OUTCOME OF THE COUNCIL MEETING

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Agriculture and Fisheries

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President Petre Daea
Minister of Agriculture and Rural Development of Romania
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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).

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.
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ITEMS DEBATED

AGRICULTURE

Post 2020 Common Agricultural Policy (CAP) reform package

In public session the Council exchanged views on the Commission proposals that are part of the CAP reform package:

– a regulation on CAP strategic plans (9645/18 + ADD 1)

– a regulation on financing, managing and monitoring of the CAP (9634/18 + ADD 1)

– a regulation on a common market organisation of agricultural products (9556/18)

The debate was based on a presidency's report on the state of play of the three files (7482/1/19 REV 1), and on a set of three revised texts summarising the work carried out since January at the Working Party, SCA and Council level:

– a regulation on CAP strategic plans (7485/19)

– a regulation on financing, managing and monitoring of the CAP (6981/1/19 REV 1)

– a regulation on a common market organisation of agricultural products (7451/19)

Ministers were invited to comment on these texts and answer the following question included in the state of play report: would you in principle endorse the Romanian Presidency’s orientation given for each of the three regulations, and which elements included therein, if any, would not be acceptable to you at this stage?

Delegations generally welcomed many elements of the progress report and the revised texts. As concerns the CAP strategic plans regulation, delegations generally welcomed the performance orientation, but some pointed out that deeper discussion was needed on the performance framework and the milestones, as well as on the new green architecture. Other comments showing diverging views concerned the following elements: permanent grassland, the definitions of "young farmer" and "genuine farmer", the Farm Sustainability Tool for Nutrients (FaST), the application of redistributive payments, and investments.
The Horizontal and Common Market organisation (CMO) regulations emerged as the most advanced ones although concerns were raised concerning the threshold for financial discipline, roll-over of unused amounts from the current crisis reserve in 2020, and paying agencies in the Horizontal regulation, as well as about wine-related provisions, market measures and school schemes in the CMO regulation.

The Commission’s proposals for a CAP reform worth €365 billion introduce a new delivery model by which member states will have more flexibility in how to use their funds and will be able to tailor-make their programmes. A single set of 9 EU-wide economic, environmental and social objectives will be identified at EU level and each member state will have to draw up a Strategic Plan covering the whole programming period, setting out how it intends to meet those objectives, using both direct payments and rural development. The Commission will approve each plan to ensure consistency and the protection of the single market, and monitor the progress towards objectives and targets using a set of result indicators agreed at EU level.

The Commission proposals also outline new obligations and incentives for farmers on the front of environment and climate action. Direct payments will be conditional on enhanced environmental and climate requirements and member states will have to offer eco-schemes to support farmers in going beyond the mandatory requirements, funded with a share of their national direct payments' allocations.

Moreover the new CAP is intended to better target small and young farmers thereby facilitating generational renewal, and to foster greater use of knowledge and innovation.
Updated EU bioeconomy strategy

The Council exchanged views on the EU Bioeconomy Strategy as recently updated by the Commission and the role of the agricultural sector (7429/19).

Bioeconomy comprises those parts of the economy that use renewable biological resources from land and sea to produce value-added products such as food, feed, materials and energy. In 2012 the Commission published its Bioeconomy Strategy and in 2017 started a review which led to the publication of an updated strategy on 11 October 2018 (13229/18).

The updated strategy encompasses different sectors and policies, ranging from agriculture to climate, from research to fisheries, and others, and aims to strengthen the connections between economy, society and the environment, thus maximising the contribution of a sustainable bioeconomy to the Commission priorities and to many of its policy objectives.

Ministers were invited to answer a series of questions on:

– the sharing of best practices in the implementation of the updated Bioeconomy Strategy: several delegations mentioned the activities of the BIOEAST group, while others shared their experiences regarding, among others, national or regional bioeconomy strategies, the role of clusters, transnational research initiatives, and the cooperation between businesses and research centres,

– how the future CAP and other instruments can help deploy bioeconomy successfully: some delegations praised the inclusion of the bioeconomy among the "specific objectives" of the future CAP and considered that rural development in particular was key to deploy the potential of bioeconomy in the different member states. In the opinion of those delegations, administrative obstacles should be reduced and the CAP should better interface with other related funds and policies e.g. circular economy. Moreover, cooperation should be ensured between farmers, foresters and other actors in the agri-food chain,
– the possible contribution of the new research and innovation framework programme: several delegations welcomed the inclusion of bioeconomy and agricultural priorities in the new research and innovation framework programme, stressing the positive contribution of technology and innovation in agriculture. Some commented on how cluster 7 of the programme ("Bioeconomy, Food, Natural Resources and Environment") could be better targeted to agricultural needs and what its priorities should be.

Bioeconomy is one of the priorities of the Romanian Presidency that plans to organise an awareness-raising conference on this subject in Bucharest on 4-5 April 2019. Bioeconomy will also be the main topic of discussion at the informal meeting of agriculture ministers on 3-4 June 2019.
Any other business

– **Outcome of the conference "CAP strategic plans, exploring eco-climate schemes", Leeuwarden, 6-8 February 2019**

In the context of the wider debate on the post 2020 CAP package, the Dutch delegation informed the Council about the outcome of the above-mentioned conference (7415/19).

Around 150 participants from the European Commission, 25 member states, farmers’ organizations, NGOs and researchers explored together how to design National Strategic Plan for the future CAP, with a focus on the proposed eco-schemes. According to the Dutch paper, the conference showed that the CAP proposals give countries opportunities to develop eco-schemes that lead both to better environmental and climate conditions and fit farmers’ practices.

– **Future of coupled income support in the Common Agricultural Policy**

In the context of the wider debate on the post 2020 CAP package, the Czech delegation on behalf of Bulgaria, Croatia, Hungary, Latvia, Slovakia and Slovenia, drew the attention of the Council to the future of coupled income support in the context of the next CAP (7440/19). In particular the above mentioned member states asked to increase the financial allocation for coupled income support, enhance flexibility for member states, and exclude coupled income support from the scope of degressivity and capping of direct payments.

– **Decision by the technical board of appeals of the European Patent Office regarding the possibility to patent the results of classical plant breeding**

The Dutch delegation drew the attention of the Council to a recent decision (T 1063/18) by the Technical Board of Appeal of the European Patent Office (EPO), in which the Technical Board of Appeal ruled that a product resulting from traditional plant breeding can be patentable (6976/19).
The Dutch delegation took this opportunity to restate its support to the interpretative notice (2016/C 411/03) issued by the European Commission in November 2016, in which it is stated that the products of essentially biological processes should not be patentable, and asked the Commission and other member states to continue advocating this interpretation both within the European Union as well as within the European Patent Office.

Several delegations supported the Dutch declaration and the Commission recalled that the approach taken in the Commission interpretative notice was widely supported in the EPO, also by non-EU parties to the European Patent Convention.

– Outcome of the workshops organised by the Commission's task force on water and agriculture, Sorø, 27 November 2018 and Bucharest, 5-6 February 2019

The Commission informed the Council about the outcome of the above-mentioned workshops, which were part of a series of events (7295/19) organised by the Task Force on Water.

The Task Force on Water was established to look at various ways of improving water status in the EU in a cross-sectoral manner and with immediate effect, and spearheaded the Commission Staff Working Document on "Agriculture and Sustainable Water Management in the EU", published on 28 April 2017.

– Situation in the meat market

The Polish delegation informed the Council about the difficulties experienced at national level in the context of fast-growing imports of poultry meat from Ukraine, the possible granting of preferences to meat producers and exporters in the framework of FTA negotiations with Mercosur, Australia and New Zealand, as well as of no-deal Brexit (7489/19).

Many delegations took the floor to share the concerns expressed by the Polish delegation and the Commission took the opportunity to touch on the issue of Brexit related contingency plans in agriculture.
FISHERIES

Any other business

– Small scale fisheries

In public session, the Slovenian delegation on behalf of Bulgaria, Croatia, Cyprus, Greece, Malta, Poland and Portugal, presented a joint statement (7071/19 REV1 + 7071/19 COR 1) to highlight the importance and precariousness of small scale fisheries in the context of the Commission's proposal for a new, post-2020 European Maritime and Fisheries Fund (EMFF). In particular the above mentioned member states called for support to small scale fisheries in the new EMFF regulation. In addition to the other signatories several delegations took the floor to support the statement, while others opposed the possibility that the EMFF could be used to support activities running against the objective of sustainable fishing.
OTHER ITEMS APPROVED

AGRICULTURE

International Agreement on olive oil and table olives 2015

The Council adopted a Council decision on the conclusion on behalf of the EU of the International Agreement on olive oil and table olives 2015 (6781/19). The Council also decided to transmit it, together with the text of the Agreement (11178/16), to the European Parliament for its consent.

BUDGET

Office accommodation of EU institutions

The Council adopted conclusions on the European Court of Auditors' special report No 34/2018: "Office accommodation of EU institutions - Some good management practices but also various weaknesses" (6867/19).

TRANSPORT

Satellite navigation

The Council adopted a decision on the signing, on behalf of the EU and its member states, of the accession protocol of Bulgaria, Croatia and Romania to the Cooperation agreement on a civil global satellite navigation system (GNSS) with the Republic of Korea (7211/19 + 7211/19 COR 1; 6756/19; 6738/19).
ENVIRONMENT

Methoxychlor

The Council adopted a decision on the submission, on behalf of the EU, of a proposal for the listing of methoxychlor in annex A to the Stockholm Convention on persistent organic pollutants (7147/19, 6920/19).

Annex A to the Convention lists chemicals to be eliminated. Methoxychlor (CAS No: 72 43 5, EC No 200 779-9) was phased out in the Union many years ago, but the Council considers that wider international action is necessary to restrict its use.

This decision enters into force on the date of its adoption.

CUSTOMS UNION

Council decision on EU position in the World Customs Organization*

The Council adopted the position to be taken on behalf of the European Union in the World Customs Organization in relation to a draft amendment to the Harmonised System Nomenclature.

The agreed position can be found in document 7138/19 + 7138/19 ADD 1.

TRANSPARENCY

Public access to documents

On 18 March 2019, the Council approved the reply to confirmatory application No 03/c/01/19 (doc. 6192/19).