



Brussels, 19 February 2010

Background note¹

AGRICULTURE AND FISHERIES COUNCIL

Brussels, 22 February 2010

*The Council meeting will start on Monday 22 February at 11.00 and will be chaired by Ms **Elena Espinosa**, minister for Agriculture of Spain.*

*The Council will hold an exchange of views on the Commission's report "Options for **animal welfare labelling** and the establishment of a European Network of Reference Centres for the protection and welfare of animals".*

*Ministers will also exchange their views on a presidency paper entitled "**Future of the CAP: market management measures post 2013**".*

Finally, the Council will examine an Italian request for granting state aid for the purchase of agricultural land.

During lunch, ministers will discuss the preparation of the meeting of ministers for Agriculture at the OECD in Paris on 25-26 February.

A press conference will take place after the meeting (+/-19h30).

Public events can be followed via videostreaming:

<http://video.consilium.europa.eu/>

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

AGRICULTURE

Animal welfare labelling and the establishment of a European Network of Reference Centres

The Council will hold an exchange of views on the Commission's report "Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals" ([15307/09](#))². The debate will be framed in particular by the following questions:

- *What tools do you consider most appropriate for improving information so that producers obtain the desired recompense?*
- *Should there be a separate information system for each standard or one for the "European model" as a whole?*
- *Do you consider that there are currently sufficient reliable animal welfare indicators enabling the consumer to distinguish between different levels and therefore justifying the establishment of voluntary models that provide measurable added value?*

Following a conference "Animal Welfare - Improving by Labelling?" organised by the European Economic and Social Committee, the European Commission and the German EU presidency in Brussels on March 2007, the Council adopted in May of the same year conclusions on animal welfare labelling ([9151/07](#)), inviting the Commission to assess further this issue and to submit a report in order to allow an in-depth debate on the issue.

The Commission published its report on 28 October last year, identifying various issues concerning animal welfare labelling and communication, and the possible establishment of a European Network of Reference Centres for the protection and welfare of animals. The Commission expects an inter-institutional discussion on its text, feeding its reflections in shaping possible future policy options.

Presidency paper on the "Future of the CAP: market management measures post 2013"

Ministers will hold an exchange of views on a presidency paper entitled "Future of the CAP: market management measures post 2013" ([6063/10](#)). This paper includes the following questions designed to structure the debate:

- *Do you consider that the market orientation of European agriculture is sufficient?*
- *Do you consider that current market management instruments provide a sufficient safety net in the event of a scenario of growing volatility? How could the situation be improved?*
- *Do you consider it appropriate to examine complementary instruments in addition to those provided for in the single CMO? Which? How?*
- *Do you think that the future CAP should have a financial mechanism to deal with situations of serious crisis which offers flexibility in responding rapidly to such cases?*

² This and other documents for which references are given in the text can be found in the public register of the Council by typing in the corresponding number <http://www.consilium.europa.eu/showPage.aspx?id=549&lang=en>

The Council's debate follows previous discussions on the different aspects of the CAP post-2013 hold under the French, Czech and Swedish Presidencies. A final general reflection on the CAP post-2013 is scheduled to take place during the informal meeting of the ministers of Agriculture on 30 May - 1 June, to be held in Mérida, Spain.

State aid for the purchase of land in Italy

The Council will examine a request by the Italian government with a view to authorising Italy ([16618/09](#)) to grant state aid for the purchase of agricultural land between 1 January 2010 and 31 December 2013.

Italy addressed on 26 November 2009 an application requesting that the Council declares its state aid for the purchase of agricultural land from 2010 to 2013 compatible with the internal market rules.

Under article 108 (2) of the Treaty on the functioning of the European Union, the Council may decide by unanimity that a state aid shall be considered to be compatible with the internal market if such a decision is justified by exceptional circumstances.³ This decision must be taken within three months after the application submitted by a EU member state for authorisation.

Under the Community guidelines for state aid in the agriculture sector applied during the period 2000-2006, it was possible to grant state aid for purchase of land costing up to 40%-50% of the eligible expenses of the investment. Such possibility was ruled out under the 2007-2013 guidelines, with a foreseen phasing out by 31 December 2009.

OTHER BUSINESS

WTO negotiations

The Council will take note of information to be provided by the Commissioner for Agriculture and Rural Development, Dacian Cioloş, on the state of play of the WTO negotiations.

Q-Fever

The Council will be briefed by the Dutch delegation on the situation of Q-fever in the Netherlands and the measures taken to control the outbreak ([6421/10](#)).

Illegal import of ivory

The Dutch delegation will draw the attention of the Council on the increase of the illegal trade in ivory ([6595/10](#)).

³ Abstentions by member states do not prevent the adoption by the Council of acts which require unanimity (article 238(4) of the Treaty on the functioning of the EU).

Age limit for animals submitted to BSE tests

The Belgian delegation will ask the Commission to submit a new action plan regarding measures against TSE and in particular, to decrease the amount of healthy cattle for human slaughter that need to be tested against BSE, either by increasing the age limit for the testing or by limiting the testing requirement only to cattle born before 1 January 2004 ([6420/10](#) + [6420/10 COR 1](#)).

Crisis of the agricultural sector in Greece

The Greek delegation will draw the attention of the Council on the difficulties of its agricultural sector, asking for immediate and long-term measures ([6566/10](#)).

Extension of the deadline for using unenriched cages

The Council will take note of a request made by the Polish delegation to postpone the date imposing the prohibition of unenriched cages for laying hens by five years ([6136/10](#)). Council directive 1999/74 lays down minimum standards for the protection of laying hens and provides that the rearing of laying hens in so called unenriched cage systems⁴ is prohibited with effect from 1 January 2012.

Sugar

The Portuguese delegation will ask the Commission to propose exceptional measures for the sugar refinery industry, hence rebalancing the impact of the additional out-of-quota exports on the supply of raw sugar cane ([6547/10](#)).

Cereals market

The Council will take note of a request made by the French delegation to take appropriate measures to alleviate the situation on the cereals market ([6603/1/10](#) REV 1)

⁴ Unenriched cages are cages which do not meet certain minimum requirements for space and for facilities to express the birds' natural behaviour, such as nest, litter and perches. Building or bringing into service for the first time of such systems has already been prohibited since 1 January 2003.