

12669/98

LIMITE

PV/CONS 69

SAN 175

**DRAFT
MINUTES (Ċ)**

of the 2131st meeting of the Council
(HEALTH)

held in Brussels on 12 November 1998

(Ċ) Information on the final adoption of Council acts which may be released to the public may be found in Addendum 1 to these minutes.

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1. **Adoption of the agenda**
12653/98 OJ/CONS 69 SAN 174

The Council adopted the above agenda, adding item (c) under "Other business" at the request of the Spanish delegation.

2. **Approval of the list of "A" items**
12654/98 PTS A 70

The Council approved the "A" items listed in 12654/98. Information relating to item 1 is given in Addendum 1 to these minutes.

3. **Future framework for Community action in the field of public health**
–**Council conclusions**
7745/98 SAN 75
12478/98 SAN 161 + COR 1 (f)

Concluding its discussions on the basis of 12478/98 SAN 161 + COR 1 (f) the Council:

– agreed on the text of the above conclusions, making the following changes:

– the first indent of paragraph 5 should read:

"– *tackling major health scourges, including communicable, rare and pollution-related diseases*";

– the second sentence of paragraph 9 should read:

"*Existing activities are included in the public health programme in appropriate form once the potential for their continuation has been assessed*";

– agreed to adopt the conclusions as an "A" item at a forthcoming meeting once they had been finalized in the official languages of the Communities;

- agreed to enter the following statement in the minutes of the meeting at which the conclusions were adopted:

"The Commission takes note of the Council invitation, to which it will give appropriate consideration. The Commission reserves, however, the right to respond in accordance with the terms of the Treaty, in particular as regards its right of initiative".

4. **Amended proposal for a Decision of the European Parliament and of the Council adopting a programme of Community action from 1999 to 2003 on injury prevention in the framework for action in the field of public health**

- **Common position**
7748/98 SAN 78 CONSOM 27 CODEC 216
12479/98 SAN 162 CONSOM 61 CODEC 551

The Council

- agreed by a qualified majority – with the Netherlands delegation voting against – on the text of the above common position as set out in the Annex to 12479/98 SAN 162 CONSOM 61 CODEC 551;
- agreed to adopt its common position as an "A" item at a forthcoming meeting after finalization of the text in the official languages of the Communities;
- agreed to enter the following statement in the minutes of the meeting at which the common position was adopted:

"The Commission would have wished that the common position included some elements of its modified proposal, in particular those that were introduced following the first reading of the European Parliament.

As regards Article 5 relating to the Comitology procedure, the Commission can only reiterate that the mixed management-advisory Committee for this kind of programme is over-bureaucratic and onerous. The Commission would have preferred a purely advisory Committee, which could cover explicitly the areas of activity envisaged by the Council.

As regards Community financial support for data collection by Member States in Part A of the annex, the Commission can state that the rate of funding will be set in the light of annual funds available and current practice in the area of Community funding for other public health action programmes, but that it will be at a rate of at least 65%.

The reports referred to in Article 7(2) of the text will also examine the link between the quality of the data collected and the financial support granted.

However, in view of the circumstances within the Council and in order to enable an agreement to be reached by a qualified majority, the Commission, which attaches great importance to the adoption of its programme, has accordingly amended its proposal for a Decision of the European Parliament and of the Council adopting a programme of Community action on injury prevention (1999-2003) on these points".

5. EU-US task force on communicable diseases

- **Council conclusions**
12480/98 SAN 163

The Council agreed on the conclusions concerning the EU-US task force on communicable diseases as set out in the Annex.

6. Transmissible spongiform encephalopathies (TSE)

- **Oral report by the Commission**
- **Policy discussion on the follow-up**
12481/98 SAN 164

The Council heard an oral report by Commissioner Flynn on developments concerning the incidence of cases of the new variant of Creutzfeldt-Jakob's disease since the last Council meeting on health matters.

The Council also held a policy debate on further action on this question, which the President summarized as follows:

- the Council stressed the importance of regular Commission reports. If appropriate, those could be annual reports;
- the reports should adopt an analytical approach and contain up-to-date information on the epidemiological situation and the effectiveness of measures taken at Community level;

- in principle, it should be possible for this matter to be raised at any Council meeting on health.

In that context the Commission stated that the Council would be receiving the follow-up report on bovine spongiform encephalopathy submitted half-yearly by the Commission, which would also include information on trends in the incidence of Creutzfeldt-Jakob's disease, and asked that the following statement be entered in the Council minutes:

"The Commission takes note of the Council invitation, to which it will give appropriate consideration. The Commission reserves, however, the right to respond in accordance with the terms of the Treaty, in particular as regards its right of initiative".

7. **Proposal for a Council Recommendation on the limitation of exposure of the general public to electromagnetic fields 0 Hz-300 GHz**

- **Progress report**
9620/98 SAN 107 ECO 230
12482/98 SAN 165 ECO 371

The Council took note of the report on the progress of the proceedings on the above proposal for a Recommendation set out in the Annex to 12482/98 SAN 165 ECO 371. The Italian delegation entered a reservation on the proposal for a Recommendation.

The Council instructed the Permanent Representatives Committee to continue the examination of the proposal.

8. **Commission report on the application of Directives 92/73/EEC and 92/74/EEC on homeopathic medicinal products**

- **Examination report**
9975/97 ECO 174
12483/98 SAN 166 ECO 372

The Council took note of the report summarizing the results of an examination of the Commission report on the application of Directives 92/73/EEC and 92/74/EEC on homeopathic medicinal products as set out in the Annex to 12483/98 SAN 166 ECO 372.

9. **Commission oral report on progress in combating smoking**

12484/98 SAN 167

The Council heard an oral report by Commissioner Flynn on progress with preparatory work on future initiatives to combat smoking.

10. **EU Conference on the Microbial Threat (Copenhagen, 9 to 10 September 1998)**

– **Note from the Danish delegation on the results of the Conference**

12313/1/98 SAN 155 REV 1

12485/98 SAN 168

Following a presentation by the Danish delegation of the results of the EU Conference on the Microbial Threat held in Copenhagen on 9 and 10 September 1998, the Council held an exchange of views on the problem of resistance to antibiotics.

Many delegations emphasized the importance they attached to following the matter up.

11. **Potential for cooperation between the European Union and the WHO**
(Request by the Belgian delegation)

12486/98 SAN 169

12521/98 SAN 170

The Council heard a statement by the Belgian delegation on the potential for cooperation between the European Union and the WHO.

12. **Other business**

(a) **International fund for therapeutic solidarity**
(Request by the French delegation)

12437/98 SAN 160

The French delegation, which submitted a note on a French initiative concerning the establishment of an International Therapeutic Solidarity Fund, the main objective of which was to increase access to treatment, including anti-retroviral treatment, for people living with HIV/AIDS in the developing countries, appealed to the Member States to support its initiative.

- (b) **Conference on quality assurance in public health (Bad Tatzmannsdorf, 23 and 24 July 1998)**
(Request by the Presidency)
12413/98 SAN 157

The Presidency submitted a note summarizing the results of the discussions at the ministerial conference on quality assurance in public health held in Bad Tatzmannsdorf in July.

- (c) **Health problems in Central America following hurricane Mitch**
(Request by the Spanish delegation)

The Spanish delegation made a statement on the worrying situation in Central America and the need for rapid aid for the people affected.

The other Member States' delegations pointed out that their governments had already provided or were in the process of providing help with the practical and financial resources available.

Re item 5 on the agenda

COUNCIL CONCLUSIONS
CONCERNING THE EU-US TASK FORCE
ON COMMUNICABLE DISEASES

THE COUNCIL,

RECALLING that the Joint EU-US Action Plan of the New Transatlantic Agenda, which was signed on 3 December 1995, provided for the establishment of a EU-US Task Force with a view to developing and implementing an effective global early warning system and response network for communicable diseases;

RECALLING that the Task Force has so far held three meetings in 1996 and 1997 and the next meeting is scheduled for December 1998;

UNDERLINING that the Task Force has no competence to take binding decisions;

RECALLING that, at the Council meeting on 12 November 1996, a procedure to be followed in the exploratory phase was agreed upon according to which, before each meeting of the Task Force technical coordination will take place between the EU participants in the Task Force, and the Commission will report to the Council on the results of each meeting of the Task Force;

RECALLING that, in accordance with this procedure, the Commission submitted to the Council summary records of the different meetings, or presented oral reports at Council meetings;

CONSIDERING that at the Council meeting on 30 April 1998, the Commission asked the Council to address a number of basic questions with a view to drawing up political orientations for the next meeting of the Task Force,

CONSIDERS THAT

As regards the scope of future activities of the Task Force and structuring of its work

The work of the Task Force should contribute to the establishment of an effective global surveillance system for communicable diseases.

The activities of the Task Force should remain within the scope of activities conducted in the framework of the Community network for the epidemiological surveillance and control of communicable diseases. Regulatory issues such as food safety and standards, pharmaceutical and vaccine norms are therefore outside the scope of activities of the Task Force.

On these lines, efforts should be concentrated on the continuation of the activities on surveillance (covered by Working Group I "Surveillance and response"). These activities should also cover activities on capacity review (so far conducted by Working Group III "Capacity review and strengthening").

It is appropriate for the Task Force to propose a time limit for its mandate for clearing remaining open questions and for submitting a report and, if appropriate, recommendations for further action.

As regards the funding of the EU (Community and Member States) share in the activities of the Task Force

In any case, priority is given to the financing of the Community network from Community funds. Activities within the Task Force are to be funded by relevant Community programmes; costs for meetings, conferences and travel expenses are also to be financed by Community resources.

Special funding by Member States of the activities of the Task Force is not provided.

As regards the possible formalisation of cooperation

If, after finalisation of the exploratory work of the Task Force, cooperation with the United States is to be formalised, the Commission is invited to submit to the Council an appropriate proposal concerning the nature of this formalisation.

As regards the link with WHO activities

In principle, all the activities of the Task Force should take account of the WHO Programme on Communicable Diseases.

Close cooperation with WHO is an asset due to its availability of vast expertise, information and data and its long-standing cooperation with the candidate countries in Central and Eastern Europe and Cyprus.

In any case, duplication of work with international fora which are active in the field of communicable diseases surveillance and control is to be avoided.

STRESSES the importance of timely reporting by the Commission to the Council on the development of the activities of the Task Force on the basis of these conclusions.