



**COUNCIL OF
THE EUROPEAN UNION**



7702/09 (Presse 65)

PRESS RELEASE

2934th Council meeting

Agriculture and Fisheries

Brussels, 23 March 2009

President **Petr GANDALOVIČ**
Minister for Agriculture of the Czech Republic

P R E S S

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Main results of the Council

The Council held an extensive discussion on the situation on the milk market.

The Council took note of reports on ICT in rural areas and on simplification of the CAP.

The Council adopted conclusions on a Universal declaration on Animal Welfare without discussion.

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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.

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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

Bulgaria:

Mr Valeri TSVETANOV

Minister for Agriculture and Food Supply

Czech Republic:

Mr Petr GANDALOVIČ

Mr Ivo HLAVÁČ

Minister for Agriculture

First Deputy Minister for Agriculture

Denmark:

Ms Eva Kjer HANSEN

Minister for Food

Germany:

Ms Ilse AIGNER

Federal Minister for Food, Agriculture and Consumer Protection

Estonia:

Mr Helir-Valdor SEEDER

Minister for Agriculture

Ireland:

Mr Brendan SMITH

Minister for Agriculture, Fisheries and Food

Greece:

Mr Sotiris KHATZIGAKIS

Minister for Rural Development and Food

Spain:

Mr Josep PUXEU ROCAMORA

Mr José Luis MARTÍNEZ-GUIJARRO

State Secretary for the Rural Environment and Water
Minister for Agriculture and Rural Development of the Autonomous Community of Castille-La Mancha

France:

Mr Michel BARNIER

Minister for Agriculture and Fisheries

Italy:

Mr Vincenzo GRASSI

Deputy Permanent Representative

Cyprus:

Michalis POLYNIKI CHARALAMBIDES

Minister for Agriculture

Latvia:

Mr Jānis DŪKLAVS

Minister for Agriculture

Lithuania:

Mr Kazimieras STARKEVIČIUS

Minister for Agriculture

Luxembourg:

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development, Minister for Small and Medium-sized Businesses, the Liberal Professions and the Self-Employed, Tourism and Housing

Hungary:

Mr József GRÁF

Minister for Agriculture and Rural Development

Malta:

Mr George PULLICINO

Minister for Resources and Rural Affairs

Netherlands:

Ms Gerda VERBURG

Minister for Agriculture, Nature and Food Quality

Austria:

Mr Nikolaus BERLAKOVICH

Federal Minister for Agriculture, Forestry, the Environment and Water Management

Poland:

Mr Marek SAWICKI

Minister for Agriculture and Rural Development

Portugal:

Mr Jaime SILVA

Minister for Agriculture, Rural Development and Fisheries

Romania:

Mr Liviu HARBUZ

State Secretary for Agriculture, Forests and Rural Development

Slovenia:

Mr Milan POGAČNIK

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Stanislav BEČÍK

Minister for Agriculture

Finland:

Ms Sirkka-Liisa ANTILA

Minister for Agriculture and Forestry

Sweden:

Mr Eskil ERLANDSSON

Minister for Agriculture

United Kingdom:

Ms Jane KENNEDY

Minister of State for Farming and the Environment

Commission:

Ms Mariann FISCHER BOEL

Member

Ms Androulla VASSILIOU

Member

ITEMS DEBATED

Milk Market

The Council held an extensive exchange of views on the difficult situation on the milk market and took note of a memorandum presented and/or supported by a number of delegations ([7378/09](#), [7888/09](#)).

After a brief and unprecedented period of record prices for milk and dairy products in 2007 and early 2008, European producers now face weak and uncertain markets characterised by a sharp drop in global dairy product prices.

In the meantime, the legal framework regulating the milk and dairy market has changed considerably with the adoption by the Council of the so called "mini-milk package" in September 2007, the increase in national quotas for milk by 2% as from 1 April 2008 -as part of the phasing out of quotas - and by the adoption of the "Health Check"-package in January 2009.

In reaction to the deteriorating situation, the Commission representative pointed out that support measures had already been taken, including export refunds for butter, cheese and whole and skimmed milk powder, in addition to the introduction of private storage aid for butter (with effect already from 1 January 2009) and intervention for butter and skimmed milk powder (as from 1 March).

Mariann Fisher Boel confirmed that she would keep the Council updated on the situation on the milk market on a regular basis and declared that she was ready to examine the possibilities for extending the dairy products eligible for the "school milk scheme".

Supported in this by several delegations, she also firmly declared that she was not ready to re-open any discussion on the "health check" package.

CAP Simplification

The Council took note of a presentation made by the Commission on a report adopted on 18 March 2009 "A simplified CAP for Europe - a success for all" ([7771/09](#)).

The Council instructed the Council preparatory bodies to examine the report with a view to allowing Ministers to concentrate on a certain number of outstanding issues in April.

Simplification was one of the major drivers behind the Health Check of the CAP, in line with the CAP Simplification Action Plan¹ that was presented at the 2006 Conference in Brussels. The report concludes that it is realistic to expect the overall objective of a 25% reduction of administrative burden to be met by 2012.

¹ See http://ec.europa.eu/agriculture/simplification/actionplan_en.pdf

Information and Communication Technologies (ICT) in rural areas

The Council took note of a presentation by the Commission on a report on ICT in rural areas adopted on 3 March 2009 ([7201/09](#)).

This joint Communication responds to the request made by the Council, in its conclusions of 19 March 2007, that the Commission study the question of better access of rural areas to modern information and communication technology, with special reference to high-speed internet access.

The subject matter of this communication is closely related to the Commission proposal for a Council Regulation providing for additional funding to bridge the broadband gaps in rural areas ([5883/09](#)), on which agreement was reached at the European Council meeting last week ([7880/09](#)).

EUR1,02 billion should be made available to member states, either to improve broadband coverage in rural areas or to respond to new challenges, as defined under the Health Check legislative package¹.

¹ Biodiversity, water quality, climate change, dairy sector and renewable energy.

AOB

- (a) Plucking/harvesting of down and feathers from geese
 - Request from the Swedish delegation

The Council took note of the information provided by the Swedish and the Hungarian delegations and the Commission representative regarding the plucking / harvesting of down feathers from geese ([7665/09](#)).

- (b) EC-Russian Federation memorandum - Safety of plant products for human consumption
 - Request from the Italian delegation

The Council took note of the Italian delegation's concerns ([7714/09](#)), which were supported by several delegations¹, concerning some difficulties in implementing the EC-Russian Federation memorandum on the safety of plant products for human consumption. This memorandum was signed between the Commission services and the Russian phytosanitary authorities on 26 March 2008.

Delegations supported the Commission's approach leading to a harmonised model for bilateral agreements aimed at implementing the Memorandum. This approach will be followed by the Commission in the next round of talks with the Russian authorities which will take place on 26 March 2009.

- (c) Electronic identification of sheep and goats
 - Request from the Hungarian delegation

The Council took note of the request made by the Hungarian delegation, supported by several delegations², regarding the introduction of compulsory electronic identification for sheep and goats ([7611/09](#)).

¹ The French, Greek, Lithuanian, the Netherlands, Polish, and Slovak delegations.

² The Bulgarian, Greek, Irish, Lithuanian, Polish, Romanian, Slovak, and United-Kingdom delegations.

In December 2007 the Council adopted a Regulation to postpone the date of introduction of compulsory electronic identification for sheep and goats - initially scheduled for 1 January 2008 - to 31 December 2009. The Hungarian delegation proposed to keep it optional after 31 December 2009.

The Commission representative, supported by Italy, France, Spain and the Netherlands, made it very clear that the measures adopted in 2004 were intended to improve traceability and better prevent the spreading of epidemic animal diseases.

Androulla Vassiliou proposed to consider with concerned member states the best way to implement such measures at technical level and pointed out that financial support was possible through rural development programmes.

- (d) GMOs: approval and cultivation
 - Request from the Netherlands delegation.

The Council took note of a presentation made by the Netherlands delegation concerning the process of approval of GMOs for cultivation ([7581/09](#)). The Commission representative informed the Council that a report would be issued on the matter ¹ in June 2010.

- (e) Proposal for a Directive establishing a framework for the protection of soil ("Soil Framework Directive")
 - Request from the German delegation

The Council took note of the request made by the German delegation, supported by several delegations ², and of comments made by Italy regarding the Soil Framework Directive. The Commission representative took note of member states views and declared that she would convey Agriculture Ministers' views to Commissioner Dimas. ([7670/09](#)).

¹ See Council conclusions of 4 December 2009 (Environment) (doc. [16882/08](#)).

² The Austrian, Hungarian, Maltese, Netherlands, Romanian and United Kingdom delegations.

- (f) Dramatic situation in the sheep and goat sector in Cyprus - Scrapie
 - Request from the Cypriot delegation

The Council took note of the request made by the Cypriot delegation and of the reaction of the Commission representative's regarding the situation in the sheep and goat sector in Cyprus due to scrapie. ([7730/09](#)). Mariann Fischer Boel did not consider the use of the exceptional market support measures under Article 44 of the Single CMO Regulation to be appropriate in this case but informed the Cypriot delegation about alternative means of compensating for losses.

- (g) 17th session of the United Nations Commission for Sustainable Development
 - Oral information from the Dutch delegation

The Council took note of information provided by the Dutch delegation with regard to the 17th session of the UNO Commission for Sustainable Development which is to take place in New York from 4 to 15 May 2009.

The UN Commission for Sustainable Development was founded in 1993 for the purpose of overseeing the monitoring and implementation of the commitments undertaken at the time of the Rio Earth Summit.

- (h) Problems concerning the supply of organic protein feed
 - Request from the Finnish delegation

The Council took note of the concerns expressed by the Finnish delegation and of the interventions by the Commission and the Estonian, Austrian, Polish, Lithuanian, Slovak and Netherlands delegations ([7641/09](#)).

The Finnish delegation informed the Council of the shortage in the supply of organic protein (turnip rape, pea and field bean) in Finland, due to adverse conditions during the growing season, and proposed possible solutions for tackling the issue.

Mariann Fischer Boel declared that the Commission had already introduced flexibility for producers in the "conversion" process and that further possibilities should be explored within the Standing Committee on Organic Farming.

- (i) Aid for sugar beet growers in Member States using SAPS
 - Request from the Hungarian delegation

The Council took note of the concern raised by the Hungarian delegation, supported by the German, Slovak and Romanian delegations, regarding the conditions governing the Community aid scheme for sugar beet producers in the Member States operating the Single Area Payment Scheme. The Commission representative ([7614/09](#)) stated that there was a possibility of granting state aid to sugar beet growers under the single CMO regulation.

- (j) Restructuring of the sugar sector
 - Request from the German delegation, supported by the Polish delegation

The Council took note of the request made by the German delegation supported by the Polish, Belgian, Austrian, Hungarian, Romanian, French, Slovak, Lithuanian and Bulgarian delegations regarding the management of temporary sugar industry restructuring in its final year and of the reply given by the Commission representative.

The rules governing the restructuring of the sugar industry and the setting up of a temporary restructuring fund are contained in Regulation (EC) No 320/2006 as amended. Under that Regulation, 2009-2010 is the fourth and last year of operation of the voluntary temporary scheme for the restructuring of the EU sugar industry. Under this scheme producers are eligible for a compensatory payment financed by the sector in return for giving up production to help cope with the social and environmental impact of the restructuring process.

The Commission representative, supported by the United Kingdom and Estonian delegations, stated that any available money in the fund would stay in the FEAGA as earmarked revenue.

- (k) Situation on the pig meat market
 - Request from the Belgian delegation

The Council took note of the request made by the Belgian delegation, supported by several delegations ¹, regarding the situation on the pig meat market ([7729/09](#)).

The Belgian delegation drew the attention of the Council and of the Commission to the difficult situation on the pig meat market and called upon the Commission to introduce support for private storage as a matter of urgency and for the temporary introduction of export refunds for fresh and frozen pig meat.

United-Kingdom and the Netherlands were opposed to the introduction of such measures at this time.

The Commission representative stated that its services were closely monitoring the market and that additional support measures were not judged relevant at this stage.

- (l) 24th Conference of EU paying agencies – conclusions
 - Request from the French delegation

The Council took note of the conclusions of the 24th Conference of EU paying agencies, attended by representatives of some thirty countries in Bordeaux from 29 to 31 October 2008 ([7658/09](#)).

The next conference will take place in Prague from 23 to 24 April.

- (m) High-level Conference on Agriculture Product Quality (Prague, 12-13 March 2009)
 - Information from the Presidency

¹ The Austrian, Cypriot, French, Greek, Hungarian, Irish, Lithuanian, Polish, Portuguese, Romanian and Slovenian delegations.

The Council took note of information provided by the Presidency on the outcomes of the High-level conference on Agriculture Product Quality, which took place in Prague on 12-13 March ([7696/09](#)).

The main themes of the Conference were "Farming Requirements and Marketing Standards", "The EU Quality Schemes" and "Certification Schemes and Organic Farming".

The outcome of the Conference and the results of Green Paper public consultation will provide the basis for the European Commission's Communication on Quality Policy scheduled for May 2009.

In response to this communication the Presidency intends to have Council Conclusions in June 2009.

For further information see the conference official website:

<http://www.qpc.cz/index.php?lchan=1&lred=1>

(n) Eligibility of VAT under rural development programmes.

– Request from Polish delegation

The Council took note of the Polish request, supported by several delegations¹, for EAFRD rules on VAT to be aligned with those in force under the Regional Development Fund.

¹ The Estonian, Greek, Hungarian, Italian, Lithuanian, Portuguese, Romanian, Slovak, and Slovenian Czech delegations. The German delegation called for consistency within the EU legislative framework.

OTHER ITEMS APPROVED

AGRICULTURE

Council conclusions on a Universal Declaration on Animal Welfare

The Presidency welcomed very much the adoption of Council conclusions on a Universal Declaration on Animal Welfare ([6430/09 ADD1](#)). These conclusions confirm the European support given to international initiatives which are aimed at raising world-wide awareness of animal welfare issues by means of such Universal Declaration.

Extraction solvents used in food production

The Council adopted a directive on the approximation of the laws of the member states on extraction solvents used in the production of foodstuffs and food ingredients ([3698/08](#)), following a first reading agreement with the Parliament.

FISHERIES

Agreement with the Russian Federation on cooperation in fisheries

The Council adopted a regulation approving the agreement with the Russian Federation on cooperation in fisheries and the conservation of living marine resources in the Baltic Sea ([10300/07](#)).

Community position for the Indian Ocean Tuna Commission

The Council adopted a decision on the establishment of the Community position to be followed in the Indian Ocean Tuna Commission (IOTC) ([7537/09](#)). The IOTC forms part of the Food and Agriculture Organisation of the United Nations (FAO) and may adopt measures to maintain the populations of highly migratory fish stocks, i.e. tuna and tuna-like fishes, in Indian Ocean and adjacent seas.

EXTERNAL AFFAIRS**EU Monitoring Mission in Georgia**

The Council adopted a Joint Action concerning the EU Monitoring Mission in Georgia and amending Joint Action 2008/736 by increasing the financial reference amount by EUR 2,1 million to EUR 37,1 million ([6305/09](#)).

JUSTICE AND HOME AFFAIRS**Drug precursors - Russia**

The Council adopted a decision authorising the Commission to negotiate a bilateral agreement with Russia on control of drug precursors.

Schengen Information System database - Budget for 2009

The member states meeting within the Council adopted an amending budget for the C.SIS (Central Schengen Information System) with a view to covering new adjustment requirements in 2009 ([7183/09](#)).

The decision increases the C.SIS installation budget for 2009 from EUR 2 million up to 4.5 million.

The contributions of the EU participating countries and Iceland, Norway and Switzerland will be calculated according to a distribution key laid down in the C.SIS financial rules.

INTERNAL MARKET

Common provisions for measuring instruments and methods of metrological control

The Council adopted a recast of a directive from 1971 relating to common provisions for both measuring instruments and methods of metrological control. The new text ([3718/08](#)) includes the various amendments made to the directive over time and adjusts its implementing provisions to the regulatory procedure with scrutiny, introduced in EU legislation in 2006.

The directive aims at ensuring that the technical requirements for measuring instruments and methods of metrological control do not hinder trade or create unequal competitive conditions within the European Union.

Injunctions for the protection of consumers' interests

The Council adopted a codified version of the directive on injunctions for the protection of consumers' interests ([3726/08](#), [CORI](#)).

The new directive replaces the various acts incorporated into directive 98/27/EC, while fully preserving their content.

Non-automatic weighing instruments

The Council adopted a codified version of the directive on non-automatic weighing instruments ([3727/08](#)).

The new directive replaces the various acts incorporated into directive 90/384/EEC, while fully preserving their content.

TRANSPORT

Statistical returns in respect of the carriage of goods by road

The Council adopted a regulation amending Council regulation (EC) No 1172/98 on statistical returns in respect of the carriage of goods by road, in order to adjust the existing legal act to the regulatory procedure with scrutiny ([3704/08](#)).

A new regulatory procedure with scrutiny was introduced by decision 2006/512/EC ("comitology decision"). It is intended to be used for measures of general scope which seek to amend non essential elements of a basic instrument adopted under the legislative co-decision procedure.

Type-approval of motor vehicles with regard to the protection of pedestrians - Regulatory procedure with scrutiny

The Council decided not to oppose adoption by the Commission of a regulation laying down detailed rules for the implementation of Annex I to the regulation of the European Parliament and of the Council on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users, amending Directive 2007/46/EC and repealing Directives 2003/102/EC and 2005/66/EC.

In accordance with the EU's regulatory procedure with scrutiny, the Council can oppose the adoption of legal acts by the Commission. Consequently, unless the European Parliament objects, the Commission can adopt the regulation.

Technical requirements for vehicles - Regulatory procedure with scrutiny

The Council decided not to oppose adoption by the Commission of a regulation replacing Annex IX to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components, and separate technical units intended for such vehicles.

In order to ensure the proper operation of the Community type-approval process there is a need to update Annex IX to Directive 2007/46/EC in order to adapt it to the development of scientific and technical knowledge.

In accordance with the EU's regulatory procedure with scrutiny, the Council can oppose the adoption of legal acts by the Commission. Consequently, unless the European Parliament objects, the Commission can adopt the regulation.

Provisions concerning transport proposed in member states - procedure for prior consultation

The Council adopted a codified version of the decision on a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in member states ([3725/08](#)).

The new decision replaces the various acts incorporated into the Council decision of 21 March 1962, while fully preserving their content.

ENVIRONMENT

Protection of wild fauna and flora - Regulatory procedure with scrutiny

The Council adopted a regulation bringing Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora into line with the new comitology rules ([3703/08](#) + [3703/08 COR 2](#)), following a first reading agreement with the European Parliament.

European Environment Agency

The Council adopted a codified version of the regulation on the European Environment Agency and the European Environment Information and Observation Network ([3728/08](#)).

The new regulation replaces the various acts incorporated into regulation (EEC) No 1210/90, while fully preserving their content.

PUBLIC HEALTH

Colouring matters for medicinal products *

The Council adopted a recast of a directive from 1978 on the colouring matters which may be added to medicinal products. The new text ([3696/08,7118/09 ADD 1 REV 1](#)) includes the various amendments made to the directive over time and adjusts its implementing provisions to the regulatory procedure with scrutiny, introduced in EU legislation in 2006.

The directive provides that only colouring matters authorised for use in foodstuffs can be used in medicinal products.

INTELLECTUAL PROPERTY

Legal protection of computer programs

The Council adopted a codified version of the directive on the legal protection of computer programs ([3729/08](#)).

The new directive replaces the various acts incorporated into directive 91/250/EEC, while fully preserving their content.