

Working Group 3: EU control and sanitary issues, consumer rules

Draft Minutes

Wednesday, 23 September 2020

10:15 - 13:00 CET

Zoom online meeting

Welcome from the Interim Chair, Guus Pastoor

The Chair and the Vice-Chair were unable to attend. The Working Group agreed that Guus Pastoor would chair the meeting.

Adoption of draft agenda and minutes of last meeting (14.07.20): adopted

DG ENV's Legislative proposal on substantiating green claims

- **Presentation by Commission representative**

Click [here](#) to access the presentation.

Imola Bedo (DG ENV) provided an overview of DG ENV's legislative proposal on substantiating green claims.

- **Exchange of views**

The Chair highlighted that there are many points of connection between the legislative proposal and the seafood market and invited members to provide their views.

Sean O'Donoghue (KFO) inquired about the work done on seafood. They also wondered about the link to the voluntary sustainability claims on seafood products, particularly if there would be any overlap.

Christine Absil (Good Fish Foundation), since DG ENV is looking into marine fish, wanted to know if the product would be assessed at the fishery-level. This can have a significant impact on the footprint, since there are transport issues. They also wanted to know if aquaculture would be considered eventually.

The Chair mentioned that there is an ongoing project with the Norwegian Seafood Federation, which is considering aquaculture and wild caught fish.



Imola Bedo (DG ENV) explained that their main work is connected to marine fish. Molluscs and other seafood products are not covered. The project is taking a perspective mostly from unprocessed frozen fish. The environmental footprint method is a lifecycle method, meaning that it considered all lifecycle stages from the catching/growing until consumption/waste, so transport issues are covered. On the link to seafood certification schemes, it remains to be seen. The initiative would focus on the claims connected to the environmental footprint method. It remains to be seen if these schemes are more about activities management or more about calculation of environmental impact. If it is the latter, then it can potentially be applied. It requires further analysis to determine the architecture.

The Chair exemplified that the MSC certification scheme considers the ecological sustainability of stocks and fishing, which is a part of the exercise. It would need to be complemented with transportation, consumption and waste. Taking into account the stage of the legislative proposal, the Chair wanted to know if the MAC should contribute, particularly to the ongoing public consultation.

Imola Bedo (DG ENV) replied that the public consultation includes a section dedicated to experts. Stakeholders, such as the MAC, play an important role in this part of the questionnaire. The MAC can provide significant expertise on sustainability to the consultation. The Commission would appreciate feedback from the MAC.

The Chair proposed the circulation of the public consultation by the Secretariat, expressing hope that the MAC could contribute to the public consultation.

Sean O'Donoghue (KFO) wondered if this topic was on the work programme for Working Group 3, even though it is connected to the work on sustainability and certification. It should be covered by the work programme. It is important to be active on the public consultation as well as the inception impact assessment.

The Secretary General replied that it is not explicitly on the work programme. It is connected to the priority on sustainability claims. At the Workshop on Voluntary Sustainability Claims on Seafood Products, there was a presentation by the Norwegian Seafood Federation about the topic. The MAC's Work Programme also includes a section on "other work", which provides some flexibility.

Plastics

- **Presentation on EPR schemes and their market impact by Commission representative**

Click [here](#) to access the presentation.

Maris Stulgis (DG MARE) provided an overview of EPR schemes for fishing gear. The establishment of EPR schemes is foreseen for end of 2024.



Pim Visser (VisNed) stressed the importance of the topic. When there are developments, the industry should report to the MAC's Working Group 1 and 3. They are looking into setting-up a technical committee under CEN's national bodies.

Patrick Murphy (IS&WFPO) wanted to know more about the Member States' involvement, particularly if the industry should connect with the national authorities or if there would be joint work with the Commission taking place.

Maris Stulgis (DG MARE) explained that enforcement is a requirement under the SUPs Directive. DG ENV will take the relevant measures. DG MARE will work together with the relevant stakeholders. The Commission is going to organise a workshop on EPR schemes with Member States early next year. In Europe, there are more than 400 EPR schemes and there are best practices. It is important to learn from experience and work together with stakeholders.

The Secretary General wanted to know about the possibility of the Commission services undertaking a study on the impact of EPR schemes on the seafood market prices.

Maris Stulgis (DG MARE) replied that DG MARE is able to launch small studies. Therefore, if there was a suggestion from an AC, it could be considered.

The Chair agreed that the possibility of a small study on the impact of EPR schemes on market prices should be considered.

- **Presentation on consumer attitudes towards seafood and the marine environment – the role of plastics and other emerging contaminants by Dr. Alice Tediosi, Aeiforia**

Click [here](#) to access the presentation.

Dr. Alice Tediosi (Aeiforia) provided a presentation on consumer attitudes towards seafood and the marine environment – the role of plastics and other emerging contaminants, covering an ECsafeSEAFOOD consumer study, conclusions, and advice.

The Chair wanted to know why scientists were not heard more. Science is very important and should be the basis behind the authorities' actions. The Chair wondered if science was not seen by consumers, since it was communicated through the authorities.

Dr. Alice Tediosi (Aeiforia) replied that consumers trust science, but that the scientific messages were not always accessible to consumers and the general public. The project tried to convert the scientific message into an easier message to the general public. There is a barrier even before accessing the scientific information, because the general perception is that science deals with complex issues. It is



a challenge for science to communicate with the general public. Science remains the basis for progress.

The Chair, regarding the recommendation of information campaigns towards the public, wanted to know who would be the right organisation for such a campaign.

Dr. Alice Tediosi (Aeiforia) explained that, the question on trust, demonstrated that consumers do not really trust the government and the seafood industry, while they trust control organisations and science. Therefore, science is in a good place to make advice and suggestions. The challenge is the format of the information and the target. Control organisations and food authorities can play a role, since these provide advice on seafood consumption. In her personal view, governments and seafood industry are not trusted, because consumers feel there is an economic or political interest. Governments and industry should provide a balanced message that does not hide risks, in order to increase trust. The project also developed [safe seafood guides](#) for industry, policy-makers and consumers.

Els Bedert (EuroCommerce) welcomed the presentation, adding that the study was in line with other studies on food labelling. There are several steps before information leads to consumer behaviour changes. They expressed surprise that consumers trust control authorities, but not the governments. They recognised the important role of food safety authorities as an independent source of information, including EFSA. On the concerns over plastics, they wondered if the study linked it with media coverage during the period of the survey. The consumer awareness is very much linked to the press coverage and large campaigns.

Dr. Alice Tediosi (Aeiforia) responded that the study did not make a link with media coverage.

Maria Luisa Álvarez (FEDEPESCA) welcomed the presentation. They agreed that food safety authorities have a role to play and should be a reference for consumers. In their experience in Spain, authorities have difficulties understanding that the way of communicating to the consumer needs to change. Food safety authorities should follow the example of police authorities and use social media to inform consumers quickly.

Dr. Alice Tediosi (Aeiforia) stated that it is very important, beyond the message conveyed, to choose the right channel to convey the message. If the general public uses social media, then authorities should use social media.

Maria Luisa Álvarez (FEDEPESCA) emphasised that the economic sector needs a platform to indicate information in an understandable manner to companies and consumers. Presently, there is a lot of information available in the website of the national control authorities, but the general public does not understand the information.



Dr. Alice Tediosi (Aeiforia) responded that, currently, there are many platforms and ways of communicating, which can also be a problem, since it can be confusing for consumers.

Christine Absil (Good Fish Foundation), regarding consumer trust, requested more information about consumer organisations. Consumer organisations are quite trusted by consumers and communicated based on science. There is merit in further collaboration between science and consumer organisations.

Dr. Alice Tediosi (Aeiforia) stated that, as an information source, consumers tend to trust their doctors first, followed by consumer organisations, and then scientists.

- **Consideration of draft advice on Plastics and the Seafood Supply Chain**

The Chair emphasised the importance of using all the information collected to work on advice on plastics.

Sean O'Donoghue (KFO) stressed the importance of the topic. The workshop was very successful and the MAC needs to move forward. The advice should focus on information and development of a campaign with the Commission. They suggested to have this a topic as key item in the next Working Group 3 meeting, plus the circulation of a draft in advance. They further suggested that the advice should particularly focus on information.

Emiel Brouckaert (EAPO) highlighted that the Commission replied to the joint ACs advice on the Single Use Plastics Directive and Fishing for Litter, which included some suggestions on way forward. They suggested for the Working Group to analyse the Commission's reply at a next meeting, in order to start working on a specific MAC advice.

The Chair agreed with both proposals.

Nutritional Labelling, particularly "nutriscores"

- **Presentation of draft advice proposal by Visfederatie**

The Chair outlined that, on the Nutriscore, the aim had been to single out one point, in order to develop a specific advice. There are many supermarkets using the Nutriscore system. There are some concerns regarding how fish is being assessed.

Paulien Prent (Visfederatie) provided an overview of the draft advice proposal circulated in advance to the Working Group members. They explained that the framework of the Nutriscore's scientific committee would be discussed between the Member States the following week. Therefore, it would be important to move ahead with the MAC's advice, in order to influence the developments. Taking



into account the timing, they argued in favour of moving ahead with this specific advice, before working on a general advice on front-of-pack labelling.

- **Consideration of draft advice proposal**

Sean O'Donoghue (KFO) argued that the production of advices by the MAC needs to be standardised. The Commission has emphasised that the MAC's advices should be concise. They suggested that the main advice should be two or three pages with background and recommendations, while the supporting information could be in an Annex. They expressed support for the recommendations on the draft advice and requested more information on the timeline for adoption.

Maria Luisa Álvarez (FEDEPESCA) welcomed the draft, but wanted to know if there would be additional time to review the proposal.

Els Bedert (EuroCommerce) argued in favour of a general advice on front-of-pack labelling. They expressed some concern with the sentence "The MAC is aware that the European Commission is not in the position to make a FOP nutrition labelling scheme obligatory in the EU". The inception impact will start next month, so the MAC should start considering this. They were unsure about how appropriate it would be to ask the Commission to get involved in the scientific committee of the Nutriscore, since it is an independent scheme. They wanted to know if Visfederatie contacted the national experts involved in the scheme, particularly on the potential receptiveness to this advice.

Paulien Prent (Visfederatie) agreed with KFO on the format change. The experts of the scientific committee have not been appointed yet. The appointment will be after the adoption of the general framework. The framework of the scientific committee is currently being discussed by the involved Member States. They argued that it was important to get involved in these discussions. They emphasised the time urgency and to involve the Commission, in order to ensure a level playing field on the discussions on the calculation method.

Els Bedert (EuroCommerce) emphasised that the EU-level discussions on the front-of-pack labelling were more important for the MAC. It is still unclear how the labelling system will look like.

Paulien Prent (Visfederatie) explained that, according to information provided by the Commission services to them, the Commission did not have a legal basis to make front-of-pack nutritional labelling obligatory. They agreed that the MAC should make an additional paper on front-of-pack labelling in general, but, since the discussion on Nutriscore is taking place now, it is urgent to discuss it. Fish is not represented fairly as a healthy product.

The Chair proposed to look at the format of the advice. The Chair recognised the importance of an advice on front-of-pack labelling. This could be a next, more general advice. The Chair proposed to amend the draft advice and circulate it. Depending on the level of comments, the advice could be



adopted through written procedure or at a next meeting, while keeping in mind the time-sensitive developments of the Nutriscore scheme. The draft advice demonstrates that there is a role to play by authorities and the Commission, which appears to be missing.

Voluntary Sustainability Claims on Seafood Products (Ecolabels and Certification Schemes)

- **Overview of Workshop Report**

Click [here](#) to access the Workshop Report.

The Chair expressed satisfaction with the workshop.

The Secretary General informed that the report was available online in English, French and Spanish. Video recordings are also available on YouTube. The Secretary General provided an overview of the report and invited members to provide feedback on the workshop and the way forward, particularly unanswered questions and contributions for a future advice.

The Chair expressed confidence that the adopted Terms of Reference were respected. It is important to work towards the development of an advice, so priorities need to be selected. The Working Group needs to determine the elements to be covered by the advice.

Emiel Brouckaert (EAPO) expressed interest in moving ahead with an advice. They expressed satisfaction with the workshop and the report. The EAPO has prepared some input on the topic for the MAC. They suggested the organisation of a Focus Group.

Els Bedert (EuroCommerce) emphasised the importance of digital information to consumers. They expressed work with the parallel work in the different Commission services on green claims. The MAC should discuss the meaning of sustainability.

Sean O'Donoghue (KFO) expressed support for EAPO's proposal. They highlighted that sustainability aspects are becoming part of the legislative developments on the marketing standards framework. Therefore, it is important to determine how sustainability will be discussed in the MAC.

The Chair agreed with the creation of a Focus Group. The Chair emphasised the importance of having Terms of Reference beforehand. It will likely require some discussion at the Executive Committee's level. The Working Group should put forward a proposal of Terms of Reference.

Sean O'Donoghue (KFO) agreed with the proposed way forward. It is critical to adopt Terms of Reference in advance. It is also important to have a timeline, particularly for the development of draft the Terms of Reference.



The Chair proposed for the Secretariat and the Chair to develop a first proposal of Terms of Reference to be discussed at the November meeting. Then, the work could be undertaken in 2021 to be finalised by the end of Year 5.

- **Presentation & exchange of views with Prof. Dr. Simon Bush, Professor and Chair of Environmental Policy, Wageningen University**
- **Way forward**

Click [here](#) to access the presentation.

Prof. Dr. Simon Bush (Wageningen University) provided a presentation on voluntary sustainability claims on seafood products, covering six propositions for the EU moving ahead with voluntary seafood codes and standards.

The Chair highlighted that the market is moving on a certain direction and the “gold standards” are quite attractive for the market. In the EU, there is a high degree of legislation for seafood production and processing and there is some dissatisfaction amongst producers, since they are not rewarded for following the legislation. Even those who achieve the “gold standard” wonder if they are being properly rewarded.

Sean O’Donoghue (KFO) wanted to know more about how the “silver standard” would function. They wondered about how the portfolio of voluntary codes and standards could be implemented.

Prof. Dr. Simon Bush (Wageningen University) explained that there is a range of different initiatives, plus an ongoing discussion on the role of Fishery Improvement Projects (FIPs) compared to certification schemes. If a FIP does not have the highest level of ambition, but is engaging many fishers, it still plays an important role. Change is also about what buyers want, particularly the engagement. In the market, there is an increase of product claims on improvements. Scientifically, the development of a seafood aggregator playing a steering role has been considered. This could take place in many formats, for example through the European Commission, a reimagined MSC, or the Global Sustainable Seafood Initiative, which could provide a portfolio for consumers. The question would be if consumers see a value in outsourcing this analysis to third parties.

Maria Luisa Álvarez (FEDEPESCA) emphasised that the issue of different standards also occurs in the distribution sector. The main issue is how the consumer perceives all these rules. Smaller enterprises are not always able to purchase certified products, so might be excluded, even though they are complying with the EU’s high level of legislation.

Christine Absil (Good Fish Foundation) wanted to know about how to involve consumers. There is a need for communication to explain the different standards. They agreed with FEDEPESCA that there are producers who are sustainable, but are unable to be certified. These should still be acknowledged



in the market. It is important to develop reliable ways to communicate this to consumers, while still having assurance that the small-scale producers are producing what they claim. The high costs associated with “gold standard” certification needs to be considered.

Prof. Dr. Simon Bush (Wageningen University) agreed that the performance of the small-scale sector needs to be acknowledged connected to the costs of traditional certification schemes. This helps explain why only a small part of production is certified, which puts into question the overall effectiveness of certification. Prof. Dr. Bush argued that certification still has a role to play and goes beyond the certification of producers. It is important to not focus only in one type of voluntary codes and standards, but on the relationship of different methodologies for improvement. There are questions on the level of education that consumers would need to understand a whole range of new claims on products. Buyers and retailers play a much important steering role by editing the consumer’s choices. Retailers have their own risk profile to determine the products on their shelves. In scientific work, there have been some consideration of moving from production certification towards buyers’ assurance. It could be an opportunity for retailers to be recognised for their investment. This would allow communication to consumers based on the brand of a retailer, instead of individual products.

AOB

None.

Summary of action points

- DG ENV’s Legislative proposal on substantiating green claims:
 - o Secretariat to circulate the Commission’s public consultation
 - o Working Group 3 to consider further action under Year 5
- Plastics:
 - o Secretariat to prepare draft advice covering information campaigns
 - o Commission’s reply to the joint ACs advice on the Single Use Plastics Directive and Fishing for Litter to be analysed at the next meeting
- Nutritional Labelling, particularly “nutriscores”:
 - o New version of the draft advice to be circulated for consideration and adoption
 - o Working Group 3 to initiate work on front-of-pack labelling
- Voluntary Sustainability Claims on Seafood Products (Ecolabels and Certification Schemes):
 - o Secretariat and Chair to prepare draft Terms of Reference for consideration at the next meeting



List of attendees

Representative	Organisation
Alice Tediosi	Aeiforia
Andrew Kuyk	AIPCE-CEP
Angeles Longa	EMPA
Anna Boulova	FRUCOM
Carla Valeiras	EuroCommerce
Catherine Pons	FEAP
Cécile Fouquet (observer)	Aquaculture Advisory Council's Secretariat
Christine Absil	Good Fish Foundation
Cristina Fernández (observer)	United Kingdom
Daniel Voces de Onaíndi	Europêche
Daniel Weber	European Fishmeal
Els Bedert	EuroCommerce
Emiel Brouckaert	EAPO
Gaël Lavielle	Les Pêcheurs de Bretagne
Georg Werner	Environmental Justice Foundation
Guillaume Carruel	EAPO
Guus Pastoor	Visfederatie
Haydeé Fernández Granja	CONXEMAR
Imola Bedo	European Commission
Jean-Marie Robert	Les Pêcheurs de Bretagne
Jens Mathiesen	Danish Seafood Association
José Basilio Otero Rodríguez	Federación Nacional de Cofradías de Pescadores (FNCP)
José Carlos Escalera Aguiar	Federación de Cofradías de Pescadores de Cadiz (FECOPESCA)
Katarina Sipic	AIPCE-CEP
Katrin Vilhelm Poulsen	WWF



Representative	Organisation
María Luisa Álvarez Blanco	FEDEPESCA
Maris Stulgis	European Commission
Massimo Bellavista	COPA COGECA
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Nicolás Fernandez Muñoz	OPP72
Olivier Tanqueray	ClientEarth
Patrick Murphy	IS&WFPO
Paulien Prent	Visfederatie
Pedro Luis Casado López	OPP80
Pedro Reis Santos	Market Advisory Council
Pim Visser	VisNed
Purificación Fernández	OPPC-3
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPECA
Rosalie Tukker	Europêche
Sean O'Donoghue	Killybegs Fishermen's Organisation Ltd (KFO)
Sergio López Garcia	OPP LUGO
Simon Bush	Wageningen University
Stavroula Kremmydiotou	Market Advisory Council
Vanya Vulperhorst	Oceana

