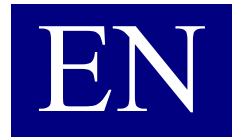




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## **PRESS RELEASE**

3293rd Council meeting

### **Agriculture and Fisheries**

Brussels, 17 February 2014

President            **Athanasios Tsiftaris**  
Minister for Rural Development and Food

# **P R E S S**

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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 Agriculture 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 milk sector***

*Ministers discussed the situation of the EU milk sector in the context of the abolition of the milk quota system in 2015. Amongst the main challenges that the milk sector is likely to face, many member states highlighted the price volatility. Some of them considered that the "safety net" provisions provided for in the CAP reform should be complemented by more targeted measures to address market volatility and help in particular vulnerable milk production areas. Many others in particular those exceeding their milk quotas, took this opportunity to recall the current favourable situation on the market and to insist on the need to have measures to ensure an actual "soft landing" in all Member States.*

### ***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 put the two different existing schemes into a single proposal in order to simplify the procedures. Minister Tsafaris declared "Delegations agreed 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 generally welcomed the initiative pointing out the benefit in terms of public health of the existing schemes. Several delegations would prefer the scope of the scheme to be enlarged to processed products. In addition, several Member States noted that the proposal could put in question some elements of the CAP reform, in particular the implementation of Article 43(3) (Council competencies in the TFUE).*

### ***Promotion of agricultural products***

*The Council held a policy debate on the proposal for promotion measures for agricultural products. Some Member States considered as added value to maintain information and promotion measures on the internal market; on the contrary, some others considered that promotion should focus on foreign countries to avoid a distortion of competition into 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 selection of promotion programme. 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.
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Mr Tonio BORG

Mr Dacian CIOLOȘ

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 entry into force of the **reformed Common agriculture 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 the 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.
- Working **alignment with the Lisbon Treaty** on legislative proposals and initiating the work on reports on **organic farming** and the **future of milk sector**.

The priorities for fisheries policy will focus on:

- Finalise 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** of 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 partnership with third countries**, as well as annual meetings with the regional organisations of fisheries management and coastal states.

As regards food and veterinary issues the Presidency intends to:

- Finalising the work on the proposal on 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 an agreement with the European Parliament this semester on this issue;
- 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 schemes on fruit and vegetables and milk**

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 the educational establishments ([5958/14](#)).

Member States generally welcomed the initiative pointing out the benefit in terms of public health of the existing schemes and the interest to focus on younger age group to improve eating habits. However some member states doubted that the new scheme offers a real simplification. Several delegations would prefer the scope of the scheme to be enlarged to processed products. In addition, several Member States noted that the proposal could put in question some elements of the CAP reform, in particular the implementation of Article 43(3) (Council competencies in the TFUE).

School schemes on milk and fruit were respectively established in the EU in 1977 and 2007 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. This situation is exacerbated amongst others by modern consumption trends towards highly processed foods which are often high in added sugars, salt and fat.

The new proposed 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 highlighted in different reports and external evaluations. The reformed Common Agriculture Policy (CAP) already contains important elements that are expected to solve some of the identified problems, in particular through significant changes to the financing of the School Fruit Scheme and 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 considered as real added value to maintain information and promotion measures on the internal market; on the contrary, for some others promotion should focus on foreign countries to avoid a distortion of competition into the EU. A majority of delegations regretted that the proposal does 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 Member States 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 EU quality scheme logo are generally not recognised. This context calls for a renewed policy of promotion in the framework of the Common Agriculture Policy (CAP) reformed last year.

The proposal provides that measures will 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 of 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 discussion on this issue which took place in the Council in December last year ([5965/14](#)).

Amongst the main challenges that the milk sector is likely to face, many Member States highlighted the market volatility. Some of them considered that the "safety net" provisions provided for in the CAP reform should be complemented by more targeted measures to address market volatility and help in particular vulnerable milk production areas. On the contrary some delegations considered that there is not need to implement further measures beyond the existing "safety net". Many Member States, in particular those exceeding their milk quotas, took this opportunity to recall the current favourable situation on the market and to insist on the need to have measures to ensure an actual "soft landing" in all Member States. The establishment of a market observatory for milk to ensure a close monitoring of this sector, announced by the Commission at the conference was well received by several delegations.

The discussion will continue at technical level before coming back to a forthcoming Council." The Commission will prepare a report by 30 June 2014 regarding the development of the market situation in the milk sector as provided for by the Milk Package regulation. This will help to evaluate whether additional measures for this sector will be necessary.

### **ANY OTHER BUSINESS**

#### **Delegated acts**

27 member states requested in a common declaration 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 defining the powers conferred to the Commission. Many Member States still had concerns about these delegated acts highlighting that the proposed acts should not go beyond the legal texts of the CAP reform agreed between institutions. For many of them, the main remaining sticking points concerns the "greening", in particular disproportionate penalties (in case of non implementation of greening measures), restrictive criteria for some type of Ecological Focus Areas (e.g. areas with catch crops, nitrogen fixing crops, etc.). According to several delegations, another major point of contention concerns the restrictive approach to 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 break-up 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 for 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 about the impact on forest ([6377/14](#)).

Slovenia which has one of the highest 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 get 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 and one case recently confirmed in Poland, 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 de facto imposed a ban on live pigs, fresh pig meat and meat preparations from all 28 EU Member States, which is judged completely disproportionate by many member states. As normally, EU pig and pork exports to Russia are important, several member states feared that this situation will lead to a crisis in the pig sector. The Commission works with the Russian authorities and is ready to activate the existing market instruments in case of market disturbance in the pig sector.

**OTHER ITEMS APPROVED**

**AGRICULTURE**

**Tariff quotas and imports from Turkey - Alignment on the Treaty**

The Council adopted an amendment to regulation 774/94 as regards the implementing and delegated powers to be conferred to the Commission ([PE-CONS 104/13](#)). The Council adopted also an amendment to 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 to the Commission ([PE-CONS 112/13](#)). These amendment were adopted following a first reading agreement with the European Parliament.

Regulation 774/94 opens and provides for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and 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 to Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU)

Articles 290 and 291 of the TFUE 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 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 91/13](#)). 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 to provide clearer and better information to the consumer;
- aligning the existing rules on geographical indications for aromatised wine products to those applicable for wine (regulation 1308/2013 establishing a common organisation of the markets in agricultural products) in line with the the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS)<sup>1</sup>;
- aligning the powers conferred upon the Commission to the delegated and implementing acts procedures foreseen under Articles 290 and 291 of the TFEU.

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

## **Derogations on 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 852/2004<sup>2</sup> 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.

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<sup>1</sup> 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.

<sup>2</sup> [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 96/3<sup>1</sup> which granted so far 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 ([6258/14](#))

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

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<sup>1</sup> [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 the statement of reasons ([17612/13 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 a 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 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 avoid 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 the 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](#)).

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