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FINAL MINUTES

Meeting of the Civil Dialogue Group Animal Products - Poultrymeat and Eggs

16/07/2019

Chair: Mr Łukasz Dominiak, FoodDrinksEurope

Organisations present: All Organisations were present, except Beelife, Beuc, Birdlife, EFFAT, EFNCP, EMB, EPHA and EuroCommerce.

1. Approval of the agenda

The agenda and minutes of the previous meeting were approved.

2. Nature of the meeting

The meeting was non-public.

3. List of points discussed

2. Market Prospects:

   a. Latest information on the market situation for poultry meat including short term outlook

The Commission recalled the importance of a timely submission of production forecast data by the MS experts for producing a reliable short-term poultry and egg production forecast.

Total EU production of poultry meat is estimated to increase by 2.6% in 2019 compared with 2018. For broiler chicken there is a forecast 3% increase, with a 1.2% increase for duck meat. Turkey meat production is forecast to be stable with a slight increase of 0.2%. Growth is expected in the majority of MSs. PL is leading with a 4.6% rise in poultry production, while strong increases in production are expected also in ES, IT, HU and RO.

Imports of poultry meat increased by 13.8% during the period Jan–May 2019 as compared to the same period last year. Imports from Brazil increased by 23%, and are recovering, however they have not reached the 2017 levels from before the

Brazilian meat fraud scandal ('Carne Fraca'). Increase in exports from Thailand, Ukraine and China has also been noted. Imports from UA have been increasing exponentially over the last 3 years due to the imports under the liberalised CN 0207 13 70 for "other cuts".

Recent EU-Mercosur agreement foresees a poultry TRQ of 180,000 tonnes (carcass weight equivalent) duty free, subdivided into 50% bone-in and 50% boneless, phased in over 5 years. It was highlighted that the Mercosur countries (and in particular Brazil) are already a key poultry supplier of the EU (>50% of the total EU imports), although its share in total poultry imports declined over the last two years due to food safety issues. Main products imported are high value boneless cuts, representing more than 90% of EU imports. Therefore, the quota segmentation into 50% bone-in and 50% boneless cuts should avoid concentrating imports in the most sensitive part of the poultry market (boneless) and it is not excluded that Mercosur will not fully use the quota for bone-in cuts.

Exports of poultry meat increased by 12.3% over the first five months of 2019, as compared to the same period last year. Philippines is the main export market, with Ghana and Ukraine following. Exports to South Africa are increasing, however, SA continues to impose sanitary market barriers on the majority of EU exporters, with the exceptions of PL, IE, DK, and ES.

At stakeholder request, the Commission also presented a brief overview of EU turkey market and external trade. Turkey meat constitutes 14% of European Union's total output of poultry, with the production trend increasing. DE, PL, FR, IT, ES and UK account for over 90% of EU turkey output. Turkey meat exports represent limited but stable share with 10-11% of EU poultry exports, while imports constitute up to 6% to 8% in volume and value, respectively.

In the subsequent discussion, the stakeholders raised a concerns over using of potential loopholes in free trade agreements by third countries, as demonstrated by the case of Ukraine and expressed their confidence in the Commission to close any potential loopholes.

The Commission asked the stakeholders about a potential of the frozen bone-in cuts quota foreseen in the FTA with Mercosur being filled up quickly.

b. <u>Latest information on the market situation for eggs including short term outlook</u>

In 2019 total EU egg production is forecast to increase by 2.2% compared with 2018, with the production of eggs for consumption to grow by 2.3% and the production of hatching eggs to grow by 1.1%. The increase in consumption is driven by big producers: FR, ES, UK, PL. The production of hatching eggs is stable, with a substantial increase in PL and ES. In Jan-April 2019 there was an increase in chicks hatched for laying, compared to the same period last year.

In Jan-May 2019 there was a strong decrease in imports (49.4%) compared to the same period of 2018. 55.5% of EU egg imports came from Ukraine.

EU exports of eggs for Jan-May 2019 rose by 27% compared to the same period last year. Japan is the main export market. Export of hatching eggs increased by 23% for Jan-Apr 2019, compared to Jan-Apr 2018, with 50% sent to Russia. Ukraine remains the main trade partner for day-old chicks, with a decline in the EU export to Russia. In general, the export of day-old chicks increased by 10.3%.

Stakeholders pointed out that the drop of egg imports from UA might be due to the eggs being imported as food preparations. The Commission is aware of this classification issue, the CN Explanatory Notes have been amended to clarify that liquid egg is classified as egg and not at food preparation.

The importance of labelling eggs used as ingredients with the method of production was stressed by the delegates. The idea of clearer labelling of EU/ non-EU products, also regarding processed products, emerged.

c. Latest information on the market situation for feed

World wheat production is forecast to be 771 Mt in 2019, with consumption at 760 million tonnes. World maize production is forecast at 1,099 Mt in 2018, with consumption at 1,054 Mt. EU is the largest producer of wheat, with Russia and the US on second and third place respectively.

World maize production is expected to reach 1,105 Mt, with a slightly higher consumption of 1,135 Mt. Brazil and Argentina are harvesting a record crop, while US crop may be impacted by heavy rains.

Total EU cereals production for 2018/2019 reached 290 Mt. In 2018 drought and floods reduced soft wheat and barley production, while EU maize production increased due to record RO harvest. EU maize imports reached a record level at 24 Mt, making EU the largest global importer. The trade balance for 2018/2019 was still in surplus for cereals, but the lowest in 11 years due to lower wheat and barley exports.

2019/20 total EU cereals production is expected to reach 311 Mt, a 7% increase from 2018/19. Increase in exports is also expected.

Global soy bean production is forecast to decline to 347 Mt due to lower production and high stocks in the US. The start of Chinese-US trade war caused a large spread between the US and Brazilian soy bean prices. Total EU oilseed production for 2019/20 is forecast above 32 Mt, nearly 2% below the 2018/19 figures, mainly due to lower rapeseed production. Imports of oilseed meal are expected to slightly increase to 18 Mt.

d. Competitiveness of the EU poultry meat sector

In 2013 a competitiveness study was conducted at the Wageningen University & Research under Peter van Horne. It has been updated in December 2018 and is available at the AVEC website. Van Horne's study concludes that the EU has extensive legislation regulating environment, food safety, and animal welfare. In 2017 the estimated costs of EU regulations amounted to 6.1% of production cost at the farm level. The production cost varies a little between member states. In comparison, third countries have very little or no legislation, and significantly lower production costs both at farm and slaughter level. EU imports high value cuts, such as breast fillet, while exporting lower value products. Import quota and import levies protect the EU from large volumes of imports of poultry meat. The study examined scenarios with lower import levies (50%) and lower exchange rate to the Euro (by 10%), which both lead to a price of breast fillet below the EU level for imports from Brazil, Ukraine and Thailand.

The fairness of competition is questioned with the producers from outside of EU having no or little legislation on topics that are of public concern in the EU. Expected increase in EU legislation coupled with lower import levies or more market access leading to a weaker competitive position for the EU poultry meat industry.

In addition to the findings of the study, figures for Imports of meat into EU 28 for Jan-Apr 2019 have been presented, illustrating that EU imports more poultry than any other type of meat. With extra quotas for poultry meat import allocated recently to Ukraine and Mercosur, approximately 1.2 Mt of poultry meat may be imported into the EU per year in the future. A question was posed to the Commission, on how it will compensate the effects of new concessions and Brexit. This was accompanied by a call for more thorough controls at EU borders, and for origin labelling of EU/non-EU on all poultry meat products, including processed products, as well as food services such as restaurants and hospitals.

The stakeholders pointed out that only the consumers and not the farmers and productions plants benefit from the change in efficiency in poultry production, as the profitability has not changed over the past 35 years. It was also claimed that soon one third of the fillets consumed in the EU would be imported, with European producers losing control over the prices.

The idea of labelling for EU/non-EU origin was supported by other stakeholders and was supplemented with a call for the labelling of animal welfare attributes.

e. <u>Competitiveness of the EU egg sector</u>

In 2019 a WUR report prepared by Peter van Horne was published (based on figures from 2017). It was based on the collected basic data on cage production. According to the findings, in the EU there are relatively small differences between MSs in production costs, while third countries have lower cost for the production of eggs at farm level: USA -24% and Ukraine -22% compared to the EU average. Import levies protect the EU from large volumes of eggs and egg products being imported. In 2017 the share of costs directly related to EU legislation on environment, food safety and animal welfare was 16% of production cost (8.8% in 2010). Outside EU there is little or no legislation in the areas mentioned. There is also a clear difference in housing systems: while some third countries continue to produce eggs using old caged systems that cannot be compared to EU enriched cages, EU production systems tend to shift to barn, aviary or free range and organic, leading to further cost disparities. Two future scenarios were shared, proving that lower import tariffs (50%) as well as lower exchange rate to Euro (10%) will further weaken the competitive position of the EU egg processors.

Compared to previous reports, there is a further weakening of the competitive position for EU egg processors. It was noted that the EU free trade agreements may lead to the sacrifice of fair trade in favour of free trade.

CELCAA representative stressed the fact that there is no national legislation governing laying hen welfare in any of the main countries exporting to the EU. The issue of animal welfare not being part of the FTA negotiations was also raised by stakeholders.

f. New legislation on market transparency: impact on the poultry meat sector

In May 2019 the Commission made a proposal, which was subject to feedback from stakeholders until 19 June 2019. The draft proposal includes an addition of collecting the data of selling prices (for selected processed products and organic production), buying prices, and quantities (when useful). A coordination mechanism has been introduced for the exchange of best practices between Member States and stakeholders. Additionally, MSs can choose if operators can notify directly to the Commission. Unless specified otherwise, only MSs producing or using more than 2% of the EU total have to report.

Regarding weekly prices (Annex I) in relation to eggs sector, there will be a requirement to report the selling price per farming method. For poultry meat, a provision for reporting price of chicken cuts (breast fillet and legs) has been included, as well as the provision for reporting buying price for whole Class A chicken and chicken breast fillets. Regarding monthly prices (Annex II) there was an addition of the requirement to report selling prices of organic whole Class A chickens. Regarding quantities (Annex III), there is an addition of the notification of number of egg production sites broken down by production methods, as well as the notification of volume of production of eggs in shell per farming method (for all MSs).

A vote was scheduled for 26 July, the May proposal has the implementation date of 1 July 2020. On the request of MSs technical guidance is being drafted to aid in the implementation of the proposal.

During the discussion the stakeholders proposed to include the reporting of alternative farming methods for poultry. The Commission replied that while such reporting is not foreseen in the present proposal, the reporting structure provides for a flexibility to include such reporting, if considered appropriate in future.

3. Marketing Standards:

a. Update on the evaluation of EU marketing standards, including Commission Regulation 543/2008 on poultry meat marketing standards and Commission Regulation 589/2008 on egg marketing standards (including marketing standard for foie gras production in the EU)

The evaluation will last eleven months and will end in November 2011. The marketing standards coming into force since 2014 are examined, with all MSs being covered. The Evaluation Study Questions are grouped into five criteria: effectiveness, efficiency, relevance, coherence, and EU added value. There are four case studies on a number of different sectors, including poultry. For the time being the data prepared by the contractor is available only to the Steering Group. Open public consultations are to be launched and will last for 12 weeks, until October 2019.

An EFA representative noted that during the previous CDG it was announced that the consultation would start in May 2019 and would take place until November. There was a concern that this initiative has taken a long time to start and might have been used as a reason to avoid delay action. The Commission representative pointed out that the delay in the start of consultation is due the need for translating the text into all EU languages.

4. <u>Market Access:</u>

a. <u>Mercosur negotiations: current situation</u>

Following the political agreement reached in June, both sides will perform a legal review of the documents, which might take up to one year, with one additional year for the adoption process to the Council and the Parliament for the endorsement of the agreement. The agreement is expected to enter into force in two or three years at the earliest. Next, the concessions will be implemented progressively, with full implementation by the end of the next decade.

Overall, Mercosur will fully liberalise 91% of its current imports from the EU, while the EU will fully liberalise 92% of its imports from Mercosur. With relation to agriculture Mercosur will liberalise 95% of imports from EU, while EU will liberalise 82% of agricultural imports from Mercosur.

EU and Mercosur had different offensive interests during the negotiations, Mercosur’s being agriculture, and EU’s anything but agriculture. The agricultural chapter itself was carefully negotiated. Sensitive agricultural products: beef, sugar poultry and eggs, and ethanol were not subject to total liberalisation and are kept under TRQs. Additionally, 349 EU geographical indications will be protected under the agreement.

The deal foresees two tariff quotas for poultry products with an overall quantity of 180,000 tons duty free (in carcass weight equivalent), divided into 50% boneless and 50% bone-in. The coverage of TRQs is very extensive, in order to avoid potential abuse of the liberalized tariff lines. For eggs there will be two tariff quotas: one for egg yolks and one for albumins, each of 3,000 tons of egg equivalent. The quotas will be implemented in terms of volume in six different stages, the total volumes will not be available until five years from entry into force.

It was assured that the deal will not result in the lowering of food safety standards. Goods imported into the EU must comply with EU requirements, even those introduced after the FTA is signed. As this is Mercosur’s first free trade agreement with another block, the EU and Mercosur’s standards will grow together in the future. For an entire series of rules, such as rules on origin and standards, Mercosur will follow the example of the European Union. Agreed safeguards include the precautionary principle, preserving the right of parties to use the principle when scientific evidence is not fully available – also in terms of sanitary requirements. Additionally, a bilateral safeguard mechanism, which will last up to 18 years after entry into force, entitles both parties to suspend the preferential treatment.

Texts on the SPS and trade development chapters have been made available on the DG TRADE website.

The representative from COPA/COGECA expressed a concern that, due to the liberalised import from Mercosur, instead of adapting EU farmers will have to go out of business. The sector feels that the EU poultry production will have to pay for an agreement that is otherwise beneficial to other EU sectors. Delegates also raised concerns over the doubling of the volume of concessions for poultry meat at the last stage of the negotiations, despite poultry already being the most imported meat into the EU. It was pointed out that Mercosur poultry is cheaper than European due to differences in the implemented standards. Additionally, it was noted that the market shift to processed products means that EU poultry will not be able to compete without labelling the place of origin. AVEC has reminded the negative impact of the FTA with Ukraine and the risk that hard Brexit will create on the European poultry.

The Commission reiterated that imports from Mercosur will continue to be checked, and the food safety standards shall not be lowered. As poultry consumption in the EU is increasing, it is less likely that European farmers will lose their jobs. Adapting in this context is understood as creating products that cannot be offered elsewhere. In addition, the Commission has assured EU's readiness to assist sectors that are adversely impacted by the Mercosur agreement.

b. South Africa: update on safeguard measures and SPS barriers

In 2019 there was a continued growth in imports from EU, which were 130% higher than in the first five months of 2018, despite South Africa introducing the final safeguard duty of 35.3% in September 2018 (reduced to 30% in March 2019).

There are talks with SA to reconsider the application of the poultry safeguard duty. Following the first Meeting of the Joint Council of the EU-SADC EPA in February 2019, there is a possibility to start dispute settlement procedures. In June 2019, an official request was made for consultations on dispute settlement with SACU, as the first step of the dispute avoidance and settlement procedure of the EPA, to come to an amicable solution within 30 calendar days. If no solution is found, the next step, described in articles 79-87 of the EPA, would be to establish an arbitration panel which will need to provide a ruling within 150 days.

Regarding SPS barriers, following the reauthorisation of PL and ES for poultry meat export to SA, no other MS has been added to the list. Subsequent to the reapproval of PL and ES, EU reopened ostrich meat for imports from SA. South Africa is pushing for other reauthorisations; however, it has been clearly stated that other MSs need to be reauthorised for export into SA.

AVEC representative voiced an opinion that this is another example of EU adhering to the rules, while dealing with a third country representing a different mindset. It was pointed out that EU could use other tools at its disposal regarding this issue.

c. Revision of TRQ management: update and consequences for the poultry meat and eggs sector

DG AGRI is preparing a draft delegated and implementing regulation to review the management of the TRQs on agricultural products managed by licences. The aim is to provide uniform rules of managing different agricultural TRQs and to minimize the exceptions. Issues in urgent need of solution are also to be addressed.

At this time 39 poultry TRQs are included, with additional ones added since 2018 through Regulation 2019/398. The management in poultry sector is done according to horizontal rules with simultaneous examination methods.

The technical discussions have been concluded and in the following week the text of the regulation will be published on the Europa website for the feedback of the interested stakeholders. The vote on the implementing regulation is expected for September, next the delegated regulation will be transmitted to the Parliament for a two-month scrutiny. Entry into force is expected for the beginning of 2020. The application for each TRQ will start with the following TRQ period, with the exception of TRQs requiring compulsory registration for operators, which will have additional six months delay in the entry into application.

Stakeholders raised a concern that the new system would give Brazil even larger influence on the European market. AVEC indicated that due to the risk of disturbance of the poultry meat market from this legislation, it is very important to wait after Brexit to make any decision.

d. Brexit: state of play of preparedness by the EU Commission and exchange of views on the EU poultry meat market impact

In April 2019 new deadline for Brexit has been extended to 31 October 2019. In March and April, the Commission was involved in preparedness activities to prepare for Brexit regardless of its format. Contingency measures in case of a no-deal Brexit were being decided upon. The Commission, and Member States believe they are ready for Brexit. The extra months will be used for additional preparations.

Regarding preparedness and contingency activities in the agricultural sector on the EU side, the regulation setting the rules for splitting WTO TRQs between the UK and the EU has been adopted and is ready to be implemented at the date of Brexit. The EU has taken all the necessary contingency steps to ensure that the Customs Code will be fully implemented on the day of Brexit in case of a no-Deal Brexit.

In terms of SPS conditions, the UK has been recognized as the potential exporter of meat to the EU, and the authorised establishments, as well as border inspection posts, have been recognized. A set of rules ensuring basic connectivity has been provided.

There was a call from the Commission to the Stakeholders for analyses of the market situation in relation to Brexit to realize potential threats.

e. Ukraine: update on the revision of FTA between UE and UA

On 19 March 2019, an agreement was reached with Ukrainian authorities to address the increasing imports of the new type of cut from Ukraine under the duty-free “other cuts” tariff lines. With this agreement the “other cut” tariff line would be included within the existing quota for poultry meat and poultry meat products that will be increased by 50,000 tons. In return the MFN tariff shall be reinstated for out-of-quota imports under the “other cuts” tariff line.

Both sides are in the process of adopting and ratifying the agreement. The Council decisions on signing and concluding the agreement are to be adopted in the following week. On the Ukrainian side the situation is more complex due to snap elections, as the agreement needs to be approved by the government of Ukraine and ratified by the Ukrainian parliament. The ratification should take place in August.

f. Access to China and Japan (including HPAI regionalization)

The expert from DG TRADE was not available due to extended Mercosur discussion. The Commission was asked to provide a written presentation.

5. Animal Welfare:

a. Update on alignment of Ukrainian animal welfare legislation with that of the EU

Under article 64 of the Association Agreement, Ukraine has committed to approximate its legislation to that of the EU. Annex V will contain a table listing SPS legal acts with a deadline by which Ukraine will have to transpose EU standards into its legislation.

Regarding welfare acts, there are 5 directives, 2 regulations and 2 decisions, including key acts regarding broilers and laying hens. These acts and Animal health are to be approximated by Ukraine by 2018 and 2019. Ukraine confirms that by the end of 2019 all the acts should be transposed to the national legislation. Once the new legislation enters into force, transition periods may be applied for the poultry sector, these may extend until 2026.

Work is being conducted with Ukraine on establishing harmonized certificates for EU Member States, two of these certificates are for poultry meat and egg products. The certificates will refer to EU legislation.

The issue of the reports on ineffective electrical water bath stunning has been touched by one of the stakeholders. There was also a debate on the lack of possibility to verify the compliance with EU standards on animal welfare in Ukraine. AVEC suggested to consider (audit) controls at farm level to check compliance with EU legislation on animal welfare.

6. Animal Health:

a. Outcome of the new Veterinary Medicine Products (VMP) Regulation and its impact on the EU poultry sector including antimicrobial resistance

With Regulation 2019/6 the Commission aimed, i.a., to ensure greater access to VMPs, as well as to provide medicines for minor uses and minor species. The new centralized authorisation procedure is meant to enable authorisation of veterinary medicine in all MSs through one authorisation, while harmonisation of summaries of product characteristics should result in more expedient marketing. The regulation resulted in stimulus for new antibiotics, bringing VMP for minor species and for innovation on existing products, however, there has been no stimulus for line extensions for major species.

The regulation foresees a ban on the routine antibiotic prophylaxis from January 2022, as well as restrictions on the use of antibiotics for metaphylaxis. By the end of 2021 an EU list will be created of antimicrobials allowed to be used only in humans. Additionally, restrictions have been placed on third country operators to import products derived from animals treated with reserved antibiotics.

The five-year negotiations on the core regulation have been closed. There will be 25 implementing measures working out all the details from the regulation: 17 implementing acts and 8 delegated acts. 15 of those measures will be adopted by January 2022.

Within the package of regulation on VMPs there was also new regulation on medicated feed, foreseeing the way it is authorised and used.

7. AOB

EEB representative requested the Commission to undertake action with regards to non-conformities in relation to laying hens and the development of alternative systems. Additionally, there was a proposition to include discussion on organic poultry production in this CDG, instead of having this discussion in the general CDG on Organic farming.

4. Next meeting

The next meeting will occur on 26 November 2019

5. List of participants - Annex

Disclaimer

"The opinions expressed in this report represent the point of view of the meeting participants from agriculturally related NGOs at community level. These opinions cannot, under any circumstances, be attributed to the European Commission. Neither the European Commission nor any person acting on behalf of the Commission is responsible for the use which might be made of the here above information."

List of participants– Minutes

Civil Dialogue Group Animal Products – Poultrymeat and Eggs

Date: 16 July 2019

MEMBER ORGANISATION	NAME	FIRST NAME
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European Council of Young Farmers (CEJA)	Melo	Hugo
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European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Gagliardi	Stefano
European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Larsen	Jorgen Nyberg
European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Mac Eoin	Aoife
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European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Todorova	Ludmila
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European Agri-cooperatives (COGECA)	Erliha	Anna
European Agri-cooperatives (COGECA)	Hermet	Jarno
European Agri-cooperatives (COGECA)	Hubers	Eric
European Agri-cooperatives (COGECA)	Machander	Vlastislav
European Agri-cooperatives (COGECA)	Pipi	Anna
European Agri-cooperatives (COGECA)	Sanchez	Thomas

European Agri-cooperatives (COGECA)	Zubkow	Anna
European Farmers (COPA)	Bourns	Charles
European Farmers (COPA)	Ford	Gary
European Farmers (COPA)	Garofalo	Angela
European Farmers (COPA)	Hörmann	Max
European Farmers (COPA)	Schaeffer	Jean-Michel
European Farmers (COPA)	Manninen	Marjukka
European Farmers (COPA)	Mota	Paulo
European Farmers (COPA)	Standke	Katharina
European Coordination Via Campesina (ECVC)	Bernis Castells	Jaume
European Environmental Bureau (EEB)	Kikou	Olga
European Environmental Bureau (EEB)	Vonesch	Anne
Eurogroup for Animals (EFA)	Porta	Francesca
Eurogroup for Animals (EFA)	Sansolini	Adolfo
European Rural Poultry Association (ERPA)	Guyot	Marie
Fédération Européenne pour la Santé Animale et la Sécurité Sanitaire (FESASS)	Ter Veen	Christiaan
FoodDrinkEurope	Brudzinski	Wojciech
FoodDrinkEurope	Dominiak	Lukasz
FoodDrinkEurope	Hagen	Clara
FoodDrinkEurope	Lava	Paul-Henri
FoodDrinkEurope	Lopez	Paul
FoodDrinkEurope	Mazzei	Laura
FoodDrinkEurope	Pasetto	Tommaso
FoodDrinkEurope	Steenberg	Birthe
International Federation of Organic Agriculture Movements EU Regional Group (IFOAM EU Group)	Atkinson	Christopher
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Ms Liesbet Dendas		
	Total:	45