Council of the
European Union

EN

15282/14

(OR. en)

PRESSE 581
PR CO 56

PRESS RELEASE

3344th Council meeting

Agriculture and Fisheries

Brussels, 10 November 2014

President **Maurizio MARTINA**
Minister for Agricultural, Food and Forestry Policy

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Main results of the Council

Fisheries

The Council reached a political agreement on ***fishing opportunities for 2015 and 2016 for deep-sea stocks****. The recently reformed Common Fisheries Policy (CFP) provides that the quantities of fish from specific stocks that can be caught take into account available scientific advice and maximum sustainable yield (MSY).*

*The President of the Council, Mr Martina said: "*Let me express my satisfaction about the political agreement reached today, which marks a further step forward in the implementation of the new CFP. The compromise text proposed by the Presidency in agreement with the Commission, goes in the direction of greater protection of fish stocks, especially for the species particularly at risk.*"*

Agriculture

The Council had an exchange of views on the ***financing of the European agricultural guarantee fund (EAGF)****. The Commission amending letter to the draft EU budget 2015 proposes a reduction of the CAP budget. Most of the member states expressed concerns about the potential consequences of this proposal, which will trigger the use of the crisis reserve for 2015 and lead to a reduction in the direct payments.*

*"*For a vast majority of member states, the Commission's proposal does not meet the needs of the agricultural sector, already under pressure due to the impact of the Russian ban. As the current President of the Agriculture and Fisheries Council, I will send a letter to the President of the ECOFIN Council expressing the position of agriculture ministers in the context of the ongoing conciliation process with the European Parliament*", Minister Martina said.*

Finally, on ***young farmers,*** *the President of the Council said. "*I noted a wide initial support from my colleagues on the document that we presented for strengthening the EU policies towards young farmers, in particular on the proposal to overcome the barriers to access credit, land and knowledge. These measures are essential to support the work of young farmers and to provide a future for European agriculture. I am satisfied that the other member states have realised that youth unemployment must be tackled fielding urgent measures.*"*

Other items

Without discussion, the Council laid down new rules to facilitate ***damage claims by victims of antitrust violations****. The Council also adopted a regulation aimed at* ***improving market transparency for retail investors****.*

CONTENTS[1]

PARTICIPANTS **5**

ITEMS DEBATED

FISHERIES 7

Fishing opportunities for deep-sea stocks for 2015-2016 7

AGRICULTURE 11

Financing of the European Agricultural Guarantee Fund 11

Cyprus tax exemption on motor fuel in agriculture 12

ANY OTHER BUSINESS 13

– Young farmers 13

– Declaration on organic production 13

– Russian ban on peaches and nectarines 14

– ICANN domains 14

– Protection of the honey bee in Europe 15

– Measures against the corn root worm 15

OTHER ITEMS APPROVED

FISHERIES

– Fishing opportunities in the Baltic Sea for 2015 16

COMPETITION

– Damage claims for antitrust law violations 16

RESEARCH

– EU-Faroe Islands - Scientific and technological cooperation agreement 17

[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.

EMPLOYMENT

– Mobilisation of the European Globalisation Adjustment Fund for Greece and Ireland 17

TRANSPORT

– International Maritime Organisation - EU position 18

ECONOMIC AND FINANCIAL AFFAIRS

– Transparency rules for investment products 18

TRADE POLICY

– Republic of Korea - Free trade agreement - Croatia 19

JUSTICE AND HOME AFFAIRS

– Co-operation between Moldova and Europol 19

DEVELOPMENT COOPERATION

– Financial contributions to the European Development Fund 19

SOCIAL POLICY

– EU - Switzerland: coordination of social security schemes 19

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Mr Stéphane LE FOLL	Minister for Agriculture, the Food Processing Industry and Forestry – Government Spokesperson
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Mr José DIOGO ALBUQUERQUE	State Secretary for Agriculture
Mr Manuel PINTO DE ABREU	State Secretary for Maritime Affairs
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Mr Ľubomír JAHNÁTEK	Minister for Agriculture and Rural Development
Finland:	
Mr Petteri ORPO	Minister for Agriculture and Forestry
Sweden:	
Mr Sven-Erik BUCHT	Minister for Rural Affairs
United Kingdom:	
Mr Rupert MAULEY	Parliamentary Under Secretary of State for Natural Environment and Science, Department for Environment, Food and Rural Affairs
Mr Richard LOCHHEAD	Cabinet Secretary for Rural Affairs and the Environment

Commission:	
Mr Phil HOGAN	Member
Mr Karmenu VELLA	Member
Mr Vytenis ANDRIUKAITIS	Member

ITEMS DEBATED

FISHERIES

Fishing opportunities for deep-sea stocks for 2015-2016

Ministers reached a political agreement on fishing opportunities for certain deep-sea stocks for 2015 and 2016 (*13852/14*) on the basis of a Presidency compromise, drawn up in agreement with the Commission.

The Council will adopt this regulation, following finalisation by the legal/linguistic experts, at one of its forthcoming meetings. The regulation will apply from 1 January 2015. The total allowable catches (TACs) and quotas for the deep-sea species have been fixed at the EU level biennially since 2003.

In accordance with Article 43(3) of the Treaty, the Council is expected to adopt measures on a proposal from the Commission on the fixing and allocation of fishing opportunities for deep-sea stocks.

This political agreement concerns certain stocks of deep water fish such as certain deep sea sharks, the black scabbardfish (*Aphanopus carbo*), roundnose grenadier (*Coryphaenoides rupestris*) and roughhead grenadier (*Macrorous berglax*), alfonsinos (*Beryx spp.*), red seabream (*Pagellus bogaraveo*) and greater forkbeard (*Phycis blennoides*).

The TACs agreed for the main deep species are set out in table 1 and table 2.

Table 1

Species (common name)	Species (Latin name)	ICES fishing zone	EU TACs 2014 (in tonnes)	Commission proposal on EU TACs for 2015 (in tonnes)	Council decision on EU TACs for 2015 (in tonnes) (1)	Variation 2014-2015 in COM proposal (target in %)	Difference 2014-2015 in Council agreement (%)	Commission proposal on EU TACs for 2016 (in tonnes)	Council decision on EU TACs for 2016 (in tonnes) (1)	Variation 2015-2016 in COM proposal (target in %)	Difference 2015-2016 in Council agreement (%)
TACs and quotas for 2015 and 2016 for certain stocks of deep water fish: Council decision and initial Commission proposal											
Deep-sea sharks		V, VI, VII, VIII, IX (EU waters and international waters)	0	0					0		
Deep-sea sharks		X (EU waters and international waters)	0	0					0		
Deep-sea sharks		XII (EU waters and international waters)	0	0					0		
Black scabbardfish	*Aphanopus carbo*	I, II, III and IV (EU waters and international waters)	9	9	9	0%	**0%**	9	9	0%	**0%**
Black scabbardfish	*Aphanopus carbo*	V, VI, VII and XII (EU waters and international waters)	3966	3173	3649	-20%	**-8%**	2538	3357	-20%	**-8%**
Black scabbardfish	*Aphanopus carbo*	VIII, IX and X (EU waters and international waters)	3700	3200	3700	-14%	**0%**	2768	3700	-14%	**0%**
Black scabbardfish	*Aphanopus carbo*	CECAF 34.1.2 (EU waters and international waters) - Madeira	3490	2792	3141	-20%	**-10%**	2234	2827	-20%	**-10%**
Alfonsinos	*Beryx spp*	III, IV, V, VI, VII, VIII, IX, X, XII and XIV (EU waters and international waters)	296	280	296	-5%	**0%**	280	296	0%	**0%**
Roundnose grenadier	*Coryphaenoides rupestris*	I, II et IV (EU waters and international waters)	13	13	13	0%	**0%**	13	13	0%	**0%**
Roundnose grenadier	*Coryphaenoides rupestris*	III (EU waters and international waters)	544	435	435	-20%	**-20%**	348	348	-20%	**-20%**
Roundnose grenadier (2)	*Coryphaenoides rupestris*	Vb, VI, VII (EU waters and international waters)	4297	3794	3794	-12%	**-12%**	3858	3858	2%	**2%**

Species (common name)	Species (Latin name)	ICES fishing zone	EU TACs 2014 (in tonnes)	Commission proposal on EU TACs 2015 (in tonnes)	Council decision on EU TACs for 2015 (in tonnes) (1)	Variation 2014-2015 in COM proposal (target in %)	Difference 2014-2015 in Council agreement (%)	Commission proposal on EU TACs for 2016 (in tonnes)	Council decision on EU TACs for 2016 (in tonnes) (1)	Variation 2015-2016 in COM proposal (target in %)	Difference 2015-2016 in Council agreement (%)
TACs and quotas for 2015 and 2016 for certain stocks of deep water fish: Council decision and initial Commission proposal											
Roundnose grenadier (2)	*Coryphaenoides rupestris*	VIII, IX, X, XII and XIV (EU waters and international waters)	3223	2578	2901	-20%	**-10%**	2062	2611	-20%	**-10%**
Orange roughy	*Hoplostethus atlanticus*	VI (EU waters and international waters)	0	0	0			0	0		
Orange roughy	*Hoplostethus atlanticus*	VII (EU waters and international waters)	0	0	0			0	0		
Orange roughy	*Hoplostethus atlanticus*	I, II, III, IV, V, VIII, IX, X, XII, XIV (EU waters and international waters)	0	0	0			0	0		
Red seabream	*Pagellus bogaraveo*	VI, VII and VIII (EU waters and international waters)	178	143	169	-20%	**-5%**	114	160	-20%	**-5%**
Red seabream	*Pagellus bogaraveo*	IX (EU waters and international waters)	780	300	374	-62%	**-52%**	115	183	-62%	**-51%**
Red seabream	*Pagellus bogaraveo*	X (EU waters and international waters)	920	610	690	-34%	**-25%**	400	517	-34%	**-25%**
Forkbeards	*Phycis blennoides*	I, II, III and IV (EU waters and international waters)	31	34	37	10%	**20%**	34	37	0%	**0%**
Forkbeards	*Phycis blennoides*	V, VI and VII (EU waters and international waters)	2028	2239	2434	10%	**20%**	2239	2434	0%	**0%**
Forkbeards	*Phycis blennoides*	VIII and IX (EU waters and international waters)	267	295	320	10%	**20%**	295	320	0%	**0%**
Forkbeards	*Phycis blennoides*	X and XII (EU waters and international waters)	54	60	65	10%	**20%**	60	65	0%	**0%**

(1) calculated figures, in tonnes, may subsequently be adjusted slightly

(2) For these stocks of Roundnose grenadier, amounts to be added for roughhead grenadier: figures indicated in table 2.

Table 2

Species (common name)	Species (Latin name)	ICES fishing zone	Commission proposal on EU TACs for 2015 (in tonnes)	Council decision on EU TACs for 2015 (in tonnes)	Commission proposal on EU TACs for 2016 (in tonnes)	Council decision on EU TACs for 2016 (in tonnes) (1)	Difference 2015-2016 in Council agreement (%)
Roughhead grenadier	*Macrorous berglax*	Vb, VI, VII (EU waters and international waters)	216	216	220	220	2%
Roughhead grenadier	*Macrorous berglax*	VIII, IX, X, XII and XIV (EU waters and international waters)	743	743	669	669	-10%

AGRICULTURE

Financing of the European Agricultural Guarantee Fund

Ministers had an exchange of views on the financing of the European agricultural guarantee fund (EAGF) in the context of the Commission amending letter No 1 to the draft general budget or the EU for 2015.

Most of them expressed strong concerns about the potential consequences for agriculture of this decision and 22 of the member states signed a joint declaration highlighting their reservations with regard to the amending letter. The President of the Agriculture and Fisheries Council will convey those concerns in a letter to the President of the Council for Economic and Financial Affairs, together with the declaration.

The EAGF primarily finances direct payments to farmers and measures regulating or supporting agricultural markets, which are the main tools of the Common Agricultural Policy (CAP). In the reformed CAP, a new crisis reserve has been established within the EAGF to secure the financial resources needed in the event of an agricultural crisis. The use of the crisis reserve would mean deductions from direct payments, with unused amounts reimbursed to farmers in the following budget years.

Amending letter No 1 for 2015 (*14401/14*) updates the draft budget proposed by the Commission for 2015, notably with regard to agricultural expenditure, reducing the overall commitments by €448.5 million and redeploying payments of €397 million from heading 2 (Sustainable growth: natural resources) to meet needs under other headings. The reduction of appropriations in heading 2 is compensated for by additional revenue, notably from the milk superlevy (levy paid when milk quotas have been exceeded by producers in a member state). In addition, €344.3 million of the €433 million in the agricultural crisis reserve is to be used to finance emergency market measures in response to the Russian food import ban.

Cyprus tax exemption on motor fuel in agriculture

At the request of the Cyprus delegation, the state aid to farmers in the form of a tax exemption on motor fuel used for agricultural purposes will be discussed at the next Agriculture and Fisheries Council (*13778/14*).

ANY OTHER BUSINESS

– ***Young farmers***

The Presidency briefed the Council about the current difficulties still being encountered by young farmers in the framework of the new CAP namely in terms of access to credit, land and exchange of information and best practices (*15127/14*).

To overcome these barriers, the Presidency tabled a note suggesting possible solutions to the aforementioned obstacles. Possible additional measures would be: providing better access to finance and loans through the European Investment Bank, improving stated aid rules to ease land purchase and facilitate the exchange of information and practices through an "Erasmus" like European wide project.

Member states generally welcomed the Presidency initiative that could be developed further in the future.

– ***Declaration on organic production***

The Slovak delegation briefed the Council on a joint declaration by the ministers of agriculture of the Czech Republic, Hungary, Poland, Slovakia, Bulgaria, Romania and Slovenia on the proposal for a regulation on organic production and labelling of organic products (*7956/14* + *7956/14 ADD1*).

Many member states shared some of the concerns expressed by those countries in the joint declaration.

The declaration emphasises the concerns of those member states regarding changes that could be introduced by the proposed regulation and could ultimately affect organic production. They highlight in particular the need to:

– keep a process-based approach for the controls on organic production;

– maintain some derogations such as the possibility to use non-organic seeds in organic production;

– keep the possibility to have farms combining organic and non-organic production in the same holding;

– reduce the number of delegated acts provided for in the regulation and include more provisions in the basic legal act.

– ***Russian ban on peaches and nectarines***

At the request of the Greek delegation, the Council discussed the possibility of additional targeted measures for supporting the peach and nectarine sector affected by the Russian ban on EU agricultural products (*12792/14*).

In this regard, Greece considered that the initial emergency market measures on peaches and nectarines followed by further measures on other fruit and vegetables adopted in August this year did not mitigate the severe effect of the Russian ban affecting its producers.

The Commission, recalling its swift reaction to the Russian ban as well as the current budgetary difficulties, noted that the situation of the peaches and nectarines sector in Greece did not justify specific compensatory measures for Greek producers, also taking into account that several member states had similar concerns.

– ***ICANN domains***

The Presidency requested the Commission to brief the Council on the ongoing new ICANN (Internet Corporation for Assigned Names and Numbers) programme for the allocation of Generic Top Level Domains (gTLDs) such as ".wine" and ".vin". This scheme presents some critical aspects concerning intellectual property rights and the protection of geographical indications (*15191/14*).

The Commission confirmed that it was closely following this issue to avoid possible negative consequences on the European agri-food production, in particular on the wine market and that it would undertake any possible action to guarantee the protection of EU geographical designations.

– ***Protection of the honey bee in Europe***

Ministers were briefed by the Slovenian delegation on the outcome of a ministerial conference "Protection of the honey bee in Europe" which took place on 22 August 2014 in Maribor, Slovenia (*14966/14*)

The participants to that conference discussed the importance of honey bees and beekeeping, the risk factors causing honey bee losses and proposals for their protection.

The Commission underscored its commitment to ensure the health of honey bees: for example, measures to suspend the use of pesticides have been decided on, following a scientific assessment showing that the substances could affect bees.

– ***Measures against the corn root worm***

The Austrian and the Hungarian delegations briefed the Council about control measures to eradicate the corn rootworm.

In the context of the spread of the corn rootworm, Austria and Hungary wished to see an intensification of research on the parasite. Several member states supported their request for quicker and better harmonised procedures for the authorisation of suitable plant protection products in the member states affected.

The Commission took note of the extension of crop damage linked to the spread of this parasite and underscored that the current framework for plant protection product should offer better harmonisation.

OTHER ITEMS APPROVED

FISHERIES

Fishing opportunities in the Baltic Sea for 2015

The Council adopted a regulation on fishing opportunities for 2015 for certain fish stocks in the Baltic Sea (*14539/14*).

A political agreement was reached on this regulation at the Agriculture and Fisheries Council meeting in October (*14199/14*). The regulation lays down for 2015 the maximum quantities of fish from specific stocks that can be caught in the Baltic Sea (total allowable catches or TACs and quotas), as well as the fishing effort limits for Baltic cod stocks (limits on fishing activity by reducing the number of days at sea). The measures have been established taking into account available scientific advice and, in particular, the reports drawn up by the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF). In addition, provisions introduced by the recently reformed Common Fisheries Policy (CFP) such as the landing obligation were taken into account.

Under article 43(3) of the Lisbon Treaty, it is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities within the framework of the Common Fisheries Policy. The European Parliament's participation and the Economic and Social Committee's opinion are therefore not required for this species.

COMPETITION

Damage claims for antitrust law violations

The Council laid down new EU-wide rules to facilitate damage claims by victims of antitrust violations.

The new directive will harmonise and ensure the effective enforcement of antitrust damages rules within the EU, thereby allowing the victims of a cartel to receive full compensation for both the actual loss suffered and for lost profits.

For more details see press release 15143/14.

RESEARCH

EU-Faroe Islands - Scientific and technological cooperation agreement

The Council authorised the signing and provisional application of an agreement for scientific and technological cooperation with the Faroe Islands associating the Faroe Islands with "Horizon 2020", the EU's framework programme for research and innovation for the years 2014 to 2020 *(14014/14)*.

The agreement is to be applied retroactively as from 1 January 2014, pending the completion of the procedures for its conclusion.

EMPLOYMENT

Mobilisation of the European Globalisation Adjustment Fund for Greece and Ireland

The Council adopted two decisions mobilising a total amount of € 8.79 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in Greece and Ireland.

An amount of € 7.29 million is mobilised after 761 workers of a Greek company operating in the retail sector were dismissed as a result of the continued global financial and economic crisis. A further € 1.50 million is to be paid out of the EGF following the dismissal of 171 workers of an Irish enterprise manufacturing jewellery.

The EGF helps workers to find new jobs and develop new skills when they have lost their jobs as a result of changing global trade patterns, e.g. when a large company shuts down or a factory is moved outside the EU, or as a result of the global financial and economic crisis. The help of the EGF consists in co-financing measures such as job-search assistance, careers advice, tailor-made training and re-training, mentoring and promoting entrepreneurship. It also provides one-off, time-limited individual support, such as job-search allowances, mobility allowances and allowances for participating in lifelong learning and training activities.

TRANSPORT

International Maritime Organisation - EU position

The Council adopted a decision setting out the EU's position for the 94th session of the International Maritime Organisation's Maritime Safety Committee (*14555/14*). The position concerns amendments to the 2011 Enhanced Survey Programme (ESP) that are to be adopted during the Committee's meeting in London on 17-21 November and will have a direct or indirect effect on current EU legislation.

These amendments aim to bring the ESP Code into line with the current practices of the International Association of Classification Societies and to allow, under certain conditions, hydrostatic testing of cargo tanks by the ship's crew, under the direction of the master, instead of requiring the presence of a surveyor.

ECONOMIC AND FINANCIAL AFFAIRS

Transparency rules for investment products

The Council adopted a regulation aimed at improving market transparency for retail investors (*14679/14* + *PE-CONS 91/14*).

The regulation is part of a package of measures to boost consumer trust in financial markets. It sets out to ensure that retail investors always receive the information they need to take informed decisions.

The text covers packaged retail and insurance-based investment products (PRIIPs), specifically investment funds, structured deposits and life insurance policies with an investment element. It requires key information documents (KIPs) to be drawn up for PRIIPs. laying down uniform rules on the format and content of KIPs and on their provision to retail investors.

Adoption of the regulation follows an agreement reached with the European Parliament at first reading.

For details, see press release *15259/14*.

TRADE POLICY

Republic of Korea - Free trade agreement - Croatia

The Council adopted a decision concluding, on behalf of the EU and the member states, an additional protocol to the EU-Korea free trade agreement to take account of Croatia's accession to the EU (*14972/14* + *6035/14* + *6037/14*).

JUSTICE AND HOME AFFAIRS

Co-operation between Moldova and Europol

The Council approved the agreement on operational and strategic co-operation between the Republic of Moldova and the European Police Office (Europol) *(14129/14),* which aims to support member states and Moldova in preventing and combating organised crime, terrorism and other forms of international crime.

The co-operation may include, additional to the exchange of information, general situation reports, results of strategic analysis, information on criminal investigation procedures and on crime prevention methods, participation in training activities, as well as providing advice and support in individual criminal investigations.

DEVELOPMENT COOPERATION

Financial contributions to the European Development Fund

The Council approved the financial contributions by member states to the European Development Fund (EDF) for the first instalment 2015 as well as the ceiling for the contributions for 2016.

SOCIAL POLICY

EU - Switzerland: coordination of social security schemes

The Council adopted a decision on the position to be taken by the EU in the joint committee as regards the amendment of annex II on the coordination of social security schemes between the EU and Switzerland (*13888/14*).