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European Union

Brussels, 13 December 2022  
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14496/22  
PV CONS 64

**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
(Economic and Financial Affairs)  
8 November 2022

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## 1. Adoption of the agenda

The Council adopted the agenda set out in 14016/22.

## 2. Approval of 'A' items


### a) Non-legislative list

14017/22

The Council adopted the "A" items listed in 12816/22 including COR and REV documents presented for adoption. Statements to these items are set out in the Addendum.

For the following items the documents should read as follows:

30. Council Decision on the signing and provisional application of the Protocol on the implementation of the Fisheries Partnership Agreement with Mauritius  
*Adoption*  
approved by Coreper, Part 1, on 04.11.2022



 13913/22 + ADD 1  
12752/22  
**12785/1/22 REV 1**  
PECHE

### b) Legislative list (public deliberation in accordance with Article 16(8) of the Treaty on European Union)

14018/22

## General Affairs



1. **Regulation on 2014-2020 cooperation programmes supported by the European Neighbourhood instrument (ENI-CBC)**  
*Adoption of the legislative act*  
approved by Coreper, Part 2, on 04.11.2022

 13575/22  
PE-CONS 52/22  
COH

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: Articles 178, 209(1) and 212(2) TFEU)

## Agriculture

2. **Regulation on statistics on agricultural input and output**  
*Adoption of the legislative act*  
approved by SCA on 07.11.2022

 13577/22 + ADD 1  
PE-CONS 37/22  
AGRI

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, with Romania abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 338(1) TFEU)

Statements to this item are set out in the Annex.

### Legislative deliberations

3. **Directive 1999/62/EC (Eurovignette) as regards certain provisions on vehicle taxation** S C 13790/22 + COR 1  
(\*)  
(Legal basis proposed by the Commission: Article 113 TFEU)  
*Political agreement*

Ministers held a short exchange of views on the state of play of the Eurovignette Directive as regards vehicle taxation and referred the work back to the technical level.

4. **Implementation of Basel III** I C 13771/22 + ADD 1  
13772/22  
13773/22  
*General approach*

The Council reached a general approach on the proposals set out in documents 13772/22 and 13773/22 and invited the Presidency to start negotiations with the European Parliament on this basis with a view to reaching an agreement at first reading. The Danish delegation issued a statement (13771/22 ADD1) regarding the Output Floor and transitional arrangements (CRR Article 465).

5. **Any other business** 13460/22  
**Current financial services legislative proposals**  
*Information from the Presidency*

The Presidency informed Ministers about the state of play of current financial services legislative proposals.

### Non-legislative activities

- |     |  |                      |
|-----|--|----------------------|
| 6.  | Economic and financial impact of the Russian aggression against Ukraine<br><i>Exchange of views</i>  | 14315/22             |
| 7.  | Implementation of the Recovery and Resilience Facility<br><i>State of play</i><br><i>Exchange of views</i>   |                      |
| 8.  | 2022 Annual Report of the European Fiscal Board<br><i>Exchange of views</i>  | 13831/22             |
| 9.  | Conclusions on EU statistics<br><i>Approval</i>  | 13870/22<br>13871/22 |
| 10. | Follow-up to the G20 Finance Ministers and Central Bank Governors meeting on 12-13 October 2022 and the IMF annual meetings<br><i>Information from the Presidency and the Commission</i> | 13811/22             |
| 11. | Inflation Reduction Act<br><i>Information from the Commission</i><br><i>Exchange of views</i>  |                      |

- 
- ❶** First reading  
**❷** Special legislative procedure  
**❸** Item based on a Commission proposal  
(\*) Item on which a vote may be requested
-

## ANNEX

### Statements to legislative deliberations "A" items set out in doc. 14018/22

#### **Regulation on statistics on agricultural input and output**

##### **Ad "A" item 2:**

*Adoption of the legislative act*

#### **JOINT STATEMENT OF THE EUROPEAN PARLIAMENT AND THE COUNCIL IN RELATION TO REGULATION (EU) 2022/...<sup>+</sup>, AS REGARDS THE IMPORTANCE OF ESTABLISHING IN ALL MEMBER STATES A REGISTER HELD BY NATIONAL COMPETENT AUTHORITIES ON THE USE OF PLANT PROTECTION PRODUCTS IN AGRICULTURE**

“As part of the European Green Deal, the Farm to Fork Strategy and the Biodiversity Strategy highlight the need for a transition to a sustainable food system, in particular by reducing the use and risk of pesticides by 50 % by 2030 and by increasing organic farming and biodiversity-rich landscape features on agricultural land.

Under Regulation (EU) 2022/... of the European Parliament and of the Council<sup>1++</sup>, the full collection of data on the use of plant protection products by professional users in an agricultural activity, that is a coverage of 95 % of the use in each Member State, can only be achieved when a legal requirement for professional users of plant protection products to transmit their records in electronic format to national competent authorities is applicable under Union law.

The European Parliament and the Council recognise the importance of introducing such a requirement into Union legislation and commit to working together to that end. “

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<sup>+</sup> OJ: Please insert in the text the number of the Regulation in the document COD(2021)0020 (PE-CONS 37/22).

<sup>1</sup> Regulation (EU) 2022/... of the European Parliament and of the Council of ... on statistics on agricultural input and output, amending Commission Regulation (EC) No 617/2008 and repealing Regulations (EC) No 1165/2008, (EC) No 543/2009 and (EC) No 1185/2009 of the European Parliament and of the Council and Council Directive 96/16/EC (OJ L ...).

<sup>++</sup> OJ: Please insert in the text the number, and in the footnote the number, the date and the OJ publication reference of the Regulation in the document COD(2021)0020 (PE-CONS 37/22).

**STATEMENT BY THE COMMISSION IN RELATION TO REGULATION (EU) 2022/...<sup>+</sup>,  
AS REGARDS ON-GOING WORK TO ENSURE THE AVAILABILITY IN ELECTRONIC  
FORMAT OF THE RECORDS TO BE KEPT BY PROFESSIONAL USERS OF PLANT  
PROTECTION PRODUCTS PURSUANT TO ARTICLE 67(1) OF REGULATION (EC) NO  
1107/2009**

“The European Green Deal and the Farm to Fork Strategy establish a reduction in the use and risk of chemical pesticides as a key objective for the Union. In order to ensure effective and impactful policies, robust and comprehensive data on the use of pesticides at farm level is crucial. The on-going work to ensure the availability in electronic format of the records kept by professional users of plant protection products is an important enabling factor to implementing the reporting obligations on pesticides that are part of Regulation (EU) .../... of the European Parliament and of the Council<sup>2++</sup> (SAIO).

Therefore, the Commission has prepared a draft Commission Implementing Regulation, on the basis of Article 67(4) of Regulation (EC) No 1107/2009 of the European Parliament and of the Council<sup>3</sup>, as regards the content and format of the records of the use of plant protection products to be kept by professional users in accordance with Article 67(1) of Regulation (EC) No 1107/2009.

That Implementing Regulation would, if adopted as currently foreseen, regulate the record-keeping required under Regulation (EC) No 1107/2009 in detail, including by identifying the elements to be recorded by the professional users, and by ensuring that those records will be available in electronic format from 1 January 2025 at the latest.

The draft of that Implementing Regulation is currently under discussion in the Standing Committee on Plants, Animals, Food and Feed, Section Phytopharmaceuticals - Legislation. The Commission intends to seek the opinion of the committee pursuant to Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>4</sup> in the coming months.

The Commission intends to adopt that Implementing Regulation before the end of 2022. ”

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<sup>+</sup> OJ: Please insert in the text the number of the Regulation in the document COD(2021)0020 (PE-CONS 37/22).

<sup>2</sup> Regulation (EU) 2022/... of the European Parliament and of the Council of ... on statistics on agricultural input and output, amending Commission Regulation (EC) No 617/2008 and repealing Regulations (EC) No 1165/2008, (EC) No 543/2009 and (EC) No 1185/2009 of the European Parliament and of the Council and Council Directive 96/16/EC (OJ L ...).

<sup>++</sup> OJ: Please insert in the text the number, and in the footnote the number, the date and the OJ publication reference of the Regulation in the document COD(2021)0020 (PE-CONS 37/22).

<sup>3</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

<sup>4</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

## **Statements to the legislative "B" items**

### **Ad "B" item 4:**      **Implementation of Basel III** *General approach*

#### **STATEMENT BY DENMARK REGARDING THE OUTPUT FLOOR AND TRANSITIONAL ARRANGEMENTS (CRR ARTICLE 465)**

“Denmark supports the purpose of the Output Floor to enhance comparability of credit institutions’ capital ratios. This will supplement work to improve and strengthen credibility of credit institutions internal models to calculate their risk-based capital requirements.

However, we reiterate our strong concern that the Output Floor could reduce risk sensitivity of capital requirements and harm low risk and well-functioning business models such as the specialized Danish mortgage credit institutions with proven low risk exposures.

We also reiterate our strong preference for permanent preferential arrangements for the Output Floor regarding real estate exposures and unrated corporate exposures conditional on low risk and regular review. This would best take into account key features of the European credit sector, preserve risk sensitivity, support sound risk management in credit institutions and efficient capital allocation in our economies.

The transitional arrangements will according to the compromise text expire by the end of 2032. The EBA shall report on the transitional arrangements by 31 December 2028 and the Commission shall, where appropriate, submit to the Council and the European Parliament a legislative proposal by 31 December 2031.

We stress the need for a balanced and thorough review of these arrangements based on dialogue with Member States and taking into account all relevant factors, including loss rates at national and EU level, and the need to preserve low risk and well-functioning business models in the European credit sector. We regret that this is not specified in the compromise text.

If the next ten years of data further document low loss rates for the Danish mortgage credit institutions and limited uptake of external credit ratings of European businesses, it is our view that the preferential arrangements should be made permanent conditional on low risk.”