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Slovakia

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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.
- Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

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ITEMS DEBATED

AGRICULTURE

Strengthening farmers' position in the supply chain and tackling unfair trading practices

The Council adopted conclusions on "Strengthening farmers' position in the supply chain and tackling unfair trading practices" ([15508/16](#)).

In the conclusions the Council acknowledges the importance of a well-functioning food supply chain and expresses concern about the vulnerability of farmers in this context, despite multiple efforts to improve their situation. The conclusions suggest solutions that the Commission and member states could put in place to guarantee, among others, that risks are shared more equally along the supply chain, contractualisation is enhanced, and market transparency and risk management improved.

The Council underlined the importance of a level-playing field for all those involved in the supply chain that could be achieved by a common European legislative framework.

The conclusions also call on the Commission to undertake an impact assessment with a view to proposing an EU legislative framework or other non-legislative measures to address unfair trading practices. Any initiative should respect of the principle of subsidiarity and safeguard well-functioning national systems.

These conclusions build on the momentum this topic has gained in the work of the Council, the European Parliament, and the Agricultural Markets Task Force that recently published its recommendations in the report "[Enhancing the position of farmers in the supply chain](#)".

Organic production and labelling of organic products

Ministers took note of the state of play of the proposed regulation on organic production, with regard to the negotiations with the European Parliament. In particular the presidency informed the Council that despite the considerable progress made in the last trilogues, no final agreement could be reached before the end of the year. This was due to the impossibility to find compromise solutions on the following issues: greenhouses, derogations/collection of data, seeds and non-authorised substances.

Delegations acknowledged the good progress made under Slovak presidency and generally expressed the will to continue negotiations with a view to reaching a satisfactory agreement with the European Parliament and improving the current legislation to the benefit of organic producers and consumers. Ministers also took the opportunity to restate their position on the outstanding issues.

The presidency welcomed the Commission intention not to withdraw the proposal and concluded that a period of reflection was needed to consider further work on this file. Work will be resumed in 2017.

The proposal on organic production and labelling of organic products, presented by the Commission in March 2014, is aimed at revising the existing legislation on organic production and labelling of organic products so as to remove obstacles to the sustainable development of organic production in the EU. Its objectives are also to guarantee fair competition for farmers and operators, prevent fraud and unfair practices and improve consumer confidence in organic products. The Commission proposed to strengthen the rules on the control system, trade regime, animal welfare practices and non-authorised substances.

The Council reached a general approach on the organic regulation on 16 June 2015 and the EP Committee on Agriculture and Rural Development (COMAGRI) voted on its report on 13 October 2015. Negotiations started in November 2015 and so far 11 trilogues have taken place.

Agricultural and climate change: Effort sharing and LULUCF proposals

The Council had an exchange of views on the agricultural aspects of the Commission proposals for an effort-sharing regulation (ESR) and a regulation on land use, land use change and forestry (LULUCF). These pieces of legislation, together with the revision of the emission trading system (ETS), aim to deliver on the EU's commitment to the Paris Agreement on climate change. They are therefore intended to contribute to reducing greenhouse gas emissions by at least 40% by 2030 compared to 1990 levels.

Ministers focused their contributions in particular on the multiple objectives of the agriculture and land use sector and on the flexibilities proposed in the ESR and LULUCF.

Delegations generally agreed that agriculture can be part of the solution in combating climate change. They highlighted the need to strike a balance between the climate objectives and targets set in the Paris agreement, and the European Council conclusions of October 2014 which recognise the importance of agriculture, in terms of its limited mitigation potential. They also stressed the importance of having coherence between food security and climate change objectives. In particular targets should be achieved in a way that does not jeopardise the development of sustainable food production. Several delegations expressed misgivings about the insufficient level of flexibility between the ESR and the LULUCF, while others would like sustainable management of forests to be better accounted for in the LULUCF proposal.

The presidency will summarise the outcome of the discussion in a letter addressed to the chair of the Environment Council.

The [effort sharing regulation](#) addresses emissions from the sectors not covered by the EU ETS. These sectors include buildings, agriculture (non-CO2 emissions), waste management and transport, which accounted for almost 60% of total EU emissions in 2014. The regulation sets annual emission reduction targets based on relative GDP per capita for each member state for the period 2021–2030. Member states will be able to decide what measures to take in order to achieve the targets.

The [proposed LULUCF](#) regulation sets out the role of the sectors linked to the use of soil (landuse, land-use change and forestry) in greenhouse gas emission reductions. These sectors are linked to the use of soils, trees, plants, biomass and timber. Their particularity is that they not only emit greenhouse gases but can also remove CO₂ from the atmosphere. The proposal requires Member States to ensure that accounted greenhouse gas emissions and removals stay in balance and that the overall LULUCF sector does not generate net emissions ("no-debit rule"). Several flexibilities are included to help Member States ensure compliance with that rule. The proposal also introduces a new EU governance process for monitoring of forest management reference levels.

Although the Environment Council is leading the legislative process, the Agriculture and Fisheries Council held a first exchange of views on climate smart agriculture on 22 October 2015 and a second one on agriculture and climate on 17 May 2016.

Any other business

– *Agricultural and forestry aspects of the Commission's winter package*

At the request of the Austrian delegation and with the support of the Polish one, the Council was briefed on and discussed the agricultural and forestry aspects of the so-called Winter package, which was presented by the Commission as part of the implementation of the European Energy Union on 30 November 2016.

The discussion focused in particular on the constraints that this proposed piece of legislation would create for agriculture and forestry in relation to biomass production and to the proposed reduction in the use of conventional biofuels, i.e. biofuels based on agricultural biomass.

– *Regional symposium on agroecology for sustainable agriculture and food systems in Europe and Central Asia, Budapest 23-25 November 2016*

The Hungarian delegation informed the Council of the outcome of the above-mentioned event, which was co-organised by FAO and Hungary, and financed with the support of the French Government.

The aim of the meeting was to facilitate the exchange of knowledge and experiences among different stakeholders on the potential contribution of agroecology to sustainable agriculture, to identify potential entry points and areas of contribution of agroecology in public policies and to showcase existing best practices in the region and to foster international cooperation.

The outcome of the symposium was a series of recommendations grouped around four themes:

- Agroecology and sustainable food systems
- Agroecology and natural resources in a changing climate: water, land, biodiversity and territories
- Research, innovation, knowledge sharing and agroecological movements
- Public policies to develop agroecology and promote transition

– *Agricultural and rural development and migrations in Mediterranean zone*

The French delegation, presented on behalf of France, Greece, Italy, Malta, Portugal and Spain the results of the meeting of the ministers of agriculture of the 13 member states of CIHEAM, which took place in Tirana on 22 September 2016. CIHEAM is the International Centre for Advanced Mediterranean Agronomic Studies, a Mediterranean intergovernmental organisation which works for improving sustainable agriculture and fisheries, for ensuring food and nutrition security and for developing rural and coastal territories.

The main issue discussed at the Tirana meeting was migration (internal and international) from the perspective of agricultural development, food security, land policy, development and inclusion of rural territories and climate change. The focus was on how to provide long-term solutions through cooperation, training and research.

– *EU platform on food losses and food waste*

The Commission informed ministers of the state of play of the creation of the EU platform on food losses and food waste.

The platform was established as part of the Circular Economy Action Plan, and spearheads EU efforts to fight food waste from farm to fork. It brings together both public and private interests, 70 organisations in total, to foster cooperation amongst all key players in the food value chain and help accelerate the EU's progress towards meeting the global Sustainable Development Goal of halving food waste by 2030.

The first meeting of the platform took place on 29 November 2016. On that occasion the Commission called on member states to implement national food waste prevention programmes and set targets to achieve food waste reduction in cooperation with all relevant actors by 2019. The next meeting is scheduled for June 2017.

In 2017, the Commission intends to adopt guidelines to facilitate the donation of safe, edible food, and to work towards the creation of a methodology to measure food waste consistently across the EU.

Ministers welcomed the work done and the initiatives ahead of the platform, and restated their commitment to minimise food waste and food losses.

– ***Protective measures against plant pests***

The Commission reported on the implementation of the new regulation on protective measures against plant pests. It focused in particular on the expected workload and extra resources needed to adopt and implemented all the necessary measures, and on the respective roles of Commission, member states and professional operators.

The [regulation on protective measures against plant pests](#) was adopted on 26 October 2016, entered into force on 13 December 2016 and will apply as of December 2019, after a three-year transitional period.

Delegations welcomed the work carried out by the Commission in preparation of the entry into force of the regulation. Some highlighted the importance of high health standards in third countries and of emergency preparedness and reaction.

– ***Plant breeders' rights***

The presidency informed ministers about a Commission explanatory notice clarifying certain articles of directive 98/44 on the protection of biotechnical inventions. The Commission notice seeks to clarify the demarcation line between patentable biotechnological inventions and plant varieties obtained through conventional breeding, for whom a separate system of protection exists, which includes the 'plant breeders' privilege'.

The notice, published on 8 November and presented at the Competitiveness Council on 28-29 November, states that products created through essential biological processes should be excluded from patentability. It comes in response to recent decisions of the European Patent Office on the patentability of plant material obtained through conventional breeding methods, and the impact of these decisions on the plant breeders' rights.

The breeders' privilege of the Community plant variety rights system enables breeders to use any plant variety, whether protected by a Community plant variety right or not, for the creation of new ones.

Ministers agreed on the importance of plant breeders' rights to promote innovation in agriculture, and welcomed the work of the Commission in clarifying their relation with patents.

The Council already had in June 2016 the opportunity to be informed about the outcome of a conference organised by the presidency in Brussels on the debate surrounding patents and plant breeders' rights".

– *Acceleration of sustainable plant protection*

The presidency updated the Council on the implementation of the plan to accelerate sustainable plant protection.

On 28 June 2016 the Council endorsed the implementation plan prepared by the expert group, which identifies actions to be taken by member states, the Commission and stakeholders with the aim of increasing the availability of low-risk plant protection products and speeding up the implementation of Integrated Pest Management (IPM) in the EU.

The presidency explained that work was progressing in a satisfactory way, as member states, the Commission, EFSA and stakeholders had begun implementing the identified actions. Several member states in fact used this implementation plan to reinforce and elaborate further national initiatives. The presidency also said that coordination between different authorities, knowledge sharing between member states and awareness raising on the importance of expanding the farmer's toolbox with sustainable plant protection options, were all important elements of this plan.

OTHER ITEMS APPROVED

FISHERIES

Deep-sea fishing: Council adopts regulation on 2017-18 TACs and quotas

The Council adopted a Council Regulation based on Art. 43(3) TFEU, fixing the fishing opportunities for certain deep-sea stocks in the Union and international waters of the North-East Atlantic for upcoming two years ([14623/16](#), statements in [ADD 1](#)).

The regulation fixes the total allowable catch (TAC) of fish from the following stocks: deep-sea sharks (unavoidable by-catch only), black scabbardfish, roundnose grenadier, alfonsino, red seabream and greater forkbeard.

Fishing for deep-sea species has been regulated by the EU since 2003 through total allowable catches (TACs) per species and area, and maximum fishing effort deployable in the North-East Atlantic. The fishing opportunities for deep-sea species are decided every two years on the basis of scientific advice, in line with regulation 1380/2013 on the reformed Common Fisheries Policy (CFP).

Fishing opportunities for the Black Sea in 2017

The Council agreed on the fishing opportunities for the commercially most important fish stocks in the Black Sea in 2017. This decision affects Bulgaria and Romania.

In particular the Council decided to confirm the Commission proposal to have a roll-over of the 2016 total allowable catches (TACs) into 2017. The catch limits for 2017 are therefore set to 11 475 tonnes for sprat (*Sprattus sprattus*) and 86.4 tonnes for turbot (*Psetta maxima*).

The agreement is based on the best available scientific advice and on the principles of the reformed Common Fisheries Policy (CFP).

Black Sea stocks exploited by Bulgaria and Romania are shared with non-EU countries, e.g. Turkey, Ukraine, Georgia and Russian Federation. There are however no TACs decided at regional level between EU and non-EU countries. Every year since 2008 the European Union has been fixing autonomous quotas for turbot and sprat stocks in order to help ensure that the CFP rules are applied.

Under article 43(3) of the Treaty on the Functioning of the European Union (TFEU), it is for the Council to adopt measures on the fixing and allocation of fishing opportunities within the framework of the common fisheries policy. The European Parliament's participation and the Economic and Social Committee's opinion are therefore not required for the adoption of this regulation.

This item will be included, following finalisation by the legal/linguistic experts, in part "A" of the agenda for adoption by the Council on 19 December.

FOREIGN AFFAIRS

Relations with Georgia

The Council adopted a decision on the EU position regarding the modification of Annex XI-B to the Association Agreement between the EU and Georgia.

TRADE

Relations with Moldova

The Council adopted a decision on the EU position regarding the establishment of a list of 15 arbitrators for dispute settlement proceedings in the framework of the Association Agreement between the EU and Moldova.

The list is composed of five arbitrators proposed by the EU, five proposed by Moldova and five that are not nationals of either party and who may serve as chairperson to the arbitration panel.

ECONOMIC AND FINANCIAL AFFAIRS

Money laundering and terrorist financing

The Council decided not to object to a Commission regulation amending regulation 2016/1675 and supplementing directive 2015/849 on the prevention of money laundering and terrorist financing by identifying high-risk third countries with strategic deficiencies ([15104/16](#) + [14857/16](#)).

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the European Union. It can now enter into force, unless the European Parliament objects.

BUDGETS

Mobilisation of the European Globalisation Adjustment Fund for Spain

The Council adopted a decision mobilising €856 800 under the European Globalisation Adjustment Fund (EGF) to provide support for 250 dismissed workers made redundant in 29 Spanish companies operating in the manufacture of motor vehicles, trailers and semi-trailers. The redundancies are the result of continued major structural changes in world trade patterns due to globalisation.

The EGF helps workers to find new jobs and develop new skills when they have lost their jobs as a result of changing global trade patterns, e.g. when a large company shuts down or a factory is moved outside the EU, or as a result of the global financial and economic crisis. The help of the EGF consists in co-financing measures such as job-search assistance, careers advice, tailor-made training and re-training, mentoring and promoting entrepreneurship. It also provides one-off, time-limited individual support, such as job-search allowances, mobility allowances and allowances for participating in lifelong learning and training activities.

SOCIAL POLICY

Statistics on income and living conditions

The Council decided not to oppose the adoption of Commission regulation (EU) .../... of XXX implementing regulation (EC) No 1177/2003 concerning Community statistics on income and living conditions (EU-SILC) as regards the list of target secondary variables on material deprivation, well-being and housing difficulties for 2018 ([13050/16](#) + ADD 1).

Statistics on population and housing censuses

The Council decided not to oppose the adoption of Commission regulation (EU) .../... of XXX establishing the reference year and the programme of the statistical data and metadata for population and housing censuses ([13051/16](#) + ADD 1).
