

PRESS RELEASE

6796/96 (Presse 116)

1918th Council meeting

AGRICULTURE

Luxembourg, 29 and 30 April

President: **Walter LUCHETTI**

Minister for Agriculture,
Food and Forest Resources
of the Italian Republic

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

Belgium:

Karel PINXTEN Minister for Agriculture and Small and Medium-Sized Businesses

Denmark:

Henrik DAM KRISTENSEN Minister for Agriculture and Fisheries
Nils BERNSTEIN State Secretary,
Agriculture and Fisheries

Germany:

Jochen BORCHERT Minister for Food, Agriculture and Forestry
Franz-Josef FEITER State Secretary,
Food, Agriculture and Forestry

Greece:

Stephanos TZOUMAKAS Minister for Agriculture

Spain:

Luis María ATIENZA SERNA Minister for Agriculture, Fisheries and Food

France:

Philippe VASSEUR Minister for Agriculture, Fisheries and Food

Ireland:

Ivan YATES Minister for Agriculture, Food and Forestry

Italy:

Walter LUCHETTI Minister for Agriculture, Food and Forest Resources

Luxembourg:

Fernand BODEN Minister for Agriculture, Viticulture and Rural Development

Netherlands:

Jozias VAN AARTSEN Minister for Agriculture, Nature Management and Fisheries

Austria:

Wilhelm MOLTERER Minister for Agriculture and Forestry

Portugal:

Fernando GOMES da SILVA Minister for Agriculture

Finland:

Kalevi HEMILÄ

Minister for Agriculture and Forestry

Sweden:

Curt MALMBORG

State Secretary, Agriculture

United Kingdom:

Douglas HOGG

Minister for Agriculture, Fisheries and Food

Baroness DENTON of WAKEFIELD

Parliamentary Under-Secretary of State, Northern Ireland Office

Lord LINDSAY

Parliamentary Under-Secretary of State, Scottish Office

Gwilym JONES

Parliamentary Under-Secretary State, Welsh Office

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Commission:

Franz FISCHLER

Member

PRICES FOR AGRICULTURAL PRODUCTS AND RELATED MEASURES (1996/1997)

The Council continued its discussion of the prices for agricultural products and related measures for the marketing year 1996/97, bearing in mind the particular context this year surrounding some of the Commission proposals (e.g. beef and veal).

It held a policy debate on the entire issue, i.e. the general, financial aspects on the one hand and the various sectors (plant products, animal products) on the other. Each delegation focused particularly on its own main problems with the proposals. The sectors most frequently cited were beef and veal, wine, arable crops and flax.

The Commission stressed that budget constraints were particularly severe for the 1997 financial year.

At the close of its discussions, the Council instructed the Special Committee on Agriculture to continue examining the dossiers relating to beef and veal, wine, fibre plants, and arable crops (set-aside rates, monthly increases for cereals, storage costs for sugar) to enable the Council to adopt the price package as soon as the European Parliament had delivered its Opinion.

FRUIT AND VEGETABLES

Having received the European Parliament's Opinion, the Council examined a Presidency compromise on the two proposals for Regulations which was drawn up in agreement with the Commission following the bilateral meetings held at the March 1996 Council meeting.

The compromise covers the following main points:

- product classification (standards)
- producer organizations
- operational fund
- withdrawals
- Community withdrawal compensation
- interbranch organizations
- processed products.

The Council discussed the matter on the basis of the Presidency compromise, which prompted many comments from delegations.

The Council agreed to continue this examination at its next meeting, in May, with the aim of taking a decision on the reform of the fruit and vegetable sector then.

BEEF AND VEAL

Commissioner Fischler reported on the implementation of the conclusions of the special meeting of the Agriculture Council on 1-3 May 1996.

The Council also heard a statement from the United Kingdom Minister on the compulsory selective slaughter programme introduced to eliminate those cows, or in some cases herds, most likely to have been infected with bovine spongiform encephalopathy (BSE).

Following a long and very detailed discussion, the Council adopted the following conclusions:

Council conclusions:

- "1. Referring to the conclusions of its meeting on 1-3 April 1996, in relation to BSE, the Council after two days of discussion has reached the following additional conclusions.
2. The Council confirms that the decision to introduce a temporary ban on the export of live cattle, meat and meat products from the UK should be seen as a safeguard provision. The UK is expected to put in place a series of measures with the combined objective of safeguarding public and animal health and restoring stability on the markets, consumer confidence, and the single market.

In this respect, the Council welcomes the reports by the Commission and the UK on the series of measures already taken in the UK following the implementation of the ban and to follow up on its commitments as laid down in the Council conclusions of 1 - 3 April 1996.

The Council equally takes note of the report by the Community Inspection team which visited the UK on 22 - 24 April 1996 to verify the implementation of the export ban and the improvements in controls made and announced by the UK, and had a positive overall impression. The Council invited the Commission and the UK to pursue the efforts thus undertaken.

The Council however notes that some of the measures still need to be put in practice, in particular in relation to the slaughter of animals over the age of 30 months and destruction of carcasses. Additional missions will be needed to verify the effectiveness and implementation of this programme.

The Council also notes that some deficiencies have been reported in relation to the system of animal identification and traceability and welcomes the UK proposals to introduce a system of animal passports and other improvements in this respect.

The Council agrees that there is a need for an overhaul on a Community basis of the animal identification system and traceability of animal movements, which will allow the Commission and the Member States to improve on animal health controls and safeguard the animal health status of the Community. A system of surveillance on farms and of animal movements will contribute to this objective.

3. The Council has been presented with a proposal by the UK for a selective slaughter programme in accordance with point 6b of the Council conclusions of 1 - 3 April 1996. The Council has heard a report by the veterinary experts who have evaluated the UK proposals, and has considered the UK concept as being a first step in the right direction. The Council has however noted the case for strengthening the programme, through additional measures particularly targeted on herds where a significant number of cases of BSE has been detected. This should contribute to a more substantial and rapid reduction in the incidence of BSE.

To this end, the Council has invited the Commission to further investigate with the UK delegation these additional measures within the Standing Veterinary Committee together with Member States' veterinary experts.

4. The Council takes note that the Portuguese authorities, in accordance with point 6.b) of the conclusions of the Council of 1 - 3 April 1996, have presented a plan for the eradication and control of BSE. Without prejudice to the measures foreseen immediately by Portugal, the Council invites the Commission to consider the plan presented by Portugal positively and as soon as possible, subject to approval by the Commission under the Standing Veterinary Committee procedure.

5. In relation to the scientific aspects, the Council welcomes the initiatives taken by the Commission on two aspects:

(a) asking the Group chaired by Prof. Charles Weissmann to examine the following three questions:

- to review the present state of research in relation to BSE and Creutzfeld-Jakobs-Disease (CJD),
- to recommend to the Commission the need for further research into these questions,
- to specifically review the question of a possible link between BSE and CJD and to identify those research bodies and institutes relevant to carry out the necessary research.

- (b) creating as soon as possible a multi-disciplinary scientific committee, combining expertise on human medicine, veterinary, public and animal health, toxicology and biology, to give scientific advice to the Commission and make policy recommendations on matters of Community competence. In practice this means combining the scientific input already existing into one forceful structure, recognizing the need to maintain scientific advice of more specialized nature.

- 6. The Council considers that the combination of measures put in place by the UK, the proper implementation and follow-up by the Commission, the selective slaughter programme, the additional measures, and lastly the renewed impetus on the need to rely on sound scientific advice for all future decisions, form part of a process which should allow the export ban to be progressively lifted, on a step by step basis.

The Council notes that, in the framework of point 12a of the Council conclusions of 1 - 3 April 1996, the questions of the utilization of gelatine, tallow and semen will be submitted by the Commission to the Standing Veterinary Committee,

- 7. The Council takes note of the market support measures already adopted in line with point 10 of the conclusions of the Council meeting of 1 - 3 April 1996, and invites the Commission to continue to provide appropriate support through all existing instruments.

However, it recognises that a solution to the problems confronting beef producers' incomes can only be provided in the long term by better market balance, and by means of production techniques which correspond to the legitimate expectations of consumers, complemented, as appropriate, by a reinforced promotion programme.

The Council also reiterated its view (paragraph 13 of the conclusions of the Council of 1-3 April) on the importance of improving information to consumers and welcomes the Commission's intention to undertake urgent consultation with the various interests concerned in order to prepare appropriate proposals.

In the meantime, the Council emphasizes the urgency of short-term income support measures to all beef producers, and takes note of the intention of the Commission to suggest concrete measures on further short-term support at the next Council meeting in May. In doing so, the Commission will respect the budgetary constraints referred to in point 10 of the above-mentioned Council conclusions, and will therefore take account of the need to ensure appropriate solidarity both within the beef sector itself and within agriculture as a whole."

OTHER BUSINESS: FREE MOVEMENT OF FRUIT AND VEGETABLES

The Spanish Minister, Mr ATIENZA, told the Council that his Government condemned in the strongest terms the renewed acts of vandalism perpetrated again this year in France against Spanish lorries carrying fruit and vegetables, in particular strawberries.

The French Minister, Mr VASSEUR, unequivocally condemned the acts of vandalism that had occurred in the south of France; he utterly abhorred such actions. He had asked his colleagues in the French Government to take measures against these acts of violence and to step up prevention in future. He assured Spain that the victims would rapidly be compensated.

The President, Mr LUCHETTI, expressed the Council's solidarity with Spain and welcomed France's intention of taking measures.

OTHER DECISIONS

(Adopted without debate. In the case of legislative acts, votes against or abstentions are indicated. Decisions containing statements which the Council has decided may be released to the public are asterisked; the statements in question may be obtained from the Press Department.)

Agriculture

Growth promoters *

The Council adopted by a qualified majority, with the United Kingdom delegation voting against:

- a Directive concerning a prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC;

This Directive clarifies and codifies the requirements of the existing Directives and bans the use of beta-agonists for any purpose whatsoever, except for therapeutic treatment of horses and pets and of cows when calving; such substances may only be administered by a veterinarian.

- a Directive on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC;

This Directive clarifies and improves the current residue detection procedures. Monitoring is to be carried out essentially by means of targeted, unannounced spot-checks. Member States are to draw up, in agreement with the Commission, annual plans for the detection of residues, specifying minimum sampling rates but retaining sufficient flexibility to take account of local conditions. The Directive lays down procedures for investigating and confirming suspected cases of illegal treatment, with possible destruction of the batch of animals concerned where half of the samples taken by representative sampling prove positive when tested for residues of illegal substances.

- a Regulation amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, with regard to penalties.

This Regulation abolishes the provision, deemed inadequate, whereby only animals treated with banned substances are ineligible for beef and veal premiums. Any breeder using banned substances will henceforth lose the premiums for his entire herd for a year. In the event of a repeated infringement loss of premium may be extended to five years. The premiums concerned are the suckler cow and young male bovine animal premiums, the deseasonalization premium and the compensatory allowances provided for in Regulation (EEC) No 2328/91 on the improvement of agricultural structures.

Aromatized wine

The Council adopted by a qualified majority, with the Spanish delegation voting against and the German delegation abstaining, a common position on a Regulation of the European Parliament and of the Council amending Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails.

The Regulation is designed to deal with a number of implementing difficulties experienced by all operators in the sector since the introduction of the basic Regulation (No 1601/91).

The chief amendments concern:

- the possibility of adding fresh grape must with fermentation arrested by the addition of alcohol to wine and the minimum proportion of wine (75%) in aromatized wines and drinks;
- classification of the rules on treatments which may be applied to aromatized wines;
- the definition of Glühwein, as well as the definition of Viiniglögi/Vinglögg, and the introduction of transitional measures relating thereto.

Circulation of feed materials *

The Council adopted, with an abstention by the Italian delegation, a Directive on the circulation of feed materials, amending Directives 70/524/EEC, 74/63/EEC, 80/511/EEC, 82/471/EEC, 82/475/EEC, 91/357/EEC, 91/516/EEC, 92/87/EEC, and 93/74/EEC and repealing Directive 77/101/EEC.

The Directive is designed to regulate the circulation of feed materials and to replace Directive 77/101/EEC on the marketing of straight feedingstuffs with a view to the smooth functioning of the single market. The rules governing the circulation of feed materials are particularly useful in ensuring sufficient transparency throughout the feed chain while improving the quality of agricultural production.

Directive 77/101/EEC allowed the Member States to grant derogations in certain cases, with the result that in some Member States the marketing of both straight feedingstuffs and raw feed materials was regulated and in others only that of straight feedingstuffs. It was therefore possible, as a result of the loopholes in the system, to sell straight feedingstuffs as raw feed materials not subject to regulations. In some Member States the concept of straight feedingstuffs therefore disappeared, giving way to that of raw feed materials.

Marketing of compound feedingstuffs

The Council adopted an amendment to Directive 79/373/EEC on the marketing of compound feedingstuffs.

This Directive is designed to introduce Community measures to remove distortions of trade and guarantee compliance with comparable trading conditions. In conjunction with the Directive on the circulation of feed materials, it lays down special labelling provisions for certain mixtures of raw materials for the manufacture of compound feedingstuffs.

Corrigendum to the Regulation governing the multilateral agreements concluded during the Uruguay Round

The Council approved a corrigendum to Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations. A number of errors had to be corrected.

Marketing standards for eggs

The Council adopted an amendment to Regulation (EEC) No 1907/90 on certain marketing standards for eggs.

That Regulation provides for an exemption for sales of eggs from producers to retailers in certain regions of Finland in view of the specific conditions of egg marketing in those regions.

The amendment adopted removes the less remote regions from that list, since the growing number of packing centres has significantly improved marketing conditions for eggs in those regions since accession. In addition, any future curtailment of the list will be adopted by the Management Committee procedure, for the sake of simplicity.

Fisheries

The Council adopted the Decision on the conclusion of the Agreement in the form of an exchange of letters shortening by one year the duration of the 1992 Agreement on fisheries relations between the European Community and the Kingdom of Morocco.

It also adopted Decisions authorizing the Commission to negotiate

- a new fisheries agreement with Mozambique, and
- Community accession to the General Fisheries Council for the Mediterranean.

Transport

The Council adopted the Directive on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right of freedom of establishment in national and international transport operations.

The Directive corresponds to the Council's common position of 8 December 1995 which the European Parliament approved without amendment.

The Directive establishes a real legislative consolidation involving the repeal of earlier acts. By making Community law simpler and clearer it can therefore contribute to the achievement of a "Citizens' Europe".

Czech Republic: export of certain steel products

The Council adopted the Regulation on the export of certain ECSC and EC steel products from the Czech Republic to the Community. This is the Regulation implementing the Decision of the EU/Czech Republic Association Council of 4 April 1996 establishing until 31 December 1996 a system of double-checking of exports of certain ECSC and EC products from the Czech Republic.

The corresponding Regulations concerning the extension or establishment of double-checking for Bulgaria, Romania and the Slovak Republic were approved at the end of 1995.

Czech Republic, Slovak Republic, Slovenia: wine quotas

The Council authorized the Commission to open negotiations with the Czech Republic, the Slovak Republic and Slovenia on agreements on the reciprocal establishment of tariff quotas for certain wines and agreements on the reciprocal protection and control of wine and spirit designations.

Turkey: 1996 hazelnut quota

The Council adopted the Regulation establishing certain concessions in the form of a Community tariff quota for Turkey in 1996 in respect of hazelnuts.

The Regulation extends the 1995 arrangements for hazelnuts into 1996 in order to take account of the enlargement of the Union. The agreed quota opened under existing Community preferential agreements is 25 000 tonnes; the autonomous quota to take account of enlargement is 9 060 tonnes.

Exploratory talks are under way with Turkey on a specific agreement on the question of the tariff concession for hazelnuts.

Special system of assistance to traditional ACP suppliers of bananas

The Council agreed on its common position concerning the Regulation amending Regulation No 2686/94 which established a special system of assistance to traditional ACP suppliers of bananas. The common position will be sent to the European Parliament under the cooperation procedure.

The amendment made to Regulation No 2686/94, which expired on 28 February 1996, concerns the extension of the system until 31 December 1996.

The traditional ACP banana suppliers are: Belize, Cameroon, Cape Verde, Côte d'Ivoire, Dominica, Grenada, Jamaica, Madagascar, St Lucia, St Vincent and the Grenadines, Somalia and Suriname.

Adjustment of the financial perspective to take account of the conditions of implementation

Pursuant to the Interinstitutional Agreement of 19 October 1993 the Council adjusted the financial perspective to take account of the conditions of implementation.

The ceiling for the Structural Funds subheading (commitment appropriations) is increased, in current prices, by ECU 380 million in 1997, ECU 1000 million in 1998 and ECU 693 million in 1999; the ceiling for the Cohesion Fund subheading (commitment appropriations) is increased, in current prices, by ECU 11 million in 1997 and the overall ceiling on appropriations for payments is increased, in current prices, by ECU 186 million in 1997, ECU 633 million in 1998 and ECU 632 million in 1999.

Appointments

The Council adopted Decisions appointing to the Committee of the Regions

- Mr J. BARROSSO SOARES, member, in place of Mr J.F. BRANCO SAMPAIO,
- Mr F.S. MESQUITA MACHADO, member, in place of Mr J. LACÃO COSTA,
- Mr A.R. MADRUGA DA COSTA, member, in place of Mr J.B. MOTA AMARAL,
- Mr J. LAAN, member, in place of Mr H.H. APOTHEKER,
- Mr N.A. MARQUES DE CARVALHO, alternate member, in place of Mr F.S. MESQUITA MACHADO,

- Ms B.M.C.A. MELO CABRAL, alternate member, in place of Mr R. LALANDA GONÇALVES,
- Ms A.E. VERSTAND-BOGAERT, alternate member, in place of Ms J.G. KRAAIJVELD-WOUTERS,
- Ms J.G. VLIESTRA, alternate member, in place of Mr J. LAAN
- Mr V.D'AMBROSIO, alternate member, in place of Mr G. RECCHI,
- Mr A. GILLES, alternate member, in place of Mr A. KRUPA,

for the remainder of the resigning members' term of office, which runs until 25 January 1998.

Public access to documents

The Council agreed, with the Danish, French, Portuguese and Swedish delegations voting against, to the reply to a request for Council documents made by Mr Tony Bunyan. The Danish and Swedish delegations made the following explanations of vote:

1. Statement by the Danish delegation

"The Danish delegation acknowledges that the reply given in 6591/96 contains positive elements. The individual documents have undergone concrete examination, with the result that the request of the applicant has been partly met.

The Danish delegation does not find, however, that the reasons given for denying access to other documents are satisfactory as the answer does not explain to the applicant the background for denying access in respect of each individual document. Furthermore, Denmark disagrees with the non-release of a number of documents which it considers could have been released if Member States' positions had been disguised.

On a global view of the circumstances of the case, Denmark therefore casts a negative vote,

Denmark requests that the result of the vote and this statement be made public."

2. Statement by the Swedish delegation

"The present case involves a number of documents containing the positions of Member States. Sweden cannot accept the disclosure of these positions without the consent of the Member States concerned. There are furthermore some documents in this case which should not be made public because they concern relations with third countries or matters which should not be disclosed on grounds of security.

Even taking account of these circumstances, Sweden considers that more documents should have been released. Sweden is accordingly compelled to cast a negative vote on the proposal.

Sweden requests that this statement and the result of the vote be made public."