



**COUNCIL OF
THE EUROPEAN UNION**



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3063rd Council meeting

Agriculture and Fisheries

Brussels, 24 January 2011

President

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Main results of the Council

*The Hungarian presidency presented its **agriculture and fisheries work programme** for the next six months in a public session.*

*The Council was briefed on a communication on **honeybee health**.*

*Ministers held their second political debate on a communication on **the CAP towards 2020**.*

*Finally, ministers were briefed on **the situation on the pig meat market in the EU**, on the present **dioxin situation in Germany**, and on **the international agricultural markets**.*

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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>).
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Portugal:

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Slovenia:

Mr Dejan ŽIDAN

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Gabriel CSICSAI

State Secretary for Agriculture and Rural Development

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Minister for Agriculture and Forestry

State Secretary for Agriculture

Sweden:

Mr Eskil ERLANDSSON

Minister for Agriculture

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Mr James PAICE

Minister of State at the Department for Environment, Food
and Rural Affairs.**Commission:**

Mr Dacian CIOLOȘ

Mr John DALLI

Member

Member

ITEMS DEBATED

Presidency work programme

Mr Sándor FAZEKAS gave a brief presentation on the Hungarian presidency work programme in the agricultural and fisheries sectors ([5449/11](#)).

The agricultural policy priorities of the Hungarian presidency will focus mainly on the future of the common agricultural policy (CAP) towards 2020. The policy debate on the future of the CAP is the main point on the agenda of this Council meeting (*see below*) and will also be the main point for the February and March Council meetings. As regards legislative initiatives, the Presidency intends to continue work on the "quality package" and the "milk package", including the proposal on contractualisation in the milk sector. The follow-up to the alignment of the CAP legislation on the Treaty of Lisbon will also constitute a highlight of the Presidency.

In the food, veterinary and forestry sectors the emphasis will be on food information for consumers, and the Presidency will try to reach final agreement on novel foods. Other priorities will be on an amendment of blue tongue legislation and honeybee health, for which the Presidency will prepare conclusions (*see below*). The Presidency stressed the importance of drawing up a policy framework for sustainable forest management throughout Europe.

The priorities for fisheries policy will focus on the reform of the common fisheries policy (CFP), for which legislative proposals will be tabled during this semester. With regard to horizontal fishing rules, the Hungarian presidency will also endeavour to adopt the prolongation of the temporary legislation on technical measures. Finally, the encouragement of fisheries partnership agreements with third countries is an important point which the Presidency would like to develop.

Honeybee health

Ministers were briefed on a Commission communication on honeybee health ([17608/10](#)).

Several member states highlighted the importance of honeybees in EU agriculture and welcomed the actions proposed in the communication. Some of the delegations insisted on the importance of taking account of national specificities and of relying on subsidiarity for any action on beekeeping.

The communication covers all aspects of honeybee health, including animal health, veterinary medicines and research, and clarifies the key issues relating to honeybee health and key actions that the Commission intends to take to address them. The communication identifies actions to be launched rapidly, such as the creation of a Community Reference Laboratory and long-term issues on strengthening bee disease monitoring or improving accessibility to veterinary medicinal products for bees.

The EU honeybee population (*Apis mellifera*) plays an essential role in both pollination and the production of honey and other apicultural products. The EU has therefore established certain harmonised rules to protect and maintain the health of bees, while Member States may regulate other aspects of beekeeping and related activities.

Recently, an increase in bee mortality has been reported in several countries both within and outside the EU. The "Agriculture and Fisheries" Council took note, on 13 July 2009, of the concerns expressed by the Slovenian delegation and supported by a large number of delegations regarding serious difficulties being encountered by the beekeeping sector throughout the world, and more particularly in Europe ([11829/09](#)).

The Council took note of this communication, which will be discussed in Council working parties. The Presidency expects to present possible Council conclusions on this subject in May 2011. The European Parliament as well as Member State authorities and beekeepers and all other stakeholders will be involved in a larger discussion process.

The CAP towards 2020

The Council held a second policy debate on the Commission communication *The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future* ([16348/10](#)).

The debate, structured around a Presidency questionnaire ([5205/11](#)), focused on sustainable management of natural resources and climate action, which is the second of the three main objectives for the future CAP identified in the Commission communication.

Member states acknowledged the general objective of developing sustainable management of European agriculture within the framework of the CAP reform. Some delegations agreed with the Commission suggestion to have the first pillar as the main element for the "greening" of the CAP, while others preferred the environmental measures to be part of the second pillar and rural development. Delegations generally praised green growth through innovation and considered that precise measures would be needed to act to adapt and mitigate climate change.

The Presidency will organise one more policy debate on this communication in the February Council. The debate will focus on the last main objective for the future CAP identified by the Commission in its communication, namely balanced territorial development.

The Presidency will use the output of these discussions to prepare Council conclusions with the consensus of delegations for adoption in March 2011.

The previous policy debate on the Commission communication at the last agriculture Council was centred on viable food production. For many delegations, in order to achieve this objective, the CAP will still need to provide some level of farm income support as well as a safety net of market measures to help farmers cope with crisis situations. CAP payments should also be seen as compensation for the higher standards which EU farmers have to fulfil compared to those applied in third countries. At the same time, the CAP needs to improve the competitiveness of the agricultural sector, in particular by promoting innovation, research and training. The value share of the farm sector in the food chain will also need to be improved. Finally, delegations considered compensation for production difficulties in areas with natural constraints necessary to maintain farming activity throughout the EU and to preserve the diversity of agricultural landscapes.

The Council has discussed different aspects of the reform over five successive Presidencies. In July 2010, the conference on the public debate concluded that a majority of views expressed concurred that the future CAP should remain a strong common policy structured around its two pillars. This last point was confirmed during the informal meeting of agriculture ministers in La Hulpe on 21 September 2010, Member States insisting on sufficient flexibility in both pillars. Discussions had also shown that the reform should include in particular a better balance between income support and the rewarding of public goods provision, and should take more account of the diversity of European agriculture ([15339/10](#)).

The Commission communication outlines options and launches the debate with the Council, the Parliament and stakeholders. On the basis of the outcome of the institutional debate, the Commission is scheduled to present its legislative proposals on the CAP towards 2020 in July 2011.

ANY OTHER BUSINESS

African Swine Fever

The Latvian delegation informed ministers of its request for additional action against African Swine Fever originating from EU neighbouring third countries i.e the Russian Federation ([5460/11](#)). Financial help from the EU to implement preventive measures in particular the disinfection of lorries at the border could prevent the spread of this contagious disease in the EU. Several delegations supported the Latvian request.

The Russian authorities have been informed of the EU concerns. Some sanitary measures have already been taken. The Commission will propose the reinforcement of preventive measures at the EU borders.

Situation of the pig meat market

Ministers were briefed by the Belgian delegation about the difficult situation of the pig meat market in the EU ([5511/11](#)). This information constitutes a follow-up to the reflection day on “The pig meat sector towards 2020” held on 3 December 2010 in Brussels, during which an initial review of the pig meat market had been drawn up by Member States' experts in this sector. Since then, the situation has further deteriorated, with a strong increase in the price of feed as a consequence of the increase in cereals prices and the dioxin crisis in Germany.

The Commission announced its decision to open support measures for private storage for pig meat. In addition, an enlarged advisory committee (stakeholders from the sector and national experts) will be convened to evaluate medium-term measures for the pig meat sector. Three items in particular were identified for further reflection: intervention measures in crisis situation, insurance systems and mutual fund, and food promotion programmes for this sector. The Council welcomed the information provided by the Commission and the establishment of the enlarged advisory committee.

Dioxin situation in Germany

The German delegation informed the Council about the present situation in Germany following the dioxin contamination of animal feed affecting the egg, poultry and pig sectors ([5512/11](#)). Precautionary measures have been implemented for suspected farms (eggs, poultry and pig production), which were kept blocked until analytical results proved that there was no contamination by dioxin. Criminal action at the source of the crisis could not be excluded and judicial investigations are running. In addition, the German authorities announced a 10 points action plan to prevent the repetition of such contamination in the food chain.

The Commission recalled that this case had not presented any health threat for consumers and underlined that the existing EU food safety framework had allowed for rapid information and reaction. Harmonised EU information towards third countries had been provided by the Commission to minimise the danger of restrictive measures against European products. In reaction to the crisis, the Commission will propose four specific preventive actions: a compulsory approval system for the establishments treating fats for animal feed, an improved separation of production streams for fat for animal feed and other fats, stronger monitoring and sampling requirements and a reporting obligation for private laboratories performing dioxin analyses. Most of the member states thanked the German authorities and the Commission for the prompt and transparent actions taken and welcomed the initiative of the Commission to take further steps to ensure the proper functioning of the EU food safety system.

Future of food and farming

Ministers were briefed by the UK delegation on the Foresight project on the future of food and farming. The study identifies challenges and choices for the global sustainability of the food system towards 2050. The increase of the world population in the years to come is one of these challenges ([5495/11](#)).

International agricultural markets

The Council was informed by the Commission about the current situation of the agricultural markets at international level, the G20 process on questions of food security and price volatility as well as the role of trade and the state of play of the negotiations on agriculture at the WTO ([5496/11](#)). The Commission underlined in particular that the current situation for foodstuffs is not comparable to the 2008 situation: the prices are high but there is not a problem of supply. The Commission also underlined its support for the G20 in its work.

OTHER ITEMS APPROVED

AGRICULTURE

Health rules for animal by-products

The Council decided not to oppose the adoption of a Commission implementing regulation laying down health rules for animal by-products and derived products not intended for human consumption ([17316/10](#)).

The 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 it, unless the European Parliament objects.

EU participation in the 9th session of the United Nations Forum on Forests (UNFF-9 – New York, 24 January to 4 February 2011) - *Conclusions*

The Council adopted conclusions with a view to EU participation in the 9th session of the United Nations Forum on Forests (UNFF-9 – New York, 24 January to 4 February 2011) (see [5122/11](#) + [COR 1](#) + [COR 2](#)).

Special Report No 6/2010 from the European Court of Auditors entitled "Has the reform of the sugar market achieved its main objectives"? - *Conclusions*

The Council adopted conclusions on Special Report No 6/2010 from the European Court of Auditors entitled "Has the reform of the sugar market achieved its main objectives"? (see [17991/10](#)).

CONSUMER PROTECTION

Consumer rights on distance and off-premises contracts

The Council agreed on a general approach for a draft directive on consumer rights ([16933/10](#) and [16933/1/10 ADD 1](#)). It also mandated the Presidency to pursue negotiations with the European Parliament with a view to reaching a first-reading agreement.

The purpose of the directive is to improve the functioning of the internal market and to contribute to a high level of consumer protection by approximating certain aspects of the laws of the Member States concerning distance and off-premises contracts. At the same time, it seeks to facilitate distance selling in order to boost business's confidence to trade across borders within the EU.

The directive would apply to distance and off-premises contracts between a trader (be it public or private) and a consumer.

Distance contracts would cover all cases where contracts are concluded with the exclusive use of the means of distance communication.

Off-premises contracts would cover those contracts concluded with the simultaneous physical presence of the trader and the consumer in a place which is not the business premises of the trader.

For more information see press release [5426/11](#).

INTERNAL MARKET

Late payment in commercial transactions

The Council adopted a directive laying down new rules on late payment in commercial transactions, following an agreement with the European Parliament at first reading ([57/10](#) and [5174/11 ADD1](#)).

The directive establishes specific deadlines for the payment of invoices and the right to compensation in cases of late payment in all commercial transactions irrespective of whether they are carried out between private or public undertakings or between undertakings and public authorities.

It will increase the protection of creditors and contribute to the better functioning of the EU's internal market, thereby fostering the competitiveness of businesses and in particular of small and medium-sized enterprises.

For more information see press release [5423/11](#).

Car tyres testing method

The Council decided not to oppose the adoption by the Commission of a regulation aimed at improving the wet testing method for tyres.

The new regulation would amend Regulation (EC) No 1222/2009 with regard to the wet grip testing method for C1 tyres.

Representatives of the industry have developed a revised wet grip testing method on the basis of United Nations Economic Commission for Europe (UNECE) Regulation No 117 that significantly improves the accuracy of the testing results.

The draft 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 it, unless the European Parliament objects.

FINANCIAL AFFAIRS

Special Report No 7/2010 from the European Court of Auditors entitled "Audit of the clearance of accounts procedure" - *Conclusions*

The Council adopted conclusions on Special Report No 7/2010 from the European Court of Auditors entitled "Audit of the clearance of accounts procedure" (see [17990/10](#)).

APPOINTMENTS

Committee of the Regions

The Council appointed Mr Dainis TURLAIS (Latvia) ([5248/11](#)) and Mr Kent JOHANSSON, Ms Britt-Marie LÖVGREN and Ms Jelena DRENJANIN (Sweden) ([5251/11](#)), as members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015.

New Director-General of the Council Legal Service

The Council appointed Hubert LEGAL Legal Adviser to the European Council and Director-General of the Council Legal Service as from 1 February 2011.

Mr LEGAL is currently Director in the Council Legal Service in charge of the internal market, environment and transport. He takes over from Jean-Claude PIRIS, who has been Legal Adviser and Director-General of the Council Legal Service since 1988.

For further details, see press release [5634/11](#).

TRANSPARENCY

Public access to documents

The Council adopted:

- the reply to confirmatory application made by Mr Gavin SULLIVAN (26/c/01/10), with the Danish, Finnish and Swedish delegations voting against ([17597/10](#)); and
 - the reply to confirmatory application No 27/c/02/10, with the Danish, Finnish and Swedish delegations voting against ([17682/10](#)).
-