



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2008)1832 final

Brussels, 4 June 2008

MINUTES
of the 1832nd meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 28 May 2008
(afternoon)

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Single sitting: Wednesday 28 May 2008 (afternoon)

The sitting opened at 15.07 hours with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Ms WALLSTRÖM	Vice-President	Items 1 to 12
Mr VERHEUGEN	Vice-President	
Mr BARROT	Vice-President	
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	
Ms REDING		Items 1 to 11/12 (in part)
Mr ALMUNIA		
Ms HÜBNER		Items 1 to 11/12 (in part)
Mr BORG		
Ms GRYBAUSKAITĖ		
Mr POTOČNIK		
Mr REHN		Items 11/12 (in part) and 13
Mr KOVÁCS		
Ms KROES		Items 11/12 (in part) to 14
Ms FISCHER BOEL		
Ms FERRERO-WALDNER		Items 11/12 (in part)
Mr McCREEVY		Items 1 to 13
Mr ŠPIDLA		Items 1 to 12
Mr MANDELSON		Items 11 to 14
Mr PIEBALGS		Items 1 to 12
Ms KUNEVA		
Mr ORBAN		Items 1 to 14 (in part)
Ms VASSILIOU		

Absent:

Mr DIMAS

Mr FIGEL'

Mr MICHEL

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The following sat in to represent absent Members of the Commission:

Ms KONTOU	Chef de cabinet to Mr DIMAS
Mr ADAMIŠ	Chef de cabinet to Mr FIGEL'
Mr STUCKENS	A member of Mr MICHEL's staff

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Ms DURAND	Acting Director-General, Legal Service	
Mr SZUCS	DG Communication	
Mr LAITENBERGER	Commission Spokesman	
Ms CARVALHO	Bureau of European Policy Advisers	
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT	Items 11/12 (in part) to 14
Mr BALDWIN	Adviser in the PRESIDENT's Office	
Ms MARTÍNEZ ALBEROLA	A member of the PRESIDENT's staff	Items 1 to 12.
Ms BERGENFELT	A member of Ms WALLSTRÖM's staff	Item 14
Ms ERLER	Chef de cabinet to Mr VERHEUGEN	Items 11 and 12
Ms HOFFMANN	Deputy Chef de cabinet to Ms REDING	Items 11/12 (in part) to 14
Mr LEMAÎTRE	Chef de cabinet to Ms HÜBNER	
Mr PESONEN	Chef de cabinet to Mr REHN	Items 1 to 11/12 (in part)
Mr CHRISTOFFERSEN	Chef de cabinet to Ms FISCHER BOEL	Items 11/12 (in part) to 14
Mr GAMBS	A member of Ms FERRERO-WALDNER's staff	Items 11/12 (in part) to 14
Mr PETERS	Deputy Chef de cabinet to Mr MANDELSON	Item 14
Mr HOUBEN	A member of Mr MANDELSON's staff	Items 1 to 12
Ms BUGNOT	Chef de cabinet to Mr ORBAN	Item 14 (in part)

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Mr BRUNET	Chef de cabinet to Ms VASSILIOU	Items 1 to 12
Ms PINHO	Member of Ms VASSILIOU's staff	Items 1 to 12
Mr ITALIANER	Deputy Secretary-General	Items 11/12 (in part)

Secretary: Ms DAY, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2008)1832/3; SEC(2008)1918/2)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2008)1832)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 26 May.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1831ST MEETING

(20 MAY 2008)

(PV(2008)1831; PV(2008)1831, PART II)

The Commission approved the minutes of its 1831st meeting.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

i) Action to be taken on Parliament's legislative opinions

(SP(2008)3071 and /2)

The Commission decided to empower the Commission Members responsible for the sectors concerned, in agreement with the PRESIDENT and Ms WALLSTRÖM and, if necessary, with other Members concerned, to adopt amended proposals for transmission to Parliament and the Council, as

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set out in SP(2008)3071/2, prepared after the May II 2008 part-session of Parliament, the contents of which were noted.

ii) Sustainability criteria for biofuels – Specifications for petrol, diesel and gas-oil, and promotion of the use of energy produced from renewable sources (directives) – CORBEY and TURMES reports – 2007/0019 (COD) and 2008/0016 (COD)

(SI(2008)1061 to /3; SEC(2008)1960; SEC(2008)1970)

The Commission approved the line set out in SI(2008)1061/3 and authorised its services to intervene in the Council bodies following that line.

4.2. RELATIONS WITH THE COUNCIL

iii) Programming of Council business

(SI(2008)1046)

The Commission took note of the information in SI(2008)1046 on the Council meetings between 22 May and 4 June.

iv) Results of the General Affairs and External Relations Council – External Relations session (Brussels, 26-27 May)

(SEC(2008)1980; SI(2008)1045)

The Commission took note of the information note from Ms FERRERO-WALDNER in SEC(2008)1980.

4.3. RELATIONS WITH PARLIAMENT

v) Results of Parliament's May II part-session

(SP(2008)3069 to /3)

The Commission took note of the information in SP(2008)3069 to /3 on the proceedings of the part-session of Parliament held in Strasbourg from 19 to 22 May.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. *WRITTEN PROCEDURES APPROVED*

(SEC(2008)1920 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 19 and 23 May.

5.2. *EMPOWERMENT*

(SEC(2008)1921 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 19 and 23 May.

5.3. *DELEGATION AND SUBDELEGATION OF POWERS*

(SEC(2008)1922 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 19 and 23 May, as archived in *e-Greffe*.

5.4. *SENSITIVE WRITTEN PROCEDURES*

(SEC(2008)1923)

The Commission took note of the sensitive written procedures for which the time limit expired between 26 and 30 May.

6. ADMINISTRATIVE AND BUDGETARY MATTERS**(SEC(2008)1919/3)****ADMINISTRATIVE MATTERS****(PERS(2008)74/3)****6.1. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF AD14 CHIEF ADVISER**

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr ALMUNIA, the Commission decided, under Article 7 of the Staff Regulations, to fill the post of Chief Adviser in DG Economic and Financial Affairs by transferring in the interest of the service Mr Matthias MORS, an AD14 official and currently Chief Adviser in DG Taxation and Customs Union.

This decision would take effect on 1 June 2008.

6.2. EUROPEAID – APPOINTMENT OF AD15 DIRECTOR

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, the Commission decided, under Article 7 of the Staff Regulations, to fill the post of Director, Asia and Central Asia, in the EuropeAid Cooperation Office by transferring in the interest of the service Mr Dirk MEGANCK, an AD15 official and currently Director, Financial Instruments and Regional Programmes, in DG Enlargement.

This decision would take effect on 1 July 2008.

6.3. EUROPEAID – APPOINTMENT OF AD15 DIRECTOR

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, the Commission decided, under Article 7 of the Staff Regulations, to fill the post of Director, Quality of Operations, in the EuropeAid Cooperation Office by transferring in the interest of the service

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Ms Francesca MOSCA, an AD15 official and currently Head of Delegation in Nicaragua (DG External Relations).

This decision would take effect on 1 September 2008.

6.4. INITIAL COMMUNICATION UNDER ARTICLE 50 OF THE STAFF REGULATIONS

The Commission decided to initiate the procedure laid down in Article 50 of the Staff Regulations with respect to an AD15 official.

**6.5. DG RESEARCH – AD/14 DIRECTOR OF THE RESEARCH EXECUTIVE AGENCY
(PERS(2008)44 TO /4)**

The Commission had before it applications for the post of Director of the Research Executive Agency (REA) (PERS(2008)44 and /2).

The Commission took note of the opinions of the Consultative Committee on Appointments of 2 and 17 April (PERS(2008)44/3 and /4).

The Commission proceeded to consider the applicant's qualifications for the post. On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr POTOČNIK, it decided:

- to appoint Mr Graham STROUD to the post of Director of the Research Executive Agency;
- to second Mr Graham STROUD, in the interest of the service, to the post of Director of the Research Executive Agency, as an AD14 member of the temporary staff, for a period of four years.

These decisions would take effect on a date to be fixed later.

**6.6. DG ENTERPRISE AND INDUSTRY – ADOPTION OF LISTS OF CANDIDATES FOR THE APPOINTMENT OF THE CHAIRMAN, OTHER MEMBERS AND ALTERNATES TO THE BOARD OF APPEAL OF THE EUROPEAN CHEMICALS AGENCY
(PERS(2008)75)**

The Commission took note of the procedure followed, as set out at point 6 of PERS(2008)74/3, and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT, Mr VERHEUGEN and Mr DIMAS, decided:

- to approve the lists set out at point 6 of PERS(2008)74/3;
- to consider these lists as the Commission proposal under Article 89 of Council Regulation (EC) 1907/2006;
- to ask Mr VERHEUGEN to communicate this decision to the Management Board of the European Chemicals Agency (ECHA).

These decisions would take effect immediately.

**6.7. DG PERSONNEL AND ADMINISTRATION – COMMISSION DECISION AMENDING DECISION C(2006)2033 OF 1 JUNE 2006 LAYING DOWN RULES ON THE SECONDMENT OF NATIONAL EXPERTS TO THE COMMISSION
(SEC(2008)1961)**

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT, adopted the decision in SEC(2008)1961.

This decision would take effect on 1 June 2008.

**7. COMMISSION RECOMMENDATION PROVIDING POLICY ADVICE ON THE ECONOMIC AND BUDGETARY POLICY IN FRANCE UNDER ARTICLE 211 OF THE EC TREATY
(SEC(2008)1942 TO /4; SEC(2008)1945)**

The Commission approved the recommendation in the document distributed as SEC(2008)1942/4, for transmission to France.

**8. COMMUNICATION TO THE COMMISSION ON MEASURES TO BE ADOPTED PURSUANT TO ARTICLE 26(2) AND (3) AND ARTICLE 7 OF COUNCIL REGULATION (EC) 2371/2002, AND EMPOWERMENT OF THE COMMISSION MEMBER RESPONSIBLE FOR MARITIME AFFAIRS AND FISHERIES TO TAKE ACTION ON BEHALF OF THE COMMISSION TO PREVENT OVERFISHING OF BLUEFIN TUNA
(SEC(2008)1936 TO /3; SEC(2008)1940)**

The Commission:

- adopted the communication in SEC(2008)1936/3;
- empowered Mr BORG, Member of the Commission responsible for Maritime Affairs and Fisheries, to send letters pursuant to Article 26(2) of Council Regulation 2371/2002 informing the Member States concerned of their non-compliance, during the 2008 bluefin tuna fishing year, with requirements established by Council Regulation (EC) 1559/2007 and by all other relevant Community rules on conservation, control, inspection or enforcement, when failure to comply has been verified by the Commission services;
- decided in principle that, after the time-limit of 15 working days, set in the letters sent pursuant to the Commission Decision of 19 May 2008 and in the above-mentioned letters, for Member States to comment on the remarks made regarding their control systems and to remedy failures in compliance, preventive

measures may be taken in accordance with Article 26(3) of Council Regulation 2371/2002; that these preventive measures would consist mainly in the prohibition of fishing activities by the purse seine fleet of the Member States concerned; that, in order to avoid any discrimination against Community fishermen, these measures would include a prohibition on landings, placing in cages for fattening or farming, and trans-shipment of Eastern Atlantic and Mediterranean bluefin tuna harvested by purse seines of other Contracting Parties to the International Convention for the Conservation of the Atlantic Tuna (ICCAT) and Cooperating Non-Contracting Parties, Entities or Fishing Entities (CPCs), when there is evidence that the CPCs' fishing possibilities in 2008 for purse seines flying their flag are exhausted;

- empowered Mr BORG, Member of the Commission responsible for Maritime Affairs and Fisheries, to adopt on behalf of the Commission the preventive measures described above, as soon as the time-limit of 15 working days has expired without any action from Member States to avoid the overfishing of the quota allocated to their purse seines for 2008 and, as regards other CPCs of the ICCAT, as soon as there is evidence that the fishing possibilities for 2008 of the purse seines flying their flag are exhausted;
- decided in principle that, if evidence shows that the overfishing of the quota allocated in 2008 to the purse seines is imminent and if the fishery is not closed by the Member States concerned, the Commission would take emergency measures in accordance with Article 7 of Council Regulation 2371/2002 in order to prohibit fishing activities for the bluefin tuna purse seine fishery of the Member States concerned when their quota for 2008 is deemed to be exhausted; that, in order to avoid any discrimination against Community fishermen, the closure of the Community purse seine fishery for bluefin tuna would include a prohibition on landings, placing in cages for fattening or farming and trans-shipment of Eastern Atlantic and Mediterranean bluefin tuna harvested by purse seines of other CPCs when there is evidence that the CPCs' fishing possibilities in 2008 for purse seines flying their flag are exhausted;

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- empowered Mr BORG, Member of the Commission responsible for Maritime Affairs and Fisheries, to adopt in 2008, on behalf of the Commission, the emergency measures described above, as soon as there is evidence that fishing possibilities allocated in 2008 to the purse seines flying the flag of Member States or of other CPCs of the ICCAT are deemed to be exhausted.

9. COMMISSION EVALUATION REPORT ON THE OPERATION OF REGULATION (EC) 1400/2002 CONCERNING MOTOR VEHICLE DISTRIBUTION AND SERVICING

(SEC(2008)1946 TO /3; SEC(2008)1956 AND /2)

The Commission adopted the report in SEC(2008)1946/3 and decided to make it available on the Internet, together with the staff paper distributed as SEC(2008)1956/2, the contents of which were noted.

10. RELATIONS WITH THIRD COUNTRIES

10.1. THIRTEENTH NORTH ATLANTIC FISHERIES MINISTERS CONFERENCE (ST JULIAN'S, MALTA, 22-24 MAY)

(SEC(2008)1972)

The Commission took note of the information note from Mr BORG distributed as SEC(2008)1972.

10.2. FIRST MEETING OF THE EU-RUSSIA PERMANENT PARTNERSHIP COUNCIL ON RESEARCH (LJUBLJANA, 26 MAY)

(SEC (2008)1981)

The Commission took note of the information note from Mr POTOČNIK distributed as SEC(2008)1981.

11. DRAFT COMMISSION REGULATION IMPLEMENTING REGULATION (EC) 853/2004 AS REGARDS THE USE OF ANTIMICROBIAL SUBSTANCES TO REMOVE SURFACE CONTAMINATION FROM POULTRY CARCASSES

(C(2008)2210 AND /2; SEC(2008)1949)

12. PROPOSAL FOR A COUNCIL REGULATION AMENDING REGULATION (EC) 1234/2007 ESTABLISHING A COMMON ORGANISATION OF AGRICULTURAL MARKETS AS REGARDS THE MARKETING STANDARDS FOR POULTRYMEAT

(COM(2008)336 AND /2; SEC(2008)1949)

Mme VASSILIOU presented the draft Commission Regulation implementing Regulation (EC) 853/2004 as regards the use of antimicrobial substances to remove surface contamination from poultry carcasses, which she was tabling for approval by the Commission, after which it would be laid before the Standing Committee on the Food Chain and Animal Health.

First she looked back on the in-depth discussions that had accompanied the preparations for the draft Regulation; this was an extremely difficult issue in which a delicate balance had to be found between the need to honour the commitments made in the Transatlantic Economic Council and to take on board the reservations already expressed by many European bodies and stakeholders, in particular in the Council and the European Parliament, on the question of antimicrobial treatments for poultry carcasses.

The draft Regulation she was tabling that day was based on various scientific opinions assessing the risks of antimicrobial treatment for health, the environment and the development of resistance. These opinions suggested that the substances in question could be authorised provided that certain conditions were strictly applied.

Mme VASSILIOU explained that her proposal was underpinned by a firm belief that no international commitment or trade partnership should lead to a situation that undermined the principles of food safety or the health of European consumers, and in particular compliance with hygiene requirements throughout the food chain in accordance with Community legislation.

She then mentioned the conditions laid down in the draft Regulation for the use of antimicrobial substances, viz: (i) as regards the process itself: the use of only one substance, strict definitions regarding the time of exposure to the substance and its concentration; the rinsing of poultry with potable water; the absence of residues on the final product and monitoring of the efficacy of the rinsing to ensure there is no residue – Ms VASSILIOU felt that these conditions guaranteed that the use of antimicrobial substances would not be detrimental to maintaining hygiene standards and that the final product would be free of residues; (ii) as regards the marketing of poultry, appropriate labelling so that consumers are duly and clearly informed; (iii) as regards the environment, suitable mitigating measures relating to the conditions for the collection and treatment of waste water from the abattoirs concerned; and (iv) as regards the authorisation, a period of two years so that additional data could be gathered from operators in order to answer certain scientific questions.

Ms VASSILIOU noted that in the discussions during the preparation of the draft Regulation a number of concerns had been raised concerning the provisional nature of the authorisation. In this regard she stressed that, in view of the scientific evaluations available and, in particular, the lack of data on the use of these substances in the medium and long term, this arrangement was a balanced alternative to automatically applying the precautionary principle and would, moreover, encourage food industry operators in third countries to supply the data requested.

She pointed out that, in any event, the draft being presented that day would have to be submitted for approval to the Standing Committee on the Food Chain and Animal Health or, if that Committee did not give a favourable opinion, to the Council.

On a political level, Ms VASSILIOU described how the draft might be received in the Member States and noted that justifications would no doubt be called for. She stressed that, as a quid pro quo for the considerable efforts being made here, the EU's American partners would have to settle other matters still outstanding in which the Community interest was at stake.

Finally, she hoped she had the confidence of the whole Commission and pointed to the importance of taking a collective decision that had everyone's support.

Ms FISCHER BOEL then briefly presented the proposal for a Council Regulation amending Regulation (EC) 1234/2007 establishing a common organisation of agricultural markets, which comprised two elements.

The first element was a technical consequence of the proposal presented by Ms VASSILIOU, in that authorisation of the substances in question would require the adaptation of certain marketing standards for poultrymeat. The current definition of "poultrymeat", which stated that such meat must not have undergone any treatment other than cold treatment, would have to be adjusted.

Aside from the question of antimicrobial treatment, the proposal also set out to update the marketing standards for poultrymeat following technical developments since 1990.

The PRESIDENT warmly thanked Ms VASSILIOU and Ms FISCHER BOEL for their proposals, particularly welcoming Ms VASSILIOU's efforts to bring about a solution to an issue that had been problematic for some time.

He recalled that the issue had a long history and stressed that it was now vital to find a way out. He noted that the consultations of the European Food Safety Authority and the scientific committees had provided enough information to put forward a proposal to authorise, under certain conditions, the use of certain antimicrobial substances.

He highlighted the decisive role that the Council and Parliament would have on this matter, but also the responsibility incumbent on the Commission to put forward a possible solution now.

He drew attention to the international responsibilities the European Communities had as a member of the World Trade Organisation, according to which any restriction on trade needed to be justified by scientific evidence.

The PRESIDENT recognised how difficult the situation was in the Agriculture and Fisheries Council and the importance of the positions of the Member States and Parliament, but stressed that, from an institutional perspective, the majority at the Council could only be formalised on the basis of a proposal from the Commission.

He restated the scientific basis for the Commission's draft regulation and recalled the risk assessment that had been carried out, from the point of view of health and that of the environment, stressing that these various factors provided the authority to put forward the proposal.

He noted that in-depth preparatory discussions had taken place and expressed the hope that the day's debate would provide a response to all the questions that were asked and would confirm support for the proposal.

The Commission then held an in-depth discussion, during which the following aspects were mentioned:

- the very broad support for and recognition of the efforts made by Ms VASSILIOU to find a balanced solution;
- the need to maintain the high level of safety of foodstuffs in the European Union and the basic principles of its policy on the matter, which was based on prevention and checks throughout the production process;
- the issue of quid pro quos from the partner country concerned, including during future negotiations;

- the response that the proposal might receive from the other institutions, the sector concerned, and European consumers;
- the fact that the available data and scientific opinions received did not lead to the conclusion that the substances in question posed a danger to human health in the short term given the strict conditions of use being proposed, whilst there were no available opinions on the issue of the risk of development of resistance to antimicrobial substances in the medium and long term;
- the importance of the precautionary principle in Community policy on food safety;
- the use made within the Union of the same substances for other purposes, such as the treatment of certain fruits and vegetables;
- the need for appropriate communication to the European public, in particular to consumers and the producers concerned;
- how necessary and yet how difficult it was to reconcile a continuing high level of protection for European consumers with the Union's credibility as a trading partner;
- a restatement of the objectives of the cooperation launched under the auspices of the Transatlantic Economic Council to facilitate the development of trade between the EU and the United States, and the importance of a Commission decision on this matter so as to pave the way for negotiations in various areas, including health and plant health, for which items concerning EU interests had been placed on the agenda of the next Transatlantic Economic Council;
- the usefulness of considering this matter in the general context of the EU's relations with its American partner, taking account of its global, legal, political and trade dimension;
- in this context, the delicate situation with regard to the WTO rules and the legal risks arising from it, and the need to fulfil international commitments;

- various opinions about how long the authorisation should last, with some Members of the Commission arguing in favour of a temporary authorisation in order to facilitate the collection of data, and many others for a permanent authorisation alongside a revision clause that would come into play as relevant data came on stream;
- the importance of labelling in allowing the consumer to make informed choices, but also some questions about what rules and practical arrangements were appropriate for this purpose so as to avoid discrimination against the products involved;
- the need to base this type of decision on scientific opinion, in particularly that of the European Food Safety Authority. Such opinions enabled an objective position to be taken. Confidence was also expressed in Ms VASSILIOU's expertise in risk assessment;
- the importance of continuing research on these matters and the contribution that the seventh framework programme for research and technological development could make in this context in the future;
- questions concerning the provisions on the prohibition of successive or simultaneous use of the chemicals in question.

The PRESIDENT noted the broad support enjoyed by both proposals, placing particular emphasis on the preference that had been stated for a permanent authorisation alongside a revision clause that would be applied in the light of new scientific data.

Ms VASSILIOU then responded to the various comments. Regarding the consultation of the European Food Safety Authority, she too noted the lack of opinions about the long-term effects of using the substances in question in terms of resistance to antimicrobial substances, and stressed the need to obtain data from our American partner concerning the use of those substances. She also recalled the

considerable importance of the rules on labelling and the need for these to be strictly factual and informative.

Concluding the debate, the PRESIDENT again thanked Ms VASSILIOU and Ms FISCHER BOEL for their presentations and the other Members of the Commission for their contributions. He noted their agreement on the following amendments to the draft Commission regulation set out in document C(2008)2210/2:

– recital 21 was to read as follows:

"It is appropriate to approve the use of chlorine dioxide, acidified sodium chlorite, trisodium phosphate and peroxyacids for the removal of surface contamination from poultry carcasses pending further scientific data to be provided by the food business operators in Member States regarding the use of such substances. That information should cover the possible environmental impact and the possible emergence of antimicrobial resistance. Food business operators in Third Countries are invited to submit the data to the latter. These data will be the basis for the review of the authorisation as well as of the conditions of use of these substances."

– the second and third paragraphs of Article 8 were to read as follows:

"It shall apply from the date of application of the Council Regulation amending the definition of poultry meat in point 1 of Part B.II of Annex XIV to Council Regulation (EC) No 1234/2000.

Within two years from the date of application, the Commission shall review this regulation in the light of further scientific data regarding the use of the substances listed in the Annex, and, if appropriate, will propose any necessary adaptations to the authorisation."

Subject to the inclusion of the above-mentioned amendments, the Commission approved the draft Regulation set out in document C(2008)2210/2 and authorised its submission to the Standing Committee on the Food Chain and Animal Health.

It also adopted the proposal for a Council Regulation set out in document COM(2008)336, for transmission to Parliament and the Council, and to the national parliaments.

13. TRENDS IN THE MEMBER STATES

Mr McCREEVY reported briefly on the latest developments in the Lisbon Treaty ratification process in Ireland. In particular he informed the Commission of the results of the latest opinion polls ahead of the coming referendum.

The Commission took note of this information.

14. OTHER BUSINESS

14.1. STATE OF NEGOTIATIONS ON THE DOHA DEVELOPMENT AGENDA IN THE WORLD TRADE ORGANIZATION

Mr MANDELSON reported on the state of play in the negotiations on the Doha Development Agenda, referring in particular to the new text setting out the negotiation arrangements with a special focus on non-agricultural market access (NAMA). He stressed that talks on this matter, as compared with the agricultural issues, were sensitive and still ongoing, and it was difficult to assess at this stage the real impact on the European economy of the various solutions put forward; but he felt that some progress had already been made. He listed the items that still had to be negotiated – the provisions relating to emerging economies, sectoral flexibility measures and the anti-concentration clause, the minimum provisions regarding non-tariff barriers, and specific aspects such as liberalisation of the services sector, trade facilitation, geographical indications and certain other trade rules. With reference to the next stages of the negotiations, and in particular the possibility of a ministerial

meeting being held at the end of June, he restated his determination to continue pursuing the general objective of securing a balanced result at the end of the process.

Ms FISCHER BOEL reported on the negotiations on agriculture, first of all expressing her satisfaction with the substantial progress made, which was a pointer to the shape of the final compromise, provided a balance could be struck with the non-agricultural aspects mentioned by Mr MANDELSON. She reported on the progress made on market access, but highlighted the items still outstanding, in particular the sensitive products sector, export competition and the domestic support chapter, with special reference to the adoption of certain legislative measures on agriculture in the United States. She also mentioned certain other aspects still to be finalised – the tropical products sector, in particular bananas, and the question of geographical indications. She stressed how important it was for the EU to present its position and its limits clearly and hoped that the constructive relations established between the negotiators in Geneva during the latter stages of the negotiations would be maintained at ministerial level, although she had some doubts in that respect. She was convinced of the need to continue the discussions and to redouble efforts with a view to resolving the final questions still outstanding, while remaining within the limits that had been established for agriculture.

The PRESIDENT thanked Mr MANDELSON and Ms FISCHER BOEL for these presentations, which he considered especially important for keeping the full Commission constantly informed. He drew attention to the importance of the impact of the final outcome of these negotiations in terms of growth and employment in the Union. He noted in this connection that while satisfactory results had now been achieved on agriculture, substantial efforts were still required, as the negotiations entered the home straight, on non-agricultural market access, services and other areas of interest such as geographical indications. He underlined the importance of the Council's support in order to strengthen the Commission's negotiating position in the closing stages. He

also referred to relations with developing countries and emerging countries, and the need to find common ground with the various partners and to prevent protectionist attitudes developing in these countries. He was convinced of the need to come to a final agreement and was prepared to make the efforts required to achieve this, while ensuring that this agreement would not be at the expense of Europe's interests. He confirmed the importance of working resolutely to secure a balanced result that would benefit the European economy as a whole.

The Commission then held an exchange of views that revealed:

- unanimous support for the EU's line in the negotiations;
- recognition that the negotiations were entering a critical stage, involving certain risks but also opportunities to secure a good multilateral agreement at international level;
- the exceptional, or even unique, nature of this configuration that brought together all the international players in negotiations on tariff matters;
- the spirit of cooperation shown by the Union in the negotiations and its major constructive contributions;
- the message the Commission wished to see addressed to the interested parties to make it clear that the Union could not accept any result that did not meet the interests of its Member States, its people and the European economy;
- the importance, during the final decisive stage of the negotiations, of maintaining close cooperation and a constant flow of information within the Commission, and of taking particular care with communication on the dossier;
- the need to find a solution that struck a balance between the agricultural and non-agricultural aspects;

- the concern in certain economic and industrial sectors about the way the negotiations on the non-agricultural issues were developing;
- the observation that, despite the good progress made in the negotiations, certain partners had not yet supplied all the information required on all the issues;
- the care to be taken with the definition and composition of the tropical products chapter;
- the importance of an agreement on geographical indications;
- doubts about the usefulness of particularly long transitional periods for certain emerging countries;
- the importance of having an effective anti-concentration clause;
- the watchful eye that must be kept on flexibility measures for the developing countries.

After the discussion, Ms FISCHER BOEL restated her determination to complete the negotiation items still outstanding, particularly as regards tropical products. Mr MANDELSON recommended working to secure an agreement that could be seen as balanced both by the EU Member States and by the developing countries, and also to be aware of the political impact of a final agreement or alternatively of the failure of the negotiations. He promised to keep the Commission Members informed as the negotiations progressed.

The PRESIDENT noted the various concerns expressed during the exchange of views and recommended demonstrating the Union's will to continue the negotiations, while stressing that the final agreement would have to respect European interests. He was prepared to facilitate the regular exchange of information on this process within the Commission.

The Commission took note of this information.

***14.2. SECOND MEETING OF EUROPEAN NUCLEAR ENERGY FORUM
(PRAGUE, 22 AND 23 MAY)
(SEC(2008)1984)***

The Commission took note of the information note from Mr PIEBALGS in SEC(2008)1984.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 17.47 hours.