



Brussels, 18 November 2009

Background note¹
AGRICULTURE AND FISHERIES COUNCIL
Brussels, 20 November 2009

*The Council will start, under the chair of Mr **Eskil Erlandsson**, Minister for Agriculture of Sweden, on Friday 20 November at 09.30 dealing with **agriculture**.*

*The Council will be invited to adopt, without discussion, in the presence of Mariann Fischer Boel Commissioner responsible for Agriculture and Rural Development, measures intended to improve the situation on the **dairy market**. The Council could also adopt a decision authorising **Poland** to grant **state aids** for the purchase of agricultural land. .*

*Over lunch, the ministers and Mr Joe Borg, Commissioner responsible for Fisheries and Maritime Affairs, will discuss the framework for decision-making in the future **Common Fisheries Policy**.*

*After lunch, the Council will be invited to adopt a decision on **genetically modified maize MIR 604** and will continue dealing with fisheries.*

*The Council will be informed by the Commission and hold an exchange of views on the Bilateral Fisheries Agreement with **Norway**. The Council also aim to reach political agreement on the fishing opportunities for certain **Black Sea fish** species. The Council will then endeavour to reach political agreement on the conservation of fisheries resources through **technical measures**.*

The Presidency is likely to hold a press conference at the close of the Council meeting.

Public events can be followed via videostreaming:

<http://video.consilium.europa.eu/>

Video coverage will be available for preview and download in broadcast quality (MPEG4):

<http://tvnewsroom.consilium.europa.eu>

¹ This note has been drawn up under the sole responsibility of the Press Service.

AGRICULTURE

Dairy market: Disturbance clause extended to dairy products - Changes to the quota buying-up scheme

The Council will intend to adopt, as an A-item a regulation extending the "**disturbance clause**" and changing, on a voluntary base, the operation of **quota buying-up** schemes for the 2009/2010 and 2010/2011 campaigns ([14270/09](#)).

Poland state aids

The Council could adopt a Decision authorising Poland to grant state aids for the purchase of agricultural land between 1 January 2010 and 31 December 2013 ([13962/09](#)).

The total aid for the period 2010-2013 amounts at PLN¹ 400 million².

In application of Article 88(2) of the Treaty, the Council must, acting unanimously, make known its attitude within three months of the application being made by a Member State for authorisation to grant such aid.

The Polish application was presented to the Council on 19 October.

PUBLIC HEALTH

Genetically modified maize MIR 604

The Council will be invited to adopt or to reject, by qualified majority, a decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize MIR604 (SYN-IR604-5) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council ([15375/09](#)).

¹ Poland zloty

² around EUR 96, 75 million

FISHERIES

EC/Norway agreement: annual consultations for 2010

The Council will be informed by the Commission about the first round of negotiations (16-20 November 2009 in Bergen) on the annual consultations with Norway for 2010 and hold an exchange of views preparing the second round (30 November-4 December).

Black Sea

The Council will endeavour to reach political agreement on a draft regulation fixing the fishing opportunities in the Black Sea for 2010 ([14074/09](#)).

This proposal is of concern only to Bulgaria and Romania and for two species only - turbot (*Psetta maxima*) and sprat (*Sprattus sprattus*).

Technical measures

The Council will consider the last unresolved issues concerning the conservation of fisheries resources through technical measures, with a view to reaching **political agreement** on the draft Regulation ([10476/08](#)).

Ministers will decide in particular on minimum landing sizes (MLS) for plaice, scallops, nephrops, cockles and short-neck clams, mesh sizes, one-mesh size rule, gillnets and the delegation of implementing powers to the Commission.

The overall aim of the proposal is the conservation of the stocks by improving selectivity for many threatened stocks in the North Sea.

The European Parliament gave its opinion on the proposal on 22 April 2009.

Some measures intend to replace the transitional measures which were traditionally adopted in the annual TAC and Quotas Regulation. These have to be adopted by 1 December 2009 in order to avoid a legal vacuum due to the entry into force of the Lisbon Treaty under which this will no longer be possible.

For the other technical measures, which are currently mostly ruled by Regulation (EC) 850/98, adoption after 1 December would come under the co-decision procedure.

OTHER BUSINESS

Statement on Community action reducing incidental catches of seabirds

- *Information from the Commission ([16029/09](#))*

Application to the Council concerning the approval of State aid for the purchase of agricultural land

- *Request from the Hungarian delegation*

Following the Polish request above, Hungary requests that the Council supports the prolongation of Hungarian State aids for the purchase of agricultural land beyond 31 December 2009.

Decision on the granting of a state aid by the authorities of a Member State should be adopted by unanimity pursuant to Article 88(2), third subparagraph, of the EC Treaty ([16153/09](#)).

Application to the Council concerning the approval of State aid for the purchase of agricultural land

- *Request from the Latvian and Lithuanian delegations*

Latvia and Lithuania request that the Council supports the prolongation, beyond 31 December 2009, of their national state aids for the purchase of agricultural land.

Decision on the granting of a State aid by the authorities of a Member State should be adopted by unanimity pursuant to Article 88(2), third subparagraph, of the EC Treaty.

Facing the new challenges of forests in Europe

- *Request from the French delegation ([16061/09](#))*

The difficult situation of the market in the pigmeat sector

- *Request from the Belgian delegation ([16138/09](#))*

Electronic identification of sheep and goat

- *Request from the Hungarian and Slovak delegations, supported by the Czech delegation*

The Hungarian delegation will express its concerns that electronic identification of sheep and goats is mandatory after 31 December 2009 ([15862/09](#)).

It will propose that Council Regulation (EC) No 21/2004 as regards electronic identification of sheep and goats is amended or that a new Regulation is set up concerning the identification of young sheep and goats.