



**COUNCIL OF
THE EUROPEAN UNION**

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(OR. fr)**

9602/00

LIMITE

**PV/CONS 39
AGRI 82**

DRAFT MINUTES ¹

Subject : **2276th** meeting of the Council (**Agriculture**) held in Luxembourg on
19 June 2000

¹ Information relating to the final adoption of Council acts which may be released to the public is contained in Addendum 1 to these minutes.

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1. **Adoption of the provisional agenda**
9437/00 OJ/CONS 38 AGRI 77

The Council adopted the above agenda.

2. **Approval of the list of "A" items**
9438/00 PTS A 33
+ ADD 1

The Council approved the "A" items as listed in 9438/00 PTS A 33 + ADD 1.

Information concerning items 2 and 3 on the list of "A" items is given in Addendum 1 to these minutes.

The documents referred to in **items 3 and 8** should read as follows:

3. 8583/00 UD 59
8584/00 UD 60
+ COR 1 (fr, de, nl, en, da, es, pt)
8584/1/00 UD 60 REV 1 (fin)

8. 8931/00 COMER 73 RC 10 ASIE 28
+ COR 1
8932/1/00 COMER 74 RC 11 ASIE 29 REV 1
+ REV 1 COR 1 (en)

3. **Commission proposals on the prices for agricultural products (2000/2001)**
6629/00 AGRIORG 25 AGRIFIN 16
7750/1/00 AGRIFIN 29 AGRIORG 37 REV 1
7945/00 AGRIORG 39 AGRIFIN 33

Following a discussion on the Commission proposals on the prices for agricultural products (2000/2001) and having noted that there were still problems with some products, the Council agreed to return to the subject at its next meeting.

In addition, the Council adopted the following three Regulations concerning products for which the marketing year ended on 30 June 2000. The adoption of the Regulations is accompanied by statements set out in Addendum 1 to these minutes:

a) sugar sector: adopted by a qualified majority, with the Swedish and United Kingdom delegations voting against:

- Council Regulation fixing certain sugar prices and the standard quality of beet for the 2000/2001 marketing year (8942/00)
- Council Regulation fixing the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet and the compensation to offset storage costs for the 2000/2001 marketing year (8946/00)

b) pigmeat sector: unanimously adopted:

- Council Regulation amending Regulation (EEC) No 2759/75 on the common organisation of the market in pigmeat (8945/00)

4. **Proposal for a Council Regulation amending Regulation (EEC) No 2759/75 on the common organisation of the market in pigmeat**

7789/00 AGRIORG 38 AGRIFIN 31

9295/00 AGRIORG 57 AGRIFIN 57

The Council held a policy debate on the basis of the Presidency's questionnaire.

It instructed the Special Committee on Agriculture to continue its work in the light of that debate.

5. **Market in rice:**
Proposals for Council Regulations
– **on the common organisation of the market in rice**
– **amending Regulation (EC) No 1251/1999 establishing a support system for producers of certain arable crops, in order to include rice**
= presentation by the Commission representative
9439/00 AGRIORG 60 AGRIFIN 60

The Council:

- took note of Commissioner FISCHLER's presentation of the Commission proposals;
- heard preliminary comments from some Member States;
- instructed the Special Committee on Agriculture to examine the proposals;
- agreed to consult the European Parliament and the Economic and Social Committee on the two proposals, and the Committee of the Regions on the proposal amending Regulation (EC) No 1251/1999.

6. **Proposal for a Council Decision regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC**
9440/00 AGRILEG 101
9441/00 AGRILEG 102

Having received the above proposal for a Decision and taken note of the Commission statements set out below and of the Commission's undertaking to ask the Scientific Committee to assess the risk attached to feeding fur animals with risk material, the Council voted on the proposal.

At the close of its discussions, pursuant to Article 17(4) of Directive 89/662/EEC, the Council established that there was neither a qualified majority in favour of the proposal nor a simple majority against it and that, under those circumstances, the Commission could adopt the proposed measures before 30 June 2000.

"1. Third countries

The Commission will take the appropriate measures to ensure that third countries submit dossiers on their epidemiological status in accordance with Commission Recommendation 98/477/EC as a matter of urgency. These dossiers shall be referred to the Scientific Steering Committee for a risk evaluation. On the basis of the evaluations available, the Commission intends before 28 February 2001 to make appropriate proposals on the measures for third countries concerning import of specified risk material. Member State restrictions on SRM imports from third countries, currently in place, may remain in force until any such proposal has been adopted. Member States shall notify any such measures to the Commission. Where no dossier in accordance with Recommendation 98/477/EC has been received, or where it fails to provide sufficient information to allow a proper risk assessment to be carried out, the provisions of Article 6 shall enter into force.

The Commission shall, before 28 February 2001, publish a report on third countries indicating :

- those countries in respect of which a scientific risk assessment is not satisfactory;
- those countries which have not submitted a dossier which meets the requirements of Recommendation 98/477/EC;
- those countries which have been exempted from the scope of this Decision in accordance with Article 8(2)(c);
- restrictions in place in Member States in relation to imports of SRMs from third countries.

2. Distortion of competition

The Commission will monitor the provisions adopted by Member States for financing, directly or indirectly, the removal and the destruction of SRM and, where appropriate, will present proposals to the Council with the aim of establishing harmonised rules in this field in order to avoid distortion of competition.

3. Alternative means of treatment

The Commission will invite its Scientific Steering Committee to evaluate as soon as possible any alternative means of disposal of Specified Risk Materials with a view to assessing whether it provides a level of risk reduction equivalent to the provisions in the present Decision. The Commission will propose amendments to the Decision in the light of these evaluations.

The Commission will examine the practical difficulties of implementing autoclave processing prior to landfill, and will, if necessary, submit the appropriate proposals."

The Council also agreed to enter in its minutes the following statement by the Spanish delegation and supported by the German, Greek and Austrian delegations:

"The Spanish delegation notes that the Council has not been able to obtain a qualified majority in favour of the Commission proposal and feels that under such circumstances the Commission should not adopt the proposed measures on the grounds that these:

1. are disproportionate, as they fail to take account of the differing health situations in the Member States with regard to the disease;
2. run counter to the procedure proposed for BSE-free countries within the OIE and, consequently, the WTO;
3. prejudge the discussion on the proposal for a Regulation submitted by the Commission to the European Parliament and the Council and subject to the codecision procedure.

Consequently, the Spanish delegation feels that the Commission should await the final outcome of the codecision procedure between the European Parliament and Council and ensure that the technical requirements and date of entry into force of the Decision and the future Regulation match."

7. Other business

(a) **Protection of animals during transport** (request by the Swedish delegation)

The Council, at the initiative of the Swedish delegation, held a broad exchange of views on whether Community provisions on animal welfare during transport were being effectively implemented by the Member States and/or whether such provisions needed to be reviewed without delay.

The Commission representative stated that the Commission would shortly be submitting the report scheduled on the implementing arrangements for the Directive on the protection of animals during transport so that the Council could assess the situation and if necessary strengthen the Directive on the basis of Commission proposals.

(b) **Genetically modified organisms in agriculture** (request by the Italian delegation)

The Italian delegation, supported by the Netherlands and United Kingdom delegations, drew the Council's attention to the need for carefully considered options with regard to the use of genetically modified organisms in agriculture. Such options should include a maximum degree of precaution in view of the differences in public opinion and possible contamination problems due to scientific uncertainty. The Italian delegation felt it was necessary to draw up a Community Directive on the use of genetically modified organisms in agriculture providing for the introduction of a moratorium in the various countries and the establishment of instruments designed to reduce the environmental, economic and socio-cultural risks that could result from uncontrolled use.

The Commission representative pointed out that the Commission would ensure that human health and the environment would be protected as provided for in Directive 90/220/EEC on the deliberate release of GMOs and stated that the legislative framework for GMOs covered seeds, traceability, labelling and consumer information in particular.

Future proposals amending the Directive on novel foods and the Directive on novel animal feedingstuffs would maintain the necessary consistency with Directive 90/220/EEC. The marketing of GMOs in any case required scientific evaluation and, in that respect, he highlighted a forthcoming scientific seminar that would, inter alia, examine the question of balanced information for the public.

(c) **Export refunds for non-Annex I products**
(request by the United Kingdom delegation)

The United Kingdom delegation, supported by the German, Irish and Netherlands delegations, voiced its concerns regarding the Commission's suspension of the issuing of export refunds for non-Annex I products on the grounds that the measure had serious consequences for some exporters. While accepting the need to reduce the cost of export refunds, the United Kingdom delegation asked the Commission to prevent a single sector – in particular the whisky sector – being made to bear disproportionate reductions.

The Commission representative stated that following the introduction in February of a new system complying with the Community's commitments in the WTO, applications for refunds had increased sharply. As half the budget had been used up in three months, the Commission had to react to prevent the budget from being exceeded, with it being understood, however, that SMEs would continue to be granted refunds. The Commission would endeavour to seek a balanced solution to the matter by adopting a targeted approach to reducing refunds.

(d) **Organisation of future proceedings**

The future French Presidency informed the Council that the next meeting on agricultural issues would be held in Brussels on Monday 17 and Tuesday 18 July 2000.

The Council was also briefed by its next President on the programme and proceedings of the informal meeting of Agriculture Ministers to be held in Biarritz on 3, 4 and 5 September 2000.