



Market Advisory Council

## Working Group 1: EU Production Draft Minutes of the meeting

Thursday 16 May 2019

14:00-17:15

Avenue de Cortenbergh 168,  
1000 Brussels

Welcome from the Chair, Sean O'Donoghue

See presentation here:

[https://marketac.eu/wp-content/uploads/2019/02/MAC\\_WG1\\_Presentation\\_Meeting16.05.19.pdf](https://marketac.eu/wp-content/uploads/2019/02/MAC_WG1_Presentation_Meeting16.05.19.pdf)

Adoption of agenda and minutes last meeting (12.02.19): adopted

Action points last meeting

- **State of play of the decisions made during last meeting: Sean O'Donoghue – information**
  - Agreed set of Recommendations to Executive Committee: COMPLETED
  - Marketing Standards:
    - Advice to be split in fresh products (to be forwarded to Executive Committee for adoption): COMPLETED
    - Canned tuna and sardines Focus Group (to further discuss the issue): COMPLETED
  - STECF: MAC will request the EC to be a participant in the annual expert group and Chairman to follow up with Commission: ONGOING
  - EUMOFA: Week will be given to complete the questionnaire with further questions and members will be invited to fill in the last draft within 3 weeks: COMPLETED
  - PMP workshop: To be further discussed in September.

EMFF

- **State of play of the adoption of the dossier - information**

Information by the Commission:

The European Parliament (EP) adopted its position at first reading on 4 April 2019. The new EP might wish either to endorse the first reading position or to reopen the debate.

Member States are still negotiating within the Council. The Presidency will try to reach a partial agreement on the Council's mandate mid-June.

Trilogues might start in the fall.

- **Comparison MAC recommendation with EP amendments**

EP position coincides with the MAC position on the following:





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1. Avoid an overlapping between programming periods
2. Reducing administrative burden
3. Reference to fisheries and processing contributing to food security
4. Storage Aid reintroduction
5. PMPs continued financial support
6. Control
7. Promotion campaigns
8. Aquaculture
9. Value Chain and Marketing
10. Processing
11. Market intelligence
12. Information, communication and publicity

Areas not covered by EP

1. Capital funding ACs
2. Transitional arrangements

See comparative table here: <https://marketac.eu/wp-content/uploads/2019/02/EMFF-%E2%80%93-comparison-between-MAC-advice-and-EP-report.pdf>.

- **Future work**

MAC will continue to peruse its recommendations with the EU Institutions.

## Marketing Standards

### Pim Visser, Chair of the Focus Group on Marketing Standards – discussion

The WG1 Chair recalled that it had been agreed in the previous WG meeting to split the draft MAC advice on marketing standards in two: one on standards for fresh fish and one for processed fish. The advice on fresh fish was adopted and sent to the Commission. The one on processed fish is still under discussion.

One issue that should be clarified is the issue of level playing field related to marketing standards. The advice on fresh fish, as adopted by the Executive Committee, states that *“fair competition should be guaranteed by the marketing standards. But social elements are by nature not part of the marketing standards, so referring to those does not belong to the scope of the advice of the MAC on the marketing standards. That belongs to the work of the Focus Group on Level Playing Field (LPF) and should be dealt with in that context.”*

CFFA, The Good Fish Foundation, FEAP and ETF were of the view that, in light of the recent discussion on this is WG2, we should consider adding environmental and social considerations in the discussion on marketing standards. As, marketing standards is one of the tools that could be used to address the uneven playing field with regard to social and





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environmental issues. It was concluded that this issue could be addressed in the processed fish standard.

The Chair of the focus group gave a short overview of the state of play of the dossier. He stressed that the existing Regulation dates back to the '90 and the reality is different now and the legislative framework has evolved - the Regulation needs to be readapted.

In Bilbao the MAC held an open discussion, but the difference of positions between the catching sector and the processing sector came into light. Therefore the paper was split to fresh and to processed fish. In the end, the MAC delivered an advice on fresh fish, but it failed on processed fish.

➤ **Fresh fish**

○ **Brief explanation on the content of the advice**

- Regulations 2406/96 and 1379/2013 should be revised and updated for the sake of ensuring harmonisation, simplification and level playing field.
- The MAC insists on the importance of ensuring a level playing field with regards to traceability information provided on a business-to-business level<sup>5</sup> by both imports and EU products.
- Minimum marketing sizes should be coherent with minimum conservation sizes.
- Freshness categories are considered relevant only at first sale in the chain hence the EU legislation should only indicate whether a product is fit for human consumption or not fit for human consumption.
- Freshness categories are considered relevant only at first sale in the chain.
- Remote buying and selling may require a harmonised and standardized system, the development of which should be left to the business operators.
- The European Commission should identify an optimal degree of flexibility within this regulation so to allow business operators to meet the different market demands, while keeping the highest possible level of harmonised standards that would preserve the level playing field.
- The MAC believes more efforts are needed when it comes to harmonised implementation of EU regulations and supports more controls in the market.
- The MAC stresses the importance of coherence with other EU rules (food safety, hygiene, consumer information, conservation rules) as well as with other relevant standards.

*See the MAC advice here:*

<https://marketac.eu/wp-content/uploads/2019/02/MAC-Advice-Marketing-Standards-FRESH-28.03.2019.pdf>

*and the Commission's reply here:*

<https://marketac.eu/wp-content/uploads/2019/02/2018-04-26-Marketing-standards-Commission-reply-to-MAC-advice.pdf>

***The WG1 Chair outlined the action points around this advice that need to be looked at:***

- ***We would like to get the Commission's response to one of the MAC recommendations,***



*that there should not be mandatory quality standards in any new proposal.*

- *The FG needs to work further on quality standards, as, once the Commission's report is published, the MAC should provide an advice on whether marketing standards should be revised.*

➤ **Processed fish**

○ **Discussion on the process and the content of the draft advice**

The Chair of WG1 made a plea that the various organisations / members of the MAC should try to continue talking to each other and reach compromises.

The Chair of the FG observed that members should make an effort to come up with qualitative advice. He expressed his disappointment that there was no agreement in the end due to the polarised positions among industries. He urged AIPCE to reconsider its position and to come back to the table to discuss. The world context has changed, societal demands have evolved, social / labour and environmental concerns became important. Therefore discussions should go on so that we are able to send a message to the Commission that we should look at marketing standards, not necessarily change the current ones. The FG's task should be to revisit the Regulation - not necessarily to revise it. He urged members to agree on an advice to be delivered to the Commission, otherwise the credibility of the MAC would be at stake.

ANFACO, supported by ANCIT and ADEPALE, noted that there is a non-negligible minority which opposes to the draft advice on processed fish under discussion. He explained his position by recalling that the objective of the Commission, was to get the MAC's advice on whether the EU should create new norms of commercialisation, not whether the marketing standards for bonito and sardine were sufficient. He wondered why and what do we wish to change in the Regulation, if we really need new marketing standards and, if the current legislation works, why do we need to modify it. He stressed that the fact that the Regulation is old is not, in itself, a valid reason to modify it. He was also of the view that traceability or labour conditions are not issues that should be included in every debate. On "bonito del norte" example, it is a Spanish issue and we should not extrapolate it to an EU level, even if ANFACO is always ready to discuss. And if there are other objectives, concrete and technical issues in the legislation, he is also ready to discuss and to provide concrete solutions. Generally speaking, he concluded, marketing standards are sufficient, adapted to current times and do not need to be changed. ADEPALE added that those who apply the current regulation consider that this works and there is no need to change. He was of the view that the standards in the legislation are already high and, therefore, there is no need to revise them. He believes that the current draft advice is weak because of differences of positions and, consequently, it would not be useful for the Commission. He concluded that it would be preferable to wait for the external study, on which the MAC can then elaborate.



On the opposite side, Europêche, CAPE, Oceana and ETF spoke in favour of the draft advice. Europêche reminded, agreeing with the Chair, that there have been already two reforms of the CFP, since the regulation on marketing standards is in place – the legislative framework and its philosophy has changed. And marketing standards should be adapted to these changes. He recalled that consensus for an AC advice is not mandatory, it is an aspiration. But the duty of the ACs is to discuss as much as possible and, ultimately, to deliver an advice, even if there are dissenting minorities, which have to be simply registered. According to Europêche, the current legislation on processed products leads to unfair competition, as the content of the cans does not always correspond to the scientific name of the species. This is damaging to the fishing fleet and to the traditional canning industry and this is one of the reasons why the regulation has to be updated.

The above organisations proposed that the Executive Committee should consider the paper as it stands, put forward an advice and vote on it. There is a majority that supports this draft and it is to the MAC's interest to deliver a timely advice to the Commission.

The Commission pointed out that the external study commanded by DG MARE is already terminated and time is very short for the MAC to provide advice. The MAC should not wait for the consultant to produce its study and then give its input. The MAC's advice should not be a mere reaction to a consultant's report.

It was concluded by members that this is a question of credibility of this AC.

***The Chair of WG1 concluded, after the lengthy discussion, that the Chair of the FG would be asked to circulate a revised draft to FG members seeking a consensus with a defined time limit. If no consensus can be reached the FG will forward the draft to WG1 with the different opinions. WG1 will then deal with it in accordance with the MAC rules of procedures and forward it to EXCOM for decision again in accordance with the rules of procedure.***

## EUMOFA

- Analysis of the Questionnaires

For a detailed analysis see presentation here:

[https://marketac.eu/wp-content/uploads/2019/02/MAC\\_WG1\\_Presentation\\_Meeting16.05.19.pdf](https://marketac.eu/wp-content/uploads/2019/02/MAC_WG1_Presentation_Meeting16.05.19.pdf)

### *Discussion*

Bundesverband der deutschen Fischindustrie, followed by ADEPALE, regretted that the





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analysis is not representative, as only 14 questionnaires were received. He noted that information is not up to date (sometimes 3 years old) and that there are errors in the trade data. He proposed to have a look at the google “clicks” to check who consults EUMOFA and for what purpose. He also believed that it would be useful if EUMOFA could cover data concerning consumption / expenditure in quantity and value per month of fresh products.

For EMPA, EUMOFA is an interesting tool, but he regrets the fact that there is no data on shellfish farming. It would be useful to put in place a statistical information system on aquaculture, inspired by what exists already in agriculture for 60 years now. He stressed that the MAC should be closely involved in the development of any legislative proposal on the subject.

The Commission took good note that the tool is not user-friendly.

On the data on first sales, he pointed out that weekly data comes from Member States, which are not all willing or able to provide these data. And sometimes the data are not timely enough.

On aquaculture: the Commission is aware of the lack of data, but this is because of the gaps in the legislation (not mandatory to supply data). EUMOFA is working on alternative ways to fill the data gaps.

On errors: he stressed that it is very complex to make data available, so he encouraged members to let the Commission know whenever there is an error.

He informed participants that EUMOFA experts provide trainings, in cooperation with Member States, who should / could invite stakeholders.

- **Recommendations from the replies to the questionnaire**

- A more user-friendly website geared towards users which do not have expertise in accessing market data.
- Make EUMOFA the 1st choice for those looking for market data; they should not require professional-level skills to access.
- Ensure consistency of 1st Sales Note data particularly regarding timeliness and weekly/monthly issues
  - Alternative options explored to Sales Notes if not providing the required data.
- More responsive query system
  - Queries sent by e-mail do not always produce a reply.
- Provide for additional aquaculture data
  - E.g. production and fish feed price data.
- Increase live training sessions (e.g. demonstrations at European Seafood Exposition, Brussels).
- A help-line in addition to the current “Query” facility.
- Errors highlighted by users must be acknowledged and corrected.
- Advertise the value of EUMOFA in trade publications/websites with “tips” on where to find seasonal data.



- **Additional recommendations from the discussion**

- It would be advisable to put in place a statistical information system on aquaculture, inspired by what exists already in agriculture for 60 years now.
- It would be interesting to understand who is consulting EUMOFA and for what purpose.
- It would be useful if EUMOFA could cover data concerning consumption / expenditure in quantity and value per month of fresh products.

## STECF

- **Update on Commission discussions**

Chair:

MAC has a lot of expertise. The annual STECF takes place in June. We would like to formalise an invitation of the MAC to attend as an observer.

Commission:

The STECF is a Commission advisory body.

Commission is more than happy to accept the MAC as an observer.

- **MAC input to STECF fleet report – discussion**

Chairman to attend next annual meeting scheduled for the 3<sup>rd</sup> to the 10<sup>th</sup> June in Dublin as an observer

## 17:05 Summary of actions points

- **EMFF:** MAC will continue to peruse its recommendations with the EU Institutions.
- **Marketing standards for canned products:** Revised draft to be circulated to FG members with a defined time limit to comment. WG1 and EXCOM will deal the draft in accordance with the rules of procedure.
- **EUMOFA:** Agree on set of recommendations at the next WG1 in September
- **STECF:** Chairman to attend as an observer at the next annual fleet economic report meeting in June 3<sup>rd</sup> to 10<sup>th</sup> in Dublin.



## List of attendees

Representative	Organisation
Alonso Abreu Lozano	OPP 80
Andrew Kuyk	AIPCE-CEP
Arnaud Chaperon	FEAP
Béatrice Gorez	CFFA
Benoît Thomassen	FEAP
Bruno Guillaumie	AEPM/EMPA
Cristina Fernandez	Seafish
Christine Absil	Goodfish
Claudia Vinci	AIPCE-CEP
Emiel Brouckaert	EAPO
Erik Bjørn Olsen	Living Sea
Georg Werner	EJF
Giorgo Rimoldi	ANCIT
Guus Pastoor	AIPCE
Haydee Fernandez	CONXEMAR
Ivan Lopez	Europêche
Janne Posti	MSC
Jean-Marie Robert	Pêcheurs de Bretagne PO
Jessica Demblon	MAC Secretariat
José Carlos Escalera Aguilar	Federación Cofradías Pescadores Cádiz (FECOPESCA)
Juan Manuel Trujillo Castillo	ETF
Juana María Parada Guinaldo	OR.PA.GU.
Katarina Sipic	CONXEMAR
Kathryn Stack	FEAP
Katrin Poulsen	WWF
Konstantinos Kalamantis	MAC Secretariat
Matthias Keller	Bundesverband Fischindustrie
Nicolas Fernandez Muñoz	OPP72







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Representative	Organisation
Panos Manias	MAC Secretariat
Patrick Murphy	Irish South & West Fish Producers Organisation CLG.
Paulien Prent	VisFederatie
Pierre Commere	ADEPALE / AIPCE
Pedro Luis Casado	OPP 80
Pim Visser	VisNed / EAPO
Purificación del C. Fernández Alvarez	OPPC-3
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPESCA
Rosalie Tukker	Europêche
Sean O'Donoghue	Killybegs fishermen's organisation ltd
Sergio Lopez Garcia	OPP LUGO
Vanya Vulperhorst	Oceana

