

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

Draft Minutes

Wednesday, 27 January 2021

10:30 - 13:00 CET

Zoom online meeting

Welcome from the Chair, Benoît Thomassen

Adoption of draft agenda and minutes of last meeting (27.11.20): adopted

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

Special Eurobarometer Report - Making our food fit for the future – Citizens' expectations

- **Presentation by Commission representative**

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

Thierry Chalus (DG SANTE) provided an overview of the Special Eurobarometer Report - Making our food fit for the future – Citizens' expectations. Following the adoption of the Farm to Fork Strategy, the Eurobarometer was launched to understand how EU citizens understand sustainability, what influences their behaviour, and what motivates them to adopt a healthy diet as well as their concerns, in order to ensure a transition towards a more sustainable food system.

- **Exchange of views**

The Chair expressed his appreciation for the report and presentation, since Eurobarometer reports on consumer expectations are very informative to develop MAC advice.

Javier Ojeda (FEAP) drew attention to potential language issues in Eurobarometer surveys that need to be taken into account. For example, in Spanish, the same expression is used to mean a health issue or a food availability issue, which in English corresponds to "food safety" and "food security". They also wanted to know more about the consumers' interest in origin information on labels.

Sean O'Donoghue (KFO) wanted to know if there were regional variations in the survey. In the case that there were regional variations, if these had any statistical significance.

Thierry Chalus (DG SANTE) explained that, in French, there were also some difficulties with the concepts of food safety and food security, but that the meaning was made clear to the interviewees.



On origin information and labelling, the representative highlighted that it was of great importance for citizens. As part of the Farm to Fork Strategy, there will be several initiatives connected to labelling, particularly on front-of-pack labelling, such as nutritional information and origin, plus the potential development of a sustainability logo. The aim is to help consumers to make sustainable and healthy choices. As for regional variations, there are always regional variations, but, according to the external consultant, there were no significant differences.

Food Information to Consumers

- **Presentation on the revision of the FIC Regulation (front-of-pack nutrition labelling, nutrition profiles, origin/provenance, date marking)**

The Secretary General explained that DG SANTE published a Roadmap on the proposal for a revision of the Regulation on the provision of food information to consumers (FIC Regulation). The feedback period is from 23 December 2020 to 3 February 2021. It covers front-of-pack nutrition labelling and nutrient profiles, origin labelling, and date marking. DG SANTE will launch additional public and targeted consultations. DG SANTE is also organising a stakeholder workshop, which will include the seafood sector. In order to prepare for a potential reaction by the MAC, the Secretariat circulated a questionnaire to the members from 6 January to 21 January 2021. Answers were submitted by AIPCE-CEP, EAPO, Europêche, ANFACO-CECOPECA, and FEDEPESCA.

- **Presentation of the results of the Secretariat's questionnaire**

The Chair provided an overview of the results of the Secretariat's questionnaire, noting the diversity of views expressed. The Chair proposed, as a way forward, the preparation of a draft advice, by himself and the Secretariat, with an introduction that explains the different views by membership clusters on the current framework, followed by positions on the Roadmap's policy options. The Chair highlighted the connection to the MAC Advice on Consumer Information on Fishery and Aquaculture Products, the MAC Advice on Nutri-Score Labelling on Fish Products, and the future advice on voluntary sustainability claims, meaning that it was not necessary to repeat certain discussions. In the written Working Group consultation, members would have the opportunity to identify clearly to which positions they subscribe.

- **Exchange of views**

Christine Absil (Good Fish Foundation) highlighted that the FIC Regulation and the CMO Regulation can apply to different seafood products. The parallel initiatives can be confusing. They wondered if DG MARE and DG SANTE were liaising on this file. They wondered, if, for example, there was interest in graded indicators for front-of-pack nutrition labelling, whether there would be multiple colourful labels on the package indicating different aspects of sustainability or health. Eventually, this information might not be clear to the consumer.



The Secretary General stated that there was coordination between DG SANTE and DG MARE, even though DG SANTE is the lead DG on this file.

Thierry Chalus (DG SANTE) explained that, usually, when dealing with policy revisions, there are always inter-service groups, where the different DGs are represented, so that their positions are taken into account in the decision.

Carla Valeiras Álvarez (EuroCommerce) explained that the EuroCommerce did not reply to the Secretariat's questionnaire, because, at the time, it did not have a position on the policy options. In their view, since the MAC already has an advice on consumer information, discussions should not be restarted. It was not essential for the MAC to reply to the Roadmap, since there will be other opportunities to be involved in this initiative.

Sean O'Donoghue (KFO) highlighted that the feedback period of the Commission's Roadmap would conclude on 3 February. Taking into account the diversity of views, it would be very difficult to reach a consensus in such a short time. They suggested the development of a draft advice recalling the positions from previous advice. They encouraged fellow members to submit individual contributions to the Commission's Roadmap.

Pierre Commère (ADEPALE) drew attention to the significant divergences in the answers, adding that it was a highly complex exercise. They agreed that the MAC could attempt to draft an advice, as proposed by the Chair, but that it should make use of the previous advice. The Secretariat could also contact the Commission to request additional time to submit a contribution.

Juan Manuel Trujillo (ETF) expressed support for the way forward proposed by the Chair. The MAC must fulfil its commitments with the European Commission. Even they did not agree with all the other views, but the members should overcome their specific area of interest and provide overarching answers. There are factors that unite the membership, such as the three pillars of sustainability. It is possible to provide advice to the Commission, while still recognising the plurality in the MAC.

The Secretary General stated that the deadline was 3rd of February, but that the Commission is usually flexible with the MAC. Even if the advice was sent late, it should still be relevant for the Commission to know the MAC's position. The Secretary General highlighted that the previous advice on consumer information was mostly focused on origin, while the Roadmap also covered front-of-pack nutrition labelling and date marking.

Sabela Pérez Máiz (DG MARE) informed that DG MARE is participating in the inter-service group with DG SANTE and will pass the MAC's comments to DG SANTE. Until now, there was only one meeting of this group. In terms of calendar, there will a study in Q1 2021 to support the impact assessment, a public consultation and targeted consultations in Q1 or Q2, finalisation of the impact assessment in Q1 2022, and legislation proposal probably in Q4 2022.



- **Way forward: possible reaction to Commission's Roadmap**

The Chair proposed the development of a draft advice. The issues already tackled in previous advice would not need detailed development. For other issues, the draft could include paragraphs based on the different views of the questionnaire. Under the written consultation, members would have the opportunity to clearly identify their positioning. The Chair expressed his belief that the advice could be concluded in two or three weeks. The Chair also encouraged members to submit individual contributions to the Commission's Roadmap with detailed views.

Voluntary Sustainability Claims on Seafood Products

- **Presentation of the results of the Secretariat's questionnaire**

The Chair recalled that, at the previous meeting, there had been agreement to establish a focus group, but that agreement was lacking on the terms of reference.

The Secretary General explained that the feedback had been that the terms of reference should be specific and strict, since a significant number of members wanted to be involved at Working Group level. Therefore, the Secretariat prepared a questionnaire to better understand the views of the members. Then, members should be able to determine the topics to discuss in a focus group or potentially an alternative way forward. The questionnaire was circulated from 16 December 2020 to 14 January 2021. Answers were submitted by MSC, EAPO & Européche, and FEDEPESCA.

The Chair provided an overview of the answers to the questionnaire, noting the diversity of views, particularly a division between MSC and the seafood industry. Afterwards, the Chair asked members if they still wished to establish a focus group.

- **Exchange of views**

Sean O'Donoghue (KFO) argued against the establishment of a focus group. The diversity of answers demonstrates that the issues need to be discussed at working group level, instead of attributing a specific task to a focus group.

Christine Absil (Good Fish Foundation) stated that, considering the diversity of views, the topics requires wider discussion, regardless of the discussion taking place at focus group or working group level. Input from the environmental NGOs is still needed. Good Fish Foundation is keen to contribute to the discussions on this topic. They highlighted that the topic is connect to the provision of sustainability information, so it goes beyond certification schemes.



Erin Priddle (MSC) stated that, considering the diverging views, a small forum of discussion could be useful. Working group level could be too large for a detailed discussion. They agreed with the Good Fish Foundation that the topic goes beyond certification schemes.

María Luisa Álvarez Blanco (FEDEPESCA) argued in favour of maintaining discussions at working group level. Work carried by focus groups is later sent to the working group, so, in topics that require wider debate, this can lead to a repetition of discussions. They drew attention to results of the special Eurobarometer report and consumer preferences connected to health, support for local economy, avoiding food waste, social concerns, and protection of the environment. In order to avoid unnecessary efforts, the working group could also consider making final decisions on the establishment of focus groups before the circulation of questionnaires.

Quentin Marchais (ClientEarth) underscored the importance of the topic for his organisation. The topic is intimately tied to each organisation's view on what sustainability means. The meaning of claims, voluntary claims, and certification schemes is also different. They provided an example of a 2011 report on claims, which demonstrated the wide variety of claims in the market. The main question is how these claims are substantiated. Then, there is the question of certification standards and their credibility. There are different levels of credibility for certification schemes. ClientEarth promotes schemes that follow the FAO's codes of conduct, FAO's ecolabelling guidelines, ISEAL's credibility standards, and independent and verifiable auditing. There is a wide variety of schemes currently on the market. In terms of access, there can be difficulties to access certification bodies. There are also questions on how socio-economic angles can be covered, since schemes were originally created for environmental purposes. Schemes might not have the expertise to include socio-economic perspectives. There are also different angles of social sustainability, such as fighting slavery on board and jobs creation.

Guus Pastoor (Visfederatie) highlighted that several members still want to share their views on the topic. They suggested that the Secretariat could collect the different inputs and prepare a paper. A focus group could be quite difficult, since there is a general discussion to take place.

- **Way forward**

The Chair proposed to maintain the topic at working group level, in order to avoid repetition of debates. The Chair proposed the recirculation of the questionnaire, in order for more members to answer. Before recirculating, members could propose additional questions to be included in the questionnaire. The Chair encouraged members to provide input through the questionnaire, in order to facilitate discussions at the next meeting and to identify different views.

The Secretary General suggested the organisation of a WG3 meeting dedicated to the topic, in order to allow a more detailed discussion, following the additional written feedback, in March.



The Chair proposed one week for members to propose additional questions to the questionnaire, recirculation of the questionnaire, so that answers are collected by end of February, and potential preparation of a first draft ahead of a dedicated meeting in March.

Linéa Engström (MSC) wanted to know the deadline for the adoption of the advice.

The Secretary General explained that there was no strict deadline, but that it was a commitment under the Work Programme for Year 5. The MAC's operational year concludes at the end of September. The advice was not a request from the Commission, but a priority identified by the members.

The Chair highlighted the importance of producing advice to follow-up on the MAC's Workshop on Voluntary Sustainability Claims.

Food Contact Materials

- **Presentation on the revision of EU rules**

The Secretary General explained that DG SANTE published a Roadmap on the revision of EU rules on Food Contact Materials. The feedback period was from 18 December 2020 to 29 January 2021. The Secretariat did not prepare a questionnaire, since the topic is quite technical. The Secretariat put out a call for expressions of interest in the topic from 21 December 2020 to 8 January 2021, in order to determine if there were members interested in the topic. The only member that demonstrated interest under the call was FEDEPESCA, but later AIPCE-CEP also sent a contribution. The Secretary General provided an overview of the Roadmap, including context, problems to tackle, and policy options. Afterwards, the Secretary General outlined the positions from FEDEPESCA and AIPCE-CEP.

- **Exchange of views**

The Chair asked members to express their views on how the MAC should approach the topic, for example the preparation of a questionnaire by the Secretariat or, alternatively, only encourage members to submit individual contributions directly to the Commission.

Pierre Commère (ADEPALE) highlighted that the topic was highly technical, but also very important for operators. Most processed products are packaged, so the issue of FCMs is fundamental. The consultation period was quite short and covered the holiday period, so it was difficult to submit feedback on time. AIPCE-CEP provided feedback to the Secretariat that week. They suggested that the Secretariat could contact the Commission to inform them that the MAC would be submitting feedback late. They underscored the importance of the topic for SMEs due to the lack of resources, the complex legislative framework, and the need for harmonisation of formalities. Retailers often



impose requirements that go beyond the legislative requirements. SMEs need clear operational guidelines for assessments. The guides developed by the JRC are not widely known by operators.

Christine Absil (Good Fish Foundation) drew attention to her professional background in toxicology and express her availability to provide technical assistance on this topic.

- **Way forward: possible reaction to Commission's Roadmap**

The Chair proposed to inform the Commission that feedback would be submitted by the MAC, even though it would be after the end of the Roadmap's feedback period. The Chair proposed the development of a draft advice summarising the views expressed by FEDEPESCA and AIPCE-CEP. The draft would be put forward through written procedure.

Plant-based imitation seafood

- **Presentation on the development and impacts**

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

Malcolm Beveridge (WorldFish) provided a presentation on plant-based seafood alternatives, which was based on a recent report by their organisation. Since 1960s, the world population has more than doubled. Over the same time period, seafood product has risen five-fold. Capture fisheries were the first major source of supply increase in the first 30 years. Since 1990s, the growth has come from aquaculture. Since 2015, aquaculture has supplied more than half of all fish eaten. It seems unlikely that future growth in seafood supplies will meet the needs in low-income countries. There are increasing environmental concerns about overfishing, habitat degradation, emissions and pollution. There are public health concerns about contaminants and zoonotic diseases. There are also ethical concerns about human rights and animal welfare.

Current food systems are increasingly being seen as unsustainable and vulnerable to shocks, including from climate change. More than 10% of the current population is food-insecure. Hundreds of millions consume low-quality diets. There is paradigm shift from feeding to nourishing people with sustainable diets. The aim of their study was to determine if the growing alternative seafood sector would increase resilience and sustainability of the global food systems, plus the implications for food security, livelihoods, and the environment in low and middle income countries.

Nisha Marwaha (WorldFish) explained that plant-based and cell-based products are being promote as seafood alternatives and new foods, increasing the sustainability and resilience of the food system. The sector is only expected to secure a small market share (less than 0.2%) by 2030. Alternative seafood will be more likely to complement fisheries and aquaculture than to out-compete them. The plant-based meat market share is higher in Europe than in the USA. However, plant-based seafood



only accounts for 1% of the plant-based market overall. The plant-based sector, including plant-based alternative seafood is expected to grow, as European consumers look into a reduction of meat intake. Health is the main driver for the reduction of meat intake, but animal welfare, environment, cost, and social pressure are also factors.

Plant-based seafood is made of a wide range of ingredients from terrestrial agricultural systems, but producers are looking to use more aquatic ingredients, in order to better capture the taste and texture of seafood. The nutritional value is determined by the ingredients and the processing, but it is unknown if these products provide the same nutritional value. Plant-based seafood alternatives can also be used to achieve certain nutritional goals, such as high fibre content or fortified with vitamins. These products often include a longer ingredient list, such as binders, preservatives, flavour compounds. A high degree of processing can be involved. Producers are aware of these issues and are addressing them.

Many companies have emerged to meet this demand for alternative seafood, mainly in USA and Europe, but also emerging in Asia. In retail, many plant-based alternatives are given brand names or include “vegetarian” or “vegan” in the name to differentiate from the conventional counterpart. There is increasing support from incumbent protein companies through investments and partnerships to broaden consumer base, appeal to younger generations, increase sustainability and social responsibility, and diversify supply and investment to increase resilience to shocks. Certification for alternative seafood has been recently established by the World Sustainability Organisation. The label guarantees that the product is plant-based, but producers might choose not to use certification. Concerning labelling, in the EU, plant-based meat producers must comply with the FIC Regulation and must label genetically modified ingredients. There is no EU-wide legal judgment on the use of denominations for plant-based meat alternatives. The EU has not developed general labelling principles towards plant-based seafood alternatives.

- **Exchange of views**

The Chair, in relation to EU labelling legislation, wanted to know if there was a specific legal framework for the plant-based meat industry.

Nisha Marwaha (WorldFish) explained that, for meat, there were no specific naming or denomination requirements. The FIC Regulation requires that the label must be clear, accurate, and not misleading.

Pierre Commère (ADEPALE) stated that, in the EU, the only sector protected with denominations was the milk sector. They highlighted the importance of the FIC Regulation’s principle that labelling should not be misleading for consumers. The main point is the use of denominations that are clear and non-misleading. Alternative names should be sufficiently different from the commercial names of seafood products. It is important to pay close attention to developments on this matter.



Javier Ojeda (FEAP) expressed disagreement with the view that “current food systems are unsustainable”. The industry has made huge efforts to improve the sustainability of the sector. They asked the presenters to respect the specificities and particularities of the sector.

Malcolm Beveridge (WorldFish) clarified that the statement was not that seafood systems are unsustainable, even though many people question aspects. The statement comes from 2 major UN reports and a report by the EAT Forum, according to which current food systems are unsustainable. The COVID-19 pandemic demonstrated this unsustainability, for example when slaughterhouses were major sources of spreading the virus, leading to closures. Food systems are vulnerable and with questionable sustainability.

Javier Ojeda (FEAP) highlighted that resilience is different from sustainability. The EU’s aquaculture production continued during the COVID-19 crisis. The UN reports include additional information, which provides further details beyond those sentences.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) explained that, in Germany, there were guidance documents for plant-based fishery food. Fish is not protected, but fish names are protected. For example, it is not possible to sell plant-based “tuna”. Often, producers of plant-based alternatives change the wording, using a misspelled version of the fish name. Therefore, it is important that consumers are well informed, in order to understand the difference. There is additional information that needs to be provided in order to sell plant products as seafood alternatives.

The Chair wondered if merely changing one letter in the product name was not misleading and against the FIC Regulation.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) responded that it was not against the FIC Regulation, because the alternative name would be on the front of the package, but, in the back, the information panel would include a long sentence explaining what the product actually is. This demonstrates the increasing complexity of consumer information.

Christine Absil (Good Fish Foundation) explained that different issues were being mixed. On the one hand, it is about the increasing development of plant-based alternatives. On the other hand, the discussion is about whether labelling should be stricter and avoid misleading consumers. In relation to the paradigm shift towards nourishing the world’s population rather than feeding, they wondered if the report delved into the nutritional aspects of the plant-based seafood alternatives, especially taking into account the focus on low income countries.

Nisha Marwaha (WorldFish) stated that nutritional aspects were discussed a lot in the research and development of the report. Overall, they do not expect that plant-based seafood alternatives will be accessible or relevant, in the near future, in developing countries. The prevalence of plant-based



alternatives will be more accessible in wealthier economies, such as Europe and the USA. There are questions on the nutritional value. Producers are fortifying plant-based products with vitamins, marine protein, and other elements, but it is unclear if these will provide the same nutritional content. If the developing world becomes a target, then the model will need to be reassessed.

Christine Absil (Good Fish Foundation) wanted to know if mixed products, such as surimi, had been considered. It is a product that finds a large market with lower income consumers. These are products that can be nutritious and have a seafood component, without it being the main one.

Nisha Marwaha (WorldFish) responded that it had not been explored in depth, but that they undertook preliminary interviews with many producers of farm-based alternatives. The possibility of an in-between step was brought up several times. Instead of replacing products completely, there could be a market for hybrid products, in order to make products more accessible to different people, while still having important attributes of marine protein.

Frangiscos Nikolian (DG MARE) underlined that, under the CMO Regulation, it is not possible to use the commercial name or the scientific name of the fish in the plant-based alternative. The use of commercial names or scientific names of fish products would be considered fraud. The use of very similar names could raise some concerns in terms of misleading consumers that are not familiar with the sector.

- **Way forward**

The Chair asked members for their views on the way forward.

Paulien Prent (Visfederatie) recalled that the working group had previously agreed that she would prepare a draft especially focused on the labelling of plant-based imitation seafood.

The Secretary General recalled that, under the Work Programme for Year 5, there was agreement to prepare an advice for the European Commission and that the working group had agreed that Paulien Prent would prepare the first draft. The purpose of the presentation was to launch discussions and to know the views of the members, plus to determine, if before considering the draft advice, members wanted additional actions (e.g. further discussion, exchange with more experts, circulation of a questionnaire).

Paulien Prent (Visfederatie) informed that she would start drafting in the upcoming weeks.

Els Bedert (EuroCommerce) highlighted that plant-based products are a market trend. Retailers provide products that consumers want. There is a clear trend in society for alternatives to animal protein. According to studies undertaken by BEUC, there is no proof that consumers misunderstand



plant-based meat products, so these studies should be considered. Retailers would not want consumers to be dissatisfied due to confusing labels.

AOB

None.

Summary of action points

- Food Information to Consumers:
 - Chair and Secretariat to develop a draft advice, based on the answers to the Secretariat's questionnaire and previously adopted advice
 - Draft advice to be considered under urgent written procedure
- Voluntary Sustainability Claims on Seafood Products:
 - Members to have one week to propose additional questions for the questionnaire
 - New version of the questionnaire to be circulated for two weeks
 - Secretariat to compile answers and prepare drafting suggestions
 - Dedicated meeting to take place in March
- Food Contact Materials:
 - Chair and Secretariat to develop a draft advice, based on the contributions submitted by FEDEPESCA and AIPCE-CEP
 - Draft advice to be considered under urgent written procedure
- Plant-based imitation seafood:
 - Paulien Prent (Visfederatie) to prepare first draft
 - Draft to be considered at an upcoming meeting



List of attendees

Representative	Organisation
Aitana López (observer)	Spain
Andrew Kuyk	CEP
Anna Boulova	FRUCOM
Arnault Chaperon	FEAP
Benoît Thomassen (Chair)	FEAP
Carla Valeiras Álvarez	EuroCommerce
Catherine Pons	FEAP
Cécile Fouquet (observer)	Aquaculture Advisory Council's Secretariat
Charlotte Musquar (observer)	Aquaculture Advisory Council's Secretariat
Christine Absil	Good Fish Foundation
Cristina Fernández (observer)	United Kingdom
Daniel Weber	European Fishmeal
Eduardo Míguez	OPP77 Puerto de Celeiro
Elisabetta Maiorano	EuroCommerce
Els Bedert	EuroCommerce
Emiel Brouckaert	EAPO
Erin Priddle	MSC
Frangiscos Nikolian	European Commission
Garazi Rodriguez	FEAP
Georg Werner	Environmental Justice Foundation
Guillaume Carruel	EAPO
Guus Pastoor	Visfederatie
Javier Ojeda	FEAP
Jean-Marie Robert	Les Pêcheurs de Bretagne
Jens Mathiesen	Danish Seafood Association



Representative	Organisation
José Basilio Otero Rodríguez	Federación Nacional de Cofradías de Pescadores (FNCP)
José Carlos Escalera Aguiar	Federación de Cofradías de Pescadores de Cadiz (FECOPESCA)
Juan Manuel Trujillo	ETF
Katarina Sipic	AIPCE-CEP
Katrin Vilhelm Poulsen	WWF
Linnéa Engström	MSC
Malcom Beveridge	WorldFish
María Luisa Álvarez Blanco	FEDEPESCA
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Mirta Novak (observer)	Croatia
Nicolás Fernandez Muñoz	OPP72
Nisha Marwaha	WorldFish
Patrick Murphy	IS&WFPO
Paulien Prent	Visfederatie
Pedro Reis Santos	Market Advisory Council
Pierre Commère	ADEPALE
Pim Visser	VisNed
Quentin Marchais	ClientEarth
Rosalie Tukker	Europêche
Sabela Pérez Máiz	European Commission
Santiago Folgar Gutierrez	AVOCANO
Sean O'Donoghue	Killybegs Fishermen's Organisation Ltd (KFO)
Sergio López Garcia	OPP LUGO
Stavroula Kremmydiotou	Market Advisory Council
Thierry Chalus	European Commission
Thomas Wenzel Kruse	Danish Fishermen PO



Representative	Organisation
Yobana Bermudez	Conxemar

