



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 June 2009

11072/09

CRS/CRP 25

SUMMARY RECORD

**Subject : 2279th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 16 June 2009**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 7

Coreper Part 1

I

2. Replies to written questions put to the Council by Members of the European Parliament
- (a) n° E-1682/09 put by Luca Romagnoli
"Intimidation against Istrian exiles at the Corgnale di Divacca foiba"
 - (b) n° E-2674/09 put by Maria Eleni Koppa
"Upsurge in piracy"
 - (c) n° E-2728/09 put by Maria Eleni Koppa
"Demolition of a village belonging to the Greek minority in southern Albania"
 - (d) n° E-3066/09 put by Frank Vanhecke
"Acceptance of former prisoners from Guantánamo Bay"
 - (e) n° P-3070/09 put by Frank Vanhecke
"Transitional allowances"
 - (f) n° E-3241/09 put by Mary Lou McDonald
"The need for an EU Summit on jobs"
 - (g) n° E-3287/09 put by Marco Rizzo
"Human and civil rights in the Basque county"
 - (h) n° P-3295/09 put by Rosa Miguélez Ramos
"Continuation of Operation Atalanta"
 - (i) n° E-3310/09 put by Emine Bozkurt
"Civil rights violations by the World Anti-Doping Agency (WADA)"
 - (j) n° E-3332/09 put by Mario Borghezio
"EU investigation into the cancer risks posed by mobile phones"
 - (k) n° E-3393/09 put by Sophia in 't Veld, Marco Cappato, Marco Pannella, Jeanine Hennis-Plasschaert, Renate Weber and Baroness Sarah Ludford
"EU initiatives against the death penalty in Iraq and persecutions of LGBT persons"
3. Case before the Court of Justice
Case C-176/09 (Grand-Duché de Luxembourg contre Parlement européen et Conseil de l'Union européenne)
4. Draft Commission Regulation implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for electric motors
5. Draft Commission Regulation (EC) No.../... implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products

6. Draft Commission Regulation (EC) No .../.. of [...] amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures
7. Proposal for a Council Regulation amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products
8. Proposal for a Council Regulation amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products
9. Proposal for a Council Decision on the position to be taken by the Community concerning a draft Decision of the EC-EFTA Joint Committee on common transit, amending the Convention of 20 May 1987 on a common transit procedure
10. Proposal for a Council Decision on the signing on behalf of the European Community, provisional application and conclusion of the Agreement between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures
11. Proposal for a Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community (Sarajevo, 26 June 2009)
12. Proposal for a Regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles (First reading)
13. Proposal for a directive of the European Parliament and of the Council on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (First reading)
14. Proposal for a directive of the European Parliament and of the Council on certain parts and characteristics of wheeled agricultural or forestry tractors (codified version)
15. Proposal for a Directive of the European Parliament and of the Council on the steering equipment of wheeled agricultural or forestry tractors (codified version)
16. Proposal for a Directive of the European Parliament and of the Council on rear-view mirrors for wheeled agricultural or forestry tractors (codified version)
17. Proposal for a Directive of the European Parliament and of the Council on the maximum design speed of and load platforms for wheeled agricultural or forestry tractors (codified version)
18. Proposal for a Directive of the European Parliament and of the Council relating to the space for mounting the rear registration plate of two or three-wheel motor vehicles (codified version)

19. Proposal for a Directive of the European Parliament and of the Council relating to the roll-over protection structures of wheeled agricultural or forestry tractors (codified version)
20. Proposal for a Directive of the European Parliament and of the Council on the coupling device and the reverse of wheeled agricultural or forestry tractors (codified version)
21. Proposal for a Directive of the European Parliament and of the Council relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors (codified version)
22. Proposal for a Directive of the European Parliament and of the Council on the suppression of radio interference produced by agricultural or forestry tractors (electromagnetic compatibility) (codified version)
23. Proposal for a Directive of the European Parliament and of the Council relating to the driver-perceived noise level of wheeled agricultural or forestry tractors (codified version)
24. Proposal for a directive of the European Parliament and of the Council on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles (codified version)
25. Proposal for a Directive of the European Parliament and of the Council on the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors (codified version)
26. Proposal for a directive of the European Parliament and of the Council on roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (codified version)
27. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/54/EC concerning common rules for the internal market in electricity (Second reading)
28. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/55/EC concerning common rules for the internal market in natural gas (Second reading)
29. Proposal for a Regulation of the European Parliament and of the Council establishing an Agency for the Cooperation of Energy Regulators (Second reading)
30. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1228/2003 on conditions for access to the network for cross-border exchanges in electricity (Second reading)
31. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1775/2005 on conditions for access to the natural gas transmission networks (Second reading)

32. Relations with Tunisia
Proposal for a Council Decision on the position of the Community within the EU-Tunisia Association Council in order to amend Decision n° 1/99 of the EU-Tunisia Association Council on the implementation of the provisions on processed agricultural products laid down in Article 10 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part
33. Council Conclusions on the possible evaluation of the existing control measures relating to carnation leaf-rollers and San José scale

II

34. Preparation of the Council meeting (Environment) on 25 June 2009
 1. Climate change: EU strategy debate on development of the EU position on a comprehensive post-2012 climate agreement8
35. Preparation of the Council meeting (Agriculture and Fisheries) on 22 and 23 June 2009
 1. Proposal for a Regulation of the European Parliament and of the Council on novel foods and amending Regulation (EC) No XXX/XXXX (common procedure)8
 2. Proposal for a Council Regulation on the protection of animals at the time of killing9
 3. Proposals for six Council Decisions and one Council Directive regarding the inclusion/non-inclusion of active substances in Annex I of Council Directive 91/414/EEC (Comitology)
 - (a) Proposal for a Council Decision concerning the non-inclusion of diphenylamine in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance
 - (b) Proposal for a Council Decision concerning the non-inclusion of triazoxide in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance
 - (c) Proposal for a Council Decision concerning the non-inclusion of metam in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance
 - (d) Proposal for a Council Decision concerning the non-inclusion of Bifenthrin in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance

- (e) Proposal for a Council Decision concerning the non-inclusion of paraffin oils CAS no 64742-46-7, 72623-86-0, 97862-82-3 in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance
- (f) Proposal for a Council Decision concerning the non-inclusion of paraffin oil CAS no 8042-47-5 in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance
- (g) Proposal for a Council Directive amending Council Directive 91/414/EEC to include tetraconazole as active substance in Annex I to Council Directive 91/414/EEC

.....10

- Any other business10

1. Adoption of the provisional agenda and items "I"
doc. 10899/09 OJ/CRP1 23

The above mentioned agenda is approved.

The Committee approves the "I" items as set out in the summary. Details are contained in the document quoted under item 1.

Coreper Part 1

II

34. Preparation of the Council meeting (Environment) on 25 June 2009

1. **Climate change: EU strategy debate on development of the EU position on a comprehensive post-2012 climate agreement**
 - **Exchange of views**
10853/09 ENV 422 ONU 43

The Committee took note of the Presidency paper contained in Annex to document 10853/09 and agreed to have an exchange of views on the form and content of an agreement in Copenhagen at the (Environment) Council on 25 June 2009.

35. Preparation of the Council meeting (Agriculture and Fisheries) on 22 and 23 June 2009

1. **Proposal for a Regulation of the European Parliament and of the Council on novel foods and amending Regulation (EC) No XXX/XXXX (common procedure)**
 - **Political agreement**
(Public deliberation, pursuant to Article 8(1)(b) CRP)
10916/1/09 DENLEG 42 CODEC 842 REV 1

The Committee took note of the intention of Greece and of the United Kingdom to abstain when the abovementioned draft Regulation will be submitted to Council. Unanimity being therefore achieved among the Member States, the conditions are met for a political agreement to be reached by the Council, notwithstanding the reservation kept by the Commission.

Furthermore, the Committee took note that Greece and the United Kingdom announced their intention to submit statements explaining their vote.

This item will be sent to a forthcoming session of the Council, to be dealt with in its part "A".

- 2. Proposal for a Council Regulation on the protection of animals at the time of killing**
- **Political agreement**
10976/09 AGRILEG 105

The Committee had an exchange of views on the revised text of the draft Regulation as set out in 10976/09. The Presidency concluded the discussion indicating that there was broad support of the text and invited delegations to evaluate the possibility of having this item as an "A" item on the agenda of the Agriculture and Fisheries Council of 22-23 June 2009. Some delegations (DK, EE, NL, RO) maintained a reservation at that stage.

- 3. Proposals for six Council Decisions and one Council Directive regarding the inclusion/non-inclusion of active substances in Annex I of Council Directive 91/414/EEC (Comitology)**
10694/09 AGRILEG 92

- (a) **Proposal for a Council Decision concerning the non-inclusion of diphenylamine in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
- **Adoption / Political agreement**
10255/09 AGRILEG 74
- (b) **Proposal for a Council Decision concerning the non-inclusion of triazoxide in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
- **Adoption / Political agreement**
10257/09 AGRILEG 75
- (c) **Proposal for a Council Decision concerning the non-inclusion of metam in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
- **Adoption / Political agreement**
10258/09 AGRILEG 76
- (d) **Proposal for a Council Decision concerning the non-inclusion of Bifenthrin in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
- **Adoption / Political agreement**
10260/1/09 AGRILEG 77 REV 1

- (e) **Proposal for a Council Decision concerning the non-inclusion of paraffin oils CAS no 64742-46-7, 72623-86-0, 97862-82-3 in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
 - **Adoption / Political agreement**
10261/09 AGRILEG 78
- (f) **Proposal for a Council Decision concerning the non-inclusion of paraffin oil CAS no 8042-47-5 in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
 - **Adoption / Political agreement**
10263/09 AGRILEG 79
- (g) **Proposal for a Council Directive amending Council Directive 91/414/EEC to include tetraconazole as active substance in Annex I to Council Directive 91/414/EEC**
 - **Adoption / Political agreement**
10254/09 AGRILEG 73

The Committee examined, under the comitology framework, the proposals for the inclusion or non-inclusion of seven active substances in the positive list of Directive 91/414/EEC on the placing on the market of plant protection products. Regarding the Commission proposals for the non-inclusion of four of these active substances (tetraconazole, diphenylamine, triazoxide and bifenthrin - documents 10254/09, 10255/09, 10257/09 and 10260/09, respectively) the Committee took note of the lack of a qualified majority in favour. As for the three other proposals (metam, paraffin oils CAS 64742-46-7, 72623-86-0 and 97862-82-3 and paraffin oil CAS 8042-47-5) the Committee reached a qualified majority, with the support of the Commission, on the text of a compromise drawn up by the Presidency as set out in 10694/1/09 REV 1 ADD 1.

- **Any other business**
 - = **Adoption of Council conclusions on sustainable development of Community Aquaculture at the Council meeting (Agriculture and Fisheries) on 22/23 June 2009 (request by the DE delegation)**

DE requested the Presidency to clarify the meaning of the new wording agreed at the Committee's last meeting for paragraph 5 of the draft Council conclusions. Following the clarification DE withdrew its reserve.