



Council of the  
European Union

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10452/15

LIMITE

PV/CONS 39  
AGRI 371  
PECHE 233

## DRAFT MINUTES<sup>1</sup>

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Subject: **3402nd** meeting of the Council of the European Union (**AGRICULTURE AND FISHERIES**), held in Brussels on 13 July 2015

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<sup>1</sup> Information on Council legislative deliberations, on other cases of Council deliberations open to the public and on public debates may be found in Addendum 1 to these minutes.

## **TABLE OF CONTENTS**

### **Page**

1. Adoption of the agenda .....	3
---------------------------------	---

### **LEGISLATIVE DELIBERATIONS**

2. Approval of the list of 'A' items.....	3
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### **NON-LEGISLATIVE ACTIVITIES**

3. Approval of the list of 'A' items.....	3
4. Work programme of the Presidency .....	3

### **AGRICULTURE**

### **LEGISLATIVE DELIBERATIONS**

5. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1308/2013 and Regulation (EU) No 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments (first reading) .....	4
--	---

### **NON-LEGISLATIVE ACTIVITIES**

6. Proposal for a Council Regulation amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products.....	4
7. Market developments .....	4

### **LEGISLATIVE DELIBERATIONS**

8. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 as regards the possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory (first reading) .....	5
--	---

### **NON-LEGISLATIVE ACTIVITIES**

9. Commission communication on 'Reviewing the decision-making process on genetically modified organisms'.....	5
10. Any other business .....	6

ANNEX - Statements for the Council minutes.....	9
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**1. Adoption of the agenda**

10477/15 OJ CONS 39 AGRI 372 PECHE 234

The Council adopted the above agenda.

**LEGISLATIVE DELIBERATIONS**

*(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)*

**2. Approval of the list of 'A' items**

10583/15 PTS A 56

The Council approved the list of 'A' items as set out in 10583/15.

Details on the adoption of these items are set out in the Addendum.

**NON-LEGISLATIVE ACTIVITIES**

**3. Approval of the list of 'A' items**

10584/15 PTS A 57

The Council approved the list of 'A' items set out in 10584/15, with the exception of item 4.

Statements to these items are set out in the Annex.

**4. Work programme of the Presidency**

– Presentation by the Presidency

*(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure)*

10690/15 AGRI 383 PECHE 243

The Chair presented the work programme of the Luxembourg Presidency concerning the agriculture and fisheries sector.

**LEGISLATIVE DELIBERATIONS**

*(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)*

5. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1308/2013 and Regulation (EU) No 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments (first reading)**

*Interinstitutional File: 2014/0014 (COD)*

– State of play

10620/15 AGRI 378 AGRIFIN 63 AGRIORG 46 CODEC 993

**NON-LEGISLATIVE ACTIVITIES**

6. **Proposal for a Council Regulation amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products**

– State of play

*(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure)*

10620/15 AGRI 378 AGRIFIN 63 AGRIORG 46 CODEC 993

*Items 5 and 6:*

The Council took note of the information provided by the Commission representative and the broad support from the delegations for resumption of work on this file. The Council also took note of the Presidency's willingness to resume work on this file, including with regard to the legal basis.

7. **Market developments**

– Information from the Commission

– Exchange of views

10613/15 AGRI 377 AGRIFIN 62 AGRIORG 45

The Council took note of the information provided by the Commission representative with regard to market developments and the extended or planned measures for certain sectors, as well as the comments and concerns expressed by the delegations and the support from several delegations for the requests set out in agenda items 10a, 10b and 10c.

## **LEGISLATIVE DELIBERATIONS**

*(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)*

**8. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 as regards the possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory (first reading)**

*Interinstitutional File: 2015/0093 (COD)*

– Presentation by the Commission

– Exchange of views

8356/15 AGRI 222 AGRILEG 95 DENLEG 67 MI 271 CONSOM 70 SAN 132  
CODEC 609

10569/15 AGRI 376 AGRILEG 143 DENLEG 91 MI 443 CONSOM 122  
SAN 206 CODEC 984

## **NON-LEGISLATIVE ACTIVITIES**

**9. Commission communication on 'Reviewing the decision-making process on genetically modified organisms'**

– Presentation by the Commission

– Exchange of views

*(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure)*

8344/15 AGRI 221 AGRILEG 96 DENLEG 68 MI 274 CONSOM 71 SAN 133  
+ ADD 1

10569/15 AGRI 376 AGRILEG 143 DENLEG 91 MI 443 CONSOM 122  
SAN 206 CODEC 984

*Items 8 and 9:*

The Commission presented to the Council a proposal for a Regulation allowing the Member States to restrict or prohibit the use of genetically modified food and feed on their territory, as well as the corresponding communication. The Council then held an exchange of views based on a Presidency questionnaire (10569/15). The two agenda items were dealt with together.

During the exchange of views a very large majority of delegations openly criticised the proposal, in particular because of the lack of any impact assessment, the legal uncertainty, the lack of clarity regarding its scope and a possible conflict with internal market and WTO rules.

The Council instructed its preparatory bodies to examine the technical aspects of the proposal on the basis of a new, supplementary assessment provided by the Commission concerning in particular the impact of the proposal and its compatibility with internal market and WTO rules. Following a request made by several delegations, the Council asked its Legal Service to issue an opinion.

#### **10. Any other business**

**a) '4 per 1000: Soils for food security and climate'**

- Information from the French delegation  
10709/15 AGRI 386, CLIMA 78, ENV 474

The Council took note of the information from the French delegation on the above initiative. This initiative was supported by many delegations and by the Commission.

**b) Worrying situation on the dairy market and measures to be taken**

- Request from the Bulgarian, Czech, Hungarian, Polish, Romanian, Slovenian and Slovak delegations, with the support of the Spanish delegation  
10707/15 AGRI 385 AGRIORG 48

The Council took note of the request from the Visegrad Group delegations, supported by the Bulgarian, Spanish, Romanian and Slovenian delegations, regarding the situation on the dairy market and measures to be taken.

**c) The future of the sugar sector in the EU**

- Request from the Italian delegation  
10710/15 AGRI 387 AGRIORG 49

The Council took note of the request from the Italian delegation concerning the future of the sugar sector in the EU.

**d) The ongoing difficult situation in the pig market**

- Request from the Austrian delegation, supported by the Belgian and Polish delegations
- 10711/15 AGRI 388

The Council took note of the request from the Austrian delegation regarding the ongoing difficult situation in the pig market.

e) **ASEM meeting on sustainable management and use of forests in policy and practice (Ljubljana, 25 and 26 May 2015)**

- Information from the Slovenian delegation  
10657/15 AGRI 381 FORETS 22 ENV 455 RELEX 562

The Slovenian delegation presented the outcome of the ASEM (Asia-Europe Meeting) conference on sustainable management and use of forests, which took place in Ljubljana on 25 and 26 May, and highlighted future challenges in the forestry sector.

The Council took note of the information provided by the Slovenian delegation, and of the comments made by the Commission representative.

f) **Plant breeders' rights and the European Patent Office's decision**

- Information from the Netherlands delegation
- 10505/15 AGRI 374 SEMENCES 14

The Netherlands delegation deplored the recent decision of the European Patent Office (EPO), taking the view that the decision makes it possible to patent plant traits even if they result from conventional breeding. The Council took note of the information provided by the Netherlands delegation, supported by various other delegations (Greece, France, Croatia, Poland, Portugal, Slovenia, Slovakia and Finland), and of the comments made by the Commission representative.

g) **Sustainable crop protection**

- Information from the Netherlands delegation  
10655/15 AGRI 380 PESTICIDES 1 PHYTOSAN 37

The Netherlands delegation informed the Council about the action plan the Netherlands will adopt in the autumn to accelerate the promotion of integrated pest management with a view to sustainable crop protection. The Council took note of the information provided by the Netherlands delegation, supported by various other delegations (Belgium, Greece, France, Hungary, Austria, Poland, Portugal and the United Kingdom), and of the comments made by the Commission representative.

**h) Ministerial meeting during the 'Blue Week' event in Portugal (Lisbon, 3 to 6 June 2015)**

- Information from the Portuguese delegation  
10698/15 PECHE 244

The Portuguese delegation informed the Council about the ministerial meeting that took place in Portugal during the 'Blue Week' event. The declaration issued after the meeting highlighted the multiple dimensions of the blue economy, including support for innovation, multi-sector activity and environmental policy. The Spanish delegation supported 'Blue Week' as an extremely useful event in terms of fostering political discussion as well as trade relations. The Commission representative hoped that the consultation on ocean governance recently launched by the Commission would benefit from the same kind of fruitful contributions as those made by 'Blue Week' participants. The Presidency concluded that the Council had taken note of the information provided by the Portuguese delegation, which had been welcomed by the delegations and the Commission representative.

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**STATEMENTS FOR THE COUNCIL MINUTES****Re item 3 on the  
list of 'A' items:**

**Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 244/2009 with regard to ecodesign requirements for non-directional household lamps and Commission Regulation (EC) No 245/2009 of 18 March 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps, and repealing Directive 2000/55/EC of the European Parliament and of the Council and Regulation (EU) No 1194/2012 with regard to ecodesign requirements for directional lamps, light emitting diode lamps and related equipment**  
– **Decision not to oppose adoption**

**STATEMENT BY SWEDEN**

'Sweden would like to make the following statement to the Council minutes in relation to the decision by the Council not to oppose the amendment of Regulation (EC) No 244/2009 on eco-design requirements for non-directional household lamps.

Given the outcome of the Ecodesign Committee on 17 April 2015, Sweden does not intend to object to the Council's decision not to oppose the amendment of the Regulation.

Sweden disagrees, however, in principle with the decision to re-open existing Regulations before implementation. The current decision to reopen should be without prejudice to similar cases in the future.

Sweden also opposes a delay in implementation of stage 6 of Regulation (EC) No 244/2009 in substance. On the basis of a market analysis by the Swedish Energy Agency and international partners, Sweden judges that the market is sufficiently mature and that there are enough substitutes for mains voltage halogen lamps, in particular in the area of LEDs. Sweden therefore does not find reason to delay the implementation.'

**STATEMENT BY SPAIN**

'The Kingdom of Spain regrets the investigation carried out by the Commission related to the manipulation of statistics in Spain as referred to in Regulation (EU) N° 1173/2011, and, especially, the Commission final recommendation.

The Kingdom of Spain underlines that the Commission has never questioned the reliability of the reported deficit and debt data, nor even has put any reserve regarding those data in any report that EUROSTAT prepared for the Economic and Financial Committee after each EDP notification.

The Kingdom of Spain points out that the Commission learned of the investigated facts as a result of a quick communication directly made by the Spanish authorities as soon as they knew about them. Moreover, a close cooperation with the Commission has been developed during the investigation procedure.

The Kingdom of Spain emphasizes the fact that the EU has always had the correct deficit and debt data. The information under investigation has had no impact when making decisions on the EU economic policy.

Therefore, the Kingdom of Spain reserves the right to take legal action against the final decision before the European Court of Justice, in consistency with the action of annulment brought before the General Court on the 22nd of September 2014 (Case T-676/14), against the launching of the investigation, currently pending.'

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