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OUTCOME OF THE COUNCIL MEETING

3806th Council meeting

Agriculture and Fisheries

Luxembourg, 28 and 29 June 2021

Presidents **Maria do Céu Antunes**
Minister for Agriculture
Ricardo Serrão Santos
Minister for Maritime Affairs

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CONTENTS¹

ITEMS DEBATED

AGRICULTURE	5
Reform of the Common Agricultural Policy.....	5
Setting a protection goal for honey bees	6
Market situation	7
FISHERIES	8
Regulation on fisheries control	8
Common Fisheries Policy (CFP): state of play and fishing opportunities for 2022	8
ANY OTHER BUSINESS.....	9
– Maritime Spatial Planning Directive	9
– European Maritime, Fisheries and Aquaculture Fund (EMFAF)	9
– Situation in the North East Atlantic	9
– Food supplements on the EU market.....	9
– Joint action on antimicrobial resistance and healthcare-associated infections (JAMRAI)	10
– Fur farming in the EU.....	10
– 49th conference of EU paying agency directors	10
– Regional economic accounts for agriculture (REAA) and statistics on agricultural input and output (SAIO)	11
– Fourth African Union and European Union Agriculture Ministerial Conference	11
– Recent natural catastrophe in Czechia	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.

OTHER ITEMS APPROVED*AGRICULTURE*

– Long-distance maritime transport of animals	12
– Trade in organic products	12
– Maximum cadmium levels in foodstuffs	12
– Maximum lead levels in foodstuffs	12
– Maximum tropane alkaloid levels in foodstuffs	12
– Maximum mandestrobin residue levels in grapes and strawberries	13
– Protein derived from animals	13

FISHERIES

– Fishing opportunities with Gabon	13
– Conclusion of protocol on FPA with Gabon	13
– Application of protocol on FPA with Gabon.....	14
– Fishing opportunities in the Baltic Sea	14
– International Organisation of Vine and Wine.....	14

FOREIGN AFFAIRS

– EUBAM Rafah and EUPOL COPPS: Council decisions extending their mandates	14
– Crisis management concept for possible EU non-executive military CSDP mission in Mozambique	14

ECONOMIC AND FINANCIAL AFFAIRS

– Conclusions on customs controls	15
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JUSTICE AND HOME AFFAIRS

– Decision on a temporary derogation on the granting of daily allowances to and the reimbursement of travelling expenses of members of the European Economic and Social Committee	15
– European travel information and authorisation system (ETIAS).....	15
– Fundamental Rights Agency	16
– Council data protection officer	16

GENERAL AFFAIRS

- EU position within the EEA Joint Committee 16
- Conclusions on the European Personnel Selection Office 16

RESEARCH

- Decision on the financial consequences for the expiry of the ECSC Treaty and on the RFCS 17
- EU-CELAC 2021-2023 strategic roadmap 17

INTERNAL MARKET AND INDUSTRY

- Strategic partnership on raw materials between the EU and Ukraine 17

ENVIRONMENT

- European climate law 17

TRANSPORT

- Charging electric vehicles 18

TRANSPARENCY

- Public access to documents 18

ITEMS DEBATED

AGRICULTURE

Reform of the Common Agricultural Policy

On the morning of the first day the Council held a policy debate on the CAP reform package. Specifically, ministers discussed the provisional agreement reached between the Council and the European Parliament during inter-institutional negotiations the previous week. The session was chaired by the Portuguese Minister for Agriculture, Maria do Céu Antunes, on behalf of the Portuguese presidency. On the whole, ministers accepted the agreement, as they felt it represented a balanced compromise on the main outstanding issues. Nevertheless, they highlighted a number of areas that would need to undergo further consideration at the technical level.

Green architecture

Ministers discussed the final compromise proposals on the main elements of the CAP's green measures, including ring-fencing for eco-schemes, the Good agricultural and environmental conditions (GAECs), climate tracking, ring-fencing of European Agricultural Fund for Rural Development (EAFRD) funding for green measures, and the alignment of the CAP with the European Green Deal. On the whole, the member states supported these proposals, although a number of issues still needed to be addressed at the technical level.

Social dimension

The agreement reached with the European Parliament on the new social dimension of the CAP was welcomed by ministers, although a few member states expressed concern regarding the additional administrative burden that these new provisions could potentially impose.

Coupled support

A number of member states expressed concern regarding the exclusion of table potatoes from coupled support provisions. The Bulgarian delegation made a statement on this issue, which was supported by Romania and Slovakia. The Commissioner for Agriculture, Janusz Wojciechowski, said that the Commission was prepared to consider an alternative solution.

Horizontal regulation

The presidency set out the results achieved during inter-institutional negotiations on the outstanding political items, including the agricultural reserve, financial discipline, pre-financing, automatic decommitment, and the single data mining tool Arachne. These results were largely welcomed by ministers.

Common Market Organisation regulation

Ministers indicated their support for the political agreement reached with the Parliament. Some delegations stressed the need to ensure that European farmers remain competitive both within and outside the EU, particularly in cases where the regulations that they need to comply with in terms of health and the environment are stringent and they are faced with an additional administrative burden.

Setting a protection goal for honey bees

Ministers held an exchange of views on the need to set a Specific protection Goal (SPG) for honey bees, based on the latest guidance from the European Food Safety Authority (EFSA) regarding the risk posed by pesticide use. In particular, they considered the Commission's recommendation to set the maximum allowed reduction of bee colony sizes at 10%.

Under the proposed SPG, member states would be required to take action if honey bee colonies were demonstrated to have decreased in size by more than 10% due to pesticide use. The Commission also proposed that the same SPG apply to the whole of the EU.

Ministers were in general strongly supportive of efforts to set an SPG to protect honey bees from pesticides, with many suggesting targets that were even more ambitious than that proposed by the Commission. A number of member states also stressed that the assessments needed to be based on scientific findings, as well as being feasible to carry out.

Market situation

Ministers discussed the agricultural market situation in their respective member states and invited the Commission to provide a response to any concerns raised. They welcomed the strong recovery of the EU's food sector following the gradual re-opening of food services and the lifting of the restrictions on the movement of people and goods associated with the COVID-19 crisis. Many ministers also highlighted the resolution of the Boeing-Airbus dispute and the ensuing suspension of certain tariffs on exports between the EU and the UK.

Ahead of the meeting, a number of member states (France, Spain, Greece, Bulgaria, Hungary and Croatia) had provided written contributions on the effects of extreme weather conditions in early April. This point was picked up in the discussion along with other issues, including the impact of Brexit, the effects of high feed prices on the animal breeding sector, the closure of restaurants and hotels during the pandemic, and afflictions such as African swine fever and avian influenza. The chair concluded the discussion by saying that while the agri-food sector was still facing challenging times, she was confident that the Common Agricultural Policy would provide a solid foundation for tackling these issues.

FISHERIES

Regulation on fisheries control

The Council adopted a general approach on the revision of the fisheries control system. The aim of this revision, proposed by the European Commission in May 2018, is to modernise the rules for monitoring fisheries activities, make them more efficient and effective, and ensure compliance with the Common Fisheries Policy (CFP) and other EU policies. It is the first major revision of the EU's fisheries control system since 2009. The adoption of the Council's general approach paves the way for inter-institutional negotiations with the European Parliament.

Common Fisheries Policy (CFP): state of play and fishing opportunities for 2022

The Commission presented to ministers its annual communication on the state of play of the CFP and on fishing opportunities for 2022. This communication and the ensuing discussion represent the first stage of a consultation process between member states, advisory councils, stakeholders and the public on fishing opportunities for 2022, which will run until 31 August 2021. Issues raised by ministers during the discussion included EU-UK consultations on fishing opportunities, the continued impact of the coronavirus pandemic, and the need for the three pillars of the CFP – economic, social and environmental – to be given equal consideration.

ANY OTHER BUSINESS

– *Maritime Spatial Planning Directive*

Ministers received information from the Commission on the implementation of the Maritime Spatial Planning Directive, which came into force in September 2014. The directive applies to 22 member states with coastal regions, and the deadline for transposing it into national law was 31 March 2021. Ministers thanked the Commission for the information provided.

– *European Maritime, Fisheries and Aquaculture Fund (EMFAF)*

Ministers received information from the Commission on the EMFAF programming exercise, with a particular focus on maximising the added value of public investment in fisheries and aquaculture. The Commission noted that the fund could play a decisive role in supporting the European fisheries and aquaculture sectors, which are going through a challenging period as a result of the UK's withdrawal from the EU and the impact of the COVID-19 pandemic.

– *Situation in the North East Atlantic*

Ministers received information from the French, Irish and Spanish delegations about the current situation in the North East Atlantic as regards fishing relations with third countries in the region. In particular, they discussed the consequences of Norway's decision to reduce the EU's quota for cod in the Svalbard area, as well as the unilateral setting of quotas by Iceland and the Faroe Islands for mackerel in the North Sea.

– *Food supplements on the EU market*

The presidency presented a report on the state of play regarding the rules for placing food supplements on the EU market, and put forward a number of potential options for improving the current situation. In particular, it referred to the need to update the definition of food supplements, further harmonise the conditions for access to the market, and increase awareness among consumers and professionals of the risks of inappropriate or excessive intake of these products. Following this presentation, member states held an exchange of views, with many expressing their support for the conclusions of the report.

– ***Joint action on antimicrobial resistance and healthcare-associated infections (JAMRAI)***

The Commission updated ministers on the state of play of the European Union Joint Action on Antimicrobial Resistance and Healthcare-Associated Infections (EU-JAMRAI) and outlined the next steps for this action. Following this presentation, a number of ministers took the floor to express support for the Commission's proposal to harmonise provisions on antimicrobial resistance across all member states. The presidency concluded the discussion by emphasising the global aspect of the threat and the need to take action at international level.

– ***Fur farming in the EU***

Austria and the Netherlands presented to ministers a note, also signed by several other delegations, on the issue of fur farming in the European Union. They called on the European Commission to take appropriate action to end fur farming in Europe, setting out their reasons for this request in terms of animal welfare, ethical considerations and the risks posed to public health. A number of ministers took the floor to express their support for this proposal.

– ***49th conference of EU paying agency directors***

The presidency provided ministers with information on the 49th Conference of Directors of EU Paying Agencies, which took place online on 9 June 2021. The meeting was attended by member state delegations and representatives of the European Commission and the European Court of Auditors. Topics discussed included the CAP reform, auditing and assurance, the FaST pilot project, conflicts of interest, and risk management.

– ***Regional economic accounts for agriculture (REAA) and statistics on agricultural input and output (SAIO)***

The presidency provided ministers with an update on the Council deliberations on the Commission proposals for the Regional Economic Accounts for Agriculture (REAA) and for Statistics on Agricultural Input and Output (SAIO), and stressed how useful these regulations would be in terms of monitoring and evaluation of the Common Agricultural Policy.

On Monday 21 June the Special Committee on Agriculture adopted a negotiating mandate for the REAA proposal that will allow the Slovenian presidency to start negotiations with the European Parliament as soon as possible, with a view to concluding them during its tenure. As for the SAIO proposal, the Portuguese presidency has prepared a substantial progress report that provides a good basis for adopting a mandate for negotiations with the Parliament during the Slovenian presidency, with a view to concluding them as soon as possible thereafter.

– ***Fourth African Union and European Union Agriculture Ministerial Conference***

The Commission briefed ministers on the outcome of the fourth AU-EU agriculture ministerial conference, which took place on 22 June 2021. A number of ministers from both the AU and the EU took part, and discussions focused on the competitiveness of the agri-food sector and the need to increase investment and improve education and training for young people entering the sector. Following comments from a number of member states, the presidency concluded the discussion by thanking the Commission and reiterating the importance of consolidating and strengthening political dialogue on agriculture with partners in the African region.

– ***Recent natural catastrophe in Czechia***

The Czech delegation updated ministers on the recent natural catastrophe in Czechia and the serious damage caused to the agricultural sector as a result. On Thursday 24 June a violent storm struck Czechia, and in particular South Moravia, leading to a number of deaths and hundreds of injuries. The agricultural sector was also badly affected, with severe damage caused to permanent crops such as orchards, but also to field crops, greenhouse production and livestock. Czechia called on the EU to provide assistance via the Solidarity Fund and other instruments to help address this situation. Many member states took the floor to support Czechia's request and express their solidarity.

OTHER ITEMS APPROVED

AGRICULTURE

Long-distance maritime transport of animals

The Council decided to approve conclusions on animal welfare during long-distance maritime transport to third countries (10086/21 + ADD 1, 10070/1/21 REV 1).

Trade in organic products

The Council decided to authorise the opening of negotiations on agreements on trade in organic products between the European Union and Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, the Republic of Korea, Tunisia and the United States of America ([9508/21](#), [9513/21](#) + ADD1 REV1).

Maximum cadmium levels in foodstuffs

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 1881/2006 as regards maximum levels of cadmium in certain foodstuffs ([8977/21](#), [8236/21](#) + ADD 1).

Maximum lead levels in foodstuffs

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 1881/2006 as regards maximum levels of lead in certain foodstuffs ([9537/21](#), [8275/21](#) + ADD 1).

Maximum tropane alkaloid levels in foodstuffs

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 1881/2006 as regards maximum levels of tropane alkaloids in certain foodstuffs ([9569/21](#), [8333/21](#) + ADD 1).

Maximum ergot sclerotia and ergot alkaloid levels in foodstuffs

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 1881/2006 as regards maximum levels of ergot sclerotia and ergot alkaloids in certain foodstuffs ([9593/21](#), [8338/21](#) + ADD 1).

Maximum mandestrobin residue levels in grapes and strawberries

The Council decided not to oppose the adoption of a Commission regulation amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for mandestrobin in grapes and strawberries ([9668/21](#), [8767/21](#) + ADD 1-2).

Protein derived from animals

The Council decided not to oppose the adoption of a Commission regulation on the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals ([9734/21](#), [8537/21](#) + ADD 1).

FISHERIES

Fishing opportunities with Gabon

The Council adopted a regulation on the allocation of fishing opportunities under the protocol on the implementation of the Fisheries Partnership Agreement with Gabon (9383/21 + ADD 1, [9173/21](#)).

Conclusion of protocol on FPA with Gabon

The Council approved an agreement in principle, pending the European Parliament's consent, regarding a decision on the conclusion of the protocol on the implementation of the Fisheries Partnership Agreement with Gabon (9383/21 + ADD 1, [9172/21](#)).

Application of protocol on FPA with Gabon

The Council adopted a decision on the signing and provisional application of the protocol on the implementation of the Fisheries Partnership Agreement with Gabon (9383/21 + ADD 1, [9170/21](#), [9171/21](#)).

Fishing opportunities in the Baltic Sea

The Council adopted a regulation on certain fishing opportunities in the Baltic Sea, amending Regulation (EU) 2021/92 regarding certain fishing opportunities for 2021 in Union and non-Union waters (9852/21, [9810/21](#)).

International Organisation of Vine and Wine

The Council adopted a decision on the position that the EU would take at the International Organisation of Vine and Wine on 12 July 2021 ([9710/21](#), [9610/21](#)).

FOREIGN AFFAIRS

EUBAM Rafah and EUPOL COPPS: Council decisions extending their mandates

The Council decided to extend until 30 June 2022 the mandates of two of its Common Security and Defence Policy (CSDP) civilian missions: the European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah) and the European Union Police Mission for the Palestinian Territories (EUPOL COPPS). The missions are part of wider EU efforts in support of Palestinian state building.

For more details, see [press release](#)

Crisis management concept for possible EU non-executive military CSDP mission in Mozambique

The Council approved the crisis management concept for a possible EU non-executive military CSDP mission in Mozambique.

ECONOMIC AND FINANCIAL AFFAIRS

Conclusions on customs controls

The Council approved conclusions on European Court of Auditors Special Report 4/2021 entitled 'Customs controls: insufficient harmonisation hampers EU financial interests'. Among other things, the Council invited the Commission and the member states to continue to address the challenges for the effective protection of EU financial interests, as well as non-fiscal risks, while maintaining a proper balance between efficient and effective controls and trade facilitation (9861/21 + REV 1).

JUSTICE AND HOME AFFAIRS

Decision on a temporary derogation on the granting of daily allowances to and the reimbursement of travelling expenses of members of the European Economic and Social Committee

The Council adopted a decision on a temporary derogation from Decision 2013/471/EU on the granting of daily allowances to and the reimbursement of travelling expenses of members of the European Economic and Social Committee and their alternates in view of the travel difficulties caused by the COVID-19 pandemic in the European Union.

The actual administrative costs incurred by a beneficiary who attends a meeting remotely by electronic means are lower than the daily allowance currently applicable for attendance at in-person meetings. It is therefore appropriate that the daily allowance paid to beneficiaries who attend meetings remotely by electronic means is adapted accordingly.

European travel information and authorisation system (ETIAS)

The Council adopted regulations on changes to ETIAS regarding borders and visa (17/21), police and judicial cooperation (16/21) and the European criminal records information system for third-country nationals (ECRIS-TCN) (15/21).

These changes will allow the ETIAS central system to perform checks against the Schengen Information System (SIS), the Visa Information System (VIS), the Entry/Exit System (EES), Eurodac and ECRIS-TCN, as well as Europol and Interpol data.

[European travel information and authorisation system \(ETIAS\): Council presidency and European Parliament provisionally agree on rules for accessing relevant databases \(press release, 18 March 2021\)](#)

Fundamental Rights Agency

The Council agreed in principle the text of a draft Council regulation amending the regulation establishing the EU Agency for Fundamental Rights and decided to request the consent of the European Parliament ([9827/21](#)).

This text aims to enhance the agency's mandate and improve its functioning through more efficient procedures.

[Fundamental rights: Council approves its general approach on the Fundamental Rights Agency \(press release, 7 June 2021\)](#)

Council data protection officer

The Council adopted a decision laying down implementing rules concerning the Council's data protection officer, the application of Regulation (EU) 2018/1725 of the European Parliament and of the Council, and restrictions of data subjects' rights in the context of the performance of the tasks of the Council's data protection officer, and repealing Council Decision 2004/644/EC ([9148/21](#)).

[Protection of personal data at the General Secretariat of the Council \(background information\)](#)

GENERAL AFFAIRS

EU position within the EEA Joint Committee

The Council adopted a decision on the position to be adopted on behalf of the European Union within the EEA Joint Committee concerning the amendment to Annex XI (electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement, as set out in documents [9571/21](#) and [9721/21](#), prepared by lawyer-linguists.

Conclusions on the European Personnel Selection Office

The Council adopted conclusions on European Court of Auditors Special Report 23/2020 entitled 'The European Personnel Selection Office: Time to adapt the selection process to changing recruitment needs'.

RESEARCH

Decision on the financial consequences of the expiry of the ECSC Treaty and on the RFCS

The Council approved an agreement in principle, pending the European Parliament's consent, regarding a decision 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 ([9714/21](#) + ADD 1, [9399/21](#)).

EU-CELAC 2021-2023 strategic roadmap

The Council approved, through a written procedure, an authorisation to sign on behalf of the EU the EU-CELAC 2021-2023 strategic roadmap for the implementation of the Brussels Declaration and the EU-CELAC action plan on science, technology and innovation ([8806/21](#) + ADD 1).

INTERNAL MARKET AND INDUSTRY

Strategic partnership on raw materials between the EU and Ukraine

The Council approved, through a written procedure, an authorisation to sign on behalf of the EU a memorandum of understanding between the European Union and Ukraine on a strategic partnership on raw materials ([9872/21](#) + ADD 1).

ENVIRONMENT

European climate law

The Council adopted its position at first reading on a regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulations (EC) No [401/2009](#) and (EU) [2018/1999](#) ('European climate law').

This is the final step of the adoption procedure. The regulation formally sets the objective of a climate-neutral EU by 2050, and a binding EU target of reducing net greenhouse gas emissions (emissions after deduction of removals) by at least 55% by 2030 compared to 1990 ([9849/21](#) + ADD 1).

[Council adopts European climate law \(press release, 28 June 2021\)](#)

TRANSPORT

Charging electric vehicles

The Council approved conclusions on European Court of Auditors Special Report 5/2021 entitled ‘Infrastructure for charging electric vehicles: more charging stations but uneven deployment makes travel across the EU complicated’ (9684/1/21 REV 1).

TRANSPARENCY

Public access to documents

On 28 June 2021 the Council approved the replies to the following confirmatory applications:

- No 20/c/01/21 ([8682/21](#), [8681/21](#))
 - No 21/c/03/21 ([8813/21](#), [8812/21](#))
-