



Brussels, 11 April 2011

Background¹
AGRICULTURE and FISHERIES COUNCIL
Luxembourg, 14 April 2011

The Council meeting will address fisheries and agricultural matters; it will start at 11.00 on Thursday 14 April 2011. The Council will be chaired by Mr Sándor FAZEKAS, minister for Rural development of Hungary.

*Concerning Fisheries, the ministers will have an exchange of views on the **review of fishing effort management in western waters**.*

*As regards Agriculture, Ministers could adopt a directive to renew the **inclusion of carbendazim as active substance**.*

*The Council will also have an exchange of views on **agricultural product quality schemes**.*

*Finally, ministers will be briefed on **freshwater aquaculture and inland fishery within the CFP reform**.*

*During lunch, ministers will have a discussion on **the role of innovation in revitalising the traditional way of life in rural areas**.*

A first press conference on fisheries issues will be organised before lunch (+/-13.00). A second press conference on agricultural issues will be organised at the end of the meeting (+/-18.00).

¹ This note has been drawn up under the responsibility of the press office.

Review of fishing effort management in western waters

Ministers will have an exchange of views on a Commission communication on the review of fishing effort management in western waters ([16257/10](#)).

The Presidency will organise the debate in the Council around three key points identified during the discussions on this communication in the working parties :

- The main arguments to continue with this fishing effort regime;
- The need to update and improve the current arrangements in particular as regards the limits for demersal stocks (general or linked to certain key species) and the development of tools for limiting discards;
- The timing for this update and the link of this review with the Common fisheries policy (CFP) reform process.

In November 2010, the Commission presented the communication, which has as its objective to assess the western waters fishing efforts regime of 2003 under 3 aspects:

- the implementation by member states,
- the access conditions to outermost regions in the South Atlantic, and
- the effectiveness of the specific effort rule in the Biologically Sensitive Areas ("BSA").

The western waters regime was first established in 1995 with the objective to safeguard balances that existed at the time of full integration of Spain and Portugal into the common fisheries policy, and to avoid an increase in fishing effort compared to levels observed before such integration. This effort regime was updated in 2003. This update showed overall significant decreases in the allocation of maximum allowable effort to member states and was also characterised by simplification. This regime distinguishes itself from effort regimes under multi-annual management plans: the effort allocation is fixed and does not evolve year-by-year with management targets or quota allocations for underlying stocks.

The conclusions of the communication highlighted that while the 2003 effort regime has succeeded in creating the circumstances for the full integration of Spain and Portugal in the CFP, a better articulation with the long term objectives is needed. In addition, while the BSA contributed to an improved status of some stocks, there is a need to further improve the link between future restrictions and resource management objectives.

The Commission indicated the need to conduct the revision of the 2003 effort regime in parallel with the ongoing reform of the CFP. With this idea in mind, a roadmap will be presented in the spring of 2011 in order to highlight the priorities to be addressed in the near future.

Carbendazim

Ministers could adopt a directive amending Directive 91/414 to renew the inclusion of carbendazim as active substance.

Directive 91/414 concerning the placing of plant protection products on the market creates a harmonised framework for the authorisation and placing on the market of these products. Active substances to be used as plant protection products are assessed and authorised at EU level and are listed in Annex I to this directive. Individual plant protection products containing active substances are assessed and authorised by member states, under harmonised rules.

It is possible under specific circumstances to list in Annex I of this Directive a hazardous substance providing that the exposure is restricted to levels that can be considered to be acceptable.

Carbendazim is a controversial fungicide, due to its intrinsic toxicological properties (mutagenicity and toxicity to reproduction). Therefore the initial inclusion was highly restrictive and limited in time (3 years instead of 10 years in normal). Once the new pesticides regulation (i.e. regulation 1107/2009) will apply, substances of these types cannot be authorised anymore.

The request for renewal of this substance was based on the current legislation. The data on carbendazim have been initially evaluated by a rapporteur member state (Germany), and afterwards by the European Food Safety Authority (EFSA). Both came to the conclusion that as it is possible to predict acceptable uses, carbendazim may be expected to satisfy the requirements laid down in Directive 91/414, provided that adequate risk mitigation measures are applied, and the current restrictive approach is maintained.

For this reason, an inclusion for the concerned substance was proposed, with specific conditions, in particular:

- a limitation of use for certain crops (fungicide on cereals, rape seed, sugar and fodder beet and maize),
- restrictions as regards the application rates to minimise the impact on the environment and exposure,
- a limitation of the validity of authorisations (3.5 years instead of the usual 10 years), and
- a monitoring of data on this substance in the public domain which, in the case of adverse elements, may lead to the reconsideration of the inclusion.

At its meeting on 23 November 2010 the Standing Committee on the Food Chain and Animal Health was unable to achieve the qualified majority necessary to deliver an opinion for or against the renewal of inclusion for carbendazim. In the absence of an opinion it is to the Council to act on the Commission proposal within a three month period.

If a qualified majority for or against renewing the inclusion of carbendazim is not found in the Council, the proposal would then go back to the Commission which would have to decide about this inclusion.

The quality package: agricultural product quality schemes

The Council will have an exchange of views on a proposal for a regulation on agricultural product quality schemes ([17672/10](#))

The exchange of views will be structured around the following questions proposed by the Presidency:

- The intention to stimulate the development of direct sales and production for local markets is indicated in the Presidency conclusions on the Commission communication on the future of the CAP. Do you agree that the 'local farming and direct sales' scheme should be supported by the quality package?
- Would it be helpful for agricultural producers in mountain areas if the quality package include rules for products of mountain farming?

In December 2010, the Council was briefed by the Commission on a "quality package" consisting of two texts:

- a proposal for a regulation on agricultural product quality schemes ([17672/10](#)); and
- a proposal amending regulation No1234/2007 "Single CMO" ([17677/10](#)).

On the basis of the Council conclusions of 22-23 June 2009 on agricultural product quality ([10722/09](#)), the Commission prepared the "quality package", which consists of a set of proposals designed to put in place a coherent agricultural product quality policy aimed at assisting farmers to better communicate the qualities, characteristics and attributes of agricultural products to consumers.

The proposal provides for clarification and simplification of the current procedures for the quality schemes already in place. In addition, the Commission proposes a reinforcement of the traditional specialities guaranteed scheme which, together with protected designations of origin and protected geographical indications, constitute the main elements of agricultural product quality policy in the EU

Several delegations welcomed the Commission proposals as important for maintaining the diversity of agricultural activities in rural areas by reinforcing the recognition of traditional agricultural products. An in-depth examination of the proposals was conducted in the Council preparatory bodies

ANY OTHER BUSINESS

Freshwater aquaculture and inland fishery within the CFP Reform

Ministers will be briefed on a declaration supported by 6 member states concerning the future role of freshwater aquaculture and inland fishery within the Common Fisheries Policy (CFP) reform ([8081/11](#)).

In the perspective of the upcoming reform of the CFP, the landlocked countries Austria, Czech Republic, Hungary, Luxembourg and Slovakia endeavour to draw attention to their common priorities in relation to freshwater aquaculture and inland fisheries and have adopted a joint declaration that was already presented to the Commission in the margins of the Agriculture Council in February 2011.

The declaration highlights the potential of aquaculture and insist on the following points for the future:

- increase the share for freshwater aquaculture in the new European fishery fund;
- enhance support of applied research;
- focus on the needs of small enterprises as well as to simplify and harmonize administrative and financial measures;
- find common solutions on veterinary and disease control issues; and
- promote freshwater aquaculture products as an environmentally friendly alternative to endangered marine fisheries resources.

The declaration emphasizes the distinction between the marine and inland fishery and underlines the specific role of proper management of inland fishery resources that can support rural development and improve biodiversity of freshwaters.
