



Malta-EU Steering & Action Committee

AGRICULTURE & FISHERIES



31.07.09

Agriculture and Rural Development

COM (2009) 375 - Proposal for a Council Regulation repealing certain obsolete Council acts

A number of acts which were adopted over the last decades have exhausted all their effects, but remain technically into force. They have become obsolete because of their temporary character or because their content has been taken up by successive acts. Several measures linked to the accession of new Member States have become obsolete following their accession. The European Parliament, the Council and the Commission agreed in their interinstitutional agreement on better law making that Community law should be updated and condensed by repealing acts which are no longer applied. Acts which have no continued relevance should be removed from the '*acquis communautaire*', in order to improve transparency and certainty of Community law.

The Commission identified a number of Council acts related to the Common Agricultural Policy, but which are based upon Article 133 of the Treaty, which have exhausted all practical effects, but are formally still in force. It is not within the Commission's powers to declare acts obsolete which were adopted by the Council. In the interest of legal certainty, the Commission suggests that the acts listed in this proposal shall be repealed by the Council.

COM (2009) 407 – Report from the Commission to the European Parliament and the Council in accordance with article 7 of Council Regulation (EC) No 378/2007 of 27 March 2007 laying down rules for voluntary modulation of direct payments

The present report has been prepared following Article 7 of Council Regulation (EC) No 378/2007. In the meantime, the Health Check of the Common Agricultural Policy (CAP) has responded to the need to increase funding for rural development by increasing the rate of compulsory modulation. The Member States applying voluntary modulation will gradually replace voluntary modulation by compulsory modulation, thus better aligning modulation rates



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across the EU. The Commission does not foresee any further initiatives on voluntary modulation in the current programming period 2007-2013.

Voluntary modulation based on Council Regulation (EC) No 378/2007 has either been used for a short period (UK) or still has not been implemented as expected under the rural development programmes (Portugal). It is therefore very early to draw any firm conclusions on the impact of voluntary modulation on the economic situation of farms and their competitive position. Other factors (e.g. rising commodity prices, rising input prices, the credit crunch) have had probably a greater impact on total income from farming than voluntary modulation.

As regard other impacts it should be noted that in UK a wide range of environmental benefits is expected mainly through agro-environmental measures where a significant increase in agri-environmental agreements has been observed.

The Health Check of the Common Agricultural Policy (CAP) has responded to the need to increase funding for rural development by increasing the rate of compulsory modulation. There is therefore no need to come forward with appropriate proposals as suggested in Article 7 of Regulation (EC) No 378/2007.

Fisheries

COM (2009) 399 - Proposal for a Council Regulation establishing a long-term plan for the anchovy stock in the Bay of Biscay and the fisheries exploiting that stock

The European Commission adopted a proposal for a long-term plan to manage the anchovy stock in the Bay of Biscay. The aim of the plan is to maintain the stock at a level that allows it to be exploited sustainably, while at the same time delivering stability and profitability for the fishing sector. Since anchovy is a short-lived species, the plan is based on a simple rule for setting annual fishing possibilities on the basis of scientific advice received just before the fishing season should open on 1 July each year. This approach has been promoted by stakeholders, and should considerably facilitate the management of the fishery and reduce uncertainty for fishermen.

The plan is based on the establishment of an appropriate harvest control rule – a mathematical formula used to determine the fishing possibilities each season on the basis of scientific data. As the anchovy fishing season in the Bay of Biscay runs from 1 July each year until the following 30 June, the stakeholders and Member States concerned would like the anchovy management period to be the same. This means setting the total allowable catch (TAC) and relevant quotas in late June, just after the scientific advice on the state of the stock becomes available, so that Member States can plan their fishing activities properly.



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The short time span between the release of the scientific advice and the start of the fishing season requires a streamlined TAC- and quota-setting arrangement. That is why the plan includes the harvest control rule, which the sector has been advocating. With this rule in place, the Commission will be empowered to establish the TAC automatically on the basis of a formula agreeable to all concerned. In this way, the plan diverges from the general rule that TACs are set by fisheries ministers at their annual December Council meeting.

The long-term management plan for anchovy further extends one of the central aims of the 2002 CFP reform, namely moving away from short-term approaches where fishing opportunities are renegotiated annually, towards a multi-annual approach which provides both greater stability for the industry and clear objectives in terms of sustainable fishing levels.

Other news

CAP Reform: Final stage of EU wine reform to enter into force on 1st August – 31/07/2009

The final stage of the European Union wine reform, agreed by agriculture ministers in December 2007, enters into force on 1st August. The wide-ranging reform, the first stage of which applied from 1st August last year, should bring balance to the wine market, phase out wasteful and expensive market intervention measures and allow the budget to be used for more positive, proactive measures which will boost the competitiveness of European wines. The reform provides for a fast restructuring of the wine sector. It includes a voluntary, three-year grubbing-up scheme to provide an alternative for uncompetitive producers and to remove surplus wine from the market. Subsidies for crisis distillation and potable alcohol distillation will be phased out and the money, allocated in national envelopes, can be used for measures like wine promotion on third country markets, restructuring and investment in modernisation of vineyards and cellars. The reform will contribute to environmental protection in wine-growing regions, safeguard traditional and well-established quality policies and simplify labelling rules, for the benefit of producers and consumers alike. The restrictive planting rights system will also be abolished at EU level from 1 January 2016 onwards, with the possibility for Member States to keep it until December 2018 if they so wish.

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