



MINUTES

WORKING GROUP 3: EU CONTROL AND SANITARY ISSUES, CONSUMER RULES

Thursday 24 May 2018
14:00-17:30
Leopold Hotel Brussels EU
Rue du Luxembourg 35-1050 Bruxelles

Welcome from the Chair

Members were informed that Agnes Lisik (OCEANA), Chair of WG3, has resigned. The General Assembly endorsed the candidacy of Georg Werner (EJF) as the new Chair of WG3.

Adoption of minutes of last meeting (24.01.18)

The minutes of last WG3 meeting on 24.01.18 were adopted without further comments.

Presentation Level Playing Field Aquaculture

By FEAP

Arnault Chaperon, on behalf of FEAP, made a presentation on level playing field in the aquaculture sector, addressing challenges and possible solutions. He proposed joint discussions MAC-AAC on consumer information and transparency, food safety and traceability, working conditions on farms and costs-benefits of certification schemes for producers among others. M. Chaperon noted that the EU aquaculture producers have to comply with very high standards in terms of food safety while with imports from third countries do not have necessarily to meet them.

You can find the presentation [here](#).

EMPA agreed with the presentation made and regretted that despite the intentions of boosting aquaculture at European level, in some Member States (MS) the allocation the marine surface allocated to shellfish farming has been decreasing for years.

ADEPALE reminded attendees of the constitution of a Focus Group on Level Playing Field on the 24.05.2018 in Working Group 2 and was happy to see that the aquaculture sector is also reflecting on the issue.

AIPCE voiced concerns over the general statements made with regards to the imports; in order to have a better picture of the situation specific data on specific species is needed.

Good Fish Foundation asked whether the intention was to approve an advice within the MAC with regards to level playing field in the aquaculture sector.

FEAP stated that the AAC has produced a document that indeed could be distributed to the MAC for consideration.

Exchange of views with Commission on

- FIC Regulation
- COOL
- Mandatory information under the CMO Regulation

The European Commission (COM) DG MARE, on behalf of DG SANTE, gave a briefing on the following items:

Front of pack information:

The COM was due to provide a report by the end of 2017 on the front of package information. There was an agreement to delay the adoption of the report until the end of this year, as MS are currently testing options. In parallel, the Joint Research Centre (JRC) is assessing the current front of pack information together with testing behavioural reaction from consumers in order to identify the most effective way of informing them.

On the 23 April a meeting was organised by DG SANTE where MS and stakeholders discussed technical aspects of what already exists in terms of schemes on nutritional declarations both public and private. Minutes and presentations will be available at DG SANTE website. A second meeting is scheduled for the 22 June with the same composition. Some of the MAC members are members of this platform.

Country of Origin Labelling:

The legal basis for this implementing act comes from the FIC Regulation which requests to be more precise on the country of origin when the primary ingredient does not have same origin as the product itself and a specific origin is advertised for the product. In April a meeting with MS took place where they agreed on the proposal, which is now in the process of publication in the OJ. With regard to the content of this proposal, the new EU act offers business operators enough flexibility on the presentation of this information. Foods placed on the market or labelled prior to the date of application of this Regulation (1st April 2020) may be marketed until the stocks are exhausted. COM will prepare new specific guidelines with MS to provide more clarity to the new Regulation.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. stated that guidelines would not be needed were the regulation drafted in a simpler way.

COM stated that the text itself is not complex, but applies to a wide range of products. The guidelines will help to apply the regulation, not to understand the regulation itself.

ANCIT expressed his appreciation for regulation affecting the origin of the products and agreed in having harmonised rules for all food products.

Mandatory information under the CMO Regulation:

No change in the mandatory information is planned at this stage. The COM has surveyed the need and interest in information on the labels of fishery and aquaculture products from a consumer perspective. The COM has also taken stock of what consumers consider interesting for them with regards to information for both prepared and unprepared products. The idea is to integrate this information in the evaluation of the CFP that has to be completed by 2022, which includes also an evaluation of the CMO.

SEAFISH expressed her disagreement with DG SANTE not attending MAC meetings as their presence is of utmost importance in hearing MAC's concerns and views beyond DG MARE's remit. She was supported by

FEDEPESCA who stated that a big part of the work programme of the MAC relates to SANTE issues and both the MAC and COM should ensure that during the meetings experts in these matters are there from both sides. A balanced solution needs to be found. ADEPALE suggested that balanced solutions need to be found : DG SANTE participation in MAC meetings should be sought where specific / identified issues need their expertise, rather than in a generic manner.

DG MARE confirmed that unless there are very specific questions or requests from DG SANTE, it is difficult to mobilize other DGs to attend the meetings of the ACs as they have their own expert meetings. DG MARE also has its own experts working on sanitary issues.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. considered the way the questions are posed in Eurobarometer to be biased and suggestive, and asked whether the questions presented in the EUROBAROMETER will be the same as last year.

DG MARE stated that the questions made in Eurobarometer are made in the plainest way possible. It is too late now to come up with questions. These are the same questions so as to ensure compatibility in the study through the years.

Ecolabels

- Commission's request for advice

The COM stated that both in literature and from meetings with sector and MS concerns about ecolabels are becoming frequent. The concerns relate to ecolabels no longer providing price premiums but instead converting themselves in a condition for entering market. DG MARE would like the MAC to assess the situation so as to understand whether there is a need for the COM to react.

Eurocommerce informed that the market has a high fragmentation in terms of ecolabels. A European ecolabel would not be of any help as it would add more noise to an already confusing panorama. They do not feel there is a heavier burden in accessing the market without an ecolabel. They suggested to apply current legislation in ensuring that every fish that enters the EU market is sustainable.

ADEPALE added that within the Focus Group on Marketing Standards, these voluntary and non-compulsory claims/information/standards will be assessed.

The COM informed that they will look at certifications in the framework of marketing standards from the point of view of coherence with the whole system.

FEDEPESCA stated that accreditation of the sustainability of the product can only be done with an ecolabel. However there are other products without a label that are perfectly sustainable. This is confusing for the consumers, the message is not clear, because they think that only fish and aquaculture products that have a seal are sustainable, when products caught or produced following strict European legislation are sustainable by definition and in all areas. For this reason, he believes that European legislation should be put in value before consumers and that a European seal would be good.

OPESCAYA stated added that obtaining an eco-label is not as simple as paying for it, since it is necessary to

pass certain sustainability audits, beyond the current regulations, and meet its requirements. OPESCAYA has lived the process of obtaining the certificate because it was advised by the transformation industry, for its introduction in certain markets. It is a requirement to distinguish your product.

MSC considered that having a document prior to the meeting would have facilitated the discussion. He asked COM whether they will present the real data on the presence of ecolabels in the EU (as mentioned in the COM report (2016) 263 on options for EU ecolabel, the COM launched in 2016 a pilot project on presence of voluntary claims on FAP being made in the EU Market place), rather than only gathering anecdotal information at this meeting. He also clarified that MSC never claims that only MSC products are sustainable, but that it is rather the other way around: when one carries the MSC ecolabel, the product is traceable to an MSC certified fishery and this allows for making a trustworthy and independently verified claim on sustainability in the marketplace.

ISEFPO asked what would happen in 2020 when all species are theoretically at MSY; the ecolabel would lose its meaning.

Good Fish Foundation responded that sustainability not only refers to stocks.

The COM informed that the abovementioned pilot they are carrying out is not finished yet and it will not only look at ecolabels but all voluntary claims on all possible topics. The COM does not have the intention to reopen the discussion of a European ecolabel.

Dual quality food

- Commission's request for advice

The item was postponed to the next meeting, for which a document on the matter will be distributed to all members in preparation for the debate. The general question is whether members of the MAC find differences in quality in products such as fish fingers and canned tuna. The JRC has developed a harmonised methodology for testing of food products in order to better assess these differences. The COM requested from the MAC to focus particularly on the tuna case.

Unfair trading practices

- Exchange of views on proposal from the Commission

The COM informed that 21 MS have provisions on unfair trading practice in place, while 7 do not have them. This creates different levels of protection across MS. There has been a political push to reopen the discussion on whether a regulatory framework at EU level should be established, which resulted in the present proposal for a directive. The directive would cover all food products and would be intended to protect those suppliers that are small and medium enterprises. The COM would like to hear from the MAC to what extent the problem of unfair trading practices affects fisheries and aquaculture operators. The COM also informed the MAC that it has received a request from the Council to explain the inclusion of fishery and aquaculture products in the proposal for a directive.

ANCIT stated that the proposal is under evaluation in MS to better understand how it could potentially impact the existing measures at national level.

CEP and FEDEPESCA gave an overview of the way it works in their respective countries.

SEAFISH would be interested in having an analysis of the measures in place in each MS.

ADEPALE agreed with a harmonised framework.

The COM welcomed the national examples provided by members and clarified that it is not possible to distinguish between sectors: the directive covers products regardless of whether it is processed, harvested, farmed, etc.

Coffee break

Commission's Strategy on Plastics

Mr Haitze Siemers, on behalf of DG MARE, gave an overview of the Commission Strategy on Plastics. Figures show that plastic has a huge presence in the ocean, some of it directly related to the fishing sector. Having to remove it or clean it can cost up to 5% of revenue for the fishing industry.

The strategy was adopted in January 2018 and it foresees measures aimed at reducing the inflow of plastic as much as possible. It also looks at what can be done in terms of complementary actions. Some measures have already been reflected on and work has progressed rapidly.

There is a need to ensure the actions are as coherent as possible in terms of legal and financial frameworks: Marine Strategy Framework Directive and Port Reception Facilities Directive, Control regulation, EMFF...

Two main gaps that are being looked at are on the one hand, that small fishing ports will have to increase their reception facilities or build them from scratch; on the other hand, there is no dedicated or well developed waste stream for the plastic coming from fishing gears.

The subject of marine litter is of concern for the G7 and a big priority under the Canadian presidency. The problem of marine litter goes beyond the EU and affects strongly other regions such as Asia. In this regard, the EU is talking with these countries to offer cooperation to address the problem.

OCEANA asked whether they foresee a binding document, as the strategy is not compulsory. She asked how they are planning to coordinate the efforts of MS.

KFO, CEP, ADEPALE emphasised the importance of this issue for the MAC, particularly microplastics, which could affect consumption because of consumers' fears. There is a need to investigate the problem as to where microplastics. They welcomed the strategy and the MAC will work on the matter in future meetings.

EMPA stressed the importance the problem has for AAC as well, which is working on an advice on microplastics.

SEAFISH proposed an impact assessment on the sector and how the problem of microplastics has affected

them; the outcomes would determine the way forward.

The COM, with regards to microplastics, informed that the majority of them come from textiles, tires, etc. Therefore the problem is, indeed, of a crosscutting nature. If those who are involved in the sale of fisheries products or seafood products were able to provide information on how damaging the issue of microplastics is to the sector, this would be useful in deciding the way forward.

Draft Joint Advice AAC-MAC on TTX

EMPA presented briefly the draft joint advice AAC-MAC on TTX, which was circulated prior to the meeting to all members of WG3.

Tetrodotoxin (TTX) is a potent neurotoxin found in the organs of a variety of marine species and some terrestrial species; it is responsible for the highest fatality rate of all marine intoxications. The AAC proposes the MAC to adopt the following points with regards to the TTX:

1. Reaffirm that the health of consumers of their products remains a major priority;
2. Underline the threat to intra-Community trade and the image of shellfish in general in connection with an unfounded 'epidemic';
3. Underline the need for more *evidence-based* information on TTX toxicity (toxicokinetics, oral toxicity, chronic effects, combination with STX) to reduce the uncertainty factors in a responsible way;
4. Stress the need for more occurrence data on TTX from different EU waters to provide a more reliable exposure assessment, as well as the need for studies on the source and accumulation of TTX;
5. Welcome the ongoing definition of a validated European reference method between the Member States with regard to the introduction of this toxin in the monitoring system; and
6. Request the European Commission to conduct a risk assessment when sufficient evidence-based data on TTX toxicity, source and accumulation are available.

AIPCE supported the paper as it represents another example a more uniform application of food safety, which is very much needed.

Eurocommerce asked whether the data used in the paper comes only from Europe.

EMPA replied that precisely one of the recommendations is looking beyond EU waters and gather more data.

The paper was endorsed and will be put forward for approval to the Executive Committee.

AOB

None.

End of the meeting



Market Advisory Council

NAME		ORGANISATION
Agnes	Lisik	OCEANA
Andrew	Kuyk	CEP
Arnault	Chaperon	FEAP
Aurelio	Bilbao	OPESCA YA
Bruno	Guillaumie	EMPA
Christine	Absil	Good Fish Foundation
Claudia	Vinci	AIPCE
Cristina	Fernandez	Seafish
Eduardo	Miguez Lopez	Puerto Celeiro
Emiel	Brouckaert	EAPO
Frangiskos	Nikolian	European Commission
Georg	Werner	EJF
Guus	Pastoor	AIPCE
Hans	Nieuwenhuis	MSC
Hector	Villa	Permanent Representation of Spain
Hugo	Boyle	ISEFPOv (Irish South & East Fish Producer's Organisation)
Jose Basilio	Otero Rodriguez	Federación Pescadores de Lugo
Juan	Maneiro	Conxemar
Katarina	SIPIC	Conxemar
Krishan	Kent	Fiskbranschens Riksförbund
Maria	Aira	MAC
Maria Luisa	Alvarez	FEDEPESCA
Matthias	Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Patrick	Murphy	Irish South & West Fish Producers Organisation, CLG (IS&WFPO, CLG)
Pierre	Commere	ADEPALE
Haitze	Siemers	DG MARE
Richard	Curtin	BIM
Roberto Carlos	Alonso	Eurothon
Romans	Vorss	FRUCOM
Carola	Gonzalez	DG MARE
Sandra	Sanmartin	MAC
Sean	O'Donoghue	KFO
Chiara	Bacci	DG MARE
Matis	Stulgis	DG MARE
Giorgio	Rimoldi	ANCIT
Eszter	Hidas	WWF
Wietze	Kampen	ETF
Poul	Jensen	DSA



Adela	Torres	Eurocommerce
Lorena	Torrecillas	Eurocommerce
Joanna	Żurawska-Łagoda	Poland
Felicidad	Fernandez	ANFACO-CECOPECA
Anna	Wisniewska	Copa-Cogeca
Michael	Turenhout	Visfederatie
Wouter	van Zandbrink	Dutch Mussel Trade Associations