



Council of the
European Union

**Brussels, 22 July 2016
(OR. en)**

**11358/16
ADD 1**

**PV/CONS 41
AGRI 423
PECHE 282**

DRAFT MINUTES

Subject: **3481st** meeting of the Council of the European Union
(AGRICULTURE AND FISHERIES), held in Brussels on 18 July 2016

PUBLIC DELIBERATION ITEMS¹

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LEGISLATIVE DELIBERATIONS

"A" ITEMS (11102/16 PTS A 63)

1. Draft Regulation of the European Parliament and of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC [First reading] 4
2. Draft Directive of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies [First reading] 5
3. Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 1365/2006 on statistics of goods transport by inland waterways as regards conferral of delegated and implementing powers on the Commission for the adoption of certain measures [First reading] 5
4. Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents [First reading] 5
5. Regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean, and repealing Regulation (EC) No 302/2009 [First reading] 6
6. Regulation of the European Parliament and of the Council on requirements relating to gaseous and particular pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC [First reading] 6

¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

NON-LEGISLATIVE ACTIVITIES

"A" ITEMS (11103/16 PTS A 64)

2. Draft Council Regulation amending Council Regulation (EU) 2015/2265 opening and providing for the management of autonomous Union tariff quotas for certain fishery products for the period 2016 to 2018 7

"B" ITEMS (11078/16 OJ CONS 40 AGRI 406 PECHE 269)

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LEGISLATIVE DELIBERATIONS

"A" ITEMS

1. Draft Regulation of the European Parliament and of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC [First reading]

= Adoption of the Council's position at first reading and of the statement of the Council's reasons

10789/1/16 REV 1 CODEC 991 AGRI 384 AGRILEG 104 PHYTOSAN 19
+ REV 1 ADD 1

8795/16 AGRI 253 AGRILEG 65 PHYTOSAN 10 CODEC 634
+ COR 1 (sl)
+ COR 2 (cs)
+ REV 1 (pl)
+ ADD 1

approved by Coreper, Part 2, on 13.07.2016

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with the Netherlands delegation abstaining. (Legal basis: Article 43(2) TFEU).

Statement by the Netherlands

"The Netherlands abstains on the Regulation on protective measures against pests of plants. The Netherlands believes that the measures regarding the import system, as stated in this regulation, are disproportional (in relation to the actual risks involved)."

Statement by Germany, Austria, Bulgaria, Hungary, Latvia, the Netherlands, Portugal, Greece, Czech Republic, Sweden, Denmark, Finland, Lithuania, Malta, Romania and the United Kingdom

"We note that the terms 'harmful organism' and 'pest' refer to the same concept in EU legal acts, and are used equivalently.

Reasoning:

Given that existing Commission legal acts and Council Regulations and Directives (e.g. Council Directive 93/85/EEC, Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and Commission Implementing Decision 2012/138/EU) also use the term 'harmful organism' with the same meaning and in an equivalent manner, the fact that the terms 'pest' and 'harmful organism' are synonyms should be clearly emphasised, in order to preclude any uncertainty in the application of existing EU legal acts and the new EU Plant Health Regulation."

2. Draft Directive of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies [First reading]

= Adoption of the Council's position at first reading and of the statement of the Council's reasons

10790/16 CODEC 992 TELECOM 125 CONSOM 165 MI 480

9389/16 TELECOM 89 CONSOM 117 MI 374 CODEC 728

+ ADD 1

approved by Coreper, Part 2, on 13.07.2016

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons. (Legal basis: Article 114(1) TFEU).

3. Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 1365/2006 on statistics of goods transport by inland waterways as regards conferral of delegated and implementing powers on the Commission for the adoption of certain measures [First reading]

= Adoption of the Council's position at first reading and of the statement of the Council's reasons

10791/16 CODEC 993 STATIS 47 TRANS 274

9878/16 STATIS 35 TRANS 219 CODEC 823

+ ADD 1

approved by Coreper, Part 2, on 13.07.2016

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons. (Legal basis: Article 338(1) TFEU).

4. Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 91/2003 on rail transport statistics, as regards the collection of data on goods, passengers and accidents [First reading]

= Adoption of the Council's position at first reading and of the statement of the Council's reasons

10792/16 CODEC 994 STATIS 48 TRANS 275

10000/16 STATIS 39 TRANS 224 CODEC 851

+ ADD 1

approved by Coreper, Part 2, on 13.07.2016

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons. (Legal basis: Article 338(1) TFEU).

5. Regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean, and repealing Regulation (EC) No 302/2009 [First reading]

PE-CONS 14/16 PECHE 131 CODEC 411

+ COR 1 (el)

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU).

Statement by the Commission

"The Commission expresses concern that the limited powers delegated to it by the co-legislators may hinder the timely implementation in EU law of measures taken by ICCAT in the future that revise or update the control scheme of this Organisation.

The Commission therefore declares that it considers this Regulation to be without prejudice to any future position of the institution as regards the recourse to Articles 290 and 291 TFEU for the transposition of Regional Fisheries Management Organisation measures.

The Commission furthermore reserves the right to propose amendments to the Regulation increasing the number of measures which should be adopted by delegated or implementing acts in case the transposition through the ordinary legislative procedure leads to delays which would jeopardise the EU's ability to comply with its international obligations."

6. Regulation of the European Parliament and of the Council on requirements relating to gaseous and particular pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC [First reading]

PE-CONS 21/16 ENT 78 ENV 242 MI 257 CODEC 507

+ COR 1 (es)

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

NON-LEGISLATIVE ACTIVITIES

"A" ITEMS

2. Council Regulation amending Council Regulation (EU) 2015/2265 opening and providing for the management of autonomous Union tariff quotas for certain fishery products for the period 2016 to 2018

= Adoption

10757/16 PECHE 254 UD 147

10103/16 PECHE 214 UD 126

approved by Coreper, Part 1, on 06.07.2016

The Council adopted the above Regulation (Legal basis: Article 31 of the TFEU).

"B" ITEMS

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)

The Slovak Presidency gave a public presentation on its work programme and its priorities as regards agriculture and fisheries issues.