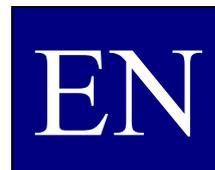




**COUNCIL OF
THE EUROPEAN UNION**



8297/07 (Presse 76)

PRESS RELEASE

2793rd Council meeting

Agriculture and Fisheries

Luxembourg, 16 April 2007

President **Mr Horst SEEHOFER**
Federal Minister for Food, Agriculture and Consumer
Protection of Germany

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8297/07 (Presse 76)

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Main results of the Council

The substantial progress made on eels should lead to a breakthrough in June.

The Council held a policy debate on the fruit and vegetables reform.

Without debate, the Council adopted antidumping measures on frozen strawberries imported from China.

In addition, the Council adopted a Decision implementing common position 2004/161/CFSP renewing restrictive measures against Zimbabwe. The Decision updates the list of persons subject to these measures by adding five more names to the list further to the recent government reshuffle.

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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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PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Sabine LARUELLE

Minister for Small and Medium-Sized Businesses, the Liberal Professions and the Self-Employed and Agriculture

Bulgaria:

Mr Nihat KABIL

Minister for Agriculture and Forestry

Czech Republic:

Mr Petr GANDALOVIČ

Minister for Agriculture

Denmark:

Mr Hans Christian SCHMIDT

Minister for Food, Agriculture and Fisheries

Germany:

Mr Horst SEEHOFER

Federal Minister for Food, Agriculture and Consumer Protection

Mr Gert LINDEMANN

State Secretary, Federal Ministry of Food, Agriculture and Consumer Protection

Estonia:

Mr Tiit NABER

Deputy Permanent Representative

Ireland:

Ms Mary COUGHLAN

Minister for Agriculture and Food

Mr John BROWNE

Minister of State at the Department of Communications, Marine and Natural Resources

Greece:

Mr Evangelos BASIAKOS

Minister for Rural Development and Food

Spain:

Ms Elena ESPINOSA MANGANA

Minister for Agriculture, Fisheries and Food

Ms Servanda GARCÍA

Minister for Rural Affairs and Fisheries of the Autonomous Community of Asturias

France:

Mr Dominique BUSSEREAU

Minister for Agriculture and Fisheries

Italy:

Mr Paolo DE CASTRO

Minister for Agricultural, Food and Forestry Policy

Cyprus:

Mr Panicos POURIOS

Permanent Secretary, Ministry of Agriculture, Natural Resources and Environment

Latvia:

Mr Mārtiņš ROZE

Minister for Agriculture

Lithuania:

Ms Kazimira Danutė PRUNSKIENĖ

Minister for Agriculture

Luxembourg:

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development, Minister for Small and Medium-sized Businesses, the Liberal Professions and the Self-Employed, Tourism and Housing

Ms Octavie MODERT

State Secretary for Relations with Parliament, State Secretary for Agriculture, Viticulture and Rural Development, State Secretary for Culture, Higher Education and Research

Hungary:

Mr József GRÁF

Minister for Agriculture and Rural Development

Malta:

Mr Francis AGIUS

Parliamentary Secretary for Agriculture and Fisheries,
Ministry of Rural Affairs and the Environment**Netherlands:**

Mr Peter W. KOK

Deputy Permanent Representative

Austria:

Mr Hans KORDIK

Director, Federal Ministry of Agriculture, Forestry, the
Environment and Water Management**Pologne:**

Mr Andrzej LEPPER

Deputy Prime Minister, Minister for Agriculture and Rural
Development

Mr Zbigniew GRACZYK

Undersecretary of the Ministry of Maritime Economy

Portugal:

Mr Jaime SILVA

Minister for Agriculture, Rural Development and Fisheries

Romania:

Mr Flaviu LAZIN

State Secretary for Agriculture

Slovenia:

Mr Iztok JARC

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Viliam TURSKÝ

State Secretary at the Ministry of Agriculture

Finland:

Mr Jouni LIND

State Secretary, Ministry of Agriculture and Forestry

Sweden:

Mr Eskil ERLANDSSON

Minister for Agriculture

United Kingdom:

Mr Ben BRADSHAW

Parliamentary Under-Secretary of State for Local
Environment, Marine and Animal Welfare**Commission:**

Mr Joe BORG

Member

Ms Mariann FISCHER BOEL

Member

ITEMS DEBATED**EELS**

The Council instructed the Permanent Representatives Committee to find a solution to the outstanding issues regarding the proposal for a Regulation establishing measures for the recovery of the stock of European eel (*13139/05*), with a view to reaching political agreement in May or June.

FRUIT AND VEGETABLES

The Council held a policy debate on fruit and vegetables (5572/07), on the basis of a Presidency questionnaire (8204/07) focusing on two of the key issues identified, which covered the examination of the proposal, namely the proposed **decoupling** of the **processing** aid for fruit and vegetables and the inclusion of **crisis management tools** within the **Operational Programmes** of the Producer Organisations.

The Council noted the support of a large majority of delegations for the principle of decoupling of the processing aid. However, several delegations felt that decoupling would have to be phased in or partial for certain sensitive products such as citrus, tomatoes, soft fruits and prunes.

The proposed introduction of crisis-management tools in the sector was welcomed by many delegations. While many delegations endorsed the integration of crisis management into the POs' operational programmes, several considered that crisis-management measures should be accessible to all producers and not restricted to members of POs.

The Council invited the its preparatory bodies to continue the examination of the proposal, with a view to seeking agreement in Council in June.

Commissioner Fischer Boel reiterated the Commission's readiness to cooperate with the Presidency to reach an agreement. She said she was prepared to examine suggestions for transitional arrangements as long as these did not dilute the ultimate goal of full decoupling.

The proposal is intended to improve the attractiveness of Producer Organisations (POs) and to simplify their rules. The budget for POs is currently around EUR 700 million. It also proposes that crisis-management tools be organised through Producer Organisations (50% co-financed by the Community budget). The proposed crisis-management tools include green harvesting / non-harvesting, promotion and communication tools in times of crisis, training, harvest insurance, and financing of the administrative costs of setting up mutual funds. Withdrawals would be carried out by POs with 50% co-financing.

The European Parliament's opinion is expected on 21 May.

CROSS COMPLIANCE

The Council had a presentation by the Commission of a report on the application of the system of cross compliance¹ (7991/07).

The Council took note of the Commission's commitment to submit the draft measures identified by it to the Council² in the course of 2007.

The Council welcomed Presidency's the initiative of organising a debate on the issue in May and drawing conclusions on it in June.

In its report the Commission proposes measures³ to improve information, introduce a certain level of tolerance in minor cases of non-compliance, harmonise control rates and introduces advance notice of certain on-farm checks taking into account experience gained so far in order to make the system work better for the benefit of farmers and administrations

Cross-compliance, which formed a key element of the 2003 reform of the Common Agricultural Policy, requires farmers to fulfil certain standards (environment, animal and plant health and welfare, feed and food safety) to avoid cuts in payments from the European Union.

¹ Under Article 8 of Council Regulation (EC) No 1782/2003

² A Council decision is needed for the application of cross-compliance to new Member States as from 2009 and to Bulgaria Romania as from 2012, for the "*de minimis*" rule and for the "10 months" rule.

³ Most of which will have to be implemented by the Management Committee for Direct Payment.

COD IN THE BALTIC SEA

The Council held a policy debate on cod stocks in the Baltic Sea (11984/06) in order to provide the necessary guidelines for the work ahead, pending the opinion of the European Parliament which was not expected until early-June.

On the basis of a questionnaire Ministers concentrated in their debate on the general objectives of the multi-annual plan for cod recovery in the Baltic, on different options for effort-management and associated control provisions and on how to take sufficient account of the specific needs of small-scale fisheries.

The Council noted general support for the objectives of the plan.

As regards the type of effort-management and control provisions, several issues were mentioned, namely the outcome of the **Baltic Regional Advisory Council (RAC) meeting**¹, the fight against **illegal** fishing, the need for revision of the **biomass reference** and cross reference to the **electronic logbook** Regulation.

With regard to small-scale fisheries, the Council took note of the unanimous request for the system to be made **flexible** and **simple**, taking into account of **safety** at work, **days at sea** and summer closing in relation to the biology of Baltic cod as simple means of control and bearing in mind the principle of not to creating **unnecessary burdens** on fishermen or control authorities.

The Council gave a mandate to the Council's preparatory bodies to continue the examination of the proposal, with a view to its adoption in June, subject to and pending the opinion of the European Parliament.

Commissioner Borg welcomed the wide support for the proposal's objectives and indicated that the Commission would cooperate with the Presidency to achieve the adoption of the proposed Regulation in the proposed timeframe.

In December 2006, the Council adopted Regulation 1941/2006 fixing the TAC and quotas for certain stocks in the Baltic Sea, on condition that if the Council failed to adopt a multi-annual plan for the cod stocks in the Baltic Sea before 30 June 2007, the corresponding quotas would be reduced by 1 July 2007.

¹ On 28 March 2007, in the margins of the Baltic RAC, the Ministers of the Baltic sea Member States met with Commissioner Borg and signed a declaration on combating unreported cod fishing in the Baltic Sea. (<http://www.fvm.dk/Files/Filer/Fiskeri/cph-erklaring.pdf>)

COMMON FISHERIES POLICY SIMPLIFICATION

The Council took note of information provided by Commissioner Borg on the Common Fisheries Policy simplification actions currently being carried out (15613/05).

The main result of recent months is the adoption on 27 March 2007 of a Commission Regulation laying down simplified detailed rules for the implementation of Council Regulation (EC) No 1198/2006 on the European Fisheries Fund.

The Presidency welcomed the regular review of the Action Plan and the follow-up as agreed by the Council in December 2005.

In September 2006, the European Parliament voted in favour of the report of the Fisheries Committee favouring qualitative improvements rather than a quantitative reduction.

In early 2006, the Commission conducted consultations with various stakeholders, management committees and Regional Advisory Councils (RACs) to establish whether the priority areas and initiatives for simplifying the CFP were considered as accurate. The stakeholders welcomed such initiatives but stressed that the key steps towards simplification were frontloading (early consultation) and the splitting of proposals (e.g. by applying regional criteria).

ECO-LABELLING

The Council held an exchange of views on the Commission's Communication on a Community approach towards eco-labelling schemes for fisheries (10822/05), on the basis of a Presidency questionnaire (7573/07).

- As regards the type of schemes, most delegations indicated that they were in favour of establishing **minimum requirements** for **voluntary** eco-labelling schemes, so-called "option 3".
- Apart from the provisions that eco-labelling schemes should be transparent, market-driven, non-discriminatory, voluntary, accessible to operators irrespective of their size and economic contexts, based on sound scientific evidence and fully consistent with WTO rules, several delegations mentioned **clear** and objective **criteria** concerning **fishing practices, together** with **quality** of fish.

Such principles should ensure and maintain credible schemes and avoid confusion on the part of consumers.

- As regards the added value expected from eco-labelling schemes in the overall framework of the Common Fisheries Policy, the following issues were raised:

- compatibility with international trade;
- clear links with sustainable fisheries;
- better consumer information and confidence;
- improved fisheries practices.

After a final report on the issue, the Commission may present a legislative proposal on the eco-labelling scheme accompanied by a full impact assessment.

OTHER BUSINESS

– World Trade Organisation (WTO)-Doha Development Agenda (DDA) negotiations

The Council received an update from Commissioner Fischer-Boel on the latest state of play in the negotiations on agricultural issues at the WTO.

The Commission repeated that any new offer on agriculture from the EU beyond that made in October 2005 was dependent on clear moves from our principal negotiating partners.

The Presidency concluded that regular and comprehensive updating of the Council on WTO negotiations was vital and reiterated its support for the Commission in the framework of the mandate defined by the Council in its conclusions of 18 October 2005 and 12 June 2006.

– Avian Influenza

The Council took note of written information on avian influenza provided by Commissioner Fischer Boel on behalf of Markos Kyprianou.

Most sanitary measures have been lifted, following a proper management of the outbreak of highly pathogenic H5N1 in Hungary and in the United Kingdom respectively.

– Veterinary negotiations between the EC and Russia

The Council took note of the information provided by the Commission on the latest developments in the negotiations in the veterinary field between the EC and the Russian Federation.

All Member States provided the information requested by Russia on veterinary residues within the deadline. Similar requests for information have been sent to the Commission with regard to pesticides residues and should be tackled in the next few days.

As regards the embargo on certain Polish commodities, continued efforts are being made by the Commission and the Polish health authorities to resolve the situation, at both technical and political levels.

– *Transport of animals - Good practices codes*

The Council took note of information provided by the Danish delegation calling for Member States' support to promote voluntary standards for animal welfare and product quality going beyond the minimum requirements of EC legislation (8294/07).

The Council's attention was drawn in particular to the transport of animals across the EU's external borders.

The Council welcomed the initiatives taken by national and European agricultural organisations and their partners, including transport organisations, to extend common welfare good practices codes from national to European level, as provided for in Article 29 of Regulation(EC) No 1/2005.

– *Definition of Vodka*

The Council took note of Poland's concerns about the definition of vodka in a proposal on the definition, description, presentation and labelling of spirit drinks (8420/07 and 15902/05).

The proposal is the subject of ongoing negotiations with the European Parliament aiming at reaching a first-reading agreement in May (codecision).

– *Negotiations with ACP countries*

The Council took note of point B of the concern raised by the French delegation (supported by the Belgian, German, Spanish, Irish, Italian, Cyprus, Austrian, Polish and Portuguese delegations) in connection with the Commission's proposal to offer full market access to the ACP countries as from the entry into force of the European Partnership Agreements on 1 January 2008 and in particular the consequences on the banana, rice and sugar market organisations, as well as the impact on the dispute resolution currently ongoing in the WTO on the MFN rate for bananas (8410/07).

The Commission, supported by the UK and Sweden, reminded the Council of the need to abide by respect the timeframe to comply with WTO rules.

– *Anchovy*

The Council took note of the ongoing discussions between the Commission, France and Spain aimed at finding implementing arrangements in line with the December 2006 agreement on experimental fishing for anchovy in the Bay of Biscay.

OTHER ITEMS APPROVED

AGRICULTURE

International Sugar Agreement

The Council adopted a Decision establishing the position to be adopted on behalf of the Community within the International Sugar Council on the extension of the International Sugar Agreement, 1992, for a further period of up to two years, after 31 December 2007.

The International Sugar Agreement, 1992, was approved by the Community by Council Decision 92/580/EEC¹, and entered into force on 1 January 1993 for a period of three years until 31 December 1995. Since then, it has regularly been extended for periods of two years and will expire on 31 December 2007. Its extension will be the subject of a decision at the next session of the International Sugar Council in Mauritius on 31 May 2007.

Grains Trade Convention

The Council adopted a Decision establishing the position to be adopted on behalf of the Community within the International Grains Council on the extension of the Grains Trade Convention², 1995, for a further period of up to two years, after 30 June 2007.

The Grains Trade Convention, 1995 was approved by the Community by Council Decision 96/88/EC . Since then, it has regularly been extended for periods of two years and will expire on 30 June 2007. Its extension will be decided on at the next session of the International Grains Council in London on 11 June 2007.

Circulation of compound feedingstuffs

The Council adopted at first reading, following negotiations with the European Parliament, a Decision on the circulation of compound feedingstuffs. That Decision is intended to correct Directive 2002/2/EC amending Council Directive 79/373/EC (*PE-CONS 3601/07*).

¹ OJ L 379, 23.12.1992

² OJ L 21, 27.01.1996, p. 47 .

FISHERIES

Agreement with the Gabonese Republic

The Council adopted a Regulation approving on behalf of the Community the Fisheries Partnership Agreement with the Gabonese Republic and allocating among Member States the fishing opportunities set out in the Protocol to the Agreement. (13615/07)

Organisation for non-tuna species in the Pacific

The Council adopted a Decision authorising the Commission to open negotiations on a convention/agreement on a regional fisheries management organisation for non-tuna species in the Pacific.

EXTERNAL RELATIONS

Zimbabwe - Restrictive measures

The Council adopted a decision implementing common position 2004/161/CFSP renewing restrictive measures against Zimbabwe(7444/1/07).

The Decision updates the list of persons subject to those measures by adding five more names to the list further to the recent government reshuffle.

The restrictive measures, first introduced in February 2002, consist of a ban on entry into the EU and a freeze on financial assets for individuals who engage in activities which seriously undermine democracy, respect for human rights or the rule of law in Zimbabwe. An embargo on the supply of arms and equipment intended for military operations is also in force.

Relations with Algeria

The Council adopted a Decision establishing a Community position on the draft Decision of the EU-Algeria Association Council laying down the rules of procedure of the Association Council and the Association Committee.

Euro-Mediterranean Ministerial Conference on Higher Education and Scientific Research

The Council approved the draft EU guidelines with a view to the draft "Cairo Declaration" to be adopted at the first Euro-Mediterranean Ministerial Conference on Higher Education and Scientific Research entitled "Towards a Euro-Mediterranean Higher Education and Scientific Research Area", to be held in Cairo, Egypt, on 18 June 2007.

The text will be forwarded to the Mediterranean partner countries and will be finalised after negotiations with them.

EUROPEAN SECURITY AND DEFENCE POLICY

EU exercise programme 2008-2012

The Council approved a draft EU programme of exercises and exercise-related activities for the period 2008-2012 in the field of ESDP (European Security and Defence Policy).

ECONOMIC AND FINANCIAL AFFAIRS

Value-added tax - Derogation for the UK for electronic goods - Reverse-charge mechanism*

The Council adopted a Decision authorising the United Kingdom to introduce a special measure derogating from Article 193 of Directive 2006/112/EC on the common system of the value added tax. (7583/07)

Article 193 of Directive 2006/112/EC provides that the person liable for payment of the value added tax (VAT) is the taxable person supplying the goods. The purpose of the derogation granted to the United Kingdom is to place that liability on the taxable person to whom the supplies are made, but only under certain conditions and exclusively in the case of mobile telephones and computer chips/microprocessors.

The purpose of this measure, which will be valid only for a short period, is to tackle tax evasion in relation with certain carefully defined products as the scale and size of the tax evasion has resulted in considerable tax losses.

Moldova - EU financial assistance

The Council adopted a Decision to provide Moldova with macro-financial assistance of up to EUR 45 million with a view to supporting its balance of payments and alleviating the financial constraints on the implementation of the government's economic programme (7115/07).

The authorities of Moldova are committed to economic stabilisation and structural reforms, supported by the International Monetary Fund through a three-year arrangement.

EU-Moldova relations are developing within the framework of the European Neighbourhood Policy, which is expected to lead to deeper economic integration.

EU budget - Own resources system*

The Council reached political agreement on a draft Decision amending the system of own resources for the financing of the EU's general budget. It will adopt the Decision at a forthcoming meeting, after finalisation of the text. (7853/07)

The Decision, which takes effect retroactively as from 1 January 2007, is intended to give effect to the conclusions of the European Council of December 2005, introducing adjustments to update the existing own-resources Decision for the duration of the 2007-13 budgetary framework.

TRADE POLICY

Anti-dumping - China - Frozen strawberries

The Council adopted a Regulation imposing definitive anti-dumping measures and releasing the provisional duty imposed on imports of certain frozen strawberries originating in China (7582/07).

INTERNAL MARKET

Pyrotechnic articles*

The Council adopted at first reading, following negotiations with the European Parliament, a Directive on the placing on the market of pyrotechnic articles. (PE-CONS 3671/06)

This Directive is aimed at harmonising national legislation in force in the Member States in order to guarantee the free movement of pyrotechnic articles within the internal market whilst ensuring a high level of protection of human health and safety and the protection of consumers and professional end users.

The Directive will be published in the Official Journal of the European Union.

Public works contracts

The Council adopted a Directive repealing Directive 71/304/EEC concerning the abolition of restrictions on freedom to provide services in respect of public works contracts and on the award of public works contracts to contractors acting through agencies or branches (*PE-CONS 3606/07*).

The Directive 71/304/EEC has become obsolete as a result of case law and legislative developments in respect of public works contracts.

CUSTOMS UNION

EU action programme for 2008-2013 ("Customs 2013")

The Council adopted a Decision renewing for six years the action programme for customs in the Community (*3679/06*). The Decision was adopted at first reading under the Parliament-Council codecision procedure.

The new programme, known as "Customs 2013", is the successor to the "Customs 2007" programme established by Decision 253/2003. "Customs 2007" will end on 31 December 2007.

"Customs 2013" will have a total budget of EUR 323,8 million for implementing actions aimed, among other objectives, at:

- helping to improve the competitiveness of EU companies within the Lisbon strategy for the creation of growth and jobs;
- helping customs administrations to facilitate trade and to simplify and speed up procedures;

- developing a pan-European electronic customs environment and contributing to the implementation of a modernised customs code;
- supporting further development of the "authorised economic operator concept" in order to provide facilitation for compliant traders;
- developing further cooperation with the customs administrations of non-member countries on the exchange of information and best practices.

Convention on common transit - EU enlargement

The Council adopted a Decision determining the Community position within the EC-EFTA Joint Committee on Common Transit, with a view to incorporating technical amendments to the 1987 Convention on a common transit procedure, in order to take into account the last EU enlargement.

APPOINTMENTS

Committee of the Regions

The Council adopted three Decisions appointing:

(a) as members:

Mr Jan KUBATA, Mayor of the City of Ústí n. Labem, in place of r Petr GANDALOVIČ,

Mr Juraj THOMA, Mayor of the City of České Budějovice, in place of Jaroslav HANÁK,

Ms Helena LANGŠÁDLOVÁ, Vice-Mayor of the Municipality of Černošice, Středočeský kraj, in place of Ms Helena LANGŠÁDLOVÁ, Mayor of the Municipality of Černošice, Středočeský kraj, and

Mr Jiří BYTEL, in place of Mr Tomáš ÚLEHLA;

(b) as alternate members:

Mr Tomáš ÚLEHLA, in place of Mr Jiří BYTEL,

Ms Jana ČERMÁKOVÁ, Vice-Mayor of the Municipality of Proboštov, in place of Ms Květa HALANOVÁ,

Ms Ivana STRÁSKÁ, Vice-Mayor of the City of Milevsko, in place of Mr Luboš PRŮŠA,
and

Ms Sylva KOVÁČIKOVÁ, Mayor of the City of Bílovec, in place of
Mr Martin TESÁŘÍK.

for the remainder of the current term of office, which ends on 25 January 2010;

(c) Ms Carmela CASILE, Consigliere comunale del Comune di Giaveno (Torino) as an alternate member in place of Mr Alberto ZAN for the remainder of his term of office, which ends on 25 January 2010.

WRITTEN PROCEDURE

Antidumping - Synthetic staple fibres of polyesters

The Council adopted on 4 April by written procedure, a Regulation terminating the partial interim review of the anti-dumping measures concerning imports of synthetic staple fibres of polyesters originating in China, Saudi Arabia, Belarus and the Republic of Korea (OJ L 96 of 11.04.2007, p. 1).
