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3337th Council meeting

Agriculture and Fisheries

Luxembourg, 13 October 2014

President **Maurizio MARTINA**
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Main results of the Council

Fisheries

*The Council reached a political agreement on **fishing opportunities for 2015 for certain fish stocks in the Baltic Sea**. The quantities of fish from specific stocks that can be caught take into account available scientific advice and, for the first time, provisions introduced by the recently reformed Common Fisheries Policy, such as the landing obligation and maximum sustainable yield (MSY).*

The president of the Council, Mr Martina underscored that "the regulation on TACs and quotas for the Baltic is the first to be discussed after the entry into force of the new common fisheries policy (CFP). It thus becomes an important tool for its implementation, having regard to all the innovations introduced."

*Furthermore, ministers acknowledged that the **Russian embargo on EU fishing products** will have consequences on the management of certain of those fish stocks.*

*The Council also held an exchange of views on **EU-Norway annual consultations** and the **ICCAT annual meeting**.*

Agriculture

*The Council discussed the impact and implications of the **Russian ban on imports of EU agricultural products**. Most of the member states recognised the appropriateness of the emergency market measures on fruit and vegetables and the milk sector decided by the Commission. However, in the milk sector some of the most affected countries called for additional measures to mitigate the significant fall in prices observed in their market.*

The Council also:

- held an exchange of views on the situation of African swine fever (ASF) in the EU;*
- held a debate on the contribution of the agricultural sector to the mid-term review of the Europe 2020 strategy.*

*Ministers were also briefed on **international agricultural trade issues**.*

Other items

*The Council adopted a regulation on **promotion measures for agricultural products** following a first reading agreement with the European Parliament. This regulation renews the legal framework for the promotion of EU agricultural products on the internal market and in third countries in the context of the very competitive environment the EU faces today.*

Mr Martina noted, "With the adoption of the new legal framework regarding information and promotion actions for agricultural products in the internal market and third countries, I believe that we have achieved the goal of improving the competitiveness of agriculture in the EU so as to achieve greater equity."

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• 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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Member

Member

ITEMS DEBATED

FISHERIES

Fishing opportunities in the Baltic Sea for 2015

Ministers reached a political agreement on fishing opportunities for 2015 for certain fish stocks in the Baltic Sea.

The Presidency and several member states pointed out that the final agreement was made possible by the preparatory work undertaken at regional level within the BALTFISH forum.

This item will be included, following finalisation by the Legal/Linguistic Experts, in part "A" of the agenda for a forthcoming Council meeting.

The agreement lays down for 2015 the maximum quantities of fish from specific stocks that can be caught in the Baltic Sea (total allowable catches (TACs) and quotas), as well as the fishing effort limits for Baltic cod stocks (limiting fishing activity by reducing the number of days at sea). The proposed 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).

A landing obligation for stocks caught in certain fisheries was introduced by regulation 1380/2013 within the framework of the recently reformed common fisheries policy (CFP). It becomes applicable from 1 January 2015 for some stocks in the Baltic Sea, namely small pelagic fisheries (herring and sprat stocks), salmon fisheries (salmon stocks), and cod fisheries (cod stocks), where the species define the fishery. With the introduction of the landing obligation, the fishing opportunities proposed will reflect the change from amount landed to amount caught.

The agreement primarily concerns the total allowable catches (TACs) and fishing quotas for member states in Community waters of the Baltic region, the main changes to which – in terms of reduction, increase or roll-over of TACs as compared with 2014 – are summarised in the table below. An important fact to be noted is the voluntary lower increase for herring (45% instead of the 51% proposed by the Commission in the Eastern Baltic and 15% instead of the 35% proposed in the Gulf of Bothnia) and the voluntary decrease for salmon (-10% instead of the -8% proposed in subdivision III bcd) and cod (-22% instead of the -20% proposed in the Eastern Baltic).

COMMUNITY TOTAL ALLOWABLE CATCHES (TACs) IN THE BALTIC SEA FOR 2015						
		COMMISSION proposal		COMMISSION targets	COUNCIL agreement	Difference from previous year
<i>Latin name</i>	ICES FISHING ZONES	TAC 2014	for 2015	2015	TAC 2015	
		in tonnes	in tonnes	in %	in tonnes	in %
		1	2	3	4	5*
<i>Clupea harengus</i>	Baltic Sea subdivisions 30-31 (Gulf of Bothnia)	137 800	186 534	35%	158 470	15%
<i>Clupea harengus</i>	Baltic Sea subdivisions 22-24	19 754	22 220	12%	22 220	12%
<i>Clupea harengus</i>	Baltic Sea subdivisions 25-27, 28.2, 29, 32	112 725	170 185	51%	163 451	45%
<i>Clupea harengus</i>	Baltic Sea subdivision 28-1 (Gulf of Riga)	30 720	38 780	26%	38 780	26%
<i>Gadus morhua</i>	Baltic Sea subdivisions 25-32 (Eastern)	65 934	52 747	-20%	51 429	-22%
<i>Gadus morhua</i>	Baltic Sea subdivisions 22-24 (Western)	17 037	8 793	-48%	15 900	-7%
<i>Pleuronectes platessa</i>	Baltic Sea subdivisions 22-32	3 409	3 249	-5%	3 409	0%
<i>Salmo salar</i> **	III bcd, except subdivision 32 (22-31)	106 587	97 911	-8%	95 928	-10%
<i>Salmo salar</i> **	Baltic Sea subdivision 32	13 106	10 034	-23%	13 106	0%
<i>Sprattus sprattus</i>	III bcd	239 979	199 622	-17%	213 581	-11%

Legend: Latin name - English name/ Nom français/ Deutsche Name

Clupea harengus - herring/ hareng/ Hering

Gadus morhua - cod/ morue/ Dorsch

Pleuronectes platessa - plaice/ plie/ Scholle

Salmo salar - Atlantic salmon/ saumon atlantique/ Lachs

Sprattus sprattus - sprat/ sprat (esprot)/ Sprotte

* A negative % indicates a reduction in the TAC, a positive % indicates an increase in the TAC and 0 % indicates a roll-over of the TAC

** AC expressed as number of individuals

In addition, the agreement provides for a roll-over of the fishing effort limits indicating the number of days at sea for cod fishing (i.e. 147 days for the Western Baltic and 146 days for the Eastern Baltic).

With a view to simplifying and clarifying the annual TAC and quota decisions, fishing opportunities in the Baltic Sea have been fixed by a separate regulation since 2006.

These fisheries should be open on 1 January 2015.

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.

EU/Norway: annual consultations for 2015

The Council held an exchange of views on the annual consultations between the EU and Norway under their bilateral fisheries agreement. The first round of consultations will take place from 17 to 21 November in Bergen (Norway) and the second round from 1 to 5 December in Clonakilty (Ireland).

Most of the delegations recognised the usefulness of this agreement with Norway but would favour a cautious approach from the EU as regards TACs and other associated measures for the main jointly managed joint stocks in the North Sea. They would also recommend a cautious approach for other stocks that it might be worthwhile to identify and use for the reciprocal exchange of quotas.

In this regard, several delegations agreed that the agreement with Norway and the Faroe Islands on the mackerel issue will facilitate the negotiations.

The main issues for the consultations this year are:

- detailed management arrangements for the seven jointly managed fish stocks in the North Sea (cod, haddock, plaice, whiting, herring, mackerel and northern shelf saithe) and Skagerrak (cod, haddock, whiting, plaice, shrimp, herring and sprat) notably involving the establishment of the TACs and quotas for the respective parties, in accordance with the long-term management plans and agreed sharing arrangements;
- possible adjustments to the long-term management plans for North Sea stocks of haddock and herring in the light of new ICES advice; and
- the exchange of reciprocal fishing possibilities in order, among other things, to enable the continuation of a number of fishing operations which are important for the fishermen of both parties, including fishing opportunities for Arcto-Norwegian cod in Norwegian waters, as well as other measures in fisheries of mutual interest.

The 1980 bilateral fisheries agreement between the EC and Norway covers joint stocks in the North Sea, some jointly managed, others not. Annual TACs are set jointly by the EU and Norway for the jointly managed joint stocks. There are joint long-term management plans for cod, haddock, herring and saithe and basic principles for a long-term management plan for plaice. A ten-year agreement with Norway on mackerel was concluded in January 2010, including mutual access in the North Sea. This agreement is contingent on a satisfactory overall bilateral agreement. The reciprocal exchange of quotas needs to be in overall balance across the agreement.

ICCAT annual meeting

Ministers held an exchange of views as regards the special meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) from 10 to 17 November 2014 in Genoa (Italy). This provided an opportunity at Council level to provide guidance for the preparation of EU positions for the ICCAT meeting.

Some member states pointed out that the update of the scientific stock assessment for eastern bluefin tuna submitted with a view to preparing the annual ICCAT meeting confirmed that the measures imposed on fishermen for many years had been correctly implemented and showed a recovery of the bluefin tuna stock. They asked that the total allowable catch (TAC) for this year be raised while other member states were in favour of maintaining a cautious approach, considering the uncertainties in the scientific opinion.

On 8 July 2014, the Council adopted a decision on the position to be adopted, on behalf of the European Union, in the ICCAT. This "general mandate" applies to annual and special ICCAT meetings from 2014 until 2019, sets out the principles for the EU position and lays down the process regarding year-to-year specification of the EU position to be taken at ICCAT.

In 2006 ICCAT adopted a 15-year recovery plan for Eastern bluefin tuna. The plan was subsequently modified in 2008, 2009 and 2010, and considerably revised in 2012. The latest revision concerned, in addition to control issues, the TAC for 2013 and thereafter, which was fixed at 13 400 tonnes applying the established quota distribution key. At the 2013 annual meeting the TAC was maintained at 13 400 tonnes, but more flexibility was introduced for fishing bluefin tuna in non-spawning coastal waters.

At the 2013 meeting, the EU did not oppose a roll-over of the TAC for western bluefin tuna, although it did advocate lowering it.

In 2013, the EU conservation proposals for porbeagle and for shortfin mako were not adopted, and nor was a ban on shark finning at sea. Several of the proposals are, however, expected to be re-tabled in 2014.

The ICCAT is responsible for the conservation of tuna and tuna-like species in the Atlantic Ocean and adjacent seas including the Mediterranean Sea. The ICCAT is thus responsible for managing species including bluefin tuna, swordfish and tropical tunas. The organisation was established in 1969 and has 49 contracting parties, including the EU, the United Kingdom and France (the latter two on behalf of their overseas territories). The annual meeting of ICCAT is closely linked to the management of bluefin tuna stocks, which has significant financial implications for the European tuna fishing fleets and tuna fattening farms.

AGRICULTURE

Mid-term review of the Europe 2020 Strategy

The Council held a political debate on the contribution of the agricultural sector to the mid-term review of the Europe 2020 strategy ([13836/14](#)).

Many ministers are confident that the goals set by the Europe 2020 Strategy are very relevant today and the implementation of the Strategy is essential for jobs and growth in the coming years. Nevertheless they acknowledged that progress on meeting the targets for employment, research and development and poverty reduction has lagged behind, and underlined the importance for additional efforts in these areas. Several delegations underscored that the recommendations prepared at EU level should offer more flexibility for member states to implement measures according to their specific national situation.

Most of the ministers highlighted the importance of agriculture and agro-food in contributing to the European 2020 strategy. Many noted that the recently reformed common agricultural policy (CAP) offers a framework in line with the targets set by the Europe 2020 Strategy. More time should be given to allow the new measures to be implemented and to take effect, before the contribution of the new CAP to the strategy could be assessed further. The programme European Innovation Partnership in agriculture was frequently mentioned to express the potential for improving research and development in agriculture.

The new CAP, in particular through rural development measures, will contribute significantly to achieve Europe 2020 target with regard to employment through actions aiming at maintaining jobs in rural areas and improving the attractiveness of those areas, more specifically for young people.

The Presidency will convey the outcome of the ministers' discussion to the General Affairs Council in December so that it can prepare the December European Council.

Europe 2020 is the EU's ten-year growth and jobs strategy that was launched in 2010 to try to overcome the economic crisis of the European economies. Europe 2020 is intended to address the shortcomings of the European growth model and create the conditions for smart, sustainable and inclusive growth.

Five headline targets have been set for the EU to achieve by the end of 2020. These cover employment, research and development, climate/energy, education, and social inclusion and poverty reduction. The objectives of the strategy are also supported by seven "flagship initiatives" providing a framework through which the EU and national authorities mutually reinforce their efforts in areas supporting the Europe 2020 priorities, such as innovation, the digital economy, employment, youth, industrial policy, poverty, and resource efficiency.

Other EU levers, such as the European single market, the EU budget and the EU external agenda also contribute to achieving the goals of the Europe 2020 strategy. The Europe 2020 strategy is implemented and monitored as part of the European Semester, the yearly cycle of coordination of economic and budgetary policies.

In March 2014, the Commission published a Communication taking stock of the Europe 2020 strategy, four years after its launch. In May 2014, a public consultation feeding into the mid-term review of the Europe 2020 strategy was launched and is open until 31 October 2014.

International agricultural trade issues

Ministers were briefed by the Commission on the state of play on international agricultural trade issues.

On the WTO post-Bali agenda, the aim is to finalise the post-Bali work programme by the end of the year, but due to India's refusal to approve the protocol on trade facilitation, the work is now delayed. The WTO General Council's next meeting is on 21 October where the discussion will continue on how to resolve the deadlock.

The EU and Canada finalised the mutual Comprehensive Economic and Trade Agreement (CETA) at the end of September.

Concerning the Transatlantic Trade and Investment Partnership (TTIP) negotiations, the 7th round of negotiations was concluded on 3 October 2014. Despite the progress on this round, there is still work to be done. The scheduling for the next round is unclear, due to challenges at the political and public levels on both sides.

Many Council members pointed out the need for balanced international agreements with regard to agriculture. Several ministers noted that negotiations should focus on the removal of non-tariff barriers. In addition they considered that issues such as the protection of geographical indications, food safety and animal welfare standards constituted decisive elements which characterised the specificity of EU agriculture. Some member states recalled the importance of international trade negotiations in order to find alternative markets for EU agricultural products following the introduction of the Russian ban.

African swine fever

The Council held an exchange of views on the situation of African swine fever (ASF) in the EU.

Several ministers highlighted the risk of a further spread of the disease in the EU. Therefore, they supported the member states directly affected by the disease which requested that the Commission:

- coordinate the EU's veterinary and sanitary measures to eradicate and prevent the spread of ASF to territories in the EU which are not yet affected;
- ensure that the participation of the EU can cover most of the costs for the prevention, control and eradication of the disease within the EU financial contribution framework, including the costs of sampling and laboratory testing;
- explore the possibility of refunding the costs of the veterinary and sanitary measures applied in order to eradicate ASF outbreaks (e.g. killing and destruction of pigs, feed, feed additives, feed materials, medicines, disinfection, etc.).

The Commission confirmed that the conditions had been met for the EU to contribute at a rate of 75% for veterinary measures in the member states directly affected by the disease, and showed openness on additional new measures.

ASF is a serious pig disease with severe economic consequences. It was first detected in the EU in Lithuania at the beginning of 2014. Despite the stringent veterinary and sanitary measures adopted to control it, the disease has spread further to Poland, Latvia and Estonia, causing heavy losses for farmers and operators involved in trade in pigs and pig products. The disease seems to have been introduced from the Russian Federation and possibly Belarus, where it has been present for years, and where the relevant sanitary authorities have not managed to eradicate it or prevent further spread.

Any other business

– Russian ban on EU agricultural products

Ministers discussed the impact and implications of the Russian ban on imports of EU agricultural products in place since early August this year. This follows the discussion that took place during the extraordinary Agriculture Council organised on 5 September by the Italian Presidency.

In this regard, at the request of the Polish delegation, the Council discussed the possibility of additional measures for supporting the milk market affected by the Russian ban on EU agricultural products. Poland considers that measures such as the introduction of exports refunds and the increase of intervention prices could mitigate the price fall observed on the milk market of the member states most affected by the ban. ([13707/14](#)).

Estonia, Finland, Latvia and Lithuania called for direct support measures for their dairy farmers who faced drastic fall in milk prices following the Russian ban. Most ministers acknowledged the need for EU solidarity towards the most affected member states as regards the dairy sector and the Commission showed its readiness to consider such direct support. However, some ministers asked for more information on the targeted compensations envisaged by the Commission. Others insisted on a number of conditions to be met and/or other pointed to the financial difficulties linked to possible new measures. The discussion on possible targeted compensations for dairy producers in the Baltic States and Finland will continue on the basis of more detailed information to be given by the Commission.

Some member states also pointed out that the emergency measures to support the fruit and vegetables sector decided soon after the Russian ban were insufficient to alleviate the severe difficulties met by their producers.

On 7 August, the Russian Federation introduced a one-year import ban on a number of agricultural products, raw materials and foodstuffs originating from the European Union as a countermeasure to sanctions imposed on Russia because of the situation in Ukraine. The list of banned products was slightly modified on 20 August. It includes meat, fish and crustaceans, milk and dairy products, fruit and vegetables, sausages and food or finished products. In August and September, the Commission took emergency measures for fruit and vegetables. Market measures were also adopted for the milk sector in early September.

– International Olive Council negotiations

The Council was briefed by the Commission on the state of play of the International Olive Council negotiations for a new agreement replacing the 2005 agreement ([14004/14](#)). Ministers expressed concern at the IOC's delay in adopting the current agreement of one year as they await the conclusion of the negotiations for a new agreement.

Some member states supported the Commission in its request for a one-year extension of the current agreement.

The 2005 international agreement was negotiated under the auspices of the United Nations Conference on Trade and Development (UNCTAD) and is administered by the IOC. The current agreement entered into force on 1 January 2006 and will expire on 31 December 2014 unless the IOC decides otherwise. A new agreement has been under discussion within the IOC since 2013 but will not be concluded before the expiry of the 2005 agreement.

For that reason, on 15 September this year, the Council gave to the Commission a mandate to request a one-year extension of the existing agreement (see "other items"). Turkey is currently chairing the IOC.

The IOC was set up in 1959 to administer the succession of international commodity agreements concluded over the past fifty years to defend and promote olive growing, olive oil and table olives. The EU (represented by the Commission) and 16 countries (Albania, Algeria, Argentina, Egypt, Iran, Iraq, Israel, Jordan, Lebanon, Libya, Montenegro, Morocco, Syria, Tunisia, Turkey and Uruguay) are members of the IOC

– ***Russian ban on EU fisheries products***

Ministers were briefed by the Commission on the consequences of the Russian ban for EU fisheries products and how best to react to it.

Some delegations pointed out that Russia's import ban also had severe repercussions on EU fisheries, in particular on the pelagic industries.

In this regard, the Commission mentioned possible solutions, such as the use of storage aid, aid for temporary cessation, and state aids.

In addition, the possibility to transfer a part of this year's quota to 2015 (25%) was finally proposed for certain pelagic fisheries in the form of banking provisions within the framework of the agreement on Baltic TACs and quotas (see above).

– ***Russian actions against an EU fishing vessel***

The Lithuanian delegation briefed the Council about recent actions that Russia undertook against a fishing vessel in the Barents Sea.

Several member states supported the Lithuanian authorities' call for the immediate release of the vessel by the Russian authorities.

On 18 September 2014, the Lithuanian fishing vessel "Juros Vilkas" was stopped by Russia while it was in international waters in the Barents Sea and then towed to the port of Murmansk. The crew was detained until 22 September 2014; the vessel is still being detained by the Russian authorities. The vessel had accidentally been inside Russian waters for about an hour on 8 September 2014. A similar incident involving another Lithuanian vessel also occurred recently.

OTHER ITEMS APPROVED

AGRICULTURE

Promotion measures for agricultural products

The Council adopted a regulation on information provision and promotion measures for agricultural products on the internal market and in third countries ([PE-CONS 90/14](#)) following a first reading agreement with the European Parliament. The United Kingdom, Netherlands and Swedish delegations voted against.

This regulation renews the legal framework for the promotion of European agricultural products on the internal market and in third countries in the context of the very competitive environment the EU faces today.

It provides a framework to set strategic priorities and encourage promotion in new markets, such as in third countries. Furthermore, since the reformed Common Agriculture Policy (CAP), which will enter into force on 1st January 2015 encourages farmers to organise themselves, the new promotion scheme will be opened up to new beneficiaries, such as producer organisations. The regulation also provides new opportunities for promotion by mentioning the origin of products or brand names under certain conditions.

For further information, see document [14136/14](#).

Member states' checks of agricultural expenditure

The Council adopted conclusions on the European Court of Auditors' special report entitled "The reliability of the results of the Member States' checks of the agricultural expenditure", as set out in [13616/14](#).

Use of animal by-products in organic fertilisers

The Council decided not to oppose the adoption of a Commission regulation amending regulation 142/2011 implementing regulation 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that directive ([13239/14](#)).

Regulation 1069/2009 lays down public and animal health rules for animal by-products and derived products, in order to prevent and minimise risks to public and animal health arising from those products. Regulation 142/2011¹ lays down implementing rules for regulation 1069/2009, including rules on the adoption of alternative methods of use or disposal of animal by-products or derived products and the requirements for placing on the market organic fertilisers and certain other animal by-products.

The delegated regulation extends the current transitional conditions under which organic fertilisers, soil improvers and other growing media containing parts of animal by-products can be exempted from the registration procedure or the checks that normally apply to those products.

This 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 the regulation, unless the European Parliament objects.

International agreement on olive oil - Position of the EU

On 15 September 2014 the Council adopted by written procedure a decision on the position to be adopted on behalf of the EU within the Council of Members of the International Olive Council (IOC) concerning the extension of the 2005 international agreement on olive oil and table olives ([11912/14](#)).

In this decision, the Council gives a mandate to the Commission to request a one-year extension of the existing agreement while waiting for the conclusion of a new agreement (See above: International Olive Council negotiations)

TRADE POLICY

Agreement with Colombia and Peru - Accession of Croatia

The Council adopted a decision approving the signing and provisional application of an additional protocol to the EU's trade agreement with Colombia and Peru, taking account of Croatia's accession to the EU ([13806/14](#) + [12592/14](#) + [12594/14](#) + [12595/14](#) + [12595/14 COR 1](#) + [12595/14 COR 2](#)).

WTO agreement on government procurement: Montenegro and New Zealand

The Council decided to approve the accessions of Montenegro and New Zealand to the revised WTO agreement on government procurement.

The two Council decisions establish the EU's position within the committee on government procurement on the accession of Montenegro and New Zealand, subject to specific terms set out in the annexes to the decisions.

¹ OJ L 54, 26.2.2011, p. 1.

TRANSPORT

Inland transport of dangerous goods

The Council decided not to oppose the adoption by the Commission of a directive aligning EU rules on the inland transport of dangerous goods with amendments made to relevant international agreements ([13608/14](#) + *ADD 1*).

Member states will have to convert that update into national law by the end of June 2015.

The draft directive, which amends the annexes to directive 2008/68 on the inland transport of dangerous goods, 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.
