



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 October 2009

14679/09

PUBLIC 148

NOTE

Subject : MONTHLY SUMMARY OF COUNCIL ACTS SEPTEMBER 2009

This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in September 2009.^{1 2}
- ANNEX II containing further details on the adoption of these acts. PART I provides information on the adoption of legislative acts, such as the date of adoption, the relevant Council session, the number of the document adopted, and where appropriate, applicable voting rules, voting results, explanations of vote and statements published in the minutes of the Council. PART II provides information that the Council has decided to make public on the adoption of other acts.

¹ With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

² In the case of legislative acts adopted in codecision, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts in codecision are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two Institutions.

This document is also available via the Internet (<http://consilium.europa.eu>); see under "Documents", "Legislative Transparency", "Summary of Council Acts". Documents listed in the summary may be obtained from the public register of Council documents ([Access to Council documents: Public Register](#)).

It should be noted that only the minutes concerning the definitive adoption of legislative acts are authentic. These are available via the Internet (<http://consilium.europa.eu>); see under "Documents", "Legislative Transparency", "Council Minutes".

**LIST OF ACTS ADOPTED BY THE COUNCIL
IN SEPTEMBER 2009**

**2959th meeting of the Council of the European Union (AGRICULTURE and FISHERIES),
held in Brussels on 7 September 2009**

Regulation of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)
PE-CONS 3639/09 + REV 1 (fi) + REV 2 (bg)

Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Directive 2006/23/EC (Text with EEA relevance)
PE-CONS 3641/09 + REV 2 (sv)

Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system
PE-CONS 3640/09 + REV 1 (nl) + REV 2 (sv) + REV 3 (cs)

Council Regulation (EC) No 826/2009 of 7 September 2009 amending Regulation (EC) No 1659/2005 imposing a definitive anti-dumping duty on imports of certain magnesia bricks originating in the People's Republic of China (Bayuquan Refractories Company Limited)
OJ L 240, 11.9.2009, p. 1-6

Council Regulation (EC) No 826/2009 of 7 September 2009 amending Regulation (EC) No 1659/2005 imposing a definitive anti-dumping duty on imports of certain magnesia bricks originating in the People's Republic of China (Dashiqiao Sanqiang Refractory Materials Company Limited)
OJ L 240, 11.9.2009, p. 7-11

2009/718/EC: Council Decision of 7 September 2009 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union
OJ L 354, 26.9.2009, p. 104-105

Council Regulation (EC) No 880/2009 of 7 September 2009 concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
OJ L 254, 26.9.2009, p. 1-4

Decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund
11289/09

Position of the European Union for the ninth meeting of the EU-Uzbekistan Co-operation Council (Brussels, 14 September 2009)
12485/09

2960th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Brussels on 14 September 2009

Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products
OJ L 265, 9.10.2009, p. 9–23

Decision of the European Parliament and of the Council establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus)
PE-CONS 3672/09 + REV 1 (ro) + REV 2 (el)

Directive of the European Parliament and of the Council amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements (Text with EEA relevance)
PE-CONS 3664/09

Council Decision concerning the Staff Regulations of the European Union Satellite Centre
11765/09 + COR 1 (de)

Council Conclusions on the Mechanism on Cooperation and Verification for Bulgaria and Romania
12938/1/09 REV 1 + COR 1 (bu)

2009/710/EC: Council Decision of 14 September 2009 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Národná banka Slovenska
OJ L 247, 19.9.2009, p. 10–11

Council Decision on the establishment of the Community position to be adopted in the Northwest Atlantic Fisheries Organisation
12372/09 + COR 1 (fi) + REV 1 (lv)

2961th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Brussels on 15 September 2009

Council Conclusions on Sudan
13320/09

Council Conclusions on Honduras
13354/09

Council Joint Action 2009/709/CFSP of 15 September 2009 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)
OJ L 246, 18.9.2009, p. 33–37

Council Joint Action 2009/706/CFSP of 15 September 2009 extending the mandate of the European Union Special Representative in the former Yugoslav Republic of Macedonia (FYROM)
OJ L 244, 16.9.2009, p. 25–25

Council Regulation (EC) No 847/2009 of 15 September 2009 amending Regulation (EC) No 682/2007 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand
OJ L 246, 18.9.2009, p. 1–6

Council Regulation (EC) No 862/2009 of 15 September 2009 terminating the partial interim review of the anti-dumping measures imposed by Regulation (EC) No 1487/2005 on imports of certain finished polyester filament fabrics originating in the People's Republic of China
OJ L 248, 22.9.2009, p. 1–8

2962nd meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 21 September 2009

Council Decision on the signing, on behalf of the European Union, and on the provisional application of certain provisions of the Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto
5060/09 + COR 1 + REV 1 (cs) + REV 1 COR 1 (cs)

Council Conclusions concerning the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States
13268/09

Written procedure completed on 22 September 2009

Council Decision authorising the Commission to open negotiations on behalf of the Community with a view to concluding a Fisheries Partnership Agreement with the Solomon Islands
13034/09

2963rd meeting of the Council of the European Union (COMPETITIVENESS - INTERNAL MARKET, INDUSTRY and RESEARCH), held in Brussels on 24 and 25 September 2009

Council Regulation on the protection of animals at the time of killing (Text with EEA relevance)
11272/2/09 REV 2 + REV 2 COR 1 + REV 4 (si) + REV 4 COR 1 (si) + REV 5 (bg) + REV 6 (mt) + REV 7 (es) + REV 8 (fr)

Regulation of European Parliament and of the Council on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (recast) (Text with EEA relevance)
PE-CONS 3656/09 + COR 1 (lv)

Regulation of European Parliament and of the Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (Text with EEA relevance)
PE-CONS 3657/09

Regulation of European Parliament and of the Council on common rules for access to the international road haulage market (recast) (Text with EEA relevance)
PE-CONS 3658/09

Directive of European Parliament and of the Council of establishing a framework for the setting of ecodesign requirements for energy-related products (Recast) (Text with EEA relevance)
PE-CONS 3663/09 + COR 1(fi) + COR 2 + REV 1(lt)

Directive of European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations
PE-CONS 3669/09 + COR 1 (bg) + COR 2 (fi) + REV1 (lt)

Directive of European Parliament and of the Council amending Directive 2006/42/EC with regard to machinery for pesticide application
PE-CONS 3662/09

Directive of European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides (Text with EEA relevance)
PE-CONS 3607/09 + COR 1 (fi) + COR 2 (fi) + COR 3 (da) + REV 1 (bg) + REV 2 (lv) + REV 3 (sl) + REV 3 COR 1 (sl) + REV 4 (cs) + REV 5 (el) + REV 6 (fr)

Regulation of European Parliament and of the Council concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC
PE-CONS 3608/09 + COR 1 (de) + COR 2 (dk) + COR 3 + COR 4 (fr) + REV 1 (et) + REV 1 COR 1 (et) + REV 2 (fi) + REV 2 COR 1 (fi) + REV 3 (sl) + REV 4 (lv) + REV 4 COR 1 (lv) + REV 6 (sl) + REV 7 (pt) + REV 8 (pl) + REV 9 (gr) + REV 10 (cs) + REV 11 (lt)

Council Regulation (EC) No 913/2009 of 24 September 2009 terminating the new exporter review of Regulation (EC) No 1174/2005 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of hand pallet trucks and their essential parts originating in the People's Republic of China, re-imposing the duty with regard to imports from one exporter in this country and terminating the registration of these imports
OJ L 258, 1.10.2009, p. 1–3

Council Regulation (EC) No 925/2009 of 24 September 2009 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain aluminium foil originating in Armenia, Brazil and the People's Republic of China
OJ L 262, 6.10.2009, p. 1–18

Council Regulation (EC) No 926/2009 of 24 September 2009 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain seamless pipes and tubes of iron or steel originating in the People's Republic of China
OJ L 262, 6.10.2009, p. 19–35

2009/735/EC: Council Decision of 24 September 2009 extending the period of application of the measures in Decision 2007/641/EC concluding consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument
OJ L 262, 6.10.2009, p. 43–49

Council Common Position 2009/717/CFSP of 24 September 2009 extending Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)
OJ L 253, 25.9.2009, p. 17–17

Council Conclusions “How to make the Internal Market work better”
13024/09

Written procedure completed on 30 September 2009

Council Decision appointing a new Member of the Commission of the European Communities
13723/09

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
2959th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Brussels on 7 September 2009			
Regulation of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)	PE-CONS 3639/09 + REV 1 (fi) + REV 2 (bg)	Qualified majority	All Member States in favour
Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Directive 2006/23/EC (Text with EEA relevance)	PE-CONS 3641/09 + REV 2 (sv)	Qualified majority	All Member States in favour
Statement by the Commission In response to a question raised by the ES delegation on the application of the proposed Regulation to Gibraltar Airport, delegations will find below the Commission answer, already submitted verbally to the Aviation Working Party on 16 February 2009. Gibraltar – Having regard to the scope of application of the Regulation as set down in article 1, the Regulation does not apply to the airport of Gibraltar.			
Statement by the United Kingdom and Spain In view of the statement by the Commission, the UK and Spain declare that the content of the present measure does not affect their respective legal position on the sovereignty dispute about the territory where Gibraltar airport is situated			

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Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system 2960th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Brussels on 14 September 2009	PE-CONS 3640/09 + REV 1 (nl) + REV 2 (sv) + REV 3 (cs)	Qualified majority	All Member States in favour
Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products	11297/09 + COR 1 (hu) + COR 2 (fi) + COR 3 (bu) + REV 1 (nl)	Qualified majority	All Member States in favour
Statement of the Netherlands The Netherlands welcome the improvements in the EU's oil stocks mechanism that will result from the new Directive, especially the greater convergence between the Community system and the system provided for by the International Energy Agency. Moreover, we are pleased to see that some - in our view - detrimental elements in the initial proposal have been cancelled. These concerned the weekly statistical summary of the commercial stocks and the restrictions on maintaining emergency stocks across borders with the EU. However, the Netherlands are disappointed to see that opportunities to improve the Directive on the important aspect of security of supply have been missed. Under the new Directive, working stocks known as minimum operating requirements can still be used to cover stockholding obligations. By their very nature, these minimum operating requirements will not contribute to a higher oil supply in the event of a crisis. In close connection to this, large differences will remain in the efforts that Member States make at creating fully available emergency stocks. The Netherlands call upon member states to take these concerns with regard to full availability into account when implementing the Directive.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Decision of the European Parliament and of the Council establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus)	PE-CONS 3672/09 + REV 1 (ro) + REV 2 (el)	Qualified majority	All Member States in favour
Directive of the European Parliament and of the Council amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements (Text with EEA relevance)	PE-CONS 3664/09	Qualified majority	All Member States in favour
Statement of Malta Although Malta is voting in favour of the compromise package for a consolidated text of the proposed Directive, as set out in the Annex to doc. 9196/09 (dated 28 April 2009), it is doing so on the premise that the determinant criterion for the criminal offence under Article 5a paragraph 3 is the “deterioration in the quality of the water” and that therefore the acceptance of this provision does not constitute an acceptance of the criminalisation of repeated minor offences. Therefore, Malta’s acceptance is based on the strict understanding that this does not constitute a precedent in any other instrument providing for criminal offences.			
2963rd meeting of the Council of the European Union (COMPETITIVENESS - INTERNAL MARKET, INDUSTRY and RESEARCH), held in Brussels on 24 and 25 September 2009			
Council Regulation on the protection of animals at the time of killing (Text with EEA relevance)	11272/2/09 REV 2 + REV 2 COR 1 + REV 4 (si) + REV 4 COR 1 (si) + REV 5 (bg) + REV 6 (mt) + REV 7 (es) + REV 8 (fr)	Qualified majority	All Member States in favour except for: abstention EE, NL, RO

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by the Estonian, Latvian and Romanian delegations Estonia, Latvia and Romania welcome the animal welfare principles enforced by the draft legislation, which, when implemented, in addition to a significant increase in animal welfare, also give an impulse for the development of technologies implemented in the slaughter industry and harmonize competition conditions of the internal market. Unfortunately, we cannot agree to the extension of implemented stunning methods to slaughtering for private domestic consumption. Uncontesting the general stunning principle of animals before slaughtering, we find that we are dealing with something that regulates in too many details a domain that does not influence the internal market, nor trade, which, without additional control mechanisms, creates administrative and also political problems in the implementation of the regulation. We find that according to the principle of subsidiarity, the more specific regulation of slaughtering for self-consumption should be left to the jurisdiction of a Member State. We encourage the European Parliament, the European Commission and the Council to mobilize all possible efforts and resources to this effect. Statement by the French and Spanish delegations France and Spain consider it essential that products imported satisfy requirements which are comparable if not identical with those imposed on Community products, in terms of both animal welfare and animal and plant health. In particular, the importance accorded by European citizens to animal welfare, as evidenced by the Protocol on protection and welfare of animals annexed to the Treaty of Amsterdam, must not be set at nought by importing products produced in ways which do not comply with the criteria designed to meet their expectations. Moreover, applying requirements to imports which are less strict than those applicable to European operators are likely to create unfavourable conditions of competition for them, as pointed out in the memorandum presented to the Agriculture Council on 23 June 2008. In this connection, France and Spain would draw the Commission's attention to the conclusions adopted by the Council on 18 December 2008 on the safety of imported agricultural and agri-food products and compliance with Community rules, in particular paragraphs 4.7 and 4.8. France and Spain welcome the insertion of a clause on imports in this Regulation and invite the Commission to ensure that third-country establishments approved for exporting to the European Union meet all the specifications of Chapters II and III. They also consider that the animal welfare attestation must relate both to fresh meat and to meat products and preparations.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Regulation of European Parliament and of the Council on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (recast)	PE-CONS 3656/09 + COR 1 (lv)	Qualified majority	All Member States in favour
Unilateral Statement by the United Kingdom delegation Since the Commission's proposals were published in May 2007, it was commonly understood that the three Regulations to be adopted today would be negotiated as a package and would therefore have a common implementation date. The United Kingdom accepted the new cabotage rules on the basis that these would be balanced by new safety enforcement provisions in the Access to the Occupation Regulation (e.g. ability to report on hauliers who commit infringements in a host country to their home country so that appropriate action is taken against them). It was on this understanding that the UK signed up to Political Agreement reached at the Transport Council in June 2008. The UK understands the desire of the European Parliament and some Member States to see early implementation of the cabotage rules in order to get legal clarity and have standardised conditions. The UK is, however, disappointed that implementation will not proceed on the basis that was originally agreed. The United Kingdom supports the new Regulations and will therefore be voting in favour of them today, but sincerely hopes that in any future negotiations on a package of measures like the Road Transport proposals a reversal of agreed commitments in respect of common implementation dates given from the outset of the negotiations does not occur, in the way that happened here.			
Regulation of European Parliament and of the Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC	PE-CONS 3657/09	Qualified majority	All Member States in favour

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Unilateral Statement by the United Kingdom delegation Since the Commission's proposals were published in May 2007, it was commonly understood that the three Regulations to be adopted today would be negotiated as a package and would therefore have a common implementation date. The United Kingdom accepted the new cabotage rules on the basis that these would be balanced by new safety enforcement provisions in the Access to the Occupation Regulation (e.g. ability to report on hauliers who commit infringements in a host country to their home country so that appropriate action is taken against them). It was on this understanding that the UK signed up to Political Agreement reached at the Transport Council in June 2008. The UK understands the desire of the European Parliament and some Member States to see early implementation of the cabotage rules in order to get legal clarity and have standardised conditions. The UK is, however, disappointed that implementation will not proceed on the basis that was originally agreed. The United Kingdom supports the new Regulations and will therefore be voting in favour of them today, but sincerely hopes that in any future negotiations on a package of measures like the Road Transport proposals a reversal of agreed commitments in respect of common implementation dates given from the outset of the negotiations does not occur, in the way that happened here.			
Regulation of European Parliament and of the Council on common rules for access to the international road haulage market (recast) (Text with EEA relevance)	PE-CONS 3658/09	Qualified majority	All Member States in favour except: abstention: IT against: AT
Unilateral statement by the United Kingdom delegation Since the Commission's proposals were published in May 2007, it was commonly understood that the three Regulations to be adopted today would be negotiated as a package and would therefore have a common implementation date. The United Kingdom accepted the new cabotage rules on the basis that these would be balanced by new safety enforcement provisions in the Access to the Occupation Regulation (e.g. ability to report on hauliers who commit infringements in a host country to their home country so that appropriate action is taken against them). It was on this understanding that the UK signed up to political agreement reached at the Transport Council in June 2008. The UK understands the desire of the European Parliament and some Member States to see early implementation of the cabotage rules in order to get legal clarity and have standardised conditions. The UK is, however, disappointed that implementation will not proceed on the basis that was originally agreed.			

**INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS
SEPTEMBER 2009**

TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
The United Kingdom supports the new Regulations and will therefore be voting in favour of them today, but sincerely hopes that in any future negotiations on a package of measures like the Road Transport proposals a reversal of agreed commitments in respect of common implementation dates given from the outset of the negotiations does not occur, in the way that happened here. Statement by the Commission 1. The Commission shall monitor closely the effectiveness of checks carried out by the Member States on the new cabotage regime and will include an assessment as to the effectiveness of these checks in the first report on the application of the social legislation and developments in road transport that it will submit to the European Parliament and Council (cf Article 17 of Regulation (EC) No 561/2006) following the entry into force of the provisions on cabotage. 2. Article 17(3) of the Regulation on common rules for access to the international road haulage market foresees that the Commission shall draw up a report on the state of the Community road transport market by the end of 2013, which will contain an assessment as to whether harmonisation of the rules in the fields, inter alia, of enforcement and road user charges, as well as social and safety legislation, has progressed to such an extent that the further opening of domestic road transport markets, including cabotage, could be envisaged. If the assessment supports this conclusion, the Commission will submit appropriate proposals. Statement by the Italian delegation Italy notes that the draft Regulation on road haulage cabotage includes some unsatisfactory aspects: * the enacting terms and, in part, recital 15 governing services on a temporary basis do not contain a provision to the effect that cabotage must not become a permanent, continual or systematic activity; * in Article 8, the provisions on evidence of proper performance of cabotage operations and the prohibition on requiring other documents to prove fulfilment of the operating conditions appear to be insufficient to prevent the risk of evasion of the restrictions on the performance of cabotage; * in Article 17, the end-of-2013 date for the Commission report containing an analysis of the transport market and an assessment of progress in harmonisation is too early. Italy considers that account must be taken of the differences existing in the Community market resulting from the undeniably diverse objective conditions of the individual markets of the Member States, which have become increasingly obvious following the enlargement of the Union. Cabotage must therefore be regulated in such a way that this practice is not used for anything other than its intrinsic function, which can only be temporary, as stated in the Treaty with regard to provision of services.			

**INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS
SEPTEMBER 2009**

TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
In view of the differences referred to above, it is necessary to allow sufficient time for the transport market to settle in order to achieve substantive integration and avoid adverse effects on individual national markets. For the same reason, the Commission report should not be presented too soon, in order to ensure that the new rules on cabotage do not have inadequate operation and verification times, including as regards the deadlines set for their application.			
Directive of European Parliament and of the Council of establishing a framework for the setting of ecodesign requirements for energy-related products (Recast) (Text with EEA relevance)	PE-CONS 3663/09 + COR 1(fi) + COR 2 + REV 1(lt)	Qualified majority	All Member States in favour
Statement by Commission The Commission declares that adoption of the proposed extension of the Directive of the European Parliament and of the Council establishing a framework for the setting of eco-design requirements for energy-related products will not affect the implementation of the work programme currently established. Moreover, the Commission will take due account of the experience gained under the Directive when establishing the work programme and proposing new implementing measures under the recast Directive. In line with Article 15(2)(c) of the Directive and the principles of better regulation, the Commission will in particular strive to ensure that overall consistency in the EU legislation on products is maintained. In addition, the Commission will, when assessing the appropriateness of extending the scope of the Directive to non energy related products according to Article 21, consider the need for adapting the methodology for identifying and addressing significant environmental parameters for such products.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Directive of European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations	PE-CONS 3669/09 + COR 1 (bg) + COR 2 (fi) + REV1 (lt)	Qualified majority	All Member States in favour
Statement by the Commission The Commission notes the concern of the European Parliament and of the Council in Article 8 to ensure, where necessary, consistency with relevant standards drawn up by the European Committee for Standardisation (CEN), and will examine it with due attention. It emphasises, however, that it reserves the right to respond to this concern, in accordance with the rules of the Treaty, and with due regard to the powers conferred on it for the implementation of that provision.			
Directive of European Parliament and of the Council amending Directive 2006/42/EC with regard to machinery for pesticide application (Text with EEA relevance)	PE-CONS 3662/09	Qualified majority	All Member States in favour
Statement by the Commission To support the essential requirements included in Section 2.4 of Annex I, the Commission will mandate CEN to develop harmonised standards for each category of machinery for pesticide application based on the best available techniques for preventing unintended exposure of the environment to pesticides. In particular, the mandate will require the standards to provide criteria and technical specifications for the fitting of mechanical shielding, tunnel spraying and air-assistance systems for spraying, for preventing contamination of the water source during filling and emptying and precise specifications for the manufacturer's instructions to prevent drift of pesticides, taking account of all of the relevant parameters such as nozzles, pressure, boom height, wind speed, air temperature and humidity and driving speed.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Directive of European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides (Text with EEA relevance)	PE-CONS 3607/09 + COR 1 (fi) + COR 2 (fi) + COR 3 (da) + REV 1 (bg) + REV 2 (lv) + REV 3 (sl) + REV 3 COR 1 (sl) + REV 4 (cs) + REV 5 (el) + REV 6 (fr)	Qualified majority	All Member States in favour except: abstention: IE, PL
Statement by the Commission The Commission notes that some Member States have made reference to the specific difficulties that the type of soil present in much of these Member States create for land based spraying, and that in certain climatic conditions this can render methods other than aerial spraying impractical Polish statement on the Directive establishing a framework for Community action to achieve the sustainable use of pesticides The Republic of Poland considers it very important to mitigate the adverse effects of pesticide use on the environment and human health and acknowledges the need for this matter to be regulated at Community level. However, the Republic of Poland takes the view that Article 4 of the Directive, which imposes a duty to establish targets for limiting the quantity of pesticides containing potentially hazardous active substances which are used, fails to take account of differing circumstances in the Member States. Since it is therefore unable to give the Directive its full support, the Republic of Poland is abstaining. Levels of pesticide use differ from one Member State to another, depending on weather conditions, types of plants and pests, and farmers' financial resources. The Directive obliges Member States to reduce pesticide use even where current levels are low. Implementing this requirement could significantly reduce yield and adversely affect the efficiency of agricultural production without having any significant effect on the level of protection of the environment or of human health.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
The Republic of Poland takes the view that the risks associated with pesticide use will be significantly mitigated by implementation of the other requirements laid down in the Directive and the risk-assessment based procedure for pesticide approval defined in the Regulation on the placing of plant protection products on the market. In addition, with regard to Article 9(2)(e) of the Directive, Poland assumes that detailed risk- management measures to prevent any adverse health effects on bystanders will be drawn up by the professional user applying for approval to carry out aerial spraying, attached to the relevant application, and subsequently included in the approval.			
Regulation of European Parliament and of the Council concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC	PE-CONS 3608/09 + COR 1 (de) + COR 2 (dk) + COR 3 + COR 4 (fr) + REV 1 (et) + REV 1 COR 1 (et) + REV 2 (fi) + REV 2 COR 1 (fi) + REV 3 (sl) + REV 4 (lv) + REV 4 COR 1 (lv) + REV 6 (sl) + REV 7 (pt) + REV 8 (pl) + REV 9 (gr) + REV 10 (cs) + REV 11 (lt)	Qualified majority	All Member States in favour except: abstention: IE, HU against: UK

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by Hungary Hungary acknowledges the importance of a harmonised and well balanced system of authorisation and placing on the market of plant protection products and recognises the constant need to raise consumer health standards. It therefore welcomes and supports the general aims of the new common draft legislation in connection with plant protection products. Hungary acknowledges that mutual recognition is a useful instrument for ensuring that means of production such as plant protection products are made widely available in order to lay the foundations for safe cultivation. However, the zone system established by the regulation for mutual recognition ensures that the central and southern zone cannot be considered as an agro-ecological area in which the agricultural, plant-health, environmental, agro-ecological and climatic conditions in two Member States are comparable. In our opinion, the system of obligatory mutual recognition is not based on the principle of subsidiarity. The approved text – despite minor amendments in this direction – still does not contain sufficient guarantees that local particularities will really be taken into account in the course of the procedure. Hungary acknowledges that there must be a more rigorous definition of the risk of very harmful effects on consumers from the use of endocrine disruptors. In this connection, however, although the text of the proposal needs to be further developed with regard to the future establishment of endocrine criteria, we nevertheless believe that in their absence the planned measures will continue excessively to limit the number of plant protection products available to combat the pests affecting strategically important plants. Hungary also emphasised the above concerns at the Agriculture and Fisheries Council meeting in June 2008, where it abstained from voting. Although the rotating Presidency, the Commission and the Member States made great efforts during discussions, they were unable to find a satisfactory solution for resolving the doubts expressed. Hungary therefore once again abstains from voting on the proposal concerning the placing of plant protection products on the market.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS SEPTEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by the United Kingdom The UK supports a scientifically-based framework that further reduces risks to human health and the environment, whilst supporting economic crop production and control of pests, weeds and diseases. The UK therefore welcomes much of the new Regulation, which strikes a reasonable balance between these priorities in many respects. The UK agrees that the use in plant protection products of substances which have endocrine disrupting properties that may cause adverse effect in humans should be appropriately controlled. The UK notes, however, that consumers are exposed to endocrine disrupting substances from various sources, including pharmaceuticals and foodstuffs such as meat and pulses. Moreover, some substances which may fail this criterion are crucial to crop protection in the UK and, we believe, elsewhere in the European Union. The UK is concerned that this important provision is not definitive and consequently that no proper assessment of its potential impact on agriculture in the European Union, or of its benefits for consumers, is possible. The UK has repeatedly stressed the importance of understanding the impact of these measures before it could commit itself to the Regulation. Without this understanding, the EU risks taking measures which would have significant adverse impacts on crop protection but secure no significant health benefits for consumers. The UK stressed these concerns at the June 2008 Agriculture and Fisheries Council, when abstaining from the vote on political agreement, and notes with regret that they remain unaddressed. The UK therefore votes against the Regulation. Commission statement When revising the data requirements for active substances and plant protection products, as referred to in Article 8 (1) b) and c), the Commission will pay particular attention to study protocols allowing a risk assessment which takes into account the real exposure of bees to these products, in particular through nectar and pollen.			

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
2959th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Brussels on 7 September 2009 Council Regulation (EC) No 826/2009 of 7 September 2009 amending Regulation (EC) No 1659/2005 imposing a definitive anti-dumping duty on imports of certain magnesia bricks originating in the People's Republic of China (Bayuquan Refractories Company Limited) 12649/09 Council Regulation (EC) No 826/2009 of 7 September 2009 amending Regulation (EC) No 1659/2005 imposing a definitive anti-dumping duty on imports of certain magnesia bricks originating in the People's Republic of China (Dashiqiao Sanqiang Refractory Materials Company Limited) 12659/09 + COR 1 (de) 2009/718/EC: Council Decision of 7 September 2009 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union 12107/2/09 REV 2	

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
Council Regulation (EC) No 880/2009 of 7 September 2009 concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff 12104/09 + COR 1 (fi) Statement of the Commission on GATT article XXIV:6 negotiations The Commission hereby states that the 133 Committee will continue to be consulted on all GATT Article XXIV:6 negotiations, including prior to the initialling of any such agreements, with a view to maintain transparency and legal accuracy. Decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund 11289/09 Position of the European Union for the ninth meeting of the EU-Uzbekistan Co-operation Council (Brussels, 14 September 2009) 12485/09 2960th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Brussels on 14 September 2009 Council Decision concerning the Staff Regulations of the European Union Satellite Centre 11765/09 + COR 1 (de)	

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
Council Conclusions on the Mechanism on Cooperation and Verification for Bulgaria and Romania 12938/1/09 REV 1 + COR 1 (bu) 2009/710/EC: Council Decision of 14 September 2009 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Národná banka Slovenska 12456/09 Council Decision on the establishment of the Community position to be adopted in the Northwest Atlantic Fisheries Organisation 12372/09 + COR 1 (fi) + REV 1 (lv) 2961th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Brussels on 15 September 2009 Council Conclusions on Sudan 13320/09 Council Conclusions on Honduras 13354/09 Council Joint Action 2009/709/CFSP of 15 September 2009 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) 12604/09 + COR 1 (fi)	

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
Council Joint Action 2009/706/CFSP of 15 September 2009 extending the mandate of the European Union Special Representative in the former Yugoslav Republic of Macedonia (FYROM) 12147/09 Council Regulation (EC) No 847/2009 of 15 September 2009 amending Regulation (EC) No 682/2007 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand 12719/09 + COR 1 (lt) Council Regulation (EC) No 862/2009 of 15 September 2009 terminating the partial interim review of the anti-dumping measures imposed by Regulation (EC) No 1487/2005 on imports of certain finished polyester filament fabrics originating in the People's Republic of China 12706/09 2962nd meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 21 September 2009 Council Decision on the signing, on behalf of the European Union, and on the provisional application of certain provisions of the Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto 5060/09 + COR 1 + REV 1 (cs) + REV 1 COR 1 (cs)	

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
Statement by the Czech Republic In accordance with Article 24 (5) of the Treaty on European Union, the Czech Republic states that it has to comply with the requirements of its constitutional procedure in order to be bound by the Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto. Statement from Denmark In accordance with Article 38, cf. Article 24(5), of the Treaty on European Union, Denmark is not bound by the Agreement between the European Union and Iceland and Norway until the requirements of the Danish constitutional procedures are complied with. Statement by the Republic of Poland In accordance with Article 24(5) of the Treaty on European Union, Republic of Poland states that the Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto, shall become binding on it and shall be applied provisionally from the date of conclusion of its internal constitutional procedures. Council Conclusions concerning the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States 13268/09	

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
Written procedure completed on 22 September 2009 Council Decision authorising the Commission to open negotiations on behalf of the Community with a view to concluding a Fisheries Partnership Agreement with the Solomon Islands 13034/09 2963rd meeting of the Council of the European Union (COMPETITIVENESS - INTERNAL MARKET, INDUSTRY and RESEARCH), held in Brussels on 24 and 25 September 2009 Council Regulation (EC) No 913/2009 of 24 September 2009 terminating the new exporter review of Regulation (EC) No 1174/2005 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of hand pallet trucks and their essential parts originating in the People's Republic of China, re-imposing the duty with regard to imports from one exporter in this country and terminating the registration of these imports 12831/09 + REV 1 (lt) Council Regulation (EC) No 925/2009 of 24 September 2009 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain aluminium foil originating in Armenia, Brazil and the People's Republic of China 12984/09 Council Regulation (EC) No 926/2009 of 24 September 2009 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain seamless pipes and tubes of iron or steel originating in the People's Republic of China 13014/09	

INFORMATION ON THE ADOPTION OF OTHER ACTS SEPTEMBER 2009	
OTHER ACTS	Votes/Statements made public
2009/735/EC: Council Decision of 24 September 2009 extending the period of application of the measures in Decision 2007/641/EC concluding consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument 13087/09 Council Common Position 2009/717/CFSP of 24 September 2009 extending Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) 12896/09 Council Conclusions “How to make the Internal Market work better” 13024/09 Written procedure completed on 30 September 2009 Council Decision appointing a new Member of the Commission of the European Communities 13723/09	