



Brussels, 13 November 2008

Background Note¹
AGRICULTURE AND FISHERIES COUNCIL
Brussels, 18, 19 and 20 November 2008

*The Council, chaired by Mr **Michel Barnier**, French minister for agriculture and fisheries, will meet from 15.00 on Tuesday 18 November, in the presence of Mr **Joe Borg**, member of the Commission in charge of **fisheries** and maritime affairs, and will start with an exchange of views on the bilateral fisheries agreement with **Norway**, followed by information on the adjustment of fishing quotas for **cod** allocated to **Poland in the Baltic Sea** for the period **2008 to 2011**.*

*The Council will continue its discussions with various exchanges of opinion relating respectively to the codification and **modernisation of the control system** applicable to the common fisheries policy (**CFP**), the strategy for the **sustainable development of aquaculture** in Europe and progress on the **simplification** process of the CFP.*

*The Council will seek political agreement on the adaptation of the **cod** stocks recovery plan adopted in 2004.*

*On Wednesday 19 November the Council will continue its discussions with the items falling within the competence of the Special Committee on Agriculture, in the presence of **Mariann Fischer Boel**, Commissioner in charge of **agriculture** and rural development.*

*The Council will seek political agreement on two proposals on which the European Parliament should have delivered its opinions by late morning: the scheme for the free distribution of **fruit in schools**, and the common agricultural policy (CAP) **health check** consequent on the CAP reform concluded in 2003/2004.*

*The Council will be asked to determine its position on a proposal for a Decision concerning the placing on the market of products containing **genetically modified soybean** (MON-89788-1).*

The Presidency will hold a press conference probably on Tuesday [ca. 19.00] and at the close of the Council meeting.

*Public events can be followed via video transmission:
<http://www.consilium.europa.eu/videostreaming>*

¹ This note has been drawn up under the sole responsibility of the Press Service.

AGRICULTURE

Common agricultural policy health check

The Council will seek political agreement on the "health check" of the CAP, which was reformed in 2003-2004 on the basis of a Presidency compromise ([9656/08](#)).

At its meeting in July, the Council instructed its preparatory bodies to pursue discussions, which was done at both technical and political level, with a view to reaching agreement on this dossier in November.

A number of questions identified as highly political remain to be dealt with, in particular:

- **the extent and nature of any increase in modulation** rates;
- whether or not to retain certain **market management mechanisms** as a genuine safety net;
- the means of achieving a "soft landing" phasing out of **milk quotas and any accompanying measures**, particularly in the most vulnerable areas;
- an ambitious **simplification** of the **cross-compliance** rules without diminishing their scope;
- a large number of delegations felt that good agricultural and environmental practices (GAEP) should remain indicative, in order to take account of the specific situations in the individual Member States.

The Parliament should deliver its opinion in late morning on 19 November.

School Fruit Scheme

The Council will seek political agreement on a proposal on the co-financing of a scheme for the free distribution of fruit and vegetables in schools ([11380/08](#)).

This proposal is intended to help combat the obesity epidemic among children while implementing certain aspects of the recent reform of the common organisation of the market in fruit and vegetables.

The compromise presented by the Presidency in October was given a positive reception overall, but the ministers have yet to decide on the Commission's proposed budget of EUR 90 million.

The European Parliament is due to issue its opinion in late morning on 19 November.

Genetically modified soybean

The Council will be asked to adopt or reject, by a qualified majority, a proposal for a Decision authorising the placing on the market of products containing genetically modified soybean MON-89788-1 for the same uses as any other soybean, with the exception of cultivation ([14683/08](#)).

In the absence of a qualified majority for or against it, the Decision will go back to the Commission.

FISHERIES

Bilateral agreement with Norway

The Council will hold an exchange of views on the annual consultations with Norway for 2009.

The first round of negotiations with Norway was held in Bergen from 4 to 7 November, and the second round is due to be held in Brussels from 24 to 28 November.

Baltic Sea cod - Evaluation of Poland's national action plans for cod management

The Commission will brief the Council on the evaluation of the implementation of Poland's national action plans for the stock of Baltic Sea cod, as provided for in Article 3(2) of Regulation (EC) No 338/2008 ¹.

When the 2008 TACs and quotas for the Baltic Sea were set in October 2007 ², Poland undertook to adopt and implement national action plans, including immediate measures to improve control and enforcement systems in accordance with Community rules and specific measures to adjust the Polish fleet capacity in order to achieve a stable balance between capacity and the opportunities for cod fishing in the Baltic Sea allocated to Poland.

The Commission took account of that undertaking and was flexible over restitution of the quotas overfished by Poland in 2007 ³.

Codification and modernisation of the control system applicable to the common fisheries policy

The Council will hold an exchange of views on a proposal for a Regulation on the codification and modernisation of the control system applicable to the common fisheries policy.

Recovery of cod stocks

The Council will seek political agreement on a draft Regulation revising the recovery plan for cod stocks so as to ensure the sustainable exploitation of those stocks on the basis of maximum sustainable yield. ([7676/08](#))

The following points remain outstanding:

- 1. Geographical scope of the revised plan** (*the Commission proposes that the plan should cover the Kattegat, the Skagerrak, the North Sea, the Eastern Channel, the West of Scotland, the Irish Sea and the Celtic Sea*).

¹ Council Regulation (EC) No 338/2008 of 14 April 2008 providing for the adaptation of cod fishing quotas to be allocated to Poland in the Baltic Sea (Subdivisions 25-32, EC Waters) from 2008 to 2011 (OJ L 107, 17.4.2008, p. 1.).

² see Press Release of 22 and 23 October 2007, [13683/07](#).

³ Article 2 of Regulation (EC) No 338/2008 provided for a reduction over four years of the quotas allocated to Poland according to the following method:
(a) in the year 2008, a reduction of 10 % of the amount overfished in the year 2007; and
(b) in the years 2009, 2010 and 2011, reductions of 30 % of the amount overfished in 2007.

2. **Rate of reduction in fishing mortality** (*Currently TACs are set every year by the Council at levels which correspond to reductions of fishing mortality of 25 % for stocks below the minimum levels, 15 % for stocks below the precautionary levels and 10 % for stocks above the precautionary levels*).
3. **Fishing effort limitation (reference period, definition of effort groups, conditions for the exclusion of gear not fishing for cod)**
(*Fishing effort is limited by ceilings expressed in kW/days, by effort group (i.e. by category of fishing gear) and by Member State; the reference period selected for the first year of application of the plan is the average effort in kW/days during the years 2005, 2006 and 2007. The fishing effort ceilings are set each year by the Council on the basis of reductions in fishing mortality identical to those which apply for the calculation of TACs, for fishing effort groups which catch at least 80 % cod*).
4. **Discards and selectivity** (*The Member States are encouraged to reduce discards and promote selectivity*).

Strategy for the sustainable development of aquaculture in Europe

The Council will hold a preliminary exchange of views on the basis of Presidency's questionnaire, with a view to reviewing the Community strategy for the sustainable development of aquaculture in Europe.

Consumption of fish worldwide, to feed both people and animals, is steadily increasing. Given the depletion of some fish stocks, aquaculture may help to meet this growing demand for aquatic products.

Almost half of fish consumption worldwide already comes from aquaculture.

Simplification of the common fisheries policy

The Council will receive an oral progress report on action taken by the Commission with a view to simplifying and improving the common fisheries policy.

This information is now habitually provided during each Presidency.

OTHER BUSINESS

(a) Assessment of the present situation regarding the pesticides package - Request from the Netherlands delegation

On 22 September 2008, in the framework of the co-decision procedure, the Council sent the European Parliament its common position on the two texts making up the legislative package: a proposal for a Regulation concerning the placing of plant protection products on the market¹, and a proposal for a Directive establishing a framework for Community action to achieve the sustainable use of pesticides².

The Environment Committee of the European Parliament has adopted on 5 November a second reading draft resolution on both proposals.

¹ [11119/8/08 REV 8.](#)

² [6124/5/08 REV 5.](#)