



Malta-EU Steering & Action Committee

AGRICULTURE & FISHERIES



19.06.09

Agriculture and Rural Development

COM (2009) 267 - Proposal for a Regulation of the European Parliament and of the Council concerning the placing on the market and use of biocidal products

The Biocidal Product Directive - Directive 98/8/EC aims to harmonise the European market for biocidal products and their active substances. It establishes a harmonised regulatory framework for the authorisation and the placing on the market of biocidal products, the mutual recognition of these authorisations within the Community and the establishment at Community level of a positive list of active substances that may be used in biocidal products. As mandated by Article 18(5), in October 2008 the Commission drew up a report addressing the implementation of the Directive and the functioning of the simplified procedures seven years after its entry into force.

Further to the proposal already presented, and based on the conclusions of the seven years' report, the present proposal for revision of Directive 98/8/EC aims to tackle the identified weaknesses of the regulatory framework during the first eight years of its implementation, to improve and update certain elements of the system and to avoid problems anticipated in the future.

The proposal provides for simplification of legislation, simplification of administrative procedures for public authorities (EU or national), and for private parties. Moreover it:

- clarifies in much greater detail than in the present text the procedures to be followed for granting authorisations by the Member States and the procedures for mutual recognition of those authorisations;
- sets out in more detail the grounds for waiving data requirements thus enhancing legal certainty for the applicants;
- simplifies the data protection provisions and these are better aligned with the objectives of the Community policy (recovery of costs - protection for newly generated data);



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- establishes a centralised system for the authorisation of certain products thus the products concerned will not need individual authorisation in all or some of the 27 Member States. As a result, enterprises supporting the placing on the market of a low-risk product or a product containing a new active substance will be able to obtain only one (Community) authorisation valid for the whole EU territory.

COM (2009) 275 Proposal for a COUNCIL REGULATION opening an autonomous tariff quota for imports of high-quality beef

Following the amendment of Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostatic action and of beta-agonists by Directive 2003/74/EC of the European Parliament and of the Council of 22 September 2003, the Community brought itself into compliance with the Dispute Settlement Body (DSB) rulings and recommendations. However, the United States considers that the Community is still in breach of its WTO obligations and continues to apply sanctions.

The Community and the United States have been exploring ways of finding a solution to this long-lasting transatlantic trade dispute without prejudice to their respective views on the WTO consistency of the Community measures.

Accordingly, an arrangement whereby the Community would open an additional autonomous tariff rate quota for high-quality beef on an MFN (Most Favoured Nation) basis and the United States would reduce the amount of sanctions is considered to be an expedient way of improving trading relations.

COM (2009) 276 Proposal for a COUNCIL REGULATION amending Regulation (EC) No 733/2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station

The aim of the proposal is to extend for ten years the system for checking compliance with the maximum permitted levels of radioactivity in agricultural products laid down by Regulation (EC) No 733/2008 (codified version of Council Regulation (EEC) No 737/90 which was extended in time by Council Regulation (EC) No 686/95 until 31 March 2000 and by Council Regulation (EC) No 616/2000 until 31 March 2010). This extension is justified because the reasons behind the adoption of Council Regulation 737/90 and its previous extensions remain valid.

The radioactive caesium contamination of certain agricultural products originating in the third countries most affected by the accident still exceeds the maximum permitted levels laid down in the 1990 Regulation. A number of products originating from species living and growing in natural and semi-natural areas may present high levels of caesium-137 contamination and the



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reduction with time of these levels in these products essentially relates to the physical half-life of that radionuclide, which is 30 years.

On the basis of the results of the study which was launched by the Commission, the Committee recommended that all products present in the current list should remain in this list and be subject to checks at the borders of the European Union and concluded that an extension of the provisions of Council Regulation (EC) No 733/2008 for a minimum of ten years would be appropriate.

Finally, it is to be recalled that Council Regulation (Euratom) No 3954/87 allows for the introduction, by means of a Commission Regulation, of different more generalized restrictions in the event of a future nuclear accident or radiological emergency and if such restrictions were to be introduced there would be discrepancies with those set out in Regulation (EC) No 733/2008. Hence there is a need to confirm the provision that the latter will automatically be repealed in the event of the former entering into force.

Other News

Excellent take-up by Member States for first year of School Fruit Scheme - **17/06/2009**

24 of the 27 Member States have opted to participate in the first year of the new EU School Fruit Scheme. The SFS will make available €90 million of EU funds to provide fruit and vegetables to school children and this money will be matched by national and private funds. The SFS aims to encourage good eating habits in young people, which studies show tend to be carried on into later life.

Besides providing fruit and vegetables, the scheme requires participating Member States to set up strategies including educational and awareness-raising initiatives and the sharing of best practice.

An estimated 22 million children in the EU are overweight. More than 5 million of these are obese and this figure is expected to rise by 400,000 every year. Therefore, improved nutrition can play an important part in combating this problem. Furthermore, the scheme will begin at the start of the 2009/2010 school year. All Member States except Latvia, Finland and Sweden will participate in year one of the programme. These countries may join the programme in the future if they wish.

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Three agricultural product names registered - 17/06/2009

The European Commission has added two names of agricultural products and foodstuffs to the Register of Protected Designations of Origin (PDO) and Protected Geographical Indications (PGI): Italian products "Abbacchio Romano" (lamb - PGI) and "Pagnotta del Dittaino" (bread – PDO).

The name of the Polish oil "Olej rydzowy" was added to the list of Traditional Specialities Guaranteed (TSG). Contrary to PDOs and PGIs TSGs are not linked to a specific geographical area, but highlight traditional character, either in the composition or means of production.

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Transparency: Commission will start infringement procedure against Germany if Bavaria refuses to publish CAP beneficiaries – 16/06/2009

The European Commission expressed its extreme disappointment that details of all beneficiaries of the Common Agricultural Policy have not been fully published in Germany. Under EU law, details on all recipients had to be published on the internet by 30th April 2009. The Federal Government announced that the data were finally published online, but the state of Bavaria has decided not to publish. In these circumstances, the Commission has no choice but to start an infringement procedure against Germany.

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Fisheries

Commissioner Borg in Berlin – 17/06/2009

European Commissioner for Maritime Affairs and Fisheries Joe Borg arrived in Berlin and addressed the Bundestag Committee on Food, Agriculture and Consumer Protection and other elected representatives from Northern Germany. The Commissioner also held talks with his German counterpart Minister Ilse Aigner and separately met with representatives of the fishing industry. Mr Borg informed about progress in the implementation of the EU Integrated Maritime Policy adopted by the European Council in December 2007 and outlined the Commission's vision for a root-and-branch reform of the Common Fisheries Policy, as set out in its Green Paper published in April this year. Since Germany has a key role to play in steering the debate on the future of the CFP over the coming year, Commissioner Borg hopes that his visit will help kick-start a debate that ignores taboos and goes beyond preconceived ideas.



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Undoubtedly, the main aim for the Commission is to get European Fisheries back onto a sustainable and profitable footing.

The Upcoming Agriculture and Fisheries Council Meeting 22/23 June

Prior to MEUSAC'S Agriculture and Fisheries Sectoral Committee which will be held on the 25th June (Project House), the Council will draw up conclusions on the future of the Common Agricultural Policy (CAP) after 2013 and especially direct payments, taking as a basis, inter alia, the outcome of the Ministers' exchange of views at the informal meeting in Brno (Czech republic) on 2 June 2009. Furthermore, Mr. Joseph Caruana (Head of Paying Agency) will be attending this meeting and addressing these issues in MEUSAC'S Sectoral Committee.

The Council is then expected to adopt conclusions on agricultural products quality policy and on areas with natural handicaps.

In the presence of Commissioner Vassiliou, the Council will intend to endorse a political agreement on the welfare of animals at the time of killing and to adopt conclusions on the evaluation of existing control measures relating to certain plant harmful organisms.

The Council will continue in public deliberation, trying to reach political agreement on a draft common position on novel foods and on several proposals updating the list of active substances approved for plant protection products.

Moreover, the Council will have an exchange of views based on the Commission's Communication on the sustainable development of Community Aquaculture, with a view to adopt conclusions on the matter. Then the Council will hold a policy debate on the Community control system ensuring compliance with the Common Fisheries Policy rules.

Ultimately, the Council will have an exchange of views on the Commission's Policy Statement on fishing opportunities (TAC & Quotas) for 2010, presented by Commissioner Borg.