



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2008) 1845 final

Brussels, 8 October 2008

MINUTES

of the 1845th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 1 October 2008

(morning)

PV(2008) 1845 final

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Single sitting: Wednesday 1 October 2008 (morning)

The sitting opened at 08.08 hours with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Mr VERHEUGEN	Vice-President	
Mr BARROT	Vice-President	Items 9 to 16
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	
Mr DIMAS		
Mr ALMUNIA		
Mr BORG		
Mr POTOČNIK		
Mr FIGEL'		
Mr REHN		Items 9 to 16
Mr MICHEL		
Mr KOVÁCS		
Ms KROES		
Ms FISCHER BOEL		
Mr McCREEVY		
Mr ŠPIDLA		
Mr MANDELSON		Items 9 to 16
Mr PIEBALGS		
Ms KUNEVA		Items 9 to 16
Mr ORBAN		
Ms VASSILIOU		

Absent:

Ms WALLSTRÖM

Vice-President

Ms REDING

Ms HÜBNER

Ms GRYBAUSKAITĖ

Ms FERRERO-WALDNER

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT
Mr LAITENBERGER	Commission Spokesman
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT
Mr CABRAL	Adviser <i>hors classe</i> in the PRESIDENT's office

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

1. AGENDAS

(OJ(2008)1845/3; SEC(2008)2509)

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)1845)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 29 September.

3. MINUTES OF 1844th MEETING (23 September)

(PV(2008)1844)

The Commission approved the minutes of its 1844th meeting.

4. MONITORING THE APPLICATION OF COMMUNITY LAW

STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST

(SEC(2008)2541/2; SEC(2008)2562)

The Commission adopted the decisions in the recapitulative list (SEC(2008)2541/2).

5. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2008)2510/2)

ADMINISTRATIVE MATTERS

(PERS(2008)127/2)

DG EXTERNAL RELATIONS – EXTENSION OF THE CONTRACT OF AN AD15 MEMBER OF THE TEMPORARY STAFF

The Commission took note of the information set out at point 1 of document PERS(2008)127/2 and, on a proposal from M. KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, decided to extend by one year from 1 November 2008 the contract of Mr John BRUTON, AD15 member of the temporary staff under Article 2(b) of the Conditions of Employment of Other Servants of the Communities and Head of the Commission Delegation in Washington in the Directorate-General for External Relations.

This decision would take effect immediately.

6. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 81 OF THE EC TREATY AND ARTICLE 53 OF THE EEA AGREEMENT (CASE COMP/39.181 – CIREs DE BOUGIE)

(C(2008)5476 TO /15; SEC(2008)2568)

The Commission:

- took note of the opinions of the Advisory Committee on Restrictive Practices and Dominant Positions of 7 July and 26 September in C(2008)5476/3 and /7;
- took note of the final report of the Hearing Officer of 23 September in C(2008)5476/5;

(1 October 2008)

- adopted, in the authentic languages (English, French, German, Italian and Spanish), the decision set out in C(2008)5476/8 finding that the companies to which the decision was addressed had infringed Article 81 of the EC Treaty and Article 53 of the Agreement on the European Economic Area and imposing fines on some of these companies totalling €676 011 400;
- decided that the decision in C(2008)5476/9 to /15 would be notified to the companies concerned together with the final report of the Hearing Officer;
- decided that the most important parts of the decision, together with the opinion of the Advisory Committee and the final report of the Hearing Officer, would be published in the official languages in the Official Journal of the European Union (with all business secrets removed);
- decided to publish the decision (with business secrets removed) on the Internet.

7. RELATIONS WITH NON-MEMBER COUNTRIES

VISIT TO CHINA (BEIJING, 24-27 SEPTEMBER)

(SEC(2008)2569)

The Commission took note of the information note from Mr MANDELSON distributed as SEC(2008)2569.

8. ANY OTHER BUSINESS

IMPORTS FROM CHINA OF MILK AND MILK PRODUCTS CONTAMINATED WITH MELAMINE

(SEC(2008)2574)

The Commission took note of the information note from Ms VASSILIOU in SEC(2008)2574.

9. INTERINSTITUTIONAL RELATIONS

9.1. LEGISLATIVE MATTERS

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

(SP(2008)5569)

The Commission decided to empower the Commission Members responsible for the sectors in question, in agreement with the PRESIDENT and Ms WALLSTRÖM and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2008)5569, drawn up following the September II part-session of Parliament, the contents of which were noted.

9.2. RELATIONS WITH THE COUNCIL

ii) Programming of Council business

(SI(2008)1303)

The Commission took note of the information in SI(2008)1303 on the Council meetings between 25 September and 8 October.

iii) Results of the informal meeting of Agriculture Ministers (Annecy, 23 September)

(SI(2008)1305)

- Future of the common agricultural policy after 2013

The Commission decided to hold this item over for one week.

iv) Preparations for European Council (Brussels, 15 and 16 October)

Following presentations by the PRESIDENT, Mr ALMUNIA, Ms KROES, Mr McCREEVY and Mr PIEBALGS, the Commission held an in-depth discussion, with a view to the European Council on 15 and 16 October, on the situation in the financial markets and on energy and climate change issues, with particular emphasis on the security of energy supply.

9.3. RELATIONS WITH THE EUROPEAN PARLIAMENT

v) Results of September II part-session

(SP(2008)5598; SP(2008)5600; SP(2008)5601)

The Commission took note of the information supplied in SP(2008)5598, SP(2008)5600 and SP(2008)5601 relating to Parliament's part-session held in Brussels from 22 to 25 September.

10. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

10.1. WRITTEN PROCEDURES APPROVED

(SEC(2008)2511 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 and 26 September.

***10.2. PROPOSAL FOR A COUNCIL REGULATION IMPLEMENTING
REGULATION (EC) NO 853/2004 OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL AS REGARDS THE USE OF
ANTIMICROBIAL SUBSTANCES TO REMOVE SURFACE
CONTAMINATION FROM POULTRY CARCASSES – FORMER
WRITTEN PROCEDURE PE/2008/3381
(COM(2008)430 TO /3)***

The Commission decided to defer to a later date adoption of the proposal for a Council Regulation set out in COM(2008)430/3.

***10.3. EMPOWERMENT
(SEC(2008)2512 ET SEQ.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 and 28 September.

***10.4. TEMPORARY EMPOWERMENT CONCERNING THE ADOPTION OF
CERTAIN POSITIVE DECISIONS ON EMERGENCY RESCUE
MEASURES IN FAVOUR OF FINANCIAL INSTITUTIONS
(SEC(2008)2575)***

The Commission temporarily empowered the Member responsible for competition to adopt, in agreement with the PRESIDENT and the Members responsible for the internal market and services and for economic and monetary affairs, the positive decisions on emergency rescue measures in favour of financial institutions set out in SEC(2008)2575.

***10.5. DELEGATION AND SUBDELEGATION OF POWERS
(SEC(2008)2513 ET SEQ.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 22 and 26 September, as archived in e-Greffe.

10.6. SENSITIVE WRITTEN PROCEDURES

(SEC(2008)2514 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 29 September and 3 October and of the "finalisation" written procedure initiated following the weekly meeting of Chefs de cabinet on 29 September.

11. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVES 2006/48/EC AND 2006/49/EC AS REGARDS BANKS AFFILIATED TO CENTRAL INSTITUTIONS, CERTAIN OWN FUNDS ITEMS, LARGE EXPOSURES, SUPERVISORY ARRANGEMENTS AND CRISIS MANAGEMENT (COM(2008)602 TO /4; SEC(2008)2532; SEC(2008)2533; SEC(2008)2534; SEC(2008)2535)

The Commission adopted the proposal for a Council Directive in COM(2008)602/4 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Central Bank, and to the national parliaments, accompanied by the impact assessment and the summary thereof in staff papers SEC(2008)2532 and SEC(2008)2533 respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Directive, as set out in SEC(2008)2534.

12. RECOMMENDATION FROM THE COMMISSION ON THE ACTIVE INCLUSION OF PEOPLE EXCLUDED FROM THE LABOUR MARKET

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON THE ACTIVE INCLUSION OF PEOPLE EXCLUDED FROM THE LABOUR MARKET

(C(2008)5687; COM(2008)597 TO /4; SEC(2008)2520; SEC(2008)2521; SEC(2008)2522; SEC(2008)2523)

The Commission:

- adopted in principle the recommendation in C(2008)5687;
- empowered Mr ŠPIDLA, in agreement with the PRESIDENT, to formally adopt the recommendation for notification to the Member States;
- approved in principle the communication in COM(2008)597/4;
- empowered Mr ŠPIDLA, in agreement with the PRESIDENT, to formally approve the communication for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and to the national parliaments, together with the impact assessment and the summary thereof in staff papers SEC(2008)2520 and SEC(2008)2521, the contents of which were noted;
- also took note of the opinion of the Impact Assessment Board on the above recommendation and communication, as set out in SEC(2008)2522.

**13. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – A BETTER WORK-LIFE BALANCE: STRONGER SUPPORT FOR RECONCILING PROFESSIONAL, PRIVATE AND FAMILY LIFE
(COM(2008)599 TO /4; SEC(2008)2523)**

The Commission approved in principle the communication in COM(2008)599/4 and empowered Mr ŠPIDLA, in agreement with the PRESIDENT, to formally approve the communication for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and to the national parliaments.

**14. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING COUNCIL DIRECTIVE 92/85/EEC ON THE INTRODUCTION OF MEASURES TO ENCOURAGE IMPROVEMENTS IN THE SAFETY AND HEALTH AT WORK OF PREGNANT WORKERS AND WORKERS WHO HAVE RECENTLY GIVEN BIRTH OR ARE BREASTFEEDING
(COM(2008)600 TO /4; SEC(2008)2526 TO /2; SEC(2008)2527; SEC(2008)2528; SEC(2008)2523)**

The Commission:

- adopted in principle the proposal for a Directive set out in COM(2008)600/4;
- empowered Mr ŠPIDLA, in agreement with the PRESIDENT, to formally adopt the proposal for a Directive for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and to the national parliaments, together with the impact assessment and the summary thereof in staff papers SEC(2008)2526/2 and SEC(2008)2527, the contents of which were noted;

- took note of the opinion of the Impact Assessment Board on the above proposal for a Directive, as set out in SEC(2008)2528.

**15. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE APPLICATION OF THE PRINCIPLE OF EQUAL TREATMENT BETWEEN MEN AND WOMEN ENGAGED IN AN ACTIVITY IN A SELF-EMPLOYED CAPACITY AND REPEALING COUNCIL DIRECTIVE 86/613/EEC
(COM(2008)601 TO /3; SEC(2008)2529/2; SEC(2008)2530; SEC(2008)2531; SEC(2008)2523)**

The Commission:

- adopted in principle the proposal for a Directive set out in COM(2008)601/3;
- empowered Mr ŠPIDLA, in agreement with the PRESIDENT, to formally adopt the proposal for a Directive for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and to the national parliaments, together with the impact assessment and the summary thereof in staff papers SEC(2008)2529/2 and SEC(2008)2530, the contents of which were noted;
- took note of the opinion of the Impact Assessment Board on the above proposal for a Directive, as set out in SEC(2008)2531.

16. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON IMPLEMENTATION OF THE BARCELONA OBJECTIVES CONCERNING CHILDCARE FACILITIES FOR PRE-SCHOOL-AGE CHILDREN
(COM(2008)598 AND /2; SEC(2008)2524; SEC(2008)2523)

The Commission approved in principle the report in COM(2008)598 and empowered Mr ŠPIDLA, in agreement with the PRESIDENT, to formally approve that report for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and to the national parliaments, accompanied by the staff paper in SEC(2008)2524, the contents of which were noted.

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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 11.12 hours.