



**COUNCIL OF
THE EUROPEAN UNION**



12657/06 (Presse 251)

PRESS RELEASE

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Agriculture and Fisheries

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President

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P R E S S

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12657/06 (Presse 251)

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Main Results of the Council

Under "B" items (for discussion) the Council held a policy debate, based on a Presidency questionnaire, on the wine sector reform.

Under "A" items (without discussion) the Council adopted a common position at first reading on a proposal for a Directive on driving licences.

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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.
- The documents whose 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 abovementioned Council Internet site or may be obtained from the Press Office.

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PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Sabine LARUELLE

Minister for Small and Medium-Sized Businesses, the Liberal Professions and the Self-Employed and Agriculture

Czech Republic:

Ms Milena VICENOVÁ

Minister for Agriculture

Denmark:

Mr Hans Christian SCHMIDT
Ms Connie Hedegaard

Minister for Food, Agriculture and Fisheries
Minister for the Environment and for Nordic Cooperation

Germany:

Mr Horst SEEHOFER

Federal Minister for Food, Agriculture and Consumer Protection

Estonia:

Ms Ester TUIKSOO

Minister for Agriculture

Greece:

Mr Evangelos BASIAKOS

Minister for Rural Development and Food

Spain:

Ms Elena ESPINOSA MANGANA

Minister for Agriculture, Fisheries and Food

France:

Mr Dominique BUSSEREAU

Minister for Agriculture and Fisheries

Ireland:

Mr Brendan SMITH

Minister of State at the Department of Agriculture and Food (with special responsibility for Food and Horticulture)

Italy:

Mr Paolo DE CASTRO

Minister for Agricultural and Forestry Policy

Cyprus:

Mr Photis PHOTIOU

Minister for Agriculture, Natural Resources and Environment

Latvia:

Mr Mārtiņš ROZE

Minister for Agriculture

Lithuania:

Ms Kazimira PRUNSKIENĖ,

Minister for Agriculture

Luxembourg:

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development, Minister for Small and Medium-sized Businesses, the Liberal Professions and the Self-Employed, Tourism and Housing

Hungary:

Mr Zoltán GÖGÖS

Senior State Secretary, Ministry of Agriculture and Rural Development

Malta:

Mr Francis AGIUS

Parliamentary Secretary for Agriculture and Fisheries

Netherlands:

Mr Cees VEERMAN

Minister for Agriculture, Nature and Food Quality

Austria:

Mr Josef PRÖLL

Federal Minister for Agriculture, Forestry, the
Environment and Water Management**Pologne:**

Mr Andrzej LEPPER

Deputy Prime Minister, Minister for Agriculture and Rural
Development**Portugal:**

Mr Jaime SILVA

Minister for Agriculture, Rural Development and Fisheries

Slovenia:

Ms Marija LUKAČIČ

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Miroslav JUREŇA

Minister for Agriculture

Finland:

Mr Juha KORKEAOJA

Mr Ilkka RUSKA

Minister for Agriculture and Forestry
General Director, Ministry of Agriculture**Sweden:**

Ms Ingrid HJELT af TROLLE

Deputy Permanent Representative

United Kingdom:

Mr David MILIBAND

Secretary of State for the Environment, Food and Rural
Affairs**Commission:**

Ms Mariann FISCHER BOEL

Mr Stavros DIMAS

Mr Markos KYPRIANOU

Member

Member

Member

The Governments of the Acceding States were represented as follows:

Bulgaria:

Mr Roussi IVANOV

Deputy Permanent Representative

Romania:

Mr Nicolae Flaviu LAZIN

Secretary of State, Ministry of Agriculture, Forests and
Rural Development

ITEMS DEBATED**WINE**

The Council held a policy debate, based on a presidency questionnaire (12647/06 Annex), on certain key issues of the Commission's Communication on the wine sector reform (10851/06+ADD1).

The Council invited the Special Committee on Agriculture to continue the examination of the Communication and to present a report to the next session of the Council.

The positions of the delegations as regards the questionnaire can be summarised as follows:

- (1) Question 1: Is option 2 or option 3 the most adequate solution to the current difficulties of the wine sector? In this context, should we envisage a combination of these options?¹

A large number of delegations supported option 2 as initially proposed by the Commission in its Communication; however some delegations either expressed their interest in option 3 or could envisage combining certain elements of option 3 with option 2;

- (2) Question 2:

- (a) To what extent would the proposed combination of the grubbing-up scheme, abolition of planting rights scheme and abolition of specific market measures contribute to improving the sector's competitiveness and achieving better balance on the market?

While many delegations stressed that grubbing-up should not be an objective in itself and should be subject to environmental, social or other criteria, several delegations supported the measure, as long as it was decided on by Member States on a national or regional basis, and managed through a national envelope. Some of these delegations suggested that Member States be granted greater flexibility when managing this envelope. Many producer Member States were reluctant to countenance the abrupt abolition of the planting rights scheme. Finally as regard specific market measures, several northern and eastern producer Member States opposed the ban on the use of sugar suggested by the Commission.

¹ It is recalled that the options identified by the Commission are:

Option 1: status quo with possibly some limited adjustments

Option 2: profound reform

Option 3: reform along CAP reform lines

Option 4: deregulation of the wine market.

- (b) If market management measures were to be abolished, should this be applied from day one or progressively and to what extent should alternative safety net mechanisms be permissible under the national envelope?

In general, while many delegations acknowledged the need to abolish certain market measures, they believed that a progressive elimination was preferable, with some delegations preferring to retain some of the measures that proved to be efficient. Some producer Member States also supported the possible introduction of a safety net mechanism to be financed from within the national envelope.

- (3) Question 3: Early retirement, agri-environment support, support to investments at producers and processing level, and the other measures are already available in the rural development menu. Do you agree with the proposed transfer of funds from market to rural development and that these be ring-fenced for the wine producing regions?

While several delegations favoured a possible transfer of funds from market to rural development or could examine this possibility, a certain number of producer Member States were opposed to such transfer, arguing that the funding for restructuring the sector would be reduced .

Commissioner Fischer-Boel welcomed the broad support from delegations for an in-depth reform of the wine sector. She stressed that the grubbing-up scheme was voluntary , where the individual producer would take the decision to leave the sector with a digressive premium in order to provide incentives to restructure and modernise the sector rapidly.

GENETICALLY MODIFIED OILSEED RAPE PRODUCTS

In the absence of a qualified majority, the Council was unable to act on the Commission's proposal for a Decision concerning the placing on the market in accordance with Directive 2001/18/EC of oilseed rape products (*Brassica napus* L., lines Ms8, Rf3 and Ms8xRf3) genetically modified for tolerance to the herbicide glufosinate-ammonium (11640/06, 12628/06+REV1).

The proposal is now being sent back to the Commission, which will adopt it on expiry of the threemonths' deadline imposed on the Council.

The aim of the proposal is to authorise the placing on the market of the above-mentioned oilseed rape products. The authorisation would apply to all uses with the exception of cultivation and uses in food and would be valid for 10 years.

On 5 December 2005, the Commission consulted the Regulatory Committee on the deliberate release into the environment of GMOs which, despite the favourable opinion delivered by the Food Safety Authority, was unable to give an opinion.

On 11 July 2006, the Commission accordingly submitted its proposal to the Council, which has a 3 month period from that date within which to act by qualified majority.

PLANT PROTECTION PRODUCTS AND PESTICIDES - *public deliberations and public debate*

The Council took note of information provided by the Commission on a proposal for a Regulation (11755/06 +ADD1) concerning the placing of plant protection products on the market.

Commissioners KYPRIANOU and DIMAS also presented a Communication on a thematic strategy on the sustainable use of pesticides and a proposal for a Directive establishing a framework for Community action to achieve a sustainable use of pesticides (11902/06, 11896/06) .

Both Commissioners explained their main objectives as follows:

- The proposed Regulation, which will be handled by the Agriculture and Fisheries Council, will replace existing legislation in this sector, and aims to ensure the highest protection for consumer and animal health and the environment whilst reducing administrative burdens and enhancing competitiveness.
- The Communication and proposed Framework Directive, which will be handled by the Environment Council, set forth a comprehensive strategy and legislative measures for improving the protection of health and the environment, focusing, in particular, on the *use* of pesticides.

Giving their first reactions, certain Member States identified a number of issues that will require further examination, including the need for specific rules on parallel imports, the proposed principle of compulsory mutual recognition within a three-zone system, and ways of taking into account the varying needs of individual Member States and ensuring that plant protection products are available for minor crops.

The Council took note of the Commission's proposals.

OTHER BUSINESS

– Avian influenza

The Council took note of the Written Information on Avian Influenza (update) (12890/06) from Commissioner Kyprianou .

– Bluetongue

The Council took note of a request (12732/06) from the Belgian delegation on bluetongue, supported by the French, Italian, Dutch, Polish, German and Luxembourg delegations.

In the context of the measures proposed for a gradual easing of the restrictions necessitated by bluetongue, Belgium wished to export the free areas of other Member States ruminants intended for immediate slaughter after appropriate insecticide treatment, in order to relieve the economy of the agricultural sector. The Belgian delegation noted that the compulsory pre approval by a Member State of destination for an export from an infected area of live animals intended for slaughter represented a further obstacle to trade and improvement of the sector.

Commissioner Kyprianou acknowledged the very particular case of this bluetongue virus strain which unusually affected northern European Member States and admitted that the strict measures taken for surveillance and observation caused increased pressure on farmers' trade and exports. However he noted that the current measures taken had been adopted last year and applied to Member States and that the restriction on the movements of ruminants in the affected areas did not represent a complete ban.

He stressed in any case, the need for pre approval from the Member State of destination before receiving animals from the surveillance zone. However he noted that various stakeholders had raised this issue and that measures aimed at relieving the trade situation would be discussed at the end of this week by the Chief Veterinary Officers (CVO). Finally, he warned that experts expected the disease to spread until the cold weather of winter arrived and believed that, it would probably return next year. Against that background he indicated that Member States were to contain the disease and protect their unaffected regions while continuing to allow trade flows.

The bluetongue epizootic has appeared in Belgium this summer in defined, controlled areas. Bluetongue is an insect-borne viral disease which affects domestic and wild ruminants. It does not affect humans and there is no risk of the disease being contracted or spread through meat or milk. Bluetongue is frequently reported in southern Europe, particularly in parts of Italy and Spain. In

Belgium, the virus was confirmed on several sheep holdings. The measures to control and eradicate the disease include control of vectors (use of insecticides on animal premises and in areas where vectors are present, insect repellents on animals, mosquito-nets, etc.), restriction on movements of live ruminants from affected areas to non-infected regions where the vector is present and then use of vaccines.

The disease neither imposes a slaughter requirement nor has any impact on public health.

– ***School milk scheme***

The Council took note of a request (12592/06) from the Danish delegation, supported by the Estonian, German, Maltese, Swedish, Dutch, Latvian, Cypriot, Finnish, Luxembourg and United Kingdom delegations, concerning the school milk scheme.

On the basis of nutrition recommendations and public opinion, the Danish delegation requested in particular the introduction of optional measures, with the granting of the highest subsidy to products with lowest fat content, the exclusion from the scheme of products with a high fat content and/or a high sugar content and the inclusion of more low fat products.

The Polish, Austrian and Slovak delegations indicated their support for greater flexibility, and a simplified scheme but were against granting higher subsidies to lowest fat content products. These delegations noted in particular that such an initiative would not take into account the investments already made by milk producers and farmers.

Commissioner Fischer Boel indicated that since 2004 and the last review of the milk sector, a certain range of products had been eligible for support and that Member States had been granted the option of adding a national top-up for low-fat content products. She noted that her Services were currently working on different suggestions raised by Member States but recognised that the initial objectives of the school milk scheme had changed since its creation now that greater account than before was taken of obesity problems and nutritional aspects . She agreed to return to this issue at a later stage.

– ***Fires in Greece***

The Council took note of a request from the Greek delegation (12743/06), supported by the Spanish delegation, concerning the fires that broke out in Greece, and in Spain, during this summer and destroyed forests as well as agricultural structures such as olive grove, in particular in less-favoured areas.

Greece requested an expression of Community solidarity, the European Commission's contribution and help in taking the necessary steps in order to deal effectively and immediately with the problems caused by the fires.

Commissioner Fischer-Boel stressed that she was well aware of the seriousness of the damage caused by the fires in Greece and other southern European Member States. She mentioned that two Community instruments could be used by Greece and Spain, namely the EU Solidarity Fund in order to provide an effective and rapid response to the damages caused, and the Rural Development Programmes which provide for restoration of agricultural and forestry structures and tools for prevention. She encouraged Greece and Spain to apply for the EU Solidarity Fund provided that the relevant eligibility criteria were met and emphasised that her Services would provide full support in order to see the Rural Development Programmes could be useful for the affected countries.

– *Exceptional climatic conditions*

The Council took note of a request from the Belgian delegation (12706/06), supported by the Latvian delegation, informing the Council of the exceptionally bad weather conditions that affected Belgium this summer - low rainfall and high temperatures in July, heavy rain in August - and that caused decline in production and quality and prevented the harvesting of cereals, flax vegetables and other crops as well as pastures. The Belgian and Latvian delegations indicated that they would notify the Commission services very soon of the national support measures to be adopted by their national authorities.

Commissioner Fischer Boel took note of the Belgian and Latvian requests and indicated that the Commission would examine the compatibility of these measures with the legal framework on State aid.

– *Risk and crisis management in agriculture*

The Council took note of a request (12705/06) from the Lithuanian delegation, supported by the Czech, Latvian, Polish, French, Hungarian, Slovak, Cypriot and Luxembourg, delegations about the recent repeated natural disasters and their negative consequences in the agriculture sector.

The Lithuanian delegation expressed the wish to reopen the debate on risk management following the presentation by the Commission in March 2005 of a Communication (7177/05) on this issue and suggested that appropriate tools in Lithuania could include partial compensation by the Community in respect of premiums paid by farmers for insurance against natural disasters with the objective of having a minimum of 50% of the farmers covered by an insurance scheme by 2010, and a flexible use of Community co-financing for mutual or loss compensation funds. The abovementioned delegations welcomed the idea of opening the debate on crisis management in agriculture.

Commissioner Fischer-Boel thanked Lithuania for its contribution to the debate and reminded the delegations that the Commission Communication last year indicated that measures to compensate for the risks in agriculture had to be WTO-compatible, would require public co-financing and could not undermine the existing risk management programmes in some Member States. She indicated that an in-depth study would soon be carried out together with some Member States and that the Ispra Joint Research Centre (JRC) was currently compiling a report on the issue of climate change. She warned against any hasty decision before the various reports came out, and indicated that she had instructed her Services to introduce tailor-made management tools in the wine and fruits and vegetables sectors while preparing the reform of both of these sectors.

– ***World Trade Organisation***

The Council took note of a request (12744/06) by the French delegation, supported by the Italian, Irish, Polish, Hungarian, Austrian, Cypriot, Spanish, Portuguese and Luxembourg delegations, concerning the WTO negotiations.

The French delegation noted that the Doha Round negotiations had been suspended indefinitely by the Director-General of the WTO at the end of July. However, the various players in the negotiations had not ceased their activities altogether: meetings have been held by the G20 and Cairns Group, giving rise to press statements, correspondence had been exchanged between Member States, the Commission and the US authorities. In this context, the French delegation urged prudence, stressing that the EU was already at the limit of the mandate agreed by the Council and that now was the time for other negotiating partners to demonstrate their willingness to make further steps towards an agreement.

Commissioner Fischer-Boel stressed that nothing had changed since July 2006, and therefore nothing new had been put on the table by the EU in Rio. She reiterated her wish for a deal, underlining the risk of the EU facing various panels at the WTO if no agreement was found. She indicated that all issues concerning the negotiations were pending before the elections in the United States but that there might be a possibility of relaunching discussions by the beginning of 2007. However she made it clear that a resumption of the talks would also depend on the legislative majority in the House of Representatives. Finally she emphasised that any move away from the mandate granted to the Commission would require in any case a decision by the Council. The Presidency concluded that the Commission's negotiating mandate remained that defined by the Council in its conclusions of October 2005 and June 2006 and that the Council would keep the matter under review.

– ***Maize for intervention***

The Council took note of a request (12811/06) from the Hungarian, Austrian and Slovak delegations, supported by the Polish, Czech, Slovenian, French, Italian delegations, concerning the Commission proposal on amending Regulation (EC) No 824/2000 concerning quality requirements of maize for intervention.

The proposal would amend, inter alia, Annex I of the Regulation, concerning certain quality conditions of cereal batches intended for intervention takeover. In the case of maize, it tightens the requirements on moisture content, and broken and overheated grains significantly and introduces a minimum specific weight requirement.

According to the Hungarian, Austrian and Slovak delegations, this proposal would have the effect of excluding the vast majority of maize produced in the central European region for intervention and imposes extra costs on producers. These delegations required more time before adopting such measures in order to enable maize producers from landlocked countries to make any necessary adjustments and to change their seed varieties before the next harvest and indicated that this decision, having strong political consequences, might have to be discussed by the Council.

Commissioner Fischer-Boel, having noted that the EU had been traditionally an importer of maize until 2004, indicated that the situation had dramatically changed since the accession of the new Member States. She pointed out that during the last two marketing years there had been a continuous presence of maize stocks on the European markets. Stocks currently exceeded 5 million tonnes with very limited outlets. She stated that for technical reasons, it had been decided to upgrade quality criteria for the maize stored as it is not possible to store maize in the same conditions and for the same period as other cereals. She acknowledged the potential problems this proposal created in some regions and agreed to adjust the proposals if need be. She made it clear that she remained open for discussion with specific Member States facing these problems.

– ***Support for rural development - Community framework for State aid***

The Council took note of a request from the German and Austrian delegations (12891/06), supported by the French, Slovenian, Belgian, Danish, Dutch, Luxembourg, Czech, Italian, Irish and Latvian delegations, concerning the replacement of Regulation 1257/1999 by Regulation 1698/2005 on Rural Development and its consequences for the national funding of measures.

The implementing draft for the Rural Development Regulation provides for the authorisation of state aid only under certain strict conditions. The German and Austrian delegations were concerned that rural development measures might no longer qualify in the future for support using purely national funding, or that beneficiaries of aid might only be eligible for a smaller amount of aid than for co-financed measures. Finally these delegations pointed out that an extra administrative burden would be created by the obligation under the aid rules to notify nationally financed measures separately. Consequently these delegations required that the Community guidelines for State aid in the agriculture sector and implementing rules for rural development be formulated so that the same practice for providing support as previously could be used.

Commissioner Fischer-Boel took note of the concern expressed by the delegations that guidelines on State aid might limit certain aid practices in the area of rural development and gave assurances that guidelines were being reviewed in order to provide for consistency between State aid and rural development rules.

– *Future works*

An informal meeting of agriculture ministers will take place from 24 to 26 September 2006 in Oulu (Finland).

The next meeting of the Agriculture and Fisheries Council will be held in Luxembourg on 24 and 25 October 2006.

OTHER ITEMS APPROVED

AGRICULTURE

Aegean islands

The Council adopted a Regulation laying down specific measures for agricultural products to remedy the difficulties caused by the remote and insular nature of the smaller Aegean islands and amending Regulation 1782/2003 (*11704/1/06*).

Levy in the milk and milk products sector *

The Council adopted a Regulation amending Regulation (EC) no 1788/2003 establishing a levy in the milk and milk products sector (*11873/06, 12440/06 ADD1*).

In order to improve budgetary forecasting and make budgetary management more flexible, the levy introduced by Regulation (EC) No 1788/2003 is now due to be paid in the period running from 16 October to 30 November of each year. This provision will apply from 1 September 2006.

In addition, the Regulation has been amended in order to make it possible to use any unused quantities for direct sales remaining in the national reserve, by allowing in the 2005/2006 period for a single transfer of the reference quantities for direct sales to the reference quantities for deliveries, if requested by a new Member State.

Plant protection products on the market

The Council opposed the proposals for Council Directives concerning the inclusion under strict conditions of azinphosmethyl and vinclozolin as active substances in the positive list of Council Directive 91/414/EEC on the placing of plant protection products on the market.

TRANSPORT

Agreement on air services with Paraguay

The Council adopted a decision approving the signing and provisional application of the agreement between the EU and Paraguay on certain aspects of air services.

The agreement is the result of negotiation under a mandate by which the Commission can negotiate with any third country with a view to bringing Member States' existing bilateral aviation agreements with that country into line with Community law.

Driving licences *

The Council adopted a common position with a view to the adoption of a Directive on driving licences, aimed at improving the free movement of citizens by ensuring mutual recognition of licences by Member States (*9010/06, 12216/06 ADD1*). The United Kingdom delegation abstained.

The text will be sent to the European Parliament for second reading and, following an agreement reached previously, the Directive is expected to be adopted without further amendment.

The common position reflects the aim of the three institutions to recast the existing Directive 91/439/EEC and to add the necessary provisions in order to meet the requirements of a highly mobile society in an enlarged EU. The draft Directive is aimed at improving road safety and reducing the risks of fraud by use of a single plastic card model. The common position therefore addresses the following key issues:

- the one person/one licence approach,
- the obligatory exchange of all existing driving licences documents,
- the access regime to motorcycles;
- the reclassification of vehicle-trailer combinations.

For further information, see press release 7794/06.

AUDIOVISUAL**Protection of minors and human dignity ***

The Council adopted a common position with a view to the adoption of a Recommendation of the European Parliament and of the Council on the protection of minors and human dignity and on the right of reply in relation to the European audiovisual and on-line information services (*9577/06, 12218/06 ADD1 REVI*). The United Kingdom delegation abstained.

The common position will be sent to the European Parliament for second reading.

The draft Recommendation calls on the Member States, industry and interested parties e.g.(viewers' associations), as well as the Commission, to enhance the protection of minors and human dignity in the broadcasting and Internet sectors. It also recommends that Member States consider the introduction of measures regarding the right of reply in relation to online media.

It builds upon Council Recommendation 98/560/EC of 24 September 1998¹, which remains valid. It responds to the new challenges both in quantitative (more “illegal” content) and qualitative (new platforms, new products) terms that technological developments bring in this field.

The draft Recommendation addresses the following questions:

- media literacy (*i.e.* media education programmes);
- cooperation and sharing of experience and good practices between self-regulatory, co-regulatory and regulatory bodies, responsible for rating or classifying of audiovisual content;
- action against discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in audiovisual and on-line services;
- right of reply in relation to on-line media.

SOCIAL POLICY

EU Institute for Gender Equality *

The Council adopted a common position with a view to the adoption of a Regulation establishing an European Institute for Gender Equality (*10351/06, 12220/06 ADD1*).

The text will be sent to the European Parliament for second reading.

The European Institute for Gender Equality will serve as a centre of excellence at EU level and will provide technical support to the Community institutions and Member States, in particular as regards the collection and analysis of comparable data and statistics, and will aim to develop methodological tools for integrating gender equality policies (gender mainstreaming), as well as to increase awareness among EU citizens.

In the common position, the Council has, with exception of questions relating to the composition of the Management Board and the Advisory Forum, largely followed the Commission's amended proposal.

¹ OJ L 270, 7.10.1998, p. 48.

INTERNAL MARKET**European standardisation**

The Council adopted at first reading a Decision on the financing of European standardisation (*PE - CONS 3619/06*). This decision establishes the rules concerning the Community's contribution to the financing of European standardisation. European standardisation is an essential tool for supporting Community legislation and policies.

Once signed by the President of the European Parliament, the President of the Council and the Secretaries-General of the two institutions, the legislative act will be published in the Official Journal of the European Union.
