

Executive Committee Minutes

Tuesday 3 September 2019

13:30-16:40

Avenue de Cortenbergh 168,
1000 Brussels

Welcome from the Chair, Guus Pastoor

Adoption of agenda and minutes last meeting (17.05.19): adopted

New Secretary General

- **Brief introduction by the Chair – information**

The Chair announced Pedro Reis Santos as the new Secretary General of the MAC. The Secretary General provided an overview of his professional background.

MAC's Functioning and Procedures

- **Update on the guidelines on the functioning of Focus Groups**

See relevant paper here:

<https://marketac.eu/wp-content/uploads/2019/09/Guidelines-on-the-Functioning-of-the-Focus-Groups-12.07.2019.pdf>

The Chair recalled that, at the previous Executive Committee meeting, there was a long discussion on the functioning of the Focus Groups. A paper was prepared based on the conclusions from the discussion. The paper was deemed approved following a written procedure by the Executive Committee. The paper will be published on the website.

The Chair highlighted that the FGs require some flexibility. The FGs need to have clear terms of reference. These are not the decision-making groups. It is a group to share knowledge, proposals, ideas, in order to develop a format that then goes to the WG.

Concerning the FG on Consumer Information, the Chair emphasised that it is a very complex topic and it requires a another round of consultations at the FG's level. Then the WG will have the necessary discussion to look at the content. The Executive Committee is the group that should approve the text before sending it and publishing it on the website.

The Chair drew attention to the importance of increasing the MAC's productivity. The European Commission expects the MAC to produce advices, papers, and ideas. Taking into account the discussions at the September meetings, a high number of deliverables are



coming up. The MAC is developing the right flow to achieve the aimed productivity. The MAC has the right circumstances to achieve this productivity.

- **Implementation of the Work Programme 2019-2020**

Please see the relevant document here:

<https://marketac.eu/wp-content/uploads/2019/05/MAC-Application-Year-4-2019-2020.pdf>

The Chair recalled that the Work Programme had been approved, which includes the topics that the MAC will be working on. The Work Programme for next year is quite clear. Many elements discussed during the previous day show that there will be other topics. So, the Work Programme could eventually be changed. The Chair also recalled that the next budgetary year will start on October 1.

Update on accounts

Panos Manias, Financial Officer of the MAC

- **Update on execution of the budget – information**

Please see the relevant document here:

<https://marketac.eu/wp-content/uploads/2019/05/Update-on-Accounts-October-18-to-August-19-Presentation-PDF.pdf>

Panos Manias, Financial Officer of the MAC, explained that, on the beginning of June, the budget for Year 4 was sent to the European Commission. The Secretariat is currently waiting for their response. Towards the end of August, an amendment to the current year's budget was sent to the Commission. This was mostly due to the fact that the MAC received more payments from Member States than initially expected. The Secretariat is about to send the invoices for the next financial year in the next few days.

Concerning the MAC's finances, the Financial Officer explained that the MAC is following what was budgeted at the beginning of the year. There is a small discrepancy on heading B. "information and preparation of meetings", since the Secretariat has not yet received the invoice from BusinessEurope for the meetings that took place in May. Under Column F, the majority of the expenses relate to the contract with the auditor, which takes place at the end of each year. The audit will only take place after November. As for the MAC's income and the number of members, Year 3 was quite similar to Year 2. No major changes are expected in Year 4.

Killybegs Fishermen's Organisation thanked the Financial Officer for the clear overview, highlighting that the MAC is currently under budget.

Panos Manias, Financial Officer of the MAC, outlined that, according to his projections, the MAC will have sufficient funding to cover the current meeting and other extra expenses until the end of the month of September.



The Chair highlighted that the budget is on track, showing that the budget was well estimated.

Grant Agreement Year 4

- **Update on the application**

The Chair informed that the Grant Agreement for Year 4 was sent to the European Commission for assessment, including the Work Programme. Even though there might some questions from the European Commission, it will lead, hopefully, to its adoption.

The European Commission explained that the Commission official still have 10 days to provide comments. Afterwards, they will proceed with an analysis of the figures. The Commission hopes to respond by the end of the month. The Work Programme looked quite good, an improvement in relation to the past.

The Chair expressed openness to the Commission's suggestions on the Work Programme. The MAC is particularly willing to take the Commission's priorities on board.

CATCH, the IT system digitalising the EU Catch certification scheme under the IUU Regulation

- **Presentation and demonstration by Commission Representative (DG MARE)**

Please see the relevant document here:

https://marketac.eu/wp-content/uploads/2019/05/Catch_PPT-MAC-Meeting-3-Sept-2019-Final-1.pdf

The Chair recalled that the IUU Regulation has been in force for several years. One of the issues that has been discussed at MAC meetings is the digitalisation of the papers. Every consignment that comes into the EU must have catch documents. These are paper documents. When everything is done in paper, the reporting becomes more difficult. It is important to proceed with the development of a system that would allow a full digital system. Norway has a fully digital system. Imports from Norway are fully electronic. Still, for many countries, a digital system is not easy to achieve. Importing one container can mean multiple catch documents. All these certificates need to be handled, checked, and stored. The Chair expressed his enthusiasm for digitalisation, adding that other required documents, such as health certificates, are also in paper format.

The European Commission proceeded to present the development of the new IT system, named CATCH. In terms of legal basis, it is based on the IUU Regulation. All consignments imported to the EU have to be accompanied by certificates and must be signed by the flag State where the vessel is registered. It must certify that the catches were made legally. Nowadays, it is still a paper-based system. For some time, Member States and operators have been calling for an IT system to facilitate controls and verifications at EU borders. It would facilitate cooperation among competent authorities. It would allow an harmonised



approach. It would avoid abusive use of catch certificates. It would create a level-playing-field for all operators. It would also reduce the administrative burden for stakeholders.

The system is already working. The first version was launched at the Seafood Expo by Commissioner Vella. Currently, the system is working for catch certificates, processing statements and importer declarations. Other features and developments will be included in the future. Several important features were introduced, such as risk analysis and quantity management, in order to avoid overshooting of catch certificate quantities. Under the current paper system, Member States have to check the quantities in the certificates individually. Under this new system, everything will be digitalised. This real time EU-wide database will guarantee more harmonised and coordinated controls at EU-level.

It is a voluntary system for both Member States and EU stakeholders. It will only become mandatory when there is a legal basis. The Commission is working on the modification of the IUU Regulation through a revision of the Control Regulation to make the use of the system compulsory. Currently, the use of CATCH is voluntary for everyone. When the legal basis enters into force, it will be mandatory for EU Member States and EU importers and stakeholders. It will remain voluntary for third countries and third countries' stakeholders and exporters.

The Commission provided an example of how CATCH works. CATCH is included in TRACES.NT which is already used for certificates required for imports of food and animals as well as organic products. It is a platform that is used by the competent authorities in all Member States. Operators will register in TRACES.NT and select the catch certificate module. It is quite user friendly. The Commission also provided an example of an importer declaration.

Good Fish Foundation requested more information concerning the voluntary nature, after the modification of the legal basis, for third countries.

The European Commission explained that, legally, the system cannot be imposed on third countries. The Commission wants to third countries to use the new system as much as possible. The Commission and the operators have a big role in convincing their counterparts to use the system. Many third countries already use TRACES for their health systems. Part of the Commission's strategy is to promote the use of CATCH in third countries. The Commission encouraged EU importers to inform their counterparts on the availability of the system. The Commission is already planning some demonstrations of the system, at the beginning of next year, in Southeast Asia. From a WTO's perspective, the EU cannot oblige third countries to use the system.

ADEPALE wanted to know if the system will be operational before the modification of the IUU Regulation, particularly if EU operators and third countries can already use. They wanted to know the timeline for the implementation of the platform.

The European Commission explained that CATCH is operational, but that there are no users at the moment. There is an in-depth training of the Member State authorities taking place



and they are the ones that will grant access to operators. Then, the industry will need to ask access from their national competent authorities. Presently, third countries do not have access. This will take place a bit after the use by EU operators. Under the new system, it is possible to copy the information provided in the catch certificate. There are no digital signatures in CATCH at the moment, which means that paper still needs to be used. Information can be submitted electronically in CATCH by third country. CATCH is prepared for the entire flow. It is a matter of getting users in the system. Since there is no legal basis, it is under voluntary use.

Oceana wanted to know if certain information fields would be mandatory, in order to prevent the submission of incomplete information. They also wanted to know if it will be the responsibility of the authority to prevent incomplete and poor quality data.

The European Commission explained that there are certain logic checks in CATCH. Quantity overshooting, for example, will be flagged to the national authority.

ANFACO stated that the new system is a step in the right direction against IUU fishing. Since third countries cannot be forced to use the system, they wanted to know if the importer will need to fill the forms for products traded in Europe.

The European Commission confirmed that would be the case.

CEP wanted to know, during the transitional period where there will be two systems in parallels, whose responsibility will it be in the case of a wrong transposition. They also wanted to know, in the absence of digital signatures, who would be liable for lack of correspondence with the paper version of the documents. CEP welcomed the introduction of the new system, considering it an improvement. They wanted to know why the new system could not be imposed on third countries. The EU could impose a digital catch certification as a requirement.

The European Commission explained that, during the transitional period, the valid format is the paper one. If there is a mistake, the Member States' authority will receive a message that there is something wrong and will check the paper version. The responsibility is not different from now, since the basis of the IUU Regulation will not be changed. As for making the system mandatory for third countries, it can be done, if it is not considered a barrier to trade under WTO. It might be worth considering in the future. The system must be stable and the number of users significant before even analysing the possibilities of making it mandatory for third countries.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. (observer) underscored that the new system is a parallel system and it will remain that way. It will be necessary to fill the attached certificate, which foresees stamps. It does foresee a change to a digital stamp. If the Regulation will not be changed, stamps and signatures will be necessary to import products. Member States can tell importers that they need to present the paper, but also to add it to the system. For the validation, the paper version is the



relevant one. It could be double work for the people importing. Certain factory vessels will not be able to sign electronically. If there is a parallel system in force, it is possible to avoid overshooting, but it does not prevent IUU fishing. Major parts of the catch are missed, if the catch is not 100% transferred to Europe. There is no routine to guarantee that the rest was legally caught. It is not realistic to claim that this system is preventing illegal fishing. It continued to be a paper-based system, as long as the annex to the regulation is not changed. Stamps and signatures are the major problems of the system, not the overshooting of quantities.

The European Commission replied that they do not claim that CATCH can fight IUU all over the world. For the EU catch certification scheme in Europe, there have been numerous requests from Member States and the Parliament to develop a real-time system, so that all operators are treated equally. This way Member States can dedicate themselves to risk analysis. The fight against IUU fishing at a global will not be done through CATCH. It is a tool that can release resources to focus on risk assessments and checks. It will be a parallel system until it is fully digitalised. The Commission is optimistic concerning the implementation. As for a possibility in the legislation to electronically validate catch certificates, new implementing regulations will be needed.

ETF underscored that, besides bureaucracy, there is a struggle against IUU fishing, which must move forward. They wanted to know if the tool will be improved in the future.

The European Commission stated that there is a double use for the certificate. The reference number will need to be included. If this certificate would be used in another Member State, the system would not accept the repetition of the number or if the quantities have been overshoot. Communication between the authorities of the different Member States will be improved.

ANFACO emphasised that CATCH is key for the objectives of the MAC. They expressed agreement with the comments made by CEP. If third countries are not obliged to use the system, the importer will have to cover manually the digital system and to continue with paper documents as well, which could be problematic. This should be solved.

The European Commission took note of the comment. In a number of Member States, operators introduce this information. As long as there is no legislation that obliges third countries to use the electronic system, the current system will need to still be used. But the more third countries using CATCH, the less paper will arrive to the EU importers.

Europêche wanted to know if, during the transitory period, it would be possible to use the digital system and a print out from the system.

The European Commission stated that, in relation to third countries, it should be possible to fill, print, and stamp the document, but that they needed to confirm with the developer. A number of third countries have notified a template for catch certificates. Therefore, the authorities in third countries would have to use the online certificates from CATCH.



Killybegs Fishermen's Organisation welcomed the initiative. As for the digitalisation, they presumed that the coding is being done in a flexible language that can be easily adopted. They wondered if EUMOFA will be able to digitally get the data from the CATCH system. They wanted to know what was taken into account when designing the system.

The European Commission explained that the language on the certificate was the same as for TRACES.NT. There is no link to other IT systems in DG MARE and EFCA, but it is not something to be excluded for the future. It is not possible to say how the interface would be made. There were already discussions to have an interface for the integrated maritime service. First, the Commission wants to establish a user base and to ensure that the system is stable. Then, there could be expansions. Customs has a single window system and some certificates in TRACES.NT are already part of it. The aim in the longer run is that CATCH will also be included, since it is part of TRACES.

Marine Stewardship Council wanted to know, if CATCH is part of TRACES and the Member States do the registration of the system, then who would actually be able to use the system.

The European Commission explained that an EU login is needed to register as an operator. The Commission gives authorisation to each user for the EU login. There will be user manuals for CATCH in the TRACES.NT system shortly. Operators will choose a role and select the national authority to accept it. The Commission is not involved in this matter. Most importers of fish into the EU are already registered in TRACES, so they already have a profile.

The Chair thanked the European Commission for the presentation. The Chair highlighted that IUU is a continuous point in the MAC's agenda and expressed his hope of having the opportunity to discuss the topic again in the future.

New European Parliament

- **Organisation of a potential event for new MEPs – discussion**

The Chair outlined that the aim would be to introduce the MAC to the new MEPs, more specifically to the PECH Committee, in order for them to know the ACs, the MAC's work, and potentially invite them to participate in meetings. The MAC is working with the AAC on this event. Both are relatively new, not regionally based, and with an horizontal structure, concerning all Member States in one way or another. The AAC has reacted in a very positive way to the proposal. At the event, each AC would introduce itself and the three most important dossiers that they are working on.

The preliminary date for the event is November 12, during the lunch break of the PECH Committee meeting. The event would have to be hosted by the Chair or a Vice-Chair. In November, it is necessary to take into account the issue of Brexit.



The Secretary General explained that the Secretariat held a phone call with the office of MEP Chris Davies, Chair of the PECH Committee. His office is still booking events at the European Parliament for after October 31, but it is unknown what will happen to those bookings, if Brexit takes place. The Secretariat is currently waiting for a reply from MEP Peter Van Dalen, Vice-Chair of the PECH Committee, concerning hosting the event.

The Chair highlighted that there was a possibility to build on this event for the future, for example by inviting rapporteurs to the MAC's meetings to gather information on their views.

Update on Working Group's 1 work

- **Reporting on the work done**

The Chair of Working Group 1 explained that, on EUMOFA, a set of recommendations has been developed. A document will be circulated with the WG by the end of the week. He Executive Committee will be ask to use the written procedure and to clear these the following week. There was a good interaction with the European Commission on the issue.

On State Aid Guidelines, in order for the MAC to have an input into the consultation process, a response must be prepared by September 20. An overall draft is being developed, which will be circulated among members of WG1. The urgent written procedure will be used for adoption by the Executive Committee. There was a helpful document provided by Europêche to serve as the basis.

On Marketing Standards, the MAC has submitted the advice on fresh fish as well as on canned tuna and sardines. The next initiative could be to develop guidelines on quality standards on fresh fish products. He expects that there will be a draft for the WG at the next meeting.

On Landing Obligation, discussions have been initiated. The WG decided to, at the next meeting, one year since the enter into force of the obligation, to analyse the available data and discuss future options.

On STECF, the MAC has an observer status, granted by the European Commission, at the Annual STECF Fleet Report Meeting. The WG agreed to write to the Commission that they are concerned that the price data the experts in STECF have to use it not fit for purpose. The experts do not have access to the price data in the mandatory Sales Notes. He recommended to write to the European Commission to make the price data available to STECF, in order to have a more accurate report on the price structure. The STECF are currently providing data based on a division of overall quantities and overall price. The Chair asked for endorsement for a letter on this issue.

Update on Working Group's 2 work

- **Reporting on the work done**

The Chair of Working Group 2 outlined that the report on the Level Playing Field has reached



the final stages. It was necessary to assess the parity of treatment between products placed on the EU market whether these are EU products or imported. There are questions of applicable standards in other supplying countries where workforces might not be subject to the same rules as in the EU.

The MAC decided to set up a FG to provide a more structured analysis of the issues. The FG looked first at the legislation to see if there were actual discrepancies in the way that the legislation was framed. The FG looked into the implementation of the legislation. If Member States interpret legislation differently, it can lead to distortions of competition. There are also issues of extraterritoriality, differences of standards applicable in the EU, and IUU matters. The FG has worked on establishing the facts to achieve a better understanding of the matter.

The FG analysed some differences in respect of the interplay of existing regulations. The FG on Consumer Information, established by WG3 will be looking more specifically into consumer information issues. Instead of duplicating the work, WG2 will be exposing the problems, while WG3 will make more concrete recommendations.

There has been good progress on the discussion. There were FG meetings and a series of inputs in the WG. The WG went through the entire report. Most of the outstanding issues were resolved. The WG has asked the FG and the Secretariat to conclude the text. The aim is to, in the next ten days, to produce a “clean” version of the draft text, so that it can be submitted to the Executive Committee and concluded under the MAC’s Year 3.

WG2 continues to monitor other dossiers on an ongoing basis. There will be input into the EUMOFA work. WG2 will follow up concerning trade agreements and trade disputes. Commission representatives have updated the WG on the relevant trade negotiations. The WG raised concerns around the current EU/USA trade disputes and the potential drafting of retaliatory tariffs.

WG2 touched briefly on technical issues regarding the PRODCOM list. The WG aims to revisit the work on the Control Regulation, taking into account the new parliamentary terms.

Update on Working Group’s 3 work

- **Reporting on the work done**

The Chair of Working Group 3 explained that, on Consumer Information, there have been two FG meetings so far. A third meeting should be able to level out the outstanding issues. The issue will be brought back to the WG, so that decisions can be made on what cannot be resolved. There are some small issues that merit being recognised, such as fair labelling of vegetable products and nutritional scores. The “clean” version will be sent to the members of the FG, so that it can be discussed at the next WG meeting.

On the Plastics Workshop, members have signalled interest in a larger venue. The Secretariat is in the process of securing speakers for the suggested date of November 7. As key



takeaways, the MAC should aim to draw some lessons learned and to make good recommendations, including providing additional expertise on the reduction of plastics in the supply chain.

On the Ecolabels Workshop, there has been updates on the Terms of Reference. These will be ready for the next WG3 meeting at the beginning of 2020. A

On Scientific Denominations, a letter will be written to the Commission to highlight the problems, particularly problems for business operators due to the use of different names by third countries.

On Contaminants, there was a very good exchange of views with the Commission. There is a good opportunity to follow up with a letter on contaminants, particularly on fish oil and cadmium levels.

On Horizon Europe, there was a constructive discussion among the WG. With the help of CEP, there was a decision to consolidate the feedback on the subjects discussed, in order to show that, even though the MAC cannot provide feedback in the consultation's form, the MAC acknowledges it and wants to provide some feedback.

On Caviar Labelling, the MAC will leave it to the AAC to come forward with further consultations and a potential joint conclusion on the advice.

The Chair stated that the Terms of Reference for the Plastic Workshop should be adopted under written procedure by the Executive Committee, in order to ensure that it was transparent to everyone. The letter should also be adopted by the Executive Committee before being sent.

Next MAC Elections: Chair and Members of the Executive Committee

- **Note from the Secretariat**

Please see the relevant document here:

<https://marketac.eu/wp-content/uploads/2019/05/Next-MAC-Elections-Chair-and-Members-of-the-Executive-Committee.pdf>

The Secretary General provided an overview of the relevant provisions for the next MAC elections, which will take place in January 2020. The Secretariat will launch an official call for the submission of candidacies for the position of Executive Committee members, MAC Chair and MAC Vice-Chairs. Candidates will be asked to provide a short CV with their application. Members were invited to start pondering about a potential application or, taking into account the need for consensus, their support for other members.

AOB

- **Next meetings**

The Executive Committee agreed to hold the next meetings on 29 and 30 January 2020.



- **External Representation of the MAC**

The Chair, in relation to meetings where the MAC is asked to send representatives, stated that the Chair or Vice-Chairs of the WGs should be consulted to see if they can attend on behalf of the MAC. If they are not available, then the Chairs of the WGs should be consulted. External representatives should report back to the Executive Committee on declarations made on behalf of the MAC and relevant points discussed. Any declarations on behalf of the MAC should be based on approved positions.

Good Fish Foundation reported back on the Landing Obligation Seminar. They informed that there was no need for positions by the MAC. At the seminar, a number of control challenges were discussed. It is not guaranteed that there is compliance with the landing obligation. The conventional controls are insufficient. The compliance with the landing obligation is very low, particularly in relation to active gears. The solution to achieve effective controls would be remote electronic monitoring. There are many issues connected to remote electronic monitoring. Privacy issues and storage problems have been solved. There is a lot of progress in technology, but, fishers and control authorities are not yet ready. There is a good potential, but it will take a while to be introduced. As for markets, it can provide further guarantees on sustainability and traceability for buyers and consumers.

Europêche reported back on the EFCA Advisory Board Meeting that took place on 27 February 2019. At the meeting, they presented the main positions of the MAC on the Control Regulation and the EMFF, plus the ongoing discussions concerning Marketing Standards and the CMO Regulation. The next Advisory Board Meeting will take place in October and they can provide a fuller report later, if there is no official report.

- **MAC's Year 4 Work Programme**

The Chair highlighted that the new European Commission could have new ideas on new fields of work, which means that there might be a need for amendments to the MAC's Year 4 Work Programme. The Chair further highlighted that the newly elected European Parliament might also have new ideas. Brexit could also lead to the discussion of new topics. Therefore, there is a need for flexibility in the MAC's work programme.



List of attendees

Representative	Organisation
Christine Absil	Good Fish Foundation
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPECA
Cynthia Benites	COPA COGECA
Emiel Brouckaert	EAPO
Arnault Chaperon	FEAP
Pascale Colson	European Commission
Pierre Commère	AIPCE
Juan Elices	Spain
Marc Eskelund	EUfishmeal
Cristina Fernández (observer)	Seafish
Cécile Fouquet	Aquaculture Advisory Council Secretariat
Béatrice Gorez	CFFA
Bruno Guillaumie	EMPA
Matthias Kller (observer)	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Desiree Kjolsen	European Commission
Andrew Kuyk	CEP
Jovana Lippens	MAC Secretariat
Sergio López	OPP LUGO
Panos Manias	MAC Secretariat
Dana Miller	OCEANA
Johannes Nieuwenhuis	Marine Stewardship Council
Sean O'Donoghue	Killybegs Fishermen's Organisation
Erik Bjørn Olsen	Living Sea
Brian O'Riordan	LIFE Platform
Claudia Orlandini	LIFE Platform
Guus Pastoor	Visfederatie
Sara Perucho	European Commission





Market Advisory Council

Representative	Organisation
Janne Posti	Marine Stewardship Council
Katrin Vilhelm Poulsen	WWF
Pedro Reis Santos	MAC Secretariat
Katarina Sipic	CONXEMAR
Kathryn Stack	FEAP
Rosalie Tukker	Europêche
Juan Manuel Trujillo Castillo	ETF
Claudia Vinci	AIPCE-CEP
Pim Visser	Visned
Daniel Voces	Europêche
Roman Vorss	FRUCOM
Georg Werner	Environmental Justice Foundation

