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OUTCOME OF THE COUNCIL MEETING

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Agriculture and Fisheries

Luxembourg, 19 and 20 October 2020

President **Julia Klöckner**
Federal Minister for Food and Agriculture of Germany

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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.

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ITEMS DEBATED

AGRICULTURE

Post-2020 CAP reform package

In public session, ministers agreed, by qualified majority, a general approach on the post-2020 common agricultural policy (CAP) reform package. The two-day negotiations kicked off in the morning of 19 October with an exchange of views on the reform package. Ministers supported the objective of reaching a general approach and expressed views on issues such as eco-schemes, conditionality, coupled support and financial discipline. Other specific issues surfaced as well, such as an extension in wine planting rights and the continuation of the budget for outermost regions.

Following the public session, the presidency conducted several informal meetings with all delegations to discuss and find solutions to the concerns raised by member states. Ministers reached a political agreement in the early hours of 21 October when a final compromise text was presented by the presidency in public session.

Some key provisions of the agreement include:

- Farmers would receive financial support under the condition that they adopt practices beneficial for the climate and the environment, to make the CAP even greener than before.
- Farmers going beyond the basic environment and climate requirements would get additional financial support not only through rural development, but also through the introduction of ‘eco-schemes’. These new instruments for environmental and climate protection would have a financial allocation of at least 20% of the direct payments budget. An initial pilot phase of two years would allow member states to transfer money to other interventions to avoid losing much-needed funds while getting acquainted with the new instruments. Indicative examples of eco-schemes include practices related to precision farming, agroforestry, and organic farming, but member states would be free to design their own instruments on the basis of their needs.

- All farmers would be bound to higher environmental standards, even the smaller ones. To help them in this transition, small farmers would be subject to more simplified controls and a reduced administrative burden while assuring their contribution to environmental and climate goals.
- [General approach on the regulation on CAP strategic plans](#)
- [General approach on the regulation on financing, managing and monitoring of the CAP](#)
- [General approach on the regulation on a common market organisation of agricultural products](#)

The European Commission presented the post-2020 CAP reform package in 2018. The package consists of three proposals:

- [A regulation on CAP strategic plans](#)
- [A regulation on financing, managing and monitoring of the CAP](#)
- [A regulation on a common market organisation of agricultural products](#)

The Commission also published an impact assessment and a staff working document analysing the links between the CAP reform and the Green Deal:

- [Impact assessment](#)
- [Staff working document](#)

Farm to fork strategy

In public session, the Council unanimously adopted a set of conclusions on the farm to fork strategy. Through these conclusions, ministers endorsed the goal of developing a European sustainable food system, from production to consumption.

Ministers called for scientifically-sound ex-ante impact assessments to be the basis of EU legislative proposals under the farm to fork strategy. They also called for continued promotion of the prudent and responsible use of pesticides, antimicrobials and fertilisers in order to produce food sustainably and support the environment at the same time.

In their interventions on this item, ministers also raised issues such as the need for further action to curb food fraud and food waste as well as to improve animal welfare. Maintaining the competitiveness of the European agricultural sector and ensuring consistency with other policy areas such as trade were important aspects to several ministers.

[Council conclusions on the farm to fork strategy, 19 October 2020](#)

The Commission presented the farm to fork strategy in May 2020, highlighting that it is an integral part of the European Green Deal setting the goal of a “fair, healthy and environmentally friendly food system”. The transition to this new food system will be underpinned by the CAP reform.

[Commission farm to fork strategy](#)

FISHERIES

Fishing opportunities in the Baltic Sea for 2021

The Council reached an agreement on the fishing opportunities for the ten most commercial fish stocks in the Baltic Sea for 2021. After a day-long negotiation which concluded in the early hours of 20 October 2020, ministers agreed to continue decreasing the fishing opportunities for certain fish stocks to help them recover, in line with the latest scientific advice.

Ministers decided to continue the closure of the eastern Baltic cod fishery and to provide only a by-catch quota, which was again significantly reduced compared to last year's. The biggest cuts in the total allowable catches (TACs) were for herring in the western and central part of the Baltic Sea.

More information is available in the press release: [Baltic Sea fishing: Council agrees on 2021 catch limits](#).

The table showing all the agreed TACs per fish stock in the Baltic Sea for 2021 is available [here](#).

ANY OTHER BUSINESS***– Visegrad Group declaration on CAP and MFF***

The Polish delegation provided information on the joint declaration of the ministers of agriculture of the Visegrad Group, and a number of other member states, on the important elements of the common agricultural policy reform in relation to the agreement on the 2021–2027 multiannual financial framework.

– Activities of slaughtering and processing

The French delegation (also on behalf of Czechia, Hungary, Austria, Poland, Romania and Finland) presented to the Council a declaration concerning derogations from hygiene rules for local activities of slaughtering and processing. The declaration calls on the European Commission to propose a derogation in the EU's hygiene legislation to facilitate direct sales of small quantities of processed meat of poultry and lagomorphs from farms to consumers or to local retail establishments.

– Animal health law

The Romanian delegation presented a declaration by 13 member states calling for the postponement of the date of application of the animal health law. The call is due to delays in the adoption of some delegated and implementing acts and to complications related to the COVID-19 pandemic.

– Measures in the beef and veal sector

The Spanish delegation (also on behalf of Croatia, France, Hungary and Latvia) presented to the Council a common declaration on the need to adopt additional measures in the beef and veal sector as a consequence of the COVID-19 crisis.

OTHER ITEMS APPROVED

AGRICULTURE

Postponement in the application of the organic farming regulation due to COVID-19

The Council adopted a legislative act to amend regulation (EU) 2018/848 on organic production as regards its date of application and certain other dates referred to in that regulation. The amended regulation will postpone the application of the provisions on organic production and labelling of organic products by one year. The main reasoning behind this decision is the outbreak of the COVID-19 pandemic which presents an unprecedented challenge to the member states and puts a heavy burden on organic operators. To ensure the smooth functioning of the organic sector, to provide legal certainty, and to avoid potential market disruption, it is necessary to defer the date of application of the regulation beyond the originally planned date of 1 January 2021 ([11313/20](#)).

FISHERIES

Partial general approach on the EMFF

The Council adopted a partial general approach on the regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing regulation (EU) No 508/2014 of the European Parliament and of the Council (EMFF). This regulation establishes the European Maritime, Fisheries and Aquaculture Fund (EMFAF) for the period from 1 January 2021 to 31 December 2027 ([10050/20](#), [10050/20 COR 1](#)).

Extension of the fisheries agreement with the Cook Islands

The Council adopted a decision on the conclusion of the fisheries agreement in the form of an exchange of letters between the EU and the Cook Islands. This concerns an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the EU and the Government of the Cook Islands (11460/20 + ADD 1, [11262/20](#)).

Signing and provisional application of the fisheries agreement with the Cook Islands

The Council adopted a decision on the signing of the agreement in the form of an exchange of letters between the EU and the Government of the Cook Islands concerning an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the two parties. The agreement in the form of an exchange of letters shall be applied on a provisional basis (11460/20 + ADD 1, [11261/20](#), [11271/20](#)).

EU to approve the UK's accession to the NASCO Convention

The Council adopted a decision on the EU position in the Convention for the Conservation of Salmon in the North Atlantic Ocean (NASCO) as regards the application for accession to that Convention submitted by the United Kingdom. The position to be taken on the EU's behalf is to approve the application for UK's accession to NASCO (11431/1/20 REV 1, [11250/20](#)).

FOOD LAW

Rejected health claims

The Council decided not to oppose the adoption of a regulation on not including specific health claims around food categories and substances, such as L-carnitine and black tea, in the EU list of permitted claims as provided for in article 13(3) of regulation (EC) No 1924/2006 ([10778/20](#) + [ADD 1](#), [11380/20](#)).

Rejected health claims

The Council decided not to oppose the adoption of a regulation laying down specifications for food additives as regards specifications for titanium dioxide (listed in annexes II and III to regulation (EC) No 1333/2008 of the European Parliament and of the Council) ([11533/20](#), [10771/20](#) + [ADD 1](#)).

INTERNAL MARKET AND INDUSTRY**Delegated regulation amending article 25 of regulation (EC) No 1272/2008**

The Council decided not to object to a Commission regulation amending article 25 of regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures as regards bespoke paints.

The draft regulation stipulates that in the case of bespoke paints for which no information is notified and no corresponding ‘unique formula identifier’(UFI) created, the UFIs of all the mixtures contained in the bespoke paint should be indicated on the label of the bespoke paint. In addition, if the concentration of a mixture with a UFI contained in the bespoke paint exceeds 5%, the concentration should be included in the supplemental information indicated on the label of the bespoke paint, since mixtures in bespoke paints of such concentration are more likely to be relevant for emergency health responses.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can now enter into force, unless the European Parliament objects ([10419/20](#)).

Improving workability of information requirements related to emergency health responses

The Council decided not to object to a Commission regulation amending regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures in order to improve the workability of information requirements related to emergency health responses.

The draft regulation introduces amendments regarding the emergency health response information requirements in respect of toxicologically similar components of a mixture, certain standardised mixtures in the gypsum, ready-mixed concrete and cement sectors, certain fuels as well as bespoke paints.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can now enter into force, unless the European Parliament objects ([10420/20](#) + ADD 1).