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## OUTCOME OF THE COUNCIL MEETING

3365th Council meeting

### Agriculture and Fisheries

Brussels, 26 January 2015

President      **Jānis Dūklavs**  
Minister for Agriculture

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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.

ITEMS DEBATED

Presidency work programme

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

The agricultural policy priorities of the Presidency will include:

- Focusing on the **simplification of the reformed Common Agricultural Policy (CAP)** with an emphasis on how to implement the basic acts in a simpler way with particular attention to rural development
- Continuing the work on the proposal on **organic farming** to reach a general approach in the Council with a view to beginning the negotiations with the Parliament on this issue;
- Working on **market developments**, including the Russian agricultural import ban by encouraging political debate in Council.

As regards food and veterinary issues, the Presidency intends to:

- Work towards reaching an agreement with the Parliament on the legislative proposal on **animal health**;
- Continue the work on a more integrated and horizontal approach to **official controls** to reach compromise between member states with a view to launch negotiations with the Parliament;
- Continue discussion on the compromise text on a harmonised approach to **protective measures against pests of plants** and represent the interests of the EU and its member states under the **International Plant Protection Convention (IPPC)**;
- Start the examination of the new proposal on **fertilisers**;
- Finalise work on **novel food**.

The priorities for fisheries policy will focus on:

- Taking forward on the **multiannual management plans** to ensure the sustainable management of fisheries;
- Continuing the **alignment of several existing regulations** with the Lisbon Treaty;
- Coordinating the EU position and representation at negotiations concerning protocols to **agreements on fisheries partnership with third countries**, as well as annual meetings with **regional organisations** responsible for fisheries management.

On the subject of forests, the Presidency will continue to promote the European model of forest management. Efforts will also be focused on the preparation of the EU position and presentation of the EU model at the session of the United Nations Forum on Forests, to be held in May 2015.

**FISHERIES**

**Multiannual management plan for fish stocks in the Baltic**

The Council was briefed by the Commission and held a public exchange of views on a proposal for a regulation of the establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea ([14028/14](#)).

Member states generally welcomed the proposal considering that it will be a test case for a new generation of multiannual management plans. Even if they pointed out that there are issues to discuss further, such as the legal basis or the acts delegated to the Commission, most of the ministers envisaged very positively the examination of the proposal in the months to come. In those conditions, the Presidency hope to reach general approach on this proposal before the end of the Presidency and launch the negotiations with the Parliament.

This management plan aims to ensure that the Baltic stocks of cod, herring and sprat are exploited in a sustainable way according to the principles of maximum sustainable yield (MSY). It aims to replace the existing management plan for the Baltic Sea cod stocks (in place since 2007) with a multispecies approach because the stocks of herring and sprat are not yet subject to a management plan. In view of the strong influence that biological interactions and environmental effects have on those fish stocks, exploitation rates and patterns should be adapted. In addition, scientific advice has indicated that the current exploitation rates for some of the Baltic fish stocks are currently not consistent with achieving MSY.

The proposal belongs to a new generation of multiannual management plans designed on the basis of principles jointly agreed between the Council and the European Parliament, as a result of the report on the subject from the inter-institutional Task Force. The Task Force was created to resolve an inter-institutional disagreement on the allocation of responsibilities between the Council and the European Parliament under article 43 of the Lisbon Treaty.

**AGRICULTURE**

**Market developments, including the impact of the Russian ban**

The Council discussed market developments and in particular the impact on the EU market of import ban on EU agricultural product imposed by Russia in August 2014 ([5397/15](#)). In response to the ban, the Commission triggered emergency market support measures for fruit, vegetables and dairy products, while also providing funds for Common Agricultural Policy (CAP) promotion programmes.

While acknowledging the measures, the Member States expressed concerns they might prove insufficient to alleviate the consequences of the ban on the EU market. For the sectors concerned ministers called for more to be done by extending the scope of certain measures and diversifying the tools used. The Bulgarian and the Romanian delegations mentioned the need for further measures in their own dairy sector which was only marginally covered by the emergency market measures on this sector ([5522/15](#)). Some member states drew also the attention to the difficulties encountered by the pigmeat sector for which no market measures have so far been taken.

With regard to the relevant quantitative criteria for qualifying the situation on the market as a crisis situation, Member States expressed diverging views. Some of them insisted for example on the need to take into account a decrease of the farmers' profit margin in addition to the price of the product. Some others highlighted that a crisis situation depends on the sector or the region and that only a case by case qualification can be envisaged.

The Commission pointed out that some emergency market measures have been already extended to mitigate the effect of the Russian ban in the coming months. For dairy products, it stressed the importance to obtain updated information from the Member States to monitor the market through the Milk Market Observatory and envisage an action if needed. Concerning pig meat, the Commission indicated its readiness to evaluate the market situation and discuss about further measures if necessary at the next agriculture Council.

Furthermore several Member States supported the Polish delegation which recalled the importance of the EU solidarity in particular when discussing with the Russian authorities to resume the EU export.

**ANY OTHER BUSINESS**

– *Implementation of the landing obligation*

The Presidency and the Commission briefed the ministers on the state of play of the implementation of the landing obligation through the proposal for an "omnibus" regulation currently discussed between the Council and the Parliament.

Member States supported the compromise presented by the Latvian Presidency with the aim of reaching a rapid agreement on this issue with the Parliament. This would ensure a proper implementation of the landing obligation gradually introduced since the beginning of the year. The compromise concerns in particular the scope of the regulation. Ministers stressed however that any agreement should not increase the administrative burden for Member State in particular on the reporting.

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. In order to make this measure operational all the identified changes in technical measures and control regulations were combined in a single text, the so called "omnibus" regulation.

– *The future of the sugar sector*

At the request of the Italian delegation, the ministers discussed of the future of the sugar sector which is now in a difficult economic situation([5460/14](#)).

Several Member States supported Italy which would ensure a smooth transition when the current sugar quota system ends in 2017. Some others pointed out with the Commission that the end of the quota system in sugar has been decided in 2008 and that the reformed CAP has postponed the deadline by two years thus facilitating the transition. The Commission announced its readiness to set up an expert group to take stock of the end of the quota system.

By adopting the reformed CAP in 2013, the EU confirmed its decision to abolish the sugar quota system from October 2017. Since then market data show a constant price reduction in sugar prices in the EU.

**OTHER ITEMS APPROVED**

**AGRICULTURE**

**Animal feed - Requirements for additives**

The Council decided not to oppose the adoption of a Commission amendment to regulation 1831/2003 on additives for use in animal nutrition ([16243/14](#)).

Regulation 1831/2003<sup>1</sup> authorises technological additives exerting a function on the active substance contained in the preparation, such as stabilising or standardising it, facilitating its handling or its incorporation into feed. However, taking into account that technological progress contributes to the development of new preparations, it is appropriate to better consider the specificities of additives consisting of preparations and to bring more transparency and clarity when placing them on the market. It is therefore appropriate to introduce into annex III of the above mentioned regulation additional labelling requirements for this type of additives and for premixtures containing them. In addition annex IV on general conditions of use should also be amended.

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**

**Illegal fishing - Trade measures against Sri Lanka**

The Council added Sri Lanka to the list of non-cooperating third countries in fighting illegal, unreported and unregulated (IUU) fishing pursuant to regulation 1005/2008 establishing a Community system to prevent, deter and eliminate IUU fishing ([5035/15](#)).

This decision triggers measures affecting the trade in fisheries products and other fisheries-related activities with Sri Lanka in order to put a stop to commercial benefits stemming from illegal fishing activities. Ultimately, fisheries products caught by vessels from this country will be banned from being imported into the EU.

The adoption of this decision adding Sri Lanka to list follows a formal warning given to 8 countries (including Sri Lanka) in November 2012 and a process of dialogue open with the countries concerned.

Regulation 1005/2008 establishes a Community system to prevent, deter and eliminate IUU fishing. This key instrument in the fight against illegal fishing aims to allow access to the EU market only to fisheries products that have been certified as legal by the flag state or the exporting state concerned.

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<sup>1</sup> OJ L 268 18.10.2003, p. 29.

## **Partnership between EU and Kiribati - Negotiations for a renewal of the protocol**

The Council adopted a decision authorising the Commission to open negotiations on behalf of the EU for the renewal of the protocol setting out the fishing opportunities and financial contribution provided for in the fisheries partnership agreement (FPA) between the EU and the Republic of Kiribati (5059/15).

The current protocol should apply until September 2015. The new protocol between the EU and Kiribati should be in line with the Council conclusions of 19 March 2012 on the Commission communication of 13 July 2011 on the external dimension of the Common Fisheries Policy (CFP) as well as Regulation No 1380/2013 on the CFP<sup>1</sup>.

## **FOREIGN AFFAIRS**

### **Restrictive measures - Côte d'Ivoire**

The Council amended EU restrictive measures against Côte d'Ivoire. To take account of a decision at UN level, one person has been removed from the list of those subject to sanctions.

## **ENVIRONMENT**

### **Convention on Nuclear Safety**

The Council adopted a decision issuing directives to the Commission for the negotiation of amendments to the Convention on Nuclear Safety in the framework of a Diplomatic Conference ([5209/15](#)).

The Contracting Parties to the Convention agreed in 2012 to start a review process to strengthen its effectiveness.

The Community is a Contracting Party to the Convention, which was adopted in June 1994 by a Diplomatic Conference convened by the International Atomic Energy Agency (IAEA). The Convention entered into force on 24 October 1996.

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<sup>1</sup> OJ L 354/2013, p. 22.

## **Kyoto Protocol**

### The Council

- approved the text of the Doha Amendment ([10400/14 ADD1](#) + [10400/14 ADD1COR1](#)) to the Kyoto Protocol
- decided to sign the agreement between the EU and its member states on one hand, and Iceland on the other, concerning Iceland's participation in the second commitment period of the Kyoto Protocol ([10881/14](#) + [10881/14 COR1](#))
- approved the text of agreement concerning Iceland's participation in the second commitment period of the Kyoto Protocol ([10941/14](#) + [10941/14 COR1](#)),

For further details, please see the [press release](#).

## **ENERGY**

### **Ecodesign requirements for solid fuel local space heaters**

The Council decided not to oppose the adoption of a Commission regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for solid fuel local space heaters ([15078/14](#)).

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 the regulation, unless the European Parliament objects.

### **Ecodesign requirements for solid fuel boilers**

The Council decided not to oppose the adoption of a Commission regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for solid fuel boilers ([15278/14](#)).

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 the regulation, unless the European Parliament objects.

**HEALTH**

**Tissues and cells**

The Council decided not to oppose the adoption of the following two Commission directives on tissues and cells:

- a directive implementing directive 2004/23/EC as regards the procedures for verifying the equivalent standards of quality and safety of imported tissues and cells ([16626/14](#))
- a directive amending directive 2006/86/EC as regards certain technical requirements for the coding of human tissues and cells ([16988/14](#)).

The Commission directives 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.

**FOOD LAW**

**Food supplements**

The Council decided not to oppose the adoption of the following two Commission regulations:

- a regulation adding (6S)-5-methyltetrahydrofolic acid, glucosamine salt as a source of folate to the list of vitamin and mineral substances which may be used in the manufacture of food supplements ([15716/14](#))
- a regulation placing the substance Yohimbe under EU scrutiny and prohibiting Ephedra herb and its preparations in foods ([15793/14](#)).

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 made on foods**

The Council decided not to oppose the adoption of the following two Commission regulations on 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 ([15794/14](#))
- a regulation refusing to authorise certain health claims made on foods and referring to children's development and health ([15795/14](#)).

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.

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