



**COUNCIL OF
THE EUROPEAN UNION**



14784/08 (Presse 305)

PRESS RELEASE

2900th meeting of the Council

Agriculture and fisheries

Luxembourg, 27 and 28 October 2008

President **Mr Michel BARNIER**
Minister for Agriculture and Fisheries of France

P R E S S

Main results of the Council

The Council reached political agreement on three major draft regulations relating to the fisheries sector:

- the TACs for the **Baltic Sea** in 2009, and certain associated measures;*
- the TACs for **deep water species** in 2009 and 2010;*
- the TACs for turbot and sprat in the Black Sea for 2009.*

The Council also gave its political agreement to the position to be adopted by the Community in the ICCAT, in particular concerning the bluefin tuna stock.

The Council continued to work on a proposal to distribute fruit and vegetables in schools and on the "Health Check" of the Common Agricultural Policy, with a view to reaching agreement by the end of the year.

The Commission submitted to the Council a proposal to combat the illegal trade in timber.

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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>).
- 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.

PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Sabine LARUELLE

Minister for SMEs, the Self-Employed, Agriculture and Science Policy

Mr Kris PEETERS

Minister-President of the Flemish Government and Flemish Minister for Institutional Reform, Ports, Agriculture, Sea Fisheries and Rural Policy

Bulgaria:

Mr Valeri TSVETANOV

Minister for Agriculture and Food Supply

Czech Republic:

Mr Petr GANDALOVIČ

Minister for Agriculture

Denmark:

Ms Kjer Eva HANSEN

Minister for Food

Germany:

Mr Gert LINDEMANN

State Secretary at the Federal Ministry of Food, Agriculture and Consumer Protection

Estonia:

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Minister for Agriculture

Mr Jaanus TAMKIVI

Minister for the Environment

Ireland:

Mr Brendan SMITH

Minister for Agriculture, Fisheries and Food

Greece:

Mr Alexandros CONTOS

Minister for Rural Development and Food

Spain:

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Minister for the Environment, and the Rural and Marine Environment

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Lithuania:

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Hungary:

Mr Barnabás FORGÁCS

State Secretary, Ministry of Agriculture and Rural Development

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Mr George PULLICINO

Minister for Resources and Rural Affairs

Netherlands:

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Minister for Agriculture, Nature and Food Quality

Austria:

Mr Walter GRAHAMMER

Deputy Permanent Representative

Poland:

Mr Marek SAWICKI

Minister for Agriculture and Rural Development

Portugal:

Mr Jaime SILVA

Minister for Agriculture, Rural Development and Fisheries

Romania:

Mr Dacian CIOLOS

Minister for Agriculture and Rural Development

Slovenia:

Mr Iztok JARC

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Stanislav BECIK

Minister for Agriculture

Finland:

Ms Sirkka-Liisa ANTILA

Minister for Agriculture and Forestry

Sweden:

Mr Eskil ERLANDSSON

Minister for Agriculture

United Kingdom:

Mr Hilary BENN

Secretary of State for Environment, Food and Rural Affairs

Mr Richard LOCHHEAD

Cabinet Secretary for Rural Affairs and the Environment,
Scottish Government

Mr Huw IRRANCA-DAVIES

Minister for the Natural and Marine Environment,
Wildlife and Rural Affairs**Commission:**

Mr Joe BORG

Member

Ms Mariann FISCHER BOEL

Member

ITEMS DEBATED**BALTIC SEA**

The Council reached unanimous political agreement on the fishing opportunities and associated conditions applicable for certain Baltic Sea fish stocks for 2009 ([12720/08](#)).

This item will be included, following finalisation by the Legal/Linguistic Experts, in part "A" of the agenda for a forthcoming Council meeting.

The proposal lays down, for 2009, the TAC levels and quotas for certain Baltic Sea stocks, the associated fishing effort for Baltic cod stocks and certain restrictions on the fishing of flounder (*Platichthys flesus*) and turbot (*Psetta maxima*).

The agreement primarily concerned the total allowable catches (TACs) and fishing quotas for Member States in the Baltic region, the main changes to which – in terms of reduction, increase or roll-over of TACs as compared with 2008 – are summarised in the table below.

COMMUNITY TOTAL ALLOWABLE CATCHES (TACs) IN THE BALTIC SEA FOR 2009						
Species	ICES FISHING ZONES		COMMISSION proposal	COMMISSION targets	COUNCIL agreement	Difference from
Latin name		TAC 2008	for 2009	for 2009	TAC 2009	previous year
		in tonnes	in tonnes	in %	in tonnes	
		1	2	3	4	5**
<i>Clupea harengus</i>	Baltic Sea subdivisions 30-31	87020	73967	-15%	82669	-5%
<i>Clupea harengus</i>	Baltic Sea subdivisions 22-24	44550	16400	-63%	27175	-39%
<i>Clupea harengus</i>	Baltic Sea subdivisions 25-27, 28.2, 29, 32	152630	143609	-5,91%	143609	-5,91%
<i>Clupea harengus</i>	Baltic Sea subdivision 28-1 (Gulf of Riga)	36094	34892	-3,33%	34892	-3,33%
<i>Gadus morhua</i>	Baltic Sea subdivisions 25-32 (Eastern)	38765	44580	15,00%	44580	15,00%
<i>Gadus morhua</i>	Baltic Sea subdivisions 22-24 (Western)	19221	16337	-15,00%	16337	-15,00%
<i>Pleuronectes platessa</i>	III bcd	3201	2721	-15,00%	3041	-5,00%
<i>Salmo salar</i> *	III bcd, except subdivision 32	364392	309733	-15,00%	309733	-15,00%
<i>Salmo salar</i> *	Baltic Sea subdivision 32	15419	13106	-15,00%	15419	0%
<i>Sprattus sprattus</i>	III bcd	454492	386318	-15,00%	399953	-12,00%

Legend:

Clupea harengus: herring

Gadus morhua: cod

Pleuronectes platessa: plaice

Salmo salar: Atlantic salmon

Sprattus sprattus: sprat

* AC expressed as number of individuals

** a **negative** % indicates a **reduction** in the TAC, a **positive** % indicates an **increase** in the TAC and 0 % indicates a roll-over of the TAC

In accordance with the multiannual plan applicable to stocks of Baltic cod (*Gadhus morua*) adopted on 18 September 2007¹, the Council endorsed a **15 % increase** in the TACs in the **Eastern Baltic**, in view of the marked improvement in the stock status and a **15 % reduction** in the Western Baltic where the species is still vulnerable.

For herring (*Clupea harengus*), it was decided to **reduce** the TAC by **15 %** for the **Eastern Baltic** and by **39 %** for the Western Baltic².

Measures to limit fishing effort were also decided on, in particular:

- a maximum number of days absent from port of **201**³ days in subdivisions 22-24 (Western Baltic) and **160**⁴ days in subdivisions 25-27, i.e. a 10 % reduction in both zones.
- the Commission also proposes continuing to apply the transitional technical measures adopted in 2007 prohibiting retention on board of flounder and turbot during certain periods and in specific subdivisions.

Consultation of the Parliament is not required.

¹ Regulation (EC) No 1098/2007, OJ L 248, 22.9.2007, p. 1.

² A multiannual recovery plan for the pelagic species in the Baltic is shortly to be submitted to the Council by the Commission.

³ Excluding the period 1 to 30 April, when Article 8(1)(a) of Regulation (EC) No 1098/2007 applies.

⁴ Excluding the period 1 July to 31 August, when Article 8(1)(b) of Regulation (EC) No 1098/2007 applies.

TAC 2009 – 2010 FOR DEEP WATER SPECIES

The Council reached a unanimous political agreement on the basis of a Presidency compromise, drawn up in agreement with the Commission, concerning a draft Regulation fixing the 2009 and 2010 TACs and quotas for certain stocks of deep water fish¹ such as certain deep water sharks, the black scabbardfish (*Aphanopus carbo*), orange roughy (*Hoplosthetus atlanticus*) and forkbeards (*Phycis blennoides*). The Council will adopt this Regulation, following finalisation by the legal/linguistic experts, at one of its forthcoming meetings.

The main elements of the Presidency compromise endorsed by the Commission are as follows:

- as regards deep-sea sharks², in Community waters and waters not under the sovereignty or jurisdiction of third countries of zones V, VI, VII, VIII, IX, X et XII, two footnotes will be added: for 2009, it will be specified that direct fishing is prohibited and that only by-catches are authorised; for 2010, it will be permitted to fish – as by-catches only – a maximum of 10 % of national quotas for 2009;
- a comparative table of TACs is given below;
- as regards roundnose grenadier (*Coryphaenoides rupestris*) in Community waters and waters not under the sovereignty or jurisdiction of third countries of zones VIII, IX, X, XII and XIV, a degree of flexibility is allowed for, so that 8 % of the national quota allocated to Member States in these zones can be fished in zones Vb and VI.

¹ For 2007 and 2008, fishing opportunities for deep water species were fixed in Council Regulation (EC) No 2015/2006 of 19 December 2006 (OJ L 384, 29.12.2006, p. 28).

² For the purposes of the Regulation, "deep-sea sharks" refers to the following species: *Apristuris spp.*; *Centrophorus granulosus*; *Centrophorus squamosus*; *Centroscymnus coelolepis*; *Centroscymnus crepidater*; *Deania calceus*; *Centroscyllium fabricii*; *Dalatias licha*, *Etmopterus princeps*, *Etmopterus spinax*, *Galeus melastomus*, *Galeus murinus*, *Somniosus microcephalus*.

- as regards red seabream (*Pagellus bogaraveo*) in Community waters and waters not under the sovereignty or jurisdiction of third countries of zones VI, VII, VIII, IX and X, two footnotes will refer to a minimum landing size for this stock of 30 cm for 2009 and 35 cm for 2010. An exemption is allowed, however, for zone X and a tolerance of 15 % below the minimum size for the other zones in 2010.
- the Commission has stated its intention of aligning fishing effort for these species with the catch limitations thus decided on and will propose, in the regulation, annual TACs and quotas:
 - a 10 % reduction in the fishing effort in order to comply with the international compromise reached in the NEAFC¹;
 - a detailed revision of Regulation No 2347/2002 in the course of 2009, including new fishing effort limitations for vessels fishing for deep water species.

The International Council for the Exploration of the Sea (ICES) issues scientific opinions every other year (even years) on deep water stocks. The last opinion was delivered in June 2008. It indicates that the deep water species which are most heavily exploited are being fished in an unsustainable manner, and the ICES has recommended immediate reductions in established deep water fisheries, unless they can be shown to be sustainable. No deep water fishery currently fulfils this criterion.

¹ North-East Atlantic Fisheries Commission.

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs for 2008 (in tonnes)	Commission proposal re EC TACs for 2009 (in tonnes)	Council decision on EC TACs for 2009 (in tonnes)	Difference from EC TACs for 2008 (in %)	Commission proposal re EC TACs for 2010 (in tonnes)	Council decision on EC TACs for 2010 (in tonnes)	Difference from EC TACs for 2009 (in %)
<i>TACs and quotas for 2007 and 2008 for certain stocks of deep water fish: Council decision and initial Commission proposal</i>									
<i>Deep-sea sharks¹</i>		<i>V, VI, VII, VIII, IX (EU waters and international waters)</i>	1646	824	824	-50 %	0	0	-100 %
<i>Deep-sea sharks</i>		<i>X (EU waters and international waters)</i>	20	10	10	-50 %	0	0	-100 %
<i>Deep-sea sharks</i>		<i>XII (EU waters and international waters)</i>	49	25	25	-49 %	0	0	-100 %
<i>Black scabbardfish</i>	<i>Aphanopus carbo</i>	<i>I, II, III and IV (EU waters and international waters)</i>	15	12	12	-20 %	12	12	0 %
<i>Black scabbardfish</i>	<i>Aphanopus carbo</i>	<i>V, VI, VII and XII (EU waters and international waters)</i>	3042	2585	2738	-10 %	2200	2546	-7 %
<i>Black scabbardfish</i>	<i>Aphanopus carbo</i>	<i>VIII, IX and X (EU waters and international waters)</i>	4000	3400	3600	-10 %	2890	3348	-7 %
<i>Black scabbardfish</i>	<i>Aphanopus carbo</i>	<i>COPACE 34.1.2 (EU waters and international waters)</i>	4285	3642	4285	0 %	3642	4285	0 %
<i>Alfonsinos</i>	<i>Beryx spp</i>	<i>I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV (EU waters and international waters)</i>	328	328	328	0 %	328	328	0 %
<i>Roundnose grenadier</i>	<i>Coryphaenoides rupestris</i>	<i>I, II, IV, Va (EU waters and international waters)</i>	20	17	17	-15 %	17	17	0 %
<i>Roundnose grenadier</i>	<i>Coryphaenoides rupestris</i>	<i>III</i>	1000	850	850	-15 %	850	850	0 %
<i>Roundnose grenadier²</i>	<i>Coryphaenoides rupestris</i>	<i>Vb, VI, VII (EU waters and international waters)</i>	4600	3910	3910	-15 %	3324	3324	-15 %

¹ 2009: only for by-catches; 2010: 10 % of the 2009 quota, also limited to by-catches. No direct fishing is permitted for deep-sea sharks.

² Only for by-catches.

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs for 2008 (in tonnes)	Commission proposal re EC TACs for 2009 (in tonnes)	Council decision on EC TACs for 2009 (in tonnes)	Difference from EC TACs for 2008 (in %)	Commission proposal re EC TACs for 2010 (in tonnes)	Council decision on EC TACs for 2010 (in tonnes)	Difference from EC TACs for 2009 (in %)
<i>TACs and quotas for 2007 and 2008 for certain stocks of deep water fish: Council decision and initial Commission proposal</i>									
Orange roughy	Hoplostethus atlanticus	VI (EU waters and international waters)	34	17	17	-50 %	0	0	-100 %
Orange roughy	Hoplostethus atlanticus	VII (EU waters and international waters)	130	65	65	-50 %	0	0	-100 %
Orange roughy	Hoplostethus atlanticus	I, II, III, IV, V, VIII, IX, X, XI, XII, XIV (EU waters and international waters)	30	15	15	-50 %	0	0	-100 %
Blue ling	Molva dypterygia	II, IV, V (EU waters and international waters)	78	66	66	-15 %	56	56	-15 %
Blue ling	Molva dypterygia	III (EU waters and international waters)	15	13	13	-13 %	11	1	-15 %
Red seabream	Pagellus bogaraveo	VI, VII and VIII (EU waters and international waters)	298	253	253	-15 %	215	215	-15 %
Red seabream	Pagellus bogaraveo	IX (EU waters and international waters)	1080	918	918	-15 %	780	780	-15 %
Red seabream¹²	Pagellus bogaraveo	X (EU waters and international waters)	1136	1050	1136	0 %	1050	1136	0 %
Forkbeards	Phycis blennoides	I, II, III and IV (EU waters and international waters)	36	31	31	-14 %	31	31	0 %
Forkbeards	Phycis blennoides	V, VI and VII (EU waters and international waters)	2028	2028	2028	0 %	2028	2028	0 %
Forkbeards	Phycis blennoides	VIII and IX (EU waters and international waters)	267	267	267	0 %	267	267	0 %
Forkbeards	Phycis blennoides	X and XII (EU waters and international waters)	63	54	54	-14 %	54	54	0 %

¹ A minimum landing size is set at 30 cm (total length) for 2009 and 35 cm (total length) for 2010. In 2010, however, 10 % of catches may be between 30 and 35 cm.

² Up to 10 % of the quota for 2009 may be caught in December 2010.

BLACK SEA

The Council reached unanimous political agreement on a draft Regulation fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2009 ([13529/08](#)).

After finalisation by the legal/linguistic experts, the proposal will be adopted as an "A" item at a forthcoming meeting of the Council.

The Council agreed on an unchanged TAC of 100 tonnes for turbot (*Psetta maxima*) – provisionally shared equally between Bulgaria and Romania – and a TAC of 12750 tonnes for sprat (*Sprattus sprattus*), a 15 % reduction compared with 2008.

The Regulation provides for cooperation with third countries bordering the Black Sea.

Consultation of the European Parliament is not required¹.

¹ Adoption by qualified majority.

PREPARATION FOR THE 16TH ICCAT ANNUAL MEETING

The Council reached unanimous political agreement on the position that the Community should adopt in the International Commission for the Conservation of Atlantic Tunas (ICCAT), the 16th meeting of which will be held in Marrakech from 17 to 24 November.

The essential features of the negotiation, both within the Community and with the other ICCAT Contracting Parties, basically concern the Bluefin Tuna Recovery Plan, overcapacity (fleet and cages), exceptions to the minimum landing size, the length of the season and certain aspects of monitoring.

In accordance with Article 300(2) of the EC Treaty, the Community position within regional fisheries organisations called upon to adopt decisions having legal effects is decided by the Council acting by qualified majority on a Commission proposal.

EU/NORWAY FISHERIES: ANNUAL CONSULTATIONS FOR 2009

The Council took note of the information provided by Mr Joe Borg, Member of the Commission, and of the Ministers' reactions concerning the first round of consultations between the Community and Norway which will take place in Bergen from 4 to 7 November. The second round of consultations will be held in Brussels from 24 to 28 November.

This matter will be debated in the Council again on 18 and 19 November.

INTRODUCTION OF TIMBER ONTO THE COMMUNITY MARKET

The Commission presented to the Council the proposal adopted on 17 October aimed at imposing certain obligations on operators who place timber and timber products on the Community market, in order to reduce the risk of introducing timber and timber products from illegal logging ([14482/08](#)).

Timber traders will have to obtain sufficient guarantees concerning the compliance of their products with the legislation applicable in the country of origin.

Apart from the clear message that the proposal sends out to operators who wish to have access to the Community market, incentives to better legal and sustainable forest management will thereby be reinforced, particularly in developing countries that wish to maintain and/or develop their exports of forestry products to the EU.

HEALTH CHECK OF THE COMMON AGRICULTURAL POLICY (CAP)

The Council continued its work with a view to reaching political agreement by the end of the year on the "Health Check" of the CAP, which underwent reform in 2003-2004 ([9656/08](#)).

Parliament expects to deliver its (consultative) opinion on 19 November.

FRUIT AND VEGETABLES IN SCHOOLS

The Council noted the views expressed by Ministers, and the Commission representative's comments, on a proposal designed to allow co-financing of a scheme to distribute free fruit and vegetables in schools ([11380/08](#)).

The proposal met with very broad consensus among Member States on its aim of promoting the consumption of fruit and vegetables from a very early age and thus establishing healthy eating habits which will contribute to the fight against obesity.

The Council instructed the Special Committee on Agriculture to continue its work so that the Council could adopt the Regulation by the end of the year.

Parliament expects to deliver its (consultative) opinion on 19 November.

OTHER BUSINESS**(a) Crisis in the market for apples for processing in some Central European Member States – joint request by the Hungarian and Polish delegations**

[\(13321/08\)](#)

The Council noted the critical situation in the apple processing sector as presented by Hungary and Poland.

The Commission representative invited the Member States concerned to make the fullest use of the provisions of the common market organisation for fruit and vegetables, in particular as regards producer and interbranch organisations.

(b) Conclusions of the 23rd Conference of EU Paying Agencies (Ljubljana, 28-31 May 2008) – Request by the Slovenian delegation

The Council noted the conclusions of the 23rd Conference of EU Paying Agencies convened by the Slovenian Presidency in Ljubljana from 28 to 31 May 2008 ([14105/08](#)).

It also noted the requests by the Czech, Netherlands, Danish, Latvian, German and United Kingdom delegations for consideration to be given to ways of simplifying the current procedures and the Commission's cautious response concerning the need to maintain an effective system for checking payments¹.

(c) Green Paper on agricultural product quality: product standards, farming requirements and quality schemes – Information from the Commission

The Council noted the information supplied by the Commission on the Green Paper on agricultural product quality ([14358/08](#)), and the preliminary response of some delegations, pending a detailed discussion of the subject.

The Czech delegation informed the Council of a conference to be held on this topic on 12 and 13 March 2009 in Prague.

¹ In particular via the statement of assurance.

(d) Difficult situation in agriculture – Request by the Polish delegation

The Council noted the difficult situation in some sectors of agriculture, especially the cereals and dairy sectors, reported by the Polish delegation, seconded by the Hungarian and Romanian delegations ([14623/08](#)).

The Greek and Spanish delegations reported economic difficulties in the livestock sector.

The Commission stated that it was monitoring developments in the markets very closely in order to take the measures which would be most appropriate to the circumstances.

(e) Policy on bluetongue – Request by the Presidency

The Council noted the worrying situation referred to by the Presidency, given the appearance of a new serotype (6) of bluetongue in the Netherlands, and the need to adopt a common strategy on the matter¹.

The Netherlands delegation said it would supply all technical information at the meeting of the Standing Committee on the Food Chain and Animal Health on 28 October. It also announced its intention of working together with the Commission to produce a dual vaccine² with a view to emergency vaccination.

Mr Joe Borg, representing Androula Vassiliou, the Commission Member responsible for health and consumer protection, pointed out that EUR 136 million had been spent on preventing and combating this epizootic in 2008 and that the Commission was prepared to play its part in 2009, within the framework of national programmes to combat the disease.

He announced the possibility of additional aid – details of which would be known in the coming days – and hoped that Member States would ensure the most cost-effective use of these funds. Lastly, he requested delegations to maintain the strict surveillance currently in place and the restrictions on movements it entailed, which were of crucial importance in confining the outbreak.

¹ Mobilising additional funds and facilitating the movement of animals within the EU.

² Providing protection against serotypes 6 and 8, or 1 and 8, for instance.

OTHER ITEMS APPROVED**AGRICULTURE****Milk quotas – Council conclusions**

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION

- (1) WELCOMES the Special Report No 4/2008 of the European Court of Auditors concerning the implementation of milk quotas in the Member States which joined the European Union on 1 May 2004;
- (2) NOTES that the implementation of milk quotas posed a major logistical challenge for the new Member States and that a considerable effort was made to ensure that administrative and control systems were operational in good time, even though these systems were still uneven in quality at the time the audit was carried out in the Member States in question;
- (3) NOTES that most of the shortcomings noted are intrinsic to the system's start-up phase. WELCOMES the significant improvements that the Member States have introduced in years subsequent to the Court's enquiry to address the teething problems encountered in early years, inter alia thanks to the Commission's follow-up;
- (4) RECOGNISES that it is up to the Commission and the Member States to continue to ensure that appropriate corrective action is taken and that proper controls are carried out at the most opportune time;
- (5) UNDERLINES that as a result of the enlargement, milk products have been traded more widely without destabilising the European market and without leading to budgetary drift."

Meat and livestock statistics

The Council adopted a Regulation establishing a common legal framework for the production of Community statistics on livestock and meat in Member States, following an agreement at first reading with the European Parliament ([3641/08](#)).

The Regulation relates to the provision by the Member States of statistics on pig, bovine, sheep and goat livestock and slaughtering statistics on pigs, bovine animals, sheep, goats and poultry and production forecasts of pig, bovine, sheep and goat meat. The statistics referred to in the Regulation are essentially for the management and evaluation of the common agricultural policy.

Directive 93/23/EEC, 93/24/EEC and 93/25/EEC are repealed.

EXTERNAL RELATIONS

Temporary reception of certain Palestinians

On the basis of the assessment of the implementation of Common Position 2002/400/CFSP, the Council adopted a Common Position extending for one year the validity of national permits allowing Palestinians who were evacuated from Bethlehem following the siege of the Church of the Nativity by Israeli forces in 2002 to stay in the EU ([13426/08](#)).

For more details, see Press Release ([9017/02](#)).

ENVIRONMENT

Protection of wild birds

The Council adopted a Directive adapting Directive 79/409/EEC on the conservation of wild birds to the regulatory procedure with scrutiny, following agreement at first reading with the Parliament ([3666/1/08](#)).
