



**COUNCIL OF  
THE EUROPEAN UNION**

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**ADDENDUM TO THE NOTE**

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from : General Secretariat

to : Delegations

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No. Cion prop.: doc. 5572/07 - COM(200) 17 final

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Subject : Proposal for a Council Regulation laying down specific rules as regards the fruit and vegetable sector and amending certain Regulations

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Delegations will find attached the **statements** made by Council, Commission and Austrian delegation, supported by Belgian delegation, on the draft Regulation mentioned above, to be entered in the minutes of the Council.

STATEMENTS FOR ENTRY IN THE COUNCIL MINUTES

**A. Council statement**

*Statement on school fruit scheme*

"In light of the dramatic increase in obesity amongst schoolchildren, which has been highlighted in the recently published Commission White Paper "A Strategy for Europe on Nutrition, Overweight and Obesity related health issues", the Council invites the Commission to come forward with a proposal for a school fruit scheme as soon as possible based on an impact assessment of the benefits, practicability and administrative costs involved."

**B. Commission statements**

*Statement on environmental actions*

"Environmental actions provided for in Article 9(3) are intended to address environmental concerns associated not only with the production of fruit and vegetables but also with the transport and marketing of fruit and vegetables, and in particular with a view to addressing issues such as the emission of greenhouse gases, air quality, soil and water pollution and the reduction of packaging waste."

### *Statement on marketing standards*

"a) Fresh products

In cooperation with the Member States, the Commission will consider the definition of what constitutes sound, fair and marketable quality for the products referred to in Article 2(1) and a possible reduction of the list of products covered by marketing standards under Article 2(2) and will consider rationalisation of checking operations.

b) Processed products

On a case by case basis, the Commission may consider setting marketing standards for processed products, on request from the industry and/or Member States."

### *Statement on rural development and operational programmes*

"The Commission intends to include, among the implementing rules related to the reform of the fruit and vegetable sector, specific provisions in relation to the coexistence of actions implemented under the operational programmes and measures implemented under rural development programmes.

Those provisions will be similar to the provisions of Article 5(6) of Council Regulation (EC) No 1698/2005 and of Article 2(2) of Commission Regulation (EC) No 1974/2006, which read as follows:

- "6. No support under this Regulation shall be granted to schemes eligible for support under common market organisations, subject to any exceptions yet to be defined, in accordance with the procedure referred to in Article 90(2)."
- "2. Where support under Regulation (EC) No 1698/2005 may exceptionally be granted in accordance with Article 5(6) of that Regulation, for measures falling within the scope of the support schemes listed in Annex I to this Regulation, Member States shall ensure that a beneficiary may receive support for a given operation only under one scheme.

To that end, Member States, when including measures containing such exceptions in their rural development programmes, shall describe in those programmes the criteria and administrative rules they will apply for the support schemes concerned."

***Statement concerning delegation of activities from producer organisations to associations of producer organisations***

"In the implementing rules, the Commission will clarify the drafting of Article 5 by specifying that, where the Council regulation indicates that associations of producer organisations may carry out any of the activities of a producer organisation, this covers also the case where the marketing of products continues to be carried out by the member of producer organisation".

***Statement on phytosanitary issues***

"The Commission will continue to adopt the necessary measures to enforce the phytosanitary requirements laid down in EC Directive 2000/29/CE with regard to imports from third countries when appropriate. The Commission will also continue to ensure that those requirements and controls will guarantee an adequate level of phytosanitary protection for EC fruit and vegetables production by way of the application of phytosanitary measures which are based on international phytosanitary standards and used in international trade in order to assure the absence of harmful organisms in international shipments.

In addition, the Commission will continue to pay attention to carry out Community inspections to those third countries whose exports pose significant phytosanitary risks to crops grown in the Community."

***Statement regarding the Spanish proposal on  
"crisis management and prevention insurance"***

"The Commission declares that the Spanish proposal concerning crisis management and prevention insurance merits a closer examination. However, the proposal raises questions of horizontal nature which require a more fundamental analysis. Consequently, the Commission intends to deal with this in the context of the upcoming Health Check."

***Statement on producer groups - start up aid (Article 7(5))***

"The Commission declares that, in the implementing rules, the Community will continue the current rate of co-financing as set out in Article 8 of Regulation (EC) No 1943/2003."

**C. Austrian delegation's statement**

***Statement by the Austrian delegation, supported by the Belgian delegation***

"Austria continues to oppose the introduction of payment entitlements for fruit and vegetables and potatoes for human consumption. Above all, the possibility of activating payment entitlements for fruit, vegetables and potatoes for human consumption runs counter to the decisions taken under the 2003 CAP reform and leads to distortions of competition.

On the strength of the proposed compromise for the reform of the market organisation in fruit and vegetables and on the basis of the budgetary ceilings and the limited provision in the national reserve, the intention is to activate payment entitlements for fruit, vegetables and potatoes for human consumption as from 2010 at the earliest. The European Commission is therefore urged, in the context of the "Health Check", to devise an appropriate solution which takes into account above all the necessary financial aspects."