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Agriculture and Fisheries

Luxembourg, 18 June 2012

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Main results of the Council

*Concerning agriculture, ministers had a public debate on the specific issue of **rural development** within the framework of the CAP reform.*

*In addition, the Presidency presented to the Council its **progress report on the reform of the common agricultural policy (CAP)**.*

*The Council then adopted conclusions on the **protection and welfare of animals**.*

*Finally, ministers were briefed on **protection of sows in the member states, the G20 agriculture meeting in Mexico, the draft Council conclusions on the impact of antimicrobial resistance, a report on organic production and the market situation for milk and milk products**.*

CONTENTS¹

| | |
|--------------------------|----------|
| PARTICIPANTS..... | 5 |
|--------------------------|----------|

ITEMS DEBATED

| | |
|--|----|
| Reform of the CAP - rural development..... | 7 |
| Common agricultural policy reform - progress report..... | 9 |
| Animal welfare..... | 10 |
| Other Business | 12 |

OTHER ITEMS APPROVED*AGRICULTURE*

| | |
|---|----|
| – EU position at the International Organisation of Vine and Wine..... | 16 |
| – European innovation partnership on agriculture | 16 |

FOOD LAW

| | |
|--|----|
| – EFSA management board - Appointment of seven members | 17 |
|--|----|

CONSUMER PROTECTION

| | |
|--------------------------------------|----|
| – Consumer programme 2014-2020 | 17 |
|--------------------------------------|----|

ECONOMIC AND FINANCIAL AFFAIRS

| | |
|-------------------------------|----|
| – Designs for euro coins..... | 18 |
|-------------------------------|----|

COMMON SECURITY AND DEFENCE POLICY

| | |
|------------------------------|----|
| – EUA VSEC South Sudan | 18 |
|------------------------------|----|

INDUSTRY

| | |
|--|----|
| – Technical prescriptions for wheeled vehicles | 19 |
|--|----|

- ¹
- 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.

INTELLECTUAL PROPERTY

– WIPO Diplomatic Conference.....19

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ITEMS DEBATED

Reform of the CAP - rural development

Ministers held an orientation debate on the proposal for a regulation on support for rural development ([15425/1/11](#)) within the framework of the CAP reform ([10687/12](#)).

Member states broadly support the principle that the CAP should significantly contribute to addressing the challenges concerning environment, biodiversity and climate change mitigation and adaptation. However, member states opinions were divided over setting a threshold in recital 28 of the rural development proposal, where the Commission suggests, as a guideline that member states spend a minimum of 25% of the total contribution from the EAFRD to each rural development programme on climate change mitigation and adaptation and land management. The Commission made it clear that this was not an obligation but an indication since there could be member states who would spend more and others who could spend less but still achieve the environmental objectives. Some delegations opposed a minimum requirement while others welcomed the proposal and suggested that a binding obligation be set for all Member States. Some delegations requested even the percentage to be increased to 50%. A number of member states thought its scope should be extended to include, among other things, payments to Natura 2000, the water framework directive and forestry actions.

Co-financing rates for rural development support are part of the negotiating box for the MFF (2014-2020). Member states spoke in general terms of the need for a simple and targeted system for financing activities to meet the EU objectives for rural development. In its proposal, the Commission envisages a single maximum co-financing rate for most of the measures supported by the European agricultural fund for rural development (EAFRD) with only a few exceptions which could benefit from higher co-financing rates. Some delegations expressed support for this proposal as it stands while others made a number of suggestions for a higher standard rate and higher rates for operations contributing to the objectives of environment and climate change mitigation and adaptation, as well as risk management and innovation.

Many member states requested that there should be no national co-financing for all transfers from pillar I to pillar II.

Many member states also pointed out that irrigation measures were an outstanding issue that the Council should still look at.

The CAP reform package was presented by the Commission at the Agriculture Council meeting in October 2011. The Council has already held policy debates on the proposals for regulation on direct payments, rural development and on the single common market organisation during the three last Agriculture Council meetings in November and December last year and in January this year.

In March this year ministers held a debate on the simplification of the CAP. At its meeting in April, the Council held an orientation debate on young farmers, small farmers, voluntary coupled support and top ups for farmers in areas with natural constraints, as well as on internal distribution, the definition of "active farmer" and the capping of support to large farms. In May the Council held another orientation debate on the greening of the CAP. As regards the CAP orientation reform, in addition to this orientation debate, the Presidency also presented its progress report (see next item).

Common agricultural policy reform - progress report

The Presidency presented to the ministers its progress report on the reform of the common agricultural policy (CAP) ([8949/12](#)).

Member states broadly welcomed the progress report and overall considered it a fair and accurate reflection of the debate in the Council, which would lay a solid foundation for the next steps in the process under the Cypriot and Irish Presidencies. They also noted that the next presidencies had to deepen discussions on the open issues. Some delegations commented on issues of importance to them, particularly in relation to capping, convergence of direct payments and greening.

This progress report highlights the progress achieved during the first half of 2012 on the CAP reform proposals. It has been drawn up under the responsibility of the Presidency on the basis of the positions expressed within the Council and its preparatory bodies during this semester. It makes clear that nothing is agreed until everything is agreed.

The report highlights the efforts made by the Presidency, especially on increased flexibility, simplification and greening. It indicates the main amendments suggested to the Commission proposals and on which the Presidency has noted broad support from delegations. The Presidency's suggested amendments aim to resolve a number of issues raised by delegations, particularly with a view to ensuring that future CAP legislation is workable in practice and can be implemented in a cost-effective manner.

This report also identifies for each of the proposals the key issues which remain outstanding as at June 2012, including issues contained in the negotiating box for heading 2 of the multiannual financial framework (MFF).

The report distinguishes between three categories of issues:

- issues on which there is broad support among delegations for the amendments suggested by the Presidency to the Commission proposals;
- issues which remain outstanding as at June 2012;
- issues which are included in the negotiating box of the Multi-Annual Financial Framework and which the European Council will ultimately decide upon.

Animal welfare

The Council adopted conclusions on the protection and welfare of animals ([10478/12 ADD1](#)). At this occasion, several member states explained their national position by way of statements for the Council minutes ([10478/12 ADD2-ADD5](#)).

These conclusions specifically focus on the following Commission documents:

- Communication from the Commission on the EU strategy for the protection and welfare of animals 2012-2015 ([5398/1/12](#));
- Report from the Commission on the impact of regulation 1/2005 on the protection of animals during transport ([16798/11](#)).

The communication on the EU animal welfare strategy had been presented to the Council at its January meeting. Already on that occasion, several member states had welcomed the main elements proposed in this strategy, such as having a harmonised implementation of the current legislative framework in this area, keeping consumers better informed or optimising synergies with the CAP. Other delegations had pointed to the need for measures to ensure the global competitiveness of EU operators vis-à-vis third countries that did not apply the same animal welfare standards.

The new four-year strategy is aimed at further improving the protection and welfare of animals in the EU through a wide array of measures ranging from the reinforcement of existing actions to the possibility of establishing a new comprehensive legislative framework for animal welfare.

In December 2011, the Commission had presented to the Council a report on the implementation of the current legislation on the protection of animals during transport. The EU has had rules governing animal welfare during transport since 1977. An important update of the EU legislation was Regulation 1/2005 on the protection of animals during transport which foresaw this report.

It describes progress on the application of the EU regulation on animal transport, and identifies several ways to address the problems that have arisen. However, the report was not accompanied by a legislative proposal. The Commission pointed out the need for a correct enforcement of certain measures and insisted on the harmonisation in the implementation. This report was generally welcomed, while some delegations maintained their request for further legislative action.

On 29 February - 1 March 2012, the Presidency and the Commission organised a joint conference in Brussels where representatives of the member states, of the EU, international parties and stakeholders discussed and commented on the communication on the EU animal welfare strategy. The outcome of this conference had also been fed into the preparation of the conclusions.

The report that was also used to prepare these conclusions describes progress in the application of the EU regulation on animal transport, and identifies several ways of addressing the problems that have arisen. However, the report is not accompanied by a legislative proposal. The Commission pointed to the need for a correct enforcement of certain measures and pressed for harmonisation in the implementation of this regulation within the EU.

The EU has had rules governing on animal welfare during transport since 1977. Their aim is to eliminate technical barriers to trade in live animals and to allow market organisations to operate smoothly, while ensuring a satisfactory level of protection for the animals concerned.

The last update of the EU legislation was regulation 1/2005 on the protection of animals during transport which provides for a report on the regulation's impact.

Other Business

Animal welfare - protection of pigs

The Commission briefed the Council on the deadline for the new animal welfare requirements provided for in directive 2008/120 laying down minimum standards for the protection of pigs ([10748/12](#)).

As at the Council meeting in April where the issue was discussed, the Commission pointed out the need to comply with the deadline for implementing new mandatory requirements concerning pregnant sows. It said there was strong demand from consumers on this issue and everything should be done to avoid any distortion of competition between member states on 1 January 2013. The consequences of non-compliance were also mentioned.

New housing requirements were introduced by directive 2001/88 amending directive 91/630. They include, among others things, the requirements for mandatory group housing for pregnant sows and gilts, permanent access to materials for rooting, and new minimum requirement for flooring surfaces. The Commission focused on the requirement of group housing of pregnant sows and gilts. This requirement must be implemented by member states as from 1 January 2013.

G20 agriculture meeting in Mexico

Ministers were briefed by the Presidency on the outcome of the G20 agriculture vice-ministers/deputies meeting which took place in Mexico City on 17- and 18 May 2012.

The Mexican G20 Presidency had requested G20 agriculture vice ministers/deputies to draw up recommendations on agricultural production and productivity as a follow-up to the 2011 action plan on food price volatility and agriculture, to be submitted to the G20 summit in Los Cabos (18-19 June 2012).

Participants in the meetings in Mexico City acknowledged the considerable progress made in the implementation of the action plan on certain issues such as the agricultural information system (AMIS) or the rapid response forum (RRF). They recognised however the need to pursue work to implement this action plan. On 18 May 2012, they agreed on recommendations on food security to be submitted to the G20 summit.

The recommendations take account of the report prepared by a number of international organisations and coordinated by FAO and the OECD, entitled "Improving Global Sustainable Agricultural Productivity Growth and Bridging the Gap for small family farms".

The recommendations also underscore that increasing agricultural production and productivity in a sustainable way is one of the most important challenges that the world faces today.

Antimicrobial resistance - presentation of conclusions

The Presidency briefed the Council on the impact of antimicrobial resistance (AMR) in the human health sector and in the veterinary sector ([10582/12](#)) and informed the ministers of draft conclusions on this issue which could be adopted by the EPSCO Council at its meeting on 22 June 2012 ([10347/12](#)).

Following the Presidency Conference on "Combating Antimicrobial Resistance – Time for Joint Action" which was held in Copenhagen on 14-15 March 2012 the Presidency had suggested draft Council conclusions on antimicrobial resistance.

Antimicrobials have substantially reduced the threat posed by infectious diseases. However, this gain is seriously jeopardized by the emergence and spread of resistant microbes. Infections caused by resistant microbes fail to respond to treatment, resulting in prolonged illness and greater risk of death. Treatment failure also leads to longer periods of infectivity, which increases the numbers of infected people and thus expose the general population to the risk of contracting a resistant strain of infection. Most alarming of all are diseases where resistance is developing to virtually all currently available drugs. Even if the pharmaceutical industry were to step up efforts to develop new replacement drugs immediately, current trends suggest that some diseases will have no effective therapies within the next ten years.

In 2008 the Council adopted conclusions on AMR ([9637/08](#)) calling upon the Commission and member states to maintain and improve co-ordinated surveillance for antimicrobial resistance and consumption of antimicrobial agents and to increase public awareness as well as the awareness of veterinary and health care professionals about AMR, the prudent use of antibiotics in humans and animals and infection control practices.

The Commission published an action plan against the rising threats from antimicrobial resistance in 2011 which contained 12 actions for implementation with EU member countries and identified seven areas where measures were most necessary, including the development of new antimicrobials or alternatives for treatment ([16939/11](#)).

Organic production and labelling of organic products

The Commission briefed the ministers on a report on the application of regulation 834/2007 on organic production and labelling of organic products ([10575/12](#)).

The Commission intends to present a more detailed evaluation of the application of this regulation at the end of 2013 on the basis of an impact assessment. Following up on this debate, the Commission may come forward with legal proposals at a later stage.

Regulation 834/2007 and its implementing texts constitute the legal framework on organic food and farming at EU level.

When it was adopted, the Council had pointed to the dynamic evolution of the organic sector and asked for a future review of a number of issues for which it was considered that experience gained from the application of the new rules should be taken into account. These issues were:

- the scope of the regulation itself;
- the prohibition on the use of genetically modified organisms (GMOs);
- the functioning of the internal market and controls system.

This report concludes that it is currently too early to add proposals to change this regulation, especially at a time when the corresponding proposal for its alignment on the Lisbon Treaty is still being discussed in the Parliament and the Council. However, factual elements provided in this report could feed into the debate on organic farming regulation.

The report considers that topics like the simplification of the legislative framework - (while ensuring that the standards are not watered down)-, the coexistence of genetically modified crops in particular with organic farming, and the improvement of the control system and the equivalence regime in the trade in organic products are key issues for future discussions on organic agriculture.

Market situation for milk and milk products

The Polish and Lithuanian delegations briefed the ministers about the market situation concerning milk and milk products ([11284/12](#), [11295/12](#)).

As at the April meeting when the issue was raised by Poland, some member states supported this Polish and Lithuanian request to the Commission for market measures in response to the decreasing prices in the milk and dairy market.

The Commission said it was aware of the situation and was closely following the evolution of the milk market. On the basis of its evaluation of the situation, the Commission would return to this matter at the next Council meeting in July. It was ready to activate appropriate measures apart from the private storage measures already in place when it considered that there was a need.

OTHER ITEMS APPROVED

AGRICULTURE

EU position at the International Organisation of Vine and Wine

The Council secured a qualified majority in favour of a decision establishing the position to be adopted on behalf of the EU with regard to resolutions to be discussed and voted in the framework of the International Organisation of Vine and Wine (OIV). Czech Republic, Germany, Austria and Slovakia voted against, and Luxembourg abstained.

The OIV is an intergovernmental scientific and technical organisation made up of members, observers and international organisations with a particular status active in the vines, wine, wine-based drinks, table grapes, raisins and other vine products sectors.

The general assembly - the OIV's plenary body - generally meets once a year but extraordinary sessions may be convened. The OIV has 44 members but only 20 EU member states are also OIV members. The next meeting of the general assembly of the OIV will take place on 22 June 2012. The EU has currently no official status in the OIV.

European innovation partnership on agriculture

The Council adopted conclusions on the European innovation partnership (EIP) “Agricultural productivity and sustainability”.

In March, the Council was briefed by the Commission on its communication on the EIP on agricultural productivity and sustainability ([7278/12](#)). Several member states supported the initiative, which aims to strengthen the link between agriculture and research to improve sustainability and the challenges agriculture will face in the future.

For further details, see [Council conclusions](#).

FOOD LAW

EFSA management board - Appointment of seven members

The Council adopted a decision appointing seven members of the management board of the European Food Safety Authority (EFSA) to replace the members whose term of office will end on 30 June 2012 (10429/12 + 10940/12). The seven members nominated are Valérie Baduel (FR), Sue Davies (UK), Piergiuseppe Facelli (IT), Jaana Husu-Kallio (FI), Radu Roatis Chetan (RO), Jiri Ruprich (CZ) and Tadeusz Wijaszka (PL).

The Council also adopted a declaration requesting the Commission for the next appointments to the EFSA management board to draw up a list which includes a number of candidates substantially higher than the number of members to be appointed and which provides the Council with a choice as regards both the members with a background in organisation representing consumers and other interests in the food chain and other members of the board, as required under article 25(1) of regulation 178/2002.

CONSUMER PROTECTION

Consumer programme 2014-2020

The Council reached an agreement on a partial general approach¹ concerning the EU's consumer programme for the 2014-2020 period.

The European Parliament is expected to vote on its first-reading opinion at a plenary session further into this year.

The new programme will be the successor to the 2007-2013 programme in the field of consumer policy.

¹ A partial general approach is an agreement on the essential elements of a legal act, pending the opinion of the European Parliament and the relevant discussions on the EU's multi-annual financial framework 2014-2020.

The aim of the programme is to ensure a high level of consumer protection, to empower consumers and to place the consumer at the heart of the internal market. The programme will contribute to the protection of the health, safety, legal and economic interests of consumers, and to the promotion of their right to information, education and to organise themselves to safeguard their interests. It will complement national consumer policies of the member states.

The Commission communication "A budget for Europe 2020" of 29 June 2011 proposed to allocate EUR 175 million (in constant 2011 prices) to the consumer programme for the period 2014-2020. The final financial envelope for the implementation of the programme will be decided in the context of the overall EU budget for the next cycle of financial perspectives.

ECONOMIC AND FINANCIAL AFFAIRS

Designs for euro coins

The Council adopted a regulation amending regulation (EC) No 975/98 on denominations and technical specifications of euro coins intended for circulation

In 2009, the Council endorsed a Commission recommendation defining common principles for the designs of the national sides of euro coins. These rules will be integrated into regulation (EC) No 975/98.

COMMON SECURITY AND DEFENCE POLICY

EUAVSEC South Sudan

The Council adopted a decision establishing a new civil CSDP mission to strengthen the aviation security at Juba international airport. At the same time, it approved the concept of operations for that mission. For more details, see press release [11610/12](#).

INDUSTRY

Technical prescriptions for wheeled vehicles

The Council adopted a decision supporting certain amendments, supplements and corrigenda to the agreement of the United Nations economic commission for Europe (UNECE) concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts used on wheeled vehicles.

UNECE develops harmonised requirements intended to remove technical barriers to the trade in motor vehicles between the contracting parties of the agreement. The EU is a contracting party to this agreement and votes on behalf of the member states.

INTELLECTUAL PROPERTY

WIPO Diplomatic Conference

The Council decided to adopt the updated negotiating directives for the World Intellectual Property Organization (WIPO) Diplomatic Conference on the protection of audiovisual performances, to be held in Beijing from 20 to 26 June 2012. The Council also decided to issue the negotiating directives to the Commission, which will participate in the conference on behalf of the European Community.

The last WIPO Diplomatic Conference took place in Geneva in December 2000, and had been suspended in the absence of agreement on one out of 20 articles of the envisaged treaty, on the understanding that the conference would be re-convened once agreement was reached on the outstanding article, which was the case in September 2011.
