Justice of the EU against the EU brought over revised gas directive), there are strong reasons to apply article 4 paragraph 2 (protection of court proceedings) of the Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

Having regard to protection of court proceedings and the best interests of the EU, I respectfully request reconsidering your decision and abstaining with an irreparable decision."

Economic and Financial Affairs

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|-----|-----------------------------------|-----------------|
| 36. | New Luxembourg Commemorative Coin | 11197/19
UEM |
| 37. | New Finnish Commemorative Coin | 11211/19
UEM |

- | | | |
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| 38. | Report to the European Council of the Council Decision to Hungary and Romania under Article 121(4) TFEU
<i>Endorsement</i> | 9078/1/19 REV 1
UEM |
| 39. | Council Decision approving the external auditors of the Central Bank of Malta
<i>Adoption</i> | 11675/19
11674/19
UEM |
| 40. | Joint Statement on the International Platform on Sustainable Finance: authorisation to sign on behalf of the Union
<i>Approval</i> | 11869/19
EF |

Justice and Home Affairs

- | | | |
|-----|---|--|
| 41. | Schengen evaluation Recommendation - CZ visa policy
<i>Adoption</i> | 11901/19
11900/19 + COR 1
SCH-EVAL |
| 42. | Schengen evaluation Recommendation - Germany SIS
<i>Adoption</i> | 11903/19
11902/19 R-UE
SCH-EVAL |
| 43. | Schengen evaluation Recommendation - Lithuania data protection
<i>Adoption</i> | 11905/19
11904/19
SCH-EVAL |
| 44. | Schengen evaluation Recommendation - Latvia data protection
<i>Adoption</i> | 11907/19
11906/1/19 REV 1
SCH-EVAL |
| 45. | Schengen evaluation Recommendation - Ireland data protection
<i>Adoption</i> | 11909/19
11908/19 + COR 1
SCH-EVAL |

Foreign Affairs

- | | | |
|-----|---|---------------------------------------|
| 46. | Council Decision defining common rules governing control of exports of military technology and equipment
<i>Adoption</i> | 11439/19
10707/19
CORLX |
| 47. | Conclusions on the review of Council Common Position on the control of arms exports
<i>Adoption</i> | 11718/19 + COR 1
11719/19
COARM |
| 48. | Joint EU-ACP Declaration on 2030 Agenda and SDGs Implementation
<i>Approval</i> | 11892/19
ACP |

49. Positive opinion of the Council on the extension of the EU Regional Trust Fund in Response of the Syrian Crisis for one year
Adoption 11923/19
MAMA
50. Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
a) Conclusions 11918/19
b) EU Guidelines 10842/19
Adoption COHOM
51. Barents Euro Arctic Ministerial meeting (Umeå, Sweden, 3 October 2019)
Approval of negotiations on the declaration 11981/19
COEST

EU positions for international negotiations

52. Council Decision on the EU position to be adopted within the Committee on Trade and Sustainable Development established by the EU-Korea FTA, as regards the Panel of Experts referred to in Article 13.15
Adoption 11773/19
11774/19
WTO
53. Council Decision on the EU position to be taken within the Joint Committee on Agriculture set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, as regards the amendment of Annexes 1 and 2 to the Decision
Adoption 11098/19 + COR 1
11097/19
AELE
54. Council Decision on the EU position to be adopted in the EEA Joint Committee amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms [RescUE]
Adoption 11274/19
11272/19
AELE

Agriculture

55. Conclusions on CoA SR No 4/2019 - The control system for organic products
Adoption 11830/19
AGRI