



Brussels, 16 June 2009

Background Note¹
AGRICULTURE AND FISHERIES COUNCIL
Luxembourg, 22 & 23 June 2009

*The Council will meet from 11.00 on Monday 22 June with agriculture items, chaired by Mr **Jakub ŠEBESTA**, Czech Minister for Agriculture, in presence of Mrs Mariann Fischer Boel, member of the Commission .*

*The Council will draw up conclusions on the **future of the Common Agricultural Policy (CAP) after 2013 and especially direct payments**, taking as a basis, inter alia, the outcome of the ministers' exchange of views at the [informal meeting in Brno](#) (Czech republic) on 2 June 2009. The Council is then expected to adopt conclusions on agricultural products **quality policy** and on **areas with natural handicaps**.*

*In the afternoon, the Council will broach the items arising from the **Permanent Representatives Committee regarding Public Health**.*

*In presence of Commissioner Vassiliou, the Council will intend to endorse a political agreement on the **welfare of animals at the time of killing** and to adopt conclusions on the evaluation of existing control measures relating to certain **plant harmful organisms**.*

*The Council will continue in public deliberation, trying to reach political agreement on a draft common position on **novel foods** and on several proposals updating **the list of active substances approved for plant protection products**.*

*On Tuesday 23 June, starting at 9.30, the Council will have an exchange of views based on the Commission's Communication on the sustainable development of **Community Aquaculture**, with a view to adopt conclusions on the matter. Then the Council will hold a policy debate on the **Community control system** ensuring compliance with the **Common Fisheries Policy** rules.*

*Lastly, the Council will have an exchange of views on the Commission's Policy Statement on fishing opportunities (**TAC & Quotas**) for 2010, presented by Commissioner Borg.*

The Presidency will hold press conferences probably on Monday [+/- 21.00] and at the end of the meeting and around lunch time on Tuesday.

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

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

AGRICULTURE

Future of the Common Agricultural Policy (CAP) after 2013

The Council will draw up conclusions on the future of the CAP and especially direct payments, intending to send a clear political message on direct payments, but without in any way prejudging their future shape or the future Financial Perspectives.

The conclusions should concentrate in particular on:

- the future discussion on the function and role to be played by any future direct payments scheme,
- the wish to improve the direct payments scheme so that, to meet the challenges for agriculture after 2013, it is fair and legitimate, effective, easy to implement, and
- stressing that further discussions and in-depth analysis will be necessary.

Agricultural products quality policy

The Council will draw up conclusions on a Communication from the Commission on **Agricultural products quality policy** ([10359/09](#)).

In December 2008, the Council took note of preliminary views from delegations on the Agricultural Product Quality¹, on the basis of a Commission Green Paper which launched a vast public consultation.

As a follow-up, the Czech Presidency organised a High Level Conference on Quality Policy in Prague on 12-13 March 2009.

Further information:

- [Green Paper on agricultural product quality: product standards, farming requirements and quality schemes.](#)
- *Press release of the [quality policy conference](#)*

Areas with natural handicaps

The Council will draw up conclusions on a Communication from the Commission: "Towards a better targeting of the aid to farmers in areas with natural handicaps" ([8858/09](#)).

The main objective of the Commission Communication is to invite Member States to carry out simulations on Less Favoured Areas (LFAs) delimitation based on the methodology set out in the Communication and to provide the Commission services with maps reflecting the results of those simulations.

¹ See press release [16916/08](#)

The draft conclusions serve the purpose of recording Member States' agreement to carry out the simulations requested by the Commission, without prejudice to their final position on the future LFA Scheme.

The Communication reports on the work carried out by the Commission on reviewing the delimitation of intermediate less-favoured areas (LFAs), in order to follow up on the revision of the LFA scheme undertaken in 2005 in the framework of Regulation (EC) No 1698/2005.

The new approach to LFA delimitation described in the Communication aims to increase transparency and accountability of the LFA scheme and to enhance equal treatment of beneficiaries across the EU, by introducing a set of eight biophysical criteria for determining whether an area is affected by natural handicaps.

PUBLIC HEALTH

Novel foods

As an A-point, the Council is expected to reach a *political agreement* with a view to the adoption of a common position on a draft regulation on novel foods ([5431/08](#))¹ following the first reading under the co-decision procedure with the European Parliament.

Protection of animals at the time of killing

The Council is expected to reach political agreement on a proposal improving welfare of animals at slaughter ([13312/08](#))

The draft regulation aims at revising the legislation in force - Council Directive 93/119/EC on the protection of animals at the time of killing or slaughter in the light of new technical and scientific elements. It also introduces a new approach - mirroring the one followed in food safety field - increasing operator's responsibilities concerning welfare.

The main elements of the proposal are:

- Animal welfare taken on board in the design of slaughterhouses;
- Regular monitoring of stunning techniques efficiency;
- Appointment of a specific person responsible for animal welfare;
- proper training of the staff confirmed by a certificate of competence;
- updating of a number of technical standards in view of scientific progress.

Community rules on animal welfare are among the strictest worldwide and intend to minimising distress and avoiding pain throughout the slaughtering process.

¹ The Commission amended its proposal following the first reading opinion of the European Parliament.

Every year, nearly 360 million pigs, sheep, goats and cattle as well as several billion poultry are killed in EU slaughterhouses for their meat. In addition, about 25 million animals are killed for their fur. The control of contagious diseases may also require the culling of thousands to millions of other animals.

Use of certain active substances in plant protection products

The Agriculture and Fisheries Council will seek a political agreement on the following seven proposals designed to include or not certain active substances in plant protection products on a positive list:

- proposal for a directive amending directive 91/414/EEC to **include tetraconazole** as active substance ([10254/09](#));
- proposals for decisions concerning the **non-inclusion** of the following substances in Annex I to directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing those substances:
 - bifenthrin ([10260/09](#))
 - diphenylamine ([10255/09](#))
 - metam ([10258/09](#))
 - paraffin oils CAS 64742-46-7, CAS 72623-86-0 and CAS 97862-82-3 ([10261/09](#))
 - paraffin oil CAS 8042-47-5 ([10263/09](#))
 - triazoxide ([10257/09](#)).

Active substances to be used as plant protection products are assessed and authorised at Community level under directive 91/414, which established a harmonised framework for the authorisation and placing on the market of plant protection products. Authorised substances are listed in Annex I to the directive. The inclusion of an active substance in Annex I is decided by the Commission - on the basis of risk assessments carried out by the European Food Safety Authority - subject to the opinion of the experts of the Standing Committee on the Food Chain and Animal Health (SCoFCAH).

As the SCoFCAH did not provide an opinion supported by the majority required on any of the seven proposals, it is up to the Council to take the decisions.

FISHERIES

Community Aquaculture

The Council will draw up conclusions on a Commission communication adopted on 8 April 2009, which provides new ideas how to foster and encourage further development of European aquaculture ([8677/09](#)).

The draft conclusions support the need to newly stimulate the sector's competitiveness, sustainability and governance. With a view to enhancing competitiveness they emphasize in particular the necessity to simplify the administrative burden, to take account of the sector's needs in terms of space and to promote related research and development. They call for improving communication to and information of consumers. Furthermore, the draft conclusions address some specific issues, such as the importance of both parts of the sector, namely freshwater and marine aquaculture, fish health, the issue of cormorants and the need of a level playing field for domestic and imported aquaculture.

Since the first Strategy for the Sustainable Development of European Aquaculture in 2002 good progress has been achieved in ensuring the sustainability, safety and quality of EU aquaculture production. Nevertheless, the sector was faced with stagnation in recent years.

For some of the measures set out in the Strategy, a clear timetable is set in the strategy, whereas other measures need a long term commitment of all parties concerned.

Control system of the Common Fisheries Policy

The Council will hold a *policy debate* on a proposal intending to substantially reform the Common Fisheries Policy (CFP) control system ([15694/08](#)).

The debate will be framed by the following questionnaire:

1. *Which control instruments and means should be introduced or further developed to allow the development of an integrated and global approach to control? Should there be any derogation for small scale fisheries?*
2. *Should sanctions for infringements of CFP rules be further harmonized? If so, to what extent? Should a penalty point system be set up? If so, how?*
3. *As regards powers, to what extent, if any, should*
 - *the Commission be provided with more possibilities to intervene proportionately to the level of non-compliance with CFP rules;*
 - *the powers of Community inspectors be redefined;*
 - *the mandate of the Community Fisheries Control Agency be extended?*

The main objectives of the Commission proposal are to simplify the current CFP control scheme, to reduce costs and administrative burden, an integrated control system "from net to plate", harmonised sanctions, use of modern technologies to cross-check data, possible extension of the Community Fisheries Control Agency mandate and introduce Community financial assistance conditionality.

The Commission has presented its legislative proposals in November 2008 for their detailed discussion under Czech and Swedish Presidencies.

Fishing opportunities for 2010

The Council will hold an *exchange of views* on the so-called "frontloading exercise" with a view to preparing the setting of TACs and quotas 2010 ([9838/09](#))

The aim of the discussion is to provide the Council and the Commission with a clear view of the positions of Member States on fishing opportunities and fishing efforts with a view to steer the work on preparing Council decisions on TAC's and quotas to be adopted in December.

OTHER BUSINESS

Plan of Action 2006-2008 for the simplification and improvement of Common Fisheries Policy *- Information from the Commission*

Commissioner Borg will provide an *update* to the Council on progress to date on the simplification initiatives for the Common Fishery Policy established in the 2006-2008 Action Plan (CFP) ([10838/09](#)).
