



8671/15

(OR. en)

PROVISIONAL VERSION

PRESSE 31
PR CO 23

OUTCOME OF THE COUNCIL MEETING

3386th Council meeting

Agriculture and Fisheries

Brussels, 11 May 2015

President **Jānis Dūklavs**
Minister for Agriculture of Latvia

P R E S S

CONTENTS¹

ITEMS DEBATED

AGRICULTURE	4
Organic farming	4
CAP simplification - Council conclusions.....	4
ANY OTHER BUSINESS.....	5
World Honeybee Day.....	5
Conference on pig welfare	5
Extension of the eligibility of rural development programmes	5

OTHER ITEMS APPROVED

AGRICULTURE

– Rural development - Amendment of rural development envelopes	6
– Pesticides - Maximum residue levels	6
– Animal health - Specified risk material for spongiform encephalopathies.....	7

FISHERIES

– Fish landing obligation - Adoption of the "omnibus" regulation.....	8
---	---

GENERAL AFFAIRS

– Pericles 2020 programme extended to member states outside the euro zone	9
– Greenhouse gas emissions of the EU institutions - Report of the European Court of Auditors	9

CUSTOMS UNION

– Improved antifraud measures	9
– Former Yugoslav Republic of Macedonia - Conventions on transit and trade.....	10

¹

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

BUDGETS

- Timetable for adoption of the EU budget for 2016 10

ENVIRONMENT

- Exemption for applications containing cadmium 10
- Protection of the ozone layer 11

ENERGY

- International Energy Charter 11

EMPLOYMENT AND SOCIAL POLICY

- Functioning of committees 11

FOOD LAW

- Maximum levels for contaminants in foodstuffs 12
- Health claims on foods 12
- Removal of flavourings from EU list 13
- Maximum level for ochratoxin A 13

HEALTH

- Alignment of transposition deadlines of tobacco directives 13

ITEMS DEBATED

AGRICULTURE

Organic farming

The Council discussed the proposal for a regulation on organic farming in view of a general approach ([8576/15](#)). It made significant progress on a number of articles but some member states requested more time to reflect further on some sensitive issues such as controls and the presence of non-authorised substances in organic products.

For the presence of non authorised substances in organic agricultural products, delegation expressed diverging views on how to achieve a harmonised EU approach. Some countries would support imposing legal threshold limits as initially proposed by the Commission, while others would prefer to rely instead on the existing system of control in the production process.

Concerning the control system for organic agriculture, delegations were divided on the mechanism governing the frequency of the controls. Many EU countries would like to keep mandatory annual or regular physical inspections. However, others were in favour of setting the frequency of controls according only to a risk basis.

On the basis of this debate, the Presidency expects to reach a general approach on this issue at the Council in June before launching negotiations with the European Parliament.

The proposal is aimed at revising the existing legislation on organic production and labelling of organic products so as to remove obstacles to the development of organic production in the EU, guarantee fair competition for farmers and operators and improve consumer confidence in organic products.

CAP simplification - Council conclusions

The Council adopted conclusions on the simplification of the Common Agricultural Policy (CAP) - [see press release](#).

Since the beginning of 2015, this issue has become one of the priorities for the Council, the European Parliament and the Commission. In recent months, the Presidency has consulted ministers and summarised their views on priority areas for simplification, based on the national experiences of implementation of the recently reformed CAP ([8483/15](#)).

ANY OTHER BUSINESS

World Honeybee Day

The Council was briefed by the Slovenian delegation on an initiative to declare 20 May as the World Honeybee Day ([8378/15](#)).

Slovenia provided more information about its campaign for the United Nations to designate 20 May as World Honeybee Day. This date was proposed to commemorate the birthday of the Slovenian beekeeper Anton Janša (1734-1773), a pioneer of modern beekeeping.

A vast majority of member states supported the initiative and agreed that a world day would remind that honeybees are crucial to agriculture. Though in recent years bees have had to face several threats, they still constitute the most important pollinators for many crops and are also a key indicator of the state of the environment.

Conference on pig welfare

The Danish delegation briefed the ministers about the outcome of the conference “Improving pig welfare – what are the ways forward?” which was held on 29-30 April 2015 in Copenhagen and about a position paper requesting a revision of directive 2008/120 laying down minimum standards for the protection of pigs ([8596/15](#)).

The position paper was signed by the agricultural ministers of Germany, The Netherlands, Sweden and Denmark attending the conference. It outlines issues regarding pig welfare on which those countries consider that progress needs to be made at a European level

Some delegations supported the initiative but others noted that considering the high level of EU standards for pig welfare, equal treatment among EU and non EU producers should be ensured and priority to better enforcement of existing legislation should be given.

Extension of the eligibility of rural development programmes

The Council took stock of a request from the Bulgarian delegation to extend the eligibility of expenditure for the rural development programmes 2007-2013.

Several other member states supported this initiative which should allow better use of the rural development funds. The Commission could explore the possibility of extending the eligibility if needed but will take into account the legal and financial feasibility.

OTHER ITEMS APPROVED

AGRICULTURE

Rural development - Amendment of rural development envelopes

The Council decided not to oppose the adoption of a Commission delegated regulation amending annex I to regulation 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (8388/15).

The delegated act in question amends the annual breakdown of EU support to rural development set out in annex I to regulation 1305/2013 following an amendment of the 2014-2020 multiannual financial framework (MFF) regulation which transfers the unused 2014 allocations into 2015 and 2016. This MFF amendment was approved by the European Parliament on 15 April and adopted by the General Affairs Council on 21 April.

The review of the annual breakdown concerns 17 Member States with reductions in the 2014 allocations and consequent reinforcements of 2015 and 2016 allocations. This is because certain national rural development programmes and regional programmes were not ready for adoption by the end of 2014.

This regulation was adopted by the Commission on 27 April 2015. The normal two-month objection period was shortened, with a view to allowing the adoption of the remaining rural development programmes as quickly as possible.

Pesticides - Maximum residue levels

The Council decided not to oppose the adoption of a Commission regulation amending annexes II and III to regulation 396/2005¹ as regards maximum residue levels (MRLs) for *Trichoderma polysporum* strain IMI 206039, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strains IMI 206040 and T11, *Trichoderma harzianum* strains T-22 and ITEM 908, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma asperellum* (strain T34), *Trichoderma atroviride* strain I-1237, geraniol, thymol, sucrose, ferric sulphate (Iron (III) sulphate), ferrous sulphate (Iron (II) sulphate) and folic acid in or on certain products ([7699/15](#));

¹ OJ L 070, 16.3.2005, p. 1.

Regulation 396/2005 establishes the maximum quantities of pesticide residues or MRLs permitted in products of animal or vegetable origin intended for human or animal consumption. These MRLs include, on the one hand, levels which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific level has been set. MRL applications are communicated to the European Food Safety Authority (EFSA) which issue a scientific opinion on each intended new MRL. Based on EFSA's opinion, the Commission proposes a regulation to establish a new MRL or to amend or remove an existing MRL and modifying the annexes of regulation 396/2005 accordingly.

This 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.

Animal health - Specified risk material for spongiform encephalopathies

The Council decided not to oppose the adoption of a Commission regulation amending annex V to regulation 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs) ([7667/15](#)).

This amendment streamlines the obligations attached to a list of specified risk material (SRM) if they come from animals whose origin is in a member state or a third country with a negligible Bovine Spongiform Encephalopathy ('BSE') risk status.

Regulation 999/2001 lays down rules for the prevention, control and eradication of TSEs in bovine, ovine and caprine animals. It applies to the production and placing on the market of live animals and products of animal origin and in certain specific cases to exports. It provides also that SRM from those animals is to be removed and disposed of in accordance with annex V to that regulation.

This 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.

FISHERIES

Fish landing obligation - Adoption of the "omnibus" regulation

The Council adopted the regulation on the landing obligation for fisheries (or "omnibus" regulation) following a first reading agreement with the European Parliament (PE-CONS 11/15)

A central objective of the reformed Common Fisheries Policy (CFP) is the progressive elimination of discards in all EU fisheries through the introduction of an obligation to land all catches. The "omnibus" regulation contains a package of amendments to existing control and technical measures regulations to implement the landing obligation agreed under the reformed CFP.

The Council and the European Parliament agreed on a number of points aimed at simplifying the provisions and reducing administrative burden for fishermen and control administrations. In addition:

- An annual report on the implementation of the landing obligation will be prepared by the Commission on the basis of available information transmitted by the member states, Advisory Councils and other relevant sources;
- The principle that the development of parallel markets for undersized fish should be prevented is confirmed;
- A pragmatic solution for the storage of fish on board of fishing vessels was agreed.

The Council and the European Parliament reached on 29 January 2015 a provisional political agreement on this regulation. The compromise text which was approved on 20 February 2015 by the Permanent Representatives Committee - Coreper.

The European Parliament adopted its first-reading position on this regulation on 28 April 2015.

GENERAL AFFAIRS

Pericles 2020 programme extended to member states outside the euro zone

The Council adopted a regulation extending the Pericles 2020 programme to member states outside the euro zone ([16616/13](#)).

The objective of the Pericles 2020 programme is to protect and safeguard the euro against counterfeiting and related fraud in the years 2014 to 2020. The programme supports the exchange of best practices; the dissemination of information; technical, scientific and operational assistance; and grants to finance the purchase of equipment to be used by specialised anti-counterfeiting authorities.

Greenhouse gas emissions of the EU institutions - Report of the European Court of Auditors

The Council adopted conclusions on the European Court of Auditors' special report entitled "How do the EU institutions and bodies calculate, reduce and offset their greenhouse gas emissions?", as set out in [8319/15](#).

CUSTOMS UNION

Improved antifraud measures

The Council reached a political agreement on a [regulation](#) aimed at improving the functioning of the antifraud system in the customs field.

The agreement, which formally endorses the provisional deal reached between the Council and European Parliament representatives on [19 December 2014](#), seeks to further promote mutual assistance between member states and the Commission to ensure the correct application of laws on customs and agricultural matters.

It will also simplify and speed up procedures to better protect the financial interests of the EU against customs fraud and other breaches of customs and agriculture legislation.

On its side the European Parliament is expected to confirm the agreement in a second-reading vote at an upcoming plenary session.

Former Yugoslav Republic of Macedonia - Conventions on transit and trade

The Council approved its position on [decisions](#) to be taken by EU-EFTA joint committees with a view to the accession of the Former Yugoslav Republic of Macedonia to the Convention on a common transit procedure and to the Convention on simplification of formalities in trade in goods.

The customs transit procedure enables goods to move more freely and simplifies customs formalities. It takes the form of a temporary suspension of the duties and taxes normally due on goods imported into the customs territory. This procedure is based on a convention between the EU and the countries of the European Free Trade Area ([EFTA](#)).

The Convention on simplification of formalities in trade in goods sets out measures to simplify formalities in trade in goods between the EU and the EFTA countries, in particular by introducing a single administrative document to be used for any procedure at export and import.

BUDGETS

Timetable for adoption of the EU budget for 2016

The Council approved the timetable for this year's budgetary procedure and modalities for the functioning of the Conciliation Committee, as agreed during a trilogue between the presidency, the European Parliament and the Commission held on 30 March ([7916/15](#)).

ENVIRONMENT

Exemption for applications containing cadmium

The Council confirmed that it has no intention to object to the Commission Delegated Directive ([5851/15](#)) that amends Annex III of the Directive 2011/65/EU, as regards an exemption for cadmium in illumination and display lighting applications. The amendment is meant for the purposes of adapting to technical progress.

Directive 2011/65/EU (RoHS 2) restricts the use of certain hazardous substances in electrical and electronic equipment.

Unless the European Parliament objects to it, the delegated act shall be published and enter into force on the twentieth day following its publication in the Official Journal of the EU.

Protection of the ozone layer

The Council has adopted a Decision ([7819/15](#)) authorising the Commission to negotiate, on behalf of the EU, amendments to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer.

ENERGY

International Energy Charter

The Council approved the adoption and the signature by the European Union and EURATOM of the International Energy Charter, which will take place at the Ministerial Energy Charter Conference, in the Hague on 20-21 May 2015 ([8416/15](#)). It updates the current Energy Charter.

The Energy Charter Treaty and the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects were signed in December 1994 and entered into legal force in April 1998. To date, the Treaty has been signed or acceded to by fifty-two states, the European Community and Euratom.

The fundamental aim of the Energy Charter Treaty is to strengthen the rule of law on energy issues, by creating rules to be observed by all participating governments, thereby limiting risks associated with energy-related investment and trade.

EMPLOYMENT AND SOCIAL POLICY

Functioning of committees

The Council adopted decisions updating the functioning of the Employment Committee (EMCO) and the Social Protection Committee (SPC) ([7262/15](#), [7263/15](#)). The decisions aim to enhance committees' efficiency and continuity.

The functioning of EMCO and SPC is based on Council decisions dating back to 2000 and 2004 respectively. Since then many developments have taken place, including Treaty change in 2009.

The output of the committees needs to keep up with these changes and their functioning needed to be adjusted in order to ensure an effective input to the Council's work.

FOOD LAW

Maximum levels for contaminants in foodstuffs

The Council decided not to oppose the adoption of the three following Commission regulations concerning maximum levels for contaminants in foodstuffs:

- a regulation reducing the dietary exposure to lead in food by lowering existing maximum levels and setting additional maximum levels for lead in relevant commodities ([7159/15](#))
- a regulation amending or establishing new maximum levels of inorganic arsenic in foodstuffs ([7208/15](#))
- a regulation amending the maximum levels of polycyclic aromatic hydrocarbons in Katsuobushi, a traditional Japanese food, and certain smoked Baltic herring ([7620/15](#))

The Commission regulations are subject to the so called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

Health claims on foods

The Council decided not to oppose the adoption of the two following Commission regulations related to health claims made on foods:

- a regulation refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health ([7326/15](#))
- a regulation refusing to authorise certain health claims made on foods and referring to the reduction of disease risk ([7390/15](#))

The Commission regulations are subject to the so called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

Removal of flavourings from EU list

The Council decided not to oppose the adoption of a Commission regulation removing certain flavouring substances from the EU list of flavourings approved for use in and on foods listed in annex I to regulation 1334/2008 ([7498/15](#)).

The 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 it, unless the European Parliament objects.

Maximum level for ochratoxin A

The Council decided not to oppose the adoption of a Commission regulation setting a new maximum level for ochratoxin A in *Capsicum* spp. spices ([7655/15](#)).

The 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 it, unless the European Parliament objects.

HEALTH

Alignment of transposition deadlines of tobacco directives

The Council decided not to oppose the adoption of a Commission directive aimed at aligning the transposition deadlines and periods of two directives on tobacco products. The two directives concerned are Commission directive 2012/9 amending annex I to directive 2001/37 on the approximation of member states' laws on the manufacture, presentation and sale of tobacco products and the new tobacco product directive 2014/40 ([7663/15](#)).

The Commission directive 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 it, unless the European Parliament objects.
