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Agriculture and Fisheries

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Main results of the Council

Work programme of the Presidency

The Hellenic Presidency presented its work programme for agriculture and fisheries matters. Amongst the main issues, the completion of the work on the reformed Common Agricultural Policy (CAP), the finalisation of the agreement with the European Parliament on the European Maritime and Fisheries Fund (EMFF) and the work on the package of food chain legislation.

Future of the dairy sector

Ministers discussed the situation of the EU milk sector in the context of the abolition of the milk quota system in 2015, many Member States highlighted market volatility as one of the main challenges the milk sector is likely to face after the end of quotas. Some considered that the "safety net" measures provided for in the CAP reform should be complemented by more targeted measures to address market volatility and help vulnerable milk production areas in particular, whilst others considered that the new CAP is sufficient if its tools are applied quickly and effectively. A number of Member States, notably those currently exceeding their milk quotas, took the opportunity to underline the need to have measures to ensure an actual "soft landing" in all Member States and allow farmers to benefit from the current favourable situation.

Supply of fruit and vegetables and milk in schools

The Commission presented its proposal for a regulation as regards the aid scheme for the supply of fruit and vegetables and milk in schools. The proposal aims to streamline the two existing schemes in order to simplify the procedures. Minister Tsaftaris declared that "The proposed scheme will contribute to improving healthy eating habits amongst school children; it will also help to foster a link between school children and agriculture". Member States broadly welcomed the initiative pointing out public health benefits of the existing schemes. However, several delegations would prefer the scope of the scheme to continue to include processed products. In addition, several Member States noted that the proposal re-opened some elements of the CAP reform, in particular Council competencies under Article 43(3) TFEU.

Promotion of agricultural products

The Council held a policy debate on the proposal for promotion measures for agricultural products. Some Member States saw as added value in maintaining information and promotion measures on the internal market; others, however, considered that promotion should focus on foreign countries to avoid a distortion of competition in the EU. A majority of delegations regretted the absence in the proposal of a national co-financing. Many delegations pointed out the need to better involve Member States in the whole process of promotion programme selection. Several Member States would like the scope of products covered to be enlarged.

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- 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>).
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Mr Tonio BORG

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Member

Member

ITEMS DEBATED

Presidency work programme

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

The agricultural policy priorities of the Presidency will include:

- Seeking the completion of the work on delegated acts related to the entry into force of the **reformed Common Agricultural Policy (CAP)** in January next year;
- Continuing the work, and if possible negotiating with the European Parliament with a view to the adoption of a proposal on **information and promotion for agricultural products** within and outside the EU, focusing on a more flexible response to the specific needs of different markets and the simplification of programme administration;
- Examining the report and possibly a proposal for **a common organisation of the market organisation in the fruit and vegetable sector**, including better administration and implementation of measures in the fruit and vegetable sector, as related to the organisation of producers, their operating funds and programmes;
- Initiating work on a proposal for **school schemes on fruit and vegetables and milk products** which aims to put together two different schemes to simplify the procedure.
- Continue the work on the **alignment with the Lisbon Treaty** of legislative proposals and initiating work on reports on **organic farming** and the **future of milk sector**.

The priorities for fisheries policy will focus on:

- Finalising as soon as possible the work on the agreement with the European Parliament on **the European Maritime and Fisheries Fund (EMFF)** that will be used from 2014 to 2020 to fund the implementation of the new Common Fisheries Policy (CFP) adopted last year;
- Supporting the work of the inter-institutional task force regarding the setting of **multiannual plans** for fish stocks management that represent the basis for the new CFP;
- Coordinating the EU position and representation at negotiations concerning protocols to **agreements on fisheries partnerships with third countries**, as well as annual meetings with the regional organisations for fisheries management and coastal states.

As regards food and veterinary issues the Presidency intends to:

- Finalise the work on the proposal for a regulation laying down provisions for the **management of expenditure relating to the food chain**, animal health and animal welfare, and relating to plant health and plant reproductive material with a view to reaching an agreement on this issue with the European Parliament this Presidency;
- Continue the work on the **package of food chain legislation**, including regulations on official control, on animal health, on protective measures against plant pests, and on the production and marketing of plant reproductive material.;

AGRICULTURE

School fruit, vegetables and milk schemes

The Council was briefed by the Commission on its proposal for a regulation as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments ([5958/14](#)). This proposal aims to streamline the existing schemes with a view to increasing their efficiency and effectiveness and reducing administrative burden.

Member States broadly welcomed the initiative pointing out the public health benefits of the existing schemes and the importance of focusing on the younger age group to improve eating habits. However, some Member States questioned the added value of merging the existing schemes and doubted that the new scheme offers a real simplification. Several delegations would prefer the scope of the scheme to continue to cover processed products. In addition, several Member States noted that the proposal re-opens some elements of the CAP reform, in particular the agreement reached on the Council competencies under Article 43(3) TFEU.

School milk and milk products, fruit and vegetables schemes were established in the EU in 1977 and 2007 respectively to promote the consumption of fruit and vegetable and milk products in schools. The rationale which led to the establishment of the two schemes is still relevant in the current context of declining consumption of fruit and vegetables and milk products. The two schemes were therefore confirmed and updated during the CAP reform.

The proposed new scheme also covers products from important sectors of EU agriculture each representing approximately 15% of the value of EU agricultural output.

The new proposal aims to put the two different schemes into a single proposal in order to simplify the procedures and aims to address certain weaknesses in their design and inefficiencies in their functioning as highlighted in different reports and external evaluations. The reformed Common Agricultural Policy (CAP) already contains important elements that are expected to solve some of the problems identified, in particular through significant changes to the financing of the School Fruit Scheme and the strengthening of its educational dimension.

Information and promotion measures for agricultural products

The Council held a policy debate of the proposal for a regulation on information provision and promotion measures for agricultural products on the internal market and in third countries ([16591/13](#)). The proposal was presented at the last Agriculture Council meeting in December.

Some Member States saw real added value to maintaining information and promotion measures on the internal market; others, however, considered that promotion should focus on foreign countries to avoid a distortion of competition into the EU. A majority of delegations regretted that the proposal did not envisage the co-financing of Member States pointing out that SMEs and producer organisations would be affected and would not have the financial capability to engage in such actions. Many delegations pointed out the need to better involve member states in the whole process of selecting promotion programmes. Some countries would like to extend the list of products covered by the measures and others insisted on the need to closely check use of the budget for information and promotion considering the increase scheduled in the proposal.

As regards the production of and trading in agricultural and agri-food products, the EU is today faced with a very competitive environment, largely resulting from the globalisation of markets, and this trend should continue in the coming years. In addition, on the internal market and in third countries the logos on products that benefit from the EU quality scheme logo are generally not recognised. This context calls for a renewed policy of promotion in the framework of the Common Agricultural Policy (CAP) reformed last year.

The proposal provides that measures should follow a strategy of identifying priorities on markets and products or messages to be highlighted. As the CAP reform encourages farmers to organise themselves, the scheme should be opened up to new beneficiaries, such as **producer organisations**. Strict guidelines should be established as regards the possibilities for mentioning the origin of products or brand names as a means of illustrating the main generic message highlighting the **intrinsic characteristics of European agricultural products**. **Programmes submitted by operators from different Member States** to promote the diversity of European agricultural products will be encouraged as part of the reform of the promotion policy. The proposal includes the development of **new technical support services for stakeholders**, favouring the exchange of information on information provision and promotion measures or good practices and allowing their expertise to be developed. It also aims to **simplify the management of the information and promotion policy**. Managing **multi-country programmes** would make them easier to set up and implement.

Compared to the present situation, the proposal suggests a gradual but significant increase in the budget allocated to information provision and promotion measures for agricultural products (from EUR 61.5 million in the 2013 budget to EUR 200 million in 2020).

Future of dairy sector

The ministers held a policy debate on the situation in the EU dairy sector as a follow-up of the Council discussion on this issue in December last year ([5965/14](#)).

Many Member States highlighted market volatility as one of the main challenges the milk sector is likely to face after the end of quotas. Some considered that the "safety net" measures provided for in the CAP reform should be complemented by more targeted measures to address market volatility and help vulnerable milk production areas in particular. Others, however, considered that there was not need to implement further measures beyond the existing "safety net". A number of Member States, in particular those exceeding their milk quotas, took the opportunity to underline the need to have measures to ensure an actual "soft landing" in all Member States and to allow farmers to benefit from the current favourable situation in the market. The establishment of a market observatory to closely monitor the dairy sector, as announced by the Commission at a stakeholder conference in September 2013, was generally well received by delegations.

Discussion will continue in the Special Committee on Agriculture (SCA) before coming back to a forthcoming Council. The Commission is due to present a report by 30 June 2014 on the development of the market situation in the milk sector, as provided for in the "Milk Package" regulation. It is possible that it will also set out whether additional measures for this sector are necessary.

ANY OTHER BUSINESS

Delegated acts

27 Member States requested an update from the Commission on the state of preparation of the CAP reform delegated acts ([6515/14](#)).

The reform of the Common Agricultural Policy adopted last year provides for the adoption by the Commission of a series of delegated acts to supplement and further define certain elements of the CAP reform legislation agreed between the Council and the European Parliament. Many Member States still had concerns about a number of issues in the draft delegated acts currently being drawn up by the Commission. For many of them, the main sticking points remaining concerned the "greening" of direct payments, in particular the disproportionate penalties (in the case of non-implementation of greening measures), and the restrictive criteria for some types of Ecological Focus Area (e.g. areas with catch crops, nitrogen fixing crops, etc.). For several delegations, another major bone of contention was the restrictive approach to eligibility for the young farmers scheme

Innovation Partnership for agricultural productivity and sustainability

Ministers were briefed by the Commission on the strategic implementation of the European innovation partnership (EIP) "Agricultural productivity and sustainability" ([6301/14](#)).

The EIP for Agriculture for the period 2014-2020 aims to address two fundamental challenges faced by European agriculture in the early 21st century – how to increase production and productivity in order to respond to the significant growth in global food demand and how to improve sustainability and resource efficiency and address environmental issues. The EIP for agriculture works like a catalyst to make sure that the results of research are more adapted to farming needs, taking into account the diversity of structures and natural conditions. It will promote links between all those involved in innovation, including farmers, advisors, agri-business, researchers and civil society. The partnership will be implemented through rural development programmes and will ensure synergies between rural development and research funding.

34th conference of directors of EU paying agencies

The Lithuanian delegation presented the conclusions of the 34th conference of EU paying agency directors which took place in Vilnius from 23 to 25 October 2013 ([6007/14](#)).

The conferences of the paying agency directors takes place every six months, in whichever Member State is holding the EU Presidency. The conference programme includes bilateral exchange of experiences, plenary sessions, presentations and also thematic workshops. The key work results from the previous conference were presented.

The main theme of the conference in Vilnius was once again the reform of the Common Agricultural Policy (CAP) and the adjustments to be made at the legal, technical, IT and procedural levels in the paying agencies to ensure a correct implementation.

Conference on agriculture, food security and climate change

The Netherlands briefed the Council on the outcome of the 3rd global conference on agriculture, food and nutrition security and climate change which was hosted in Johannesburg (South Africa) from 3 to 5 December 2013 ([6011/14](#)).

This conference has resulted in a concrete roadmap for the further design phase of an Alliance on Climate-Smart Agriculture:

- December 2013-May 2014: regional meetings
- June-July 2014: two global meetings in Rome (June) and the Hague (July) to finalize the drafting of the Accord.

In the design phase between the Conference in South-Africa (December 2013) and the UN Leaders Summit on Climate (September 2014), the current partners have started initial collaboration in three different thematic areas:

- Investment;
- Knowledge;
- Enabling Environment.

Climatic disaster in Slovenia

The Council took stock of the climatic disaster which recently affected Slovenia and was briefed on the impact on forests ([6377/14](#)).

Slovenia, which has some of the densest forest cover in the EU, considered that 40% of its forests have been damaged by the natural disaster that has affected the country in recent days. Several member states have replied positively to the request for assistance under the EU civil protection mechanism.

The Commission mentioned the available possibilities for Slovenia to obtain compensation for the effects of this disaster:

- Activation of the EU Solidarity Fund;
- Measures introduced in the Slovenian rural development programme;
- Possibility for Slovenia to request an extension of the state aids (*de minimis* principle).

Consequences of an outbreak of African Swine Fever in Lithuania

Further to the identification of two cases of African Swine Fever in Lithuania in wild boars and one further case recently confirmed in Poland again in wild boar, several measures were adopted by the Commission and the Member States – including Lithuania and Poland – to prevent the spread of the disease into the EU territory ([6290/14](#); [6382/14](#)).

Despite these measures, Russia has imposed a *de facto* ban on live pigs, fresh pig meat and meat preparations from all 28 EU Member States. The Commission is working with the Member States and the Russian authorities, with the view to obtaining the lifting of these completely disproportionate trade restrictions. In the case of market disturbance in the pig sector, the Commission is ready to activate the existing market instruments.

OTHER ITEMS APPROVED

AGRICULTURE

Tariff quotas and imports from Turkey - Alignment with the Treaty

The Council adopted an amendment to regulation 774/94 as regards the implementing and delegated powers to be conferred on the Commission ([PE-CONS 104/13](#)). The Council also adopted a regulation amending regulations 2008/97, 779/98 and 1506/98 in the field of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission ([PE-CONS 112/13](#)). These amendments were adopted following a first reading agreement with the European Parliament.

Regulation 774/94 provides for the administration of certain Community tariff quotas for high-quality beef, for pigmeat, poultrymeat, wheat and meslin, and for brans, sharps and other residues. It confers powers on the Commission allowing it to adopt the necessary implementing measures and adjustments such as volumes and other conditions of quota arrangements.

The second amendment covers three regulations in the field of imports of olive oil and other agricultural products from Turkey (2008/97, 779/98 and 1506/98). It delegates to the Commission powers as regards the amounts of duty reduction, or where a new agreement is concluded with Turkey.

The amendments align these powers with Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU)

Articles 290 and 291 of the TFEU distinguish two different types of Commission acts.

- Article 290 allows the legislator to delegate to the Commission the power to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. Legal acts adopted by the Commission in this way are referred to as "delegated acts" (Article 290(3)).
- Article 291 of the TFEU allows Member States to adopt all measures of national law necessary to implement legally binding EU acts. Those acts can confer implementing powers on the Commission where uniform conditions for implementing them are needed. Legal acts adopted by the Commission in this way are referred to as "implementing acts" (Article 291(4)).

Aromatised wine products

The Council adopted a regulation on aromatised wine products repealing regulation 1601/91 following a first reading agreement with the European Parliament ([PE-CONS 91/1/13 REV 1](#)). The French delegation voted against.

This regulation is aimed at:

- simplifying the existing rules for the production, description, presentation and labelling of aromatised wine products (e.g. *Glühwein* and *Bitter soda*) and at providing clearer and better information to the consumer;
- aligning the existing rules on geographical indications for aromatised wine products with those applicable to wine (regulation 1308/2013 establishing a common organisation of the markets in agricultural products) in line with the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS)¹;
- aligning the powers conferred upon the Commission with the delegated and implementing acts procedures provided for under Articles 290 and 291 of the TFEU.

The European Parliament adopted its first-reading position on this regulation on 14 January 2014.

Derogations for transport of liquid oils and fats by sea

The Council decided not to oppose the adoption of a Commission's regulation granting derogation from certain provisions of Annex II to regulation 852/2004² as regards the transport of liquid oils and fats by sea ([5385/14](#)).

Regulation 852/2004 on the hygiene of foodstuffs requires that bulk foodstuffs in liquid, granulate or powdered form be transported in receptacles and/or containers/tankers reserved for the transport of foodstuffs (Chapter IV of Annex II). However, that requirement is not practical when applied to the transport in seagoing vessels of liquid oils and fats for human consumption. In addition, the availability of seagoing vessels reserved for the transport of foodstuffs is insufficient to serve the continuing trade in such oils and fats.

¹ The TRIPS agreement is administered by the World Trade Organization (WTO) and sets down minimum standards for many forms of intellectual property (IP) regulation as applied to nationals of other WTO Members.

² [OJ L 139, 30.4.2004, p.1](#)

The European Food Safety Authority (EFSA) assessed the criteria for acceptable previous cargoes for edible fats and oils and a list of substances taking into account those criteria. On this basis, the proposed regulation should repeal and replace the existing directive 96/3¹ which hitherto granted derogation as regards the transport of liquid oils and fats by sea.

This Commission regulation is subject to the so called 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.

TRANSPORT

European Aviation Safety Agency's fees

The Council decided not to oppose adoption by the Commission of a regulation on the fees and charges levied by the European Aviation Safety Agency, and repealing regulation 593/2007 ([17420/13](#) + [ADD 1](#)).

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.

Introduction of noise-related operating restrictions at Union airports

The Council adopted a political agreement on a regulation on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing directive 2002/30/EC.

For more details, see press release [5839/14](#).

¹ [OJ L 21, 27.1.1996, p. 42](#)

International convention on the safety of fishing vessels*

The Council adopted a decision authorising the member states to sign, ratify or accede to the 2012 Cape Town agreement on the implementation of the 1993 protocol to the 1977 Torremolinos international convention for the safety of fishing vessels (text of the decision: 13408/13; statements: [13952/13 ADD 1](#) + [ADD 2](#)).

Neither of these international instruments, established under the auspices of the International Maritime Organisation (IMO), has entered into force, since the necessary number of ratifications has never been achieved. While at EU level safety standards based upon the Torremolinos protocol were introduced by a 1997 directive setting up a harmonised safety regime for fishing vessels of 24 metres in length and over, it is in the interest of maritime safety and fair competition that the rules also apply at an international level. The EU Member States should therefore ratify the agreement, so that the ratification requirements for the entry into force can be met.

SOCIAL POLICY

Pension rights

The Council adopted its position at first reading ([17612/13](#)) and its statement of reasons ([17612/1/13 REV 1 ADD 1](#)) regarding a directive on minimum requirements for enhancing worker mobility by improving the acquisition and preservation of supplementary pension rights.

The directive aims to reduce the obstacles found within some supplementary pension schemes, so as to facilitate worker mobility. Furthermore the directive addresses the issue of worker's right to information on how mobility will affect the acquisition and preservation of their supplementary pension rights.

FOREIGN AFFAIRS

Restrictive measures - Egypt

The Council approved a notice for publication in the Official Journal in preparation for the review of the restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt.

Restrictive measures

The Council amended Council decision 2011/101/CFSP and extended its validity until 20 February 2015.

COMMON SECURITY AND DEFENCE POLICY

Framework participation agreement with Colombia

The Council authorised the opening of negotiations with the Republic of Colombia for an agreement establishing a framework for the participation of the Republic of Colombia in EU crisis management operations.

JUSTICE AND HOME AFFAIRS

Seasonal workers

The Council adopted a directive on the conditions of entry and stay of third-country nationals for the purpose of seasonal work ([PE-CONS 113/13](#)).

The directive as agreed sets out fair and transparent rules for the entry and stay of seasonal workers who are not EU citizens. It also lays down a common set of rights to which seasonal workers are entitled to during their stay in the EU in order to prevent their economic and social exploitation. At the same time, it provides for incentives and safeguards to prevent temporary stays from becoming permanent

For more information see [6429/14](#).

CUSTOMS UNION

EU-Russia agreement on drug precursors

The Council approved the conclusion of an agreement with Russia with a view to strengthening mutual cooperation to prevent the diversion of drug precursors from the legal trade in order to counter the illicit manufacture of narcotic drugs ([12221/13](#)).

The agreement ([8178/13](#) + [COR 2](#)) was signed on 4 June 2013 (see press release [10501/13](#)).
