



**COUNCIL OF
THE EUROPEAN UNION**



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Agriculture and Fisheries

Luxembourg, 26 and 27 April 2012

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Minister for Food, Agriculture and Fisheries of Denmark

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Main results of the Council

*Concerning Agriculture, ministers had a public debate on the **regulation on direct payments** within the framework of the common agricultural policy (CAP reform). The specific issues discussed were: **young farmers, small farmers, voluntary coupled support and top ups for farmers in areas with natural constraints, internal redistribution, active farmer and capping of support to large farms.***

*Finally, the Council was briefed on the **protection of pigs in the member states, the communication on promotion measures for agricultural products, the producer organisations in the fruit and vegetables sector, the market of milk and dairy products and on the transparency of information in food safety.***

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
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Minister for Agriculture and Forestry

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Minister of State for Agriculture and Food
Parliamentary Under-Secretary of State, (Natural
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.....
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Ms Maria DAMANAKI

Mr John DALLI

Member

Member

Member

.....
The government of the acceding state was represented as follows:

Croatia:

Ms Snježana ŠPANJOL

Deputy Minister for Agriculture

ITEMS DEBATED

AGRICULTURE

CAP reform - Direct payments

Ministers held a public debate on direct payments within the framework of the common agricultural policy (CAP) reform.

The first debate focused on special measures proposed to help particular categories of farmers, such as young farmers, small farmers and farmers in areas with natural constraints.

With regard to the schemes for young farmers and for small farmers member states broadly supported the need to better target payments to these two groups. Even though many member states wanted the schemes to be voluntary for member states. In the particular case of young farmers there is a need to increase the support as today only 6 % of all farmers across the EU are under the age of 35 years, and this raises concern for the future of farming. Delegations mentioned easier conditions for accessing this scheme and also better articulation between first pillar and rural development provisions on this issue

If delegations agreed in general on the proposal for measures on small farmers, they would like the proposal to be in line with the simplification objective. They are divided on the issue to know if the small farmers should fulfil or not the *greening* or cross-compliance provisions.

For farmers in areas with natural constraints, member states could accept the possibility of an increased support, but wanted to look into how it would fit in with a similar programme under the rural development provisions. Delegation agreed with the Commission that this type of measure should stay voluntary.

As regards voluntary coupled support, several member states highlighted that this possibility to increase support would be very important in specific farming sectors or regions as a response to economic, social and environmental difficulties. Some delegations regretted that this proposal goes against the main objective of CAP reform to promote decoupling support while some others would like the list of possible coupled production to be extended. As ministers were divided, this led the Presidency to conclude that the Commission proposal strikes a balance.

The second roundtable was organised on the definition of *active farmer*, the capping for large farms and the internal redistribution.

On active farmer there was broad support for the Presidency suggestion to focus on farming and, in order to avoid undue administrative burden, not to require member states to control the proportion of direct payments received by recipients compared to their receipts from non agricultural activities. This would allow member states a greater margin of discretion. Many delegations found very helpful a Commission proposal to establish an additional "negative list" of activities which would not be considered as active farming.

The capping of the direct payments received by the largest farms in the EU is one of the issues in the current negotiations on the Multiannual financial framework for 2014-2020. On technical aspects of capping several delegations called for a simpler approach in the calculation while some member states stayed opposed to the principle.

On internal redistribution the Commission proposes that member states achieve a uniform level of direct payments at regional or national level by 2019. A considerable number of ministers had concerns about the impact of this proposal and underlined the need to proceed carefully. The need for greater flexibility and appropriate transitional periods was also highlighted. Presidency conclusions from March 2011 ([7921/11](#)) identified already the need for flexibility at national/regional level, with appropriate transitional periods to avoid disruptive financial consequences.

The CAP reform package was presented by the Commission at the Agriculture Council meeting in October 2011. Concerning the CAP reform, the Council had already held policy debates on the proposals for regulations on direct payments, rural development and on single common market organisation during the three last Agriculture Council meetings in November and December last year and January this year. In March this year ministers debated on the simplification of the CAP.

The Presidency intends to organise further policy debates on thematic issues such as the greening of the CAP in May and the Rural development Policy in June.

ANY OTHER BUSINESS

Animal welfare - protection of pigs

The Commission briefed the Council on the deadline for the new animal welfare requirements foreseen in directive 2008/120 laying down minimum standards for the protection of pigs ([8661/12](#)).

Several member states pointed out together with the Commission the need to comply with the deadline for implementing of new obligatory requirements concerning pregnant sows. They considered that there is a strong demand from the consumers on this issue and that everything should be done to avoid any distortion of competition between member states on the 1 January 2012.

New housing requirements were introduced by directive 2001/88 amending directive 91/630. They include among other the requirements for an obligatory group housing for sows, permanent access to materials for rooting for sows and gilts, and new minimum requirement for flooring surfaces. The Commission focused on the requirement of group housing of sows. This requirement should be implemented by member states as from 1st January 2013.

Promotion measures for agricultural products

Ministers were briefed by the Commission on a communication on promotion measures and information provision for agricultural products: a reinforced value-added European strategy for promoting the tastes of Europe ([8441/12](#)).

In July 2011, the Council held a public exchange of views concerning the "Green paper on promotion measures and information provisions for agricultural products: a reinforced value-added European strategy for promoting the tastes of Europe". The consultation on the promotion of agricultural products was welcomed by member states as a necessary measure to inform EU citizens and foreign countries about the high standards and quality of EU products. However, several delegations stressed the need for a simpler and quicker procedure to activate the system, in particular in case of crisis. The consultation launched by the Commission on this issue ended on 7 October 2011.

On 15-16 December 2011, the Agriculture and Fisheries Council adopted conclusions on the future of the agricultural promotion policy ([18528/11](#)), which encouraged the Commission to explore all possible ways to achieve the objectives related to the reform of the EU information and promotion policy.

The Commission pointed out the need to improve the EU promotion system for agricultural products in order to meet the challenges: valorise the quality of EU products in foreign countries, make this policy more attractive, simplify the access to the schemes and strengthen the consistency of the actions.

This communication should be followed by a legislative proposal to be published at the end of the year.

Producer organisations in the fruit and vegetables sector

The Council was briefed by the Hungarian delegation supported by the Bulgarian, Latvian, Lithuanian, Polish, Romanian, Slovenian and Slovak delegations on the financing of producer organisations in the fruit and vegetables sector ([8828/12](#)).

The reform of the fruit and vegetables sector in 2007 reaffirmed the important objective of continuing to strengthen the producer organisations (POs). Supporting POs was particularly important from 2007 to 2013 in member states with a low level of concentration of producers.

A Commission regulation was adopted beginning of April 2012 decreasing the EU co-financing rate of the POs support. For Hungary, this jeopardises one of the main objective of the reform of the fruit and vegetable common market organisation. Furthermore, this is not in line with the proposals for the CAP reform foreseeing an increase in the financial support to POs.

For the Commission, setting a financial limit for this support has been imposed by the strong increase observed in the expenses between 2007 and now for supporting POs. This limit will not apply to plans for POs already adopted but only on future plans proposed.

Market of milk and dairy products

The Polish delegation briefed the ministers on the consequences of the current situation for the market of milk and dairy products ([9056/12](#)).

Several member states supported the Polish demand to the Commission for market measures to respond to the decreasing prices in the milk and dairy market.

Since the beginning of 2012 a drop in the demand for dairy products on world markets has led to a significant decrease of market prices for these products between January 2012 and April 2012 in Poland. Domestic demand for dairy products has not been able to absorb the developing surpluses, which means that stocks of dairy products in Poland are growing.

Poland considered that the current intervention price is too low for changing production conditions which could impede the efficiency of intervention. Poland asked the Commission to adopt measures as soon as possible such as reintroducing export refunds and in the longer term increase intervention prices for butter and skimmed milk powder.

The Commission follows closely the evolution of the milk market and is aware of the current situation. It declares itself ready to activate appropriate measures when it considers that there is a need which is not the case now.

Transparency of information in food safety

The Czech Republic briefed the Council on the access to transparent information among member states as regards food safety ([9066/12](#)).

The Czech delegation highlighted the importance of information exchange between member states and the EU through the Rapid alert system for food and feed (RASFF) at the occasion of recent food crises such as the use in food of industrial salt and adulterated egg powder. Poland explained that the RASFF had not been activated in the use of industrial salts in food because this fraud was not assessed as a food safety issue. As regards adulterated egg powder, the RASFF has been properly activated. The Commission reminded the delegations about the possibility for them to request an administrative support in case of disagreement between member states on such an issue.

Insecticide toxicity on honeybee health

Ministers were briefed by the French delegation about the toxicity of the active substance thiamethoxame on honey bees ([9191/12](#))

An article published in March in the scientific newspaper Science detailed the possible sub-lethal effects of the active substance thiamethoxame on bees (*Apis mellifera*). This substance is an insecticide included in various plant protection products authorised and used in several member states for the treatment of rape seeds or maize.

The French delegation would like these new data to be taken into account in the EU assessment for pesticide substances and that the behaviour of non-target species, in particular for bees should be evaluated in the assessment process.

The Commission recalled the creation of a European reference laboratory dedicated to honeybees, and its request to collect more data from the member states on beehives losses. An assessment has been requested to EFSA about effects of certain types of insecticides on the basis of new studies.

OTHER ITEMS APPROVED

AGRICULTURE

Imports of high-quality beef from the USA and Canada

The Council adopted regulation 617/2009 opening an autonomous tariff quota for imports of high-quality beef following a first reading agreement with the European Parliament ([6/12](#)). This text will finally bring to an end the long-lasting trade dispute between the EU, the USA and Canada on the use of "hormones" in beef within the framework of the World Trade Organisation (WTO). By this regulation, the EU opens an additional autonomous tariff rate quota for high-quality beef that is not treated with hormones. At the same time, the USA has eliminated the sanctions on EU products.

For further details, see [9178/12](#).

ECONOMIC AND FINANCIAL AFFAIRS

Derogation from the VAT directive for Romania - Road vehicles

The Council adopted a decision authorising Romania to introduce a measure derogating from directive 2006/112/EC on value-added taxation (VAT) for the non-business use of road vehicles ([7956/12](#)).

The measure involves a 50% deduction of VAT, under certain conditions, for the purchase, acquisition, importation, hire or leasing of vehicles with a laden mass of maximum 3 500 kg and no more than nine seats, and where the vehicle is not used exclusively for business purposes.

The Council's decision will expire upon entry into force of EU rules on expenditure relating to road vehicles that is not eligible for the full deduction of VAT, or on 31 December 2014, whichever is earlier.

JUSTICE AND HOME AFFAIRS

Right to information in criminal proceedings

The Council adopted a directive on the right to information in criminal proceedings ([PE-CONS 78/11](#)). On 13 December 2011 the European Parliament had already given its green light to the compromise text reached between both institutions.

The main goal of the directive is to ensure that any person who is suspected or accused of having committed a criminal offence is provided with information concerning his or her fundamental procedural rights, as well as information on the accusation against him or her - including access to the material of the case.

For more details see press release [9111/12](#).

EMPLOYMENT

Employment guidelines

The Council adopted a decision approving the guidelines for the employment policies of the member states for 2012 ([7946/12](#)).

The employment guidelines were adopted in 2010¹ in principle for a duration of four years. The guidelines for 2012 will be maintained unchanged and shall be taken into account by the member states in their employment policies.

¹ Council decision 2010/707/UE of 21 October 2010 on guidelines for the employment policies of the member states ([OJ L 308, 24.11.2010, p. 46](#)).

TRANSPORT

Colour specifications for certain road transport documents

The Council decided not to oppose adoption by the Commission of three amending regulations specifying more precisely the colours of certain official documents required for the access to the occupation of road transport operator ([6882/12](#)), to the international road haulage market ([6883/12](#)) and to the international market for coach bus services ([6890/12](#)).

The documents concerned are the model certificate of professional competence under regulation 1071/2009, the Community licence model for the international carriage of goods by road under regulation 1072/2009 as well as the driver attestation model linked to that licence, and the Community licence model for the international carriage of passengers by coach and bus under regulation 1073/2009.

The draft regulations are subject to the regulatory procedure with scrutiny; now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.
