

Brussels, 16 January 2025
(OR. en)

16905/24
PV CONS 67
AGRI 883
PECHE 526

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Agriculture and Fisheries)
9 and 10 December 2024

MEETING ON MONDAY 9 DECEMBER 2024

1. Adoption of the agenda

The Council adopted the agenda set out in document 16385/24.

2. Approval of 'A' items

(a) Non-legislative list

16499/24

The Council adopted all "A" items listed in the document above including all linguistic COR and REV documents presented for adoption.

FISHERIES

Non-legislative activities

3. Council Regulation fixing for 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

☒ 16055/24

(Legal basis proposed by the Commission: Article 43(3) TFEU)

Political agreement

The Council reached a political agreement on the Regulation fixing for 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters.

Statements to this item are set out in the Annex.

4. **Council Regulation fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and the Black Sea for 2025**  16057/24
(Legal basis proposed by the Commission: Article 43(3) TFEU)
Political agreement

The Council reached a political agreement on the Regulation fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas for 2025.

AGRICULTURE

Non-legislative activities

5. A farmer-focused post-2027 Common Agricultural Policy: 14797/24
Follow-up to the Council meeting of 21-22 October 2024 + **COR 1 (sv)**
Exchange of views

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

6. **Regulation on a monitoring framework for resilient European forests**  16255/24
Progress report

The Council took note of the information provided by the Presidency on the progress made on the examination of the legislative proposal on a monitoring framework for resilient European forests.

The Council also took note of the comments made by delegations on this subject, as well as of the intervention by the Commission.

7. Future opportunities for the bioeconomy
Policy debate

 16244/24

The Council took note of the information provided by the Presidency on the future opportunities for the bioeconomy, delegations' comments and the Commission's reaction.

The Council would return to this issue when appropriate.

The Council also took note of the information provided by the Presidency under any other business on the Council conclusions adopted by the Research Council on 29 November on a potential Europe-wide research and innovation initiative on advancing sustainable natural resource management, food systems security and the deployment of the bioeconomy, harnessing the potential of Central and Eastern Europe.

The Council also took note of the information provided by the Presidency under any other business on the results of the Conference Partnering for the Future: 'BIOEAST and Beyond' high-level conference on Central and Eastern European research and innovation priorities in the context of sustainable soil and freshwater resilience, food systems security and bioeconomy related policies.

The Council also took note of the information provided by Finland under any other business on unblocking the bottlenecks in nutrient recycling and biogas production at farm level.

Finally, the Council took note of the Commission's and delegations' comments on those any other business items.

Any other business

8. Agriculture

- a) **Conclusions adopted on 29 November 2024 by the Competitiveness Council on a potential Europe-wide R&I initiative on advancing sustainable natural resource management, food systems security and the deployment of the bioeconomy, harnessing the potential of Central and Eastern Europe** 16631/24
16181/24
Information from the Presidency

Item 8 (a) was taken together with item 7.

- b) **Outcome of the “BIOEAST and Beyond: Partnering for the Future” high-level conference on Central and Eastern European research and innovation priorities in the context of sustainable soil and water resilience, food systems security and bioeconomy related policies (Budapest, 4-6 December 2024)** 16633/24
Information from the Presidency

Item 8 (b) was taken together with item 7.

- c) **Unblocking the bottlenecks in nutrient recycling and biogas production at farm level** 16339/24
Information from Finland, supported by Czechia, Italy, Latvia and Lithuania

Item 8 (c) was taken together with item 7.

- d) **Conference on the future of the European apiculture sector (Brussels, 28 November 2024)** 16557/24
Information from the Presidency

The Council took note of the information provided by the Presidency on the outcome of the conference on the future of the European apiculture sector.

It also took note of delegations' and the Commission's comments.

- e) **Agreement on a Green Denmark: Model for a greenhouse gas tax on agricultural production and reduced nitrogen leaching to improve the protection of nature, biodiversity and water resources**
Information from Denmark

 16558/1/24 REV 1

The Council took note of the information provided by Denmark.

The Council also took note of the Commission's and delegations' reactions.

- f) **The eligibility of expenses related to the purchase of breeding animals within the CAP strategic plan**
Information from Romania

 16622/24

The Council took note of the information provided by Romania.

The Council also took note of the Commission's and delegations' reactions.

MEETING ON TUESDAY 10 DECEMBER 2024

AGRICULTURE

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

9. **Regulation on the production and marketing of plant reproductive material**  16180/24 + COR 1
Progress report

The Council took note of the information provided by the Presidency on the progress made on the examination of the legislative proposals on plant reproductive material and on forest reproductive material. The Council also took note of the comments made by delegations and by the Commission.

10. **Regulation on the production and marketing of forest reproductive material**  16068/24 + COR 1
Progress report

Item 10 was taken together with item 9.

11. **Regulation on the protection of animals during transport and related operations**  16056/24
Progress report

The Council took note the information provided by the Presidency on the progress made on the examination of the legislative proposal on the protection of animals during transport and related operations. The Council also took note of the comments made by delegations and by the Commission.

FISHERIES

Non-legislative activities

3. (continuation) Council Regulation fixing for 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters ☐ 16055/24
(Legal basis proposed by the Commission: Article 43(3) TFEU)
Political agreement

See page 2.

4. (continuation) Council Regulation fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and the Black Sea for 2025 ☐ 16057/24
(Legal basis proposed by the Commission: Article 43(3) TFEU)
Political agreement

See page 3.

Any other business

12. Agriculture

- a) **Current legislative proposals**
(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

Regulation on plants obtained by certain new genomic techniques and their food and feed products: state of play 🗳️☐ 16254/24
Information from the Presidency

The Council took note of the information from the Presidency on the state of play of the examination of the proposal on plants obtained by certain new genomic techniques (NGT) and their food and feed products. The Council also took note of the interventions by delegations and by the Commission.

b) Work in the veterinary field under the Hungarian Presidency

 16265/24

Information from the Presidency

The Council took note of the information from the Presidency concerning the work in the veterinary field under the Hungarian Presidency. The Council took also note of the interventions by other delegations and by the Commission.

The Council took note of the information from Italy and Germany on animal diseases, African swine fever and bluetongue disease. Belgium, Bulgaria, Czechia, Denmark, Estonia, Finland, Greece, France, Cyprus, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovenia, Slovakia orally expressed their support for this initiative. The Council took also note of the interventions by other delegations and by the Commission.

c) Animal diseases (African Swine Fever and Bluetongue disease)

 16561/24

Information from Germany and Italy, supported by Czechia and France

Item 12 (c) was taken together with item 12 (b).

d) A harmonised terminology of “biological control” in plant protection and/or other similar approaches

 16468/24

Information from Denmark and Germany, supported by Bulgaria, Croatia, Czechia, Estonia, Finland, the Netherlands, Portugal and Sweden

The Council took note of the information provided by Germany and Denmark on the need for a harmonised terminology of “biological control” in plant protection products and/or other similar approaches. The Council took also note of the interventions by other delegations and by the Commission.

- e) **The need to establish appropriate legislation for the use of drones to contribute to the resilience of agricultural systems**  16521/24
Information from Portugal, supported by Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, Italy, Latvia, Lithuania, Romania, Slovakia, Spain and Sweden

The Council took note of the information provided by Portugal on the need to establish appropriate legislation for the use of drones to contribute to the resilience of agricultural systems. The Council took also note of the interventions by other delegations and by the Commission.

- f) **The potential of biotechnology within the agri-food sector**  16506/24
Information from Denmark and Spain, supported by Czechia, Estonia, Finland, the Netherlands, Portugal and Sweden

The Council took note of the information from Denmark and Spain on the potential of biotechnology within the agri-food sector. Belgium, Cyprus, Ireland, France and Greece orally expressed their support for this initiative. The Council also took note of the interventions by other delegations and by the Commission.

- g) **Revision of the EU's animal welfare legislation**  16562/24
Information from Sweden, supported by Austria, Denmark, Finland, Germany and Slovenia

The Council took note of the information provided by Sweden on the revision of the EU legislation on animal welfare. The Council also took note of the interventions by other delegations and by the Commission.

**h) Introduction of a “charitable food business operator”
under European food law**

 16512/24

*Information from Germany, supported by Cyprus, Denmark,
Latvia, Luxembourg and Spain*

The Council took note of the information provided by Germany on the introduction of the concept of ‘charitable food business operator’ in the European food law. Poland, Portugal and Slovakia orally expressed their support for this initiative. The Council also took note of the interventions by other delegations and by the Commission.



First reading



Item based on a Commission proposal



Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)

Statements to the "B" items

Council Regulation fixing for 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

Ad "B" item 3:

(Legal basis proposed by the Commission: Article 43(3) TFEU)

Political agreement

STATEMENT BY BELGIUM, DENMARK, FRANCE, GERMANY, IRELAND, THE NETHERLANDS, SPAIN, PORTUGAL AND SWEDEN on the application of Article 15(9) in the Basic Regulation for COD/03AS; RNG/03-; BLI/24-; COD/07A.; COD/7XAD34; HER/7G-K.; JAX/4BC7D; POL/07.; POL/56-14; SBR/678-; WHG/07A. and BLI/03A- in 2025

“Given that the biomass of the stocks of COD/03AS; RNG/03-; BLI/24-; COD/07A.; COD/7XAD34; HER/7G-K.; JAX/4BC7D; POL/07.; POL/56-14; SBR/678-; WHG/07A. and BLI/03A- is below Blim, or biomass reference points are unknown and the advice is for zero catches, and that only by-catch and scientific fisheries will be permitted in 2025, in order to ensure the recovery of the stocks in accordance with Regulations (EU) 2018/973 and (EU) 2019/472, Belgium, Denmark, France, Germany, Ireland, the Netherlands, Spain, Portugal and Sweden undertake not to make use of inter-annual flexibility under Article 15(9) of Regulation (EU) No 1380/2013 with regard to these stocks in 2025. This undertaking is a response to the current exceptional circumstances for these stocks.”

STATEMENT BY BELGIUM, DENMARK, FRANCE, GERMANY, IRELAND, THE NETHERLANDS AND SWEDEN on the application of Article 15(9) in the CFP Regulation for COD/2A3AX4; COD/03AN; COD/07D.; COD/5BE6A and WHG/03A. in 2025

“On 2 December 2024, the EU, the UK and Norway agreed on fishing opportunities for the six shared and jointly managed stocks for 2025. In addition, on 5 December the EU and Norway agreed on fishing opportunities for stocks in the Skagerrak-Kattegat for 2025. Given that the biomass of the stocks of COD/2A3AX4; COD/03AN; COD/07D. and COD/5BE6A. is estimated to be below Bpa in both the TAC year and the year thereafter, and because the biomass reference points are unknown for the stock of WHG/03A., the Parties excluded under those agreements inter-annual flexibility for those stocks in 2025. In line with that agreement, Belgium, Denmark, France, Germany, the Netherlands and Sweden undertake not to make use of inter-annual flexibility under Article 15(9) of Regulation (EU) No 1380/2013 with regard to those stocks in 2025.”

STATEMENT BY THE COMMISSION on cod in the Kattegat

“The Council set the by-catch TAC for cod in the Kattegat (ICES subdivision 21) for 2025 and 2026 at the level of recent catches and maintained the remedial measures for those years. There is a need to decrease the fishing mortality compared to recent levels for that stock, for which ICES advises zero catches for 2025 and 2026. The Commission takes note of the statement made by Denmark stating that by-catch TAC does not reflect their recent level of catches (i.e. landings and discards). Should Denmark submit specific, reliable and verifiable data in that regard, the Commission will request STECF for an assessment of that data and consider, based on that assessment, submitting a proposal for amending the 2025 and 2026 fishing opportunities for that stock.”

STATEMENT BY THE COMMISSION on scientific information for Norway lobster in the Bay of Biscay

“Regarding the scientific advice for Norway lobster in the Bay of Biscay (ICES divisions 8abde), the Commission will request ICES to consider improvements in the underlying stock assessment and the presentation of that advice. Such improvements will be requested on: (i) updates to reference points; (ii) taking into account additional data in the assessment, including VMS data; and (iii) improvements as to how the information is presented in the catch options table.

In order to improve transparency, the Commission services will explore providing additional information to Member States regarding landing obligations exemptions deductions calculations.”

STATEMENT BY THE COMMISSION on pollack in Atlantic Iberian waters and Norway lobster in the Gulf of Cadiz

“The Commission is concerned about the political agreement reached by the Council on the additional quantity for Portugal of pollack in Atlantic Iberian waters (ICES subareas 9 and 10 and CECAF division 34.1.1) for 2025 and on the catch limit for Norway lobster in the Gulf of Cadiz (ICES subarea 9, FU 30) for 2025, which have both been set above the scientific advice and, in the case of the additional quantity for Portugal of pollack, also above the level of unavoidable by-catches determined by STECF.”

STATEMENT BY THE COMMISSION AND PORTUGAL on red seabream in Azores waters

“The Commission thanks Portugal and the Autonomous Region of Azores for the efforts made to improve the data collection for red seabream in Azores (ICES subarea 10), including its bottom longline survey. As a result, the quality of the scientific advice has improved, and for the first time ICES provides an MSY advice. The recently adopted Marine Protected Area in the Azores waters will further contribute to the conservation of the red seabream, the fishers and the local communities depending on it. In light of the above, the Commission will immediately request ICES to update its assessment for 2025 for that stock based on the new scientific information submitted by Portugal. Once ICES has replied to that request, the Commission may consider submitting a proposal for the setting of a definitive TAC for 2025 in line with the ICES advice, replacing the provisional TAC set by Council for the first half of 2025. The Commission recalls that the level of the provisional TAC is without prejudice to the level of the definitive TAC.”

STATEMENT BY SPAIN AND PORTUGAL on new allocation keys for anchovies and red seabream.

“Following the setting of new fishing opportunities for anchovy in Atlantic Iberian Waters, Spain and Portugal agree that fishing opportunities should be attributed pursuant to the following allocation key:

In the Western Component: Portugal : 90%; Spain: 10%

In the Southern Component: Portugal : 3%; Spain: 97%.

Following the setting of new fishing opportunities for red seabream in Atlantic Iberian Waters (ICES subarea 9, north of 36°10'00"N.), Spain and Portugal agree that fishing opportunities should be attributed pursuant to the following allocation key:

Portugal : 85,0%; Spain: 15,0%.”

STATEMENT BY DENMARK, ESTONIA, POLAND, SWEDEN, GERMANY, FINLAND, LITHUANIA, LATVIA, THE NETHERLANDS AND SPAIN on the multiannual plans

“Denmark, Estonia, Poland, Sweden, Germany, Finland, Lithuania, Latvia, The Netherlands and Spain urges the Commission to swiftly submit a proposal for an amendment of the multiannual plans for the Baltic Sea, the North Sea and the Western Waters concerning articles 4(6) / 4(7) to provide legal clarity and coherence between the relevant Articles of the MAPs. The proposal should be accompanied by an impact assessment of problems raised within their practical application, criteria and terms of application and duly take into account all objectives of the Common Fisheries Policy including the precautionary approach. Denmark, Estonia, Poland, Sweden, Germany, Finland, Lithuania, Latvia, The Netherlands and Spain will be dedicated to sustainable stock management and will cooperate constructively with the Commission and the European Parliament in order to find a balanced solution of identified concerns.”

STATEMENT BY BELGIUM, DENMARK, FRANCE, THE NETHERLANDS AND GERMANY on Hague Preferences

“Belgium, Denmark, Germany, The Netherlands and France are of the opinion that the scales for the allocation of quotas for Member States were agreed upon in 1983. These scales constitute the basis of relative stability, which is a principle established by the Basic Regulation governing the Common Fisheries Policy. It is our opinion that Hague preferences are contrary to the principle of relative stability.”

STATEMENT BY THE COMMISSION on southern seabass in the Bay of Biscay (8ab)

“For the stock of seabass in the Bay of Biscay (ICES area 8ab) whose biomass is below MSY Btrigger since 2023, the Commission invites France and Spain to adopt technical measures to safeguard the stock and rebuild its biomass including the increase of the minimum conservation reference size to 42 cm in commercial fisheries.”

STATEMENT BY Denmark, Germany, Spain, France, the Netherlands, Ireland, Portugal, Sweden, and Lithuania on quota exchanges following the EU-NO consultations

“Due to the collective efforts of Member States, it was possible to increase the amount of blue whiting in the quota exchange with Norway. A significant amount of quota from Spain and Portugal is being transferred to Denmark, the Netherlands, Ireland and Lithuania still in 2024. In order to take into account relative stability, the following quantities of Blue whiting (WHB/1X14), for 2025, are added or taken from their relative stability share of Denmark, Germany, Spain, France, the Netherlands, Ireland, Portugal, Sweden and Lithuania:

DK	-6.066
DE	1.666
ES	3.632
FR	2.981
NL	-701
IE	-821
PT	337
SE	1.060
LT	-2.087

Member States will endeavour to make the appropriate transfers of blue whiting available as soon as possible in 2025.”

STATEMENT BY SWEDEN on remedial measures for Cod in area 3a - Kattegat and Skagerrak

“Sweden supports remedial measures in order to further reduce fishing mortality for cod in the Kattegat and Skagerrak - in particular promoting selective gears when such gears are available. Sweden would therefore have preferred the TAC-level for Norway lobster to be accompanied by intrinsically linked measures such as the introduction of mandatory highly species selective gears. Sweden would welcome proposals from the Commission in this regard.”

STATEMENT BY GERMANY, SPAIN, FRANCE, POLAND AND PORTUGAL on Arctic cod in the Norwegian Exclusive Economic Zone

“Germany, Spain, France, Poland and Portugal thank the Commission for the political understanding between the EU and Norway on fisheries in ICES areas 1 and 2 and exchanges of letters of 8 and 11 November 2024, and welcome that this includes the full EU quota for cod in Svalbard waters that corresponds to the historic EU rights and the EU share for this stock. However, they recall that in 2021, due to the fishing stops issued by Norway, a total of 5 143 tonnes of the EU cod quota of the bilateral exchanges could not be fished in the Norwegian Exclusive Economic Zone. The Member States express their disappointment that Norway has still not made that quantity available to the EU in the bilateral exchanges. This issue should be resolved as soon as possible.

Germany, Spain, France, Poland and Portugal appreciate that the Commission stands ready to continue the high level political dialogue with Norway on the above issue, as well as other open fisheries issues.”

STATEMENT BY THE COMMISSION on common sole in the Skagerrak-Kattegat and western Baltic Sea

“The Commission is concerned about the political agreement reached by the Council on the fishing opportunities for common sole in the Skagerrak-Kattegat and the western Baltic Sea (ICES division 3a and subdivisions 22-24) for 2025. The Commission considers that, taking into account that the probability of the biomass of that stock falling below Blim in 2026 is above 5% and that common sole is also caught in mixed fisheries targeting Norway lobster, the targeted fishery for that stock should have been suspended.”

JOINT STATEMENT BY DENMARK, SWEDEN, THE NETHERLANDS, GERMANY, FRANCE, POLAND AND PORTUGAL on Atlanto-Scandian herring

“Denmark, Sweden, the Netherlands, Germany, France, Poland and Portugal recall that in the sharing agreement in 2007 for Atlanto-Scandian herring the EU decreased its share from 8.38 percent to 6.51 percent to the advantage of Norway provided access to Norwegian waters would be provided. The aforementioned Member States noted that no such access had yet been agreed.”

STATEMENT BY BELGIUM, FRANCE, IRELAND AND THE NETHERLANDS on positive engagement on quota swaps for by-catch stocks in Area 7d

“Belgium, France, Ireland and the Netherlands will facilitate, to the extent possible, quota exchanges in 2025 pursuant to Article 16(8) of Regulation (EU) No 1380/2013 in respect of relevant by-catch stocks to enable Ireland to fish its relative stability share of Whiting in Area 7d.”

STATEMENT BY THE COMMISSION on southern seabass in the Bay of Biscay (8ab)

“For the stock of seabass in the Bay of Biscay (ICES area 8ab) whose biomass is below MSY Btrigger since 2023, the Commission invites France and Spain to adopt technical measures to safeguard the stock and rebuild its biomass including the increase of the minimum conservation reference size to 42 cm in commercial fisheries.”

STATEMENT BY DENMARK on the Danish Mackerel Exceptional Priority

“In 1983, the Council granted Denmark The Mackerel Exceptional Priority in return for Denmark renouncing fishing opportunities in Western Waters. Subsequently, in accordance with its provisions, the Mackerel Exceptional Priority was activated in 1997, 2005, 2006, 2007, and 2008. In December 2023, a reallocation with respect to MAC/2A4A-N was decided in Council. This resulted in a significant share of the historical Danish North Sea mackerel quota being reallocated to Western Waters.

In light of the above, Denmark deeply regrets that the outcome of the December 2024 Council meeting did not respect the Danish Mackerel Exceptional Priority. This has severe consequences for Danish fisheries and the fisheries sector. The lack of respect for the Mackerel Exceptional Priority affects the reliability of all similar agreements in Council to the detriment of all Member States. The Danish Mackerel Exceptional Priority should be respected in setting fishing opportunities for mackerel in the years to come.”

STATEMENT BY FRANCE, PORTUGAL AND SPAIN ON THE NAFO COD 2J3KL

“In order to take into account, the urgent need to reopen the cod fishery 2J3KL France, Portugal and Spain takes note of the allocation key agreed for the 2J3KL cod applicable from the 1st of January 2024 to the 30th of June 2025 following the reopening of the TAC at the NAFO 2024 annual session. However, in view of the differing points of view of the Member States regarding the determination of the distribution of the quota between the Member States, France, Portugal and Spain would like to ensure that this does not set a precedent in terms of relative stability and that the distribution key should be re-examined for future management periods.”
