



# **Study – Evaluation of the marketing standards framework for fishery and aquaculture products**

Specific Contract No. 5  
under Framework contract EASME/EMFF/2016/029  
Final Report - Annexes



**EUROPEAN COMMISSION**

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## Table of content

Annex 1.	Intervention logic of the CMO Regulation (Regulation (EC) 1379/2013)	1
Annex 2.	Description of control activities: control regulations, activities and principles for fishery and aquaculture products	2
Annex 3.	List of other standards for processed products	6
Annex 4.	CODEX Standards for Fishery Products	7
Annex 5.	Comparison between codex and EU marketing standards	9
Annex 6.	National Laws and regulations for marketing of fishery products	13
Annex 7.	Questionnaire for the National Authorities	18
Annex 8.	Summary of answers to the national authorities survey	28
8.1.	Administrative organization, control and monitoring	28
8.2.	Compliance	31
8.3.	Main impacts	34
8.4.	Coherence with other regulations and standards	35
8.5.	Potential for simplification	36
Annex 9.	List of interviews and contributions	37
Annex 10.	Discussion guides for case studies	40
Annex 11.	Summary of case studies	53
11.1.	Fresh products from fisheries	54
11.2.	Canned sardines and tunas	57
11.3.	Aquaculture products (fresh)	59
11.4.	Other processed products	60
Annex 12.	Questionnaire for the recommendations	61
Annex 13.	Summary of answers to the consultation on recommendations	64
Annex 14.	Summary and analysis of the contributions received during the open public consultation and as a result of the targeted consultations	73
14.1.	Outline of the consultation strategy	73
14.2.	Profile of stakeholder groups	76
14.3.	Short description of the methodology and tools used to process the data	77
14.4.	Description of the results of the consultation phase	78
14.5.	Explanation on how the information gathered has been taken into account in the evaluation work	83
Annex 15.	Evaluation questions matrix	85
Annex 16.	Fish sold by quality grades in a sample of auctions	99
Annex 17.	Data on inspections and infringements in joint Deployment plans	100
Annex 18.	Availability of information on conservation of species under marketing standards but without mcrs	101
Annex 19.	Comparison between Minimum marketing sizes and MCRs	103

## List of tables

Table 1: Number of administrative entities involved in the control and implementation of marketing standards .....	28
Table 2: Answer to the question : How much time do inspections take on average ?.....	30
Table 3: Number of FTE dedicated to the control of marketing standards in 2017 .....	30
Table 4: Evolution of the number of anomalies observed .....	31
Table 5: Evolution of volumes of fish/fish products inspected .....	32
Table 6: Number of consulted stakeholders (persons participating in interviews and focus groups) .....	54
Table 7: Answers to the question: do you agree with the following recommendations?..	65
Table 8: Answers to the question: do you agree with the following recommendations?..	68
Table 9: Proportion of fish sold per freshness grade (by weight) in Hanstholm auction 2014-17.....	99
Table 10: Proportion of fish sold per freshness grade (by weight) in Nord auction 2014-18 .....	99

## List of figures

Figure 1: Answer to the question : Are controls of marketing standards combined with other types of controls ? .....	29
Figure 2: Answer to the question: How have evolved ... ?.....	31
Figure 3 : Ranking of the type of anomalies or irregularities from the most frequent to the least frequent .....	33
Figure 4 : Extent to which EU marketing standards contribute to ...? .....	34
Figure 5: Answer to the question: are there other public standards / codes of practice for fishery and aquaculture products?.....	35
Figure 6: Answer to the question: do you think the following could be simplified without hindering the achievements of EU marketing standards?.....	36
Figure 7: Breakdown of respondents by type of organisation.....	64
Figure 8: Breakdown of respondents by sector .....	65
Figure 9: Answers to the question: Do your clients already include product specifications related to sustainability (environmental and/or social)? .....	70
Figure 10: Distribution of contributions by Member States .....	76
Figure 11: Distribution of contributions by sector.....	77
Figure 12 : Contribution of the different subsectors for the targeted consultations .....	77
Figure 13: Landings by quality grade on Guilvinec auction 2014-17* .....	99

Figure 14: Number of inspections and infringements on Joint Deployment Plans 2012-2017	100
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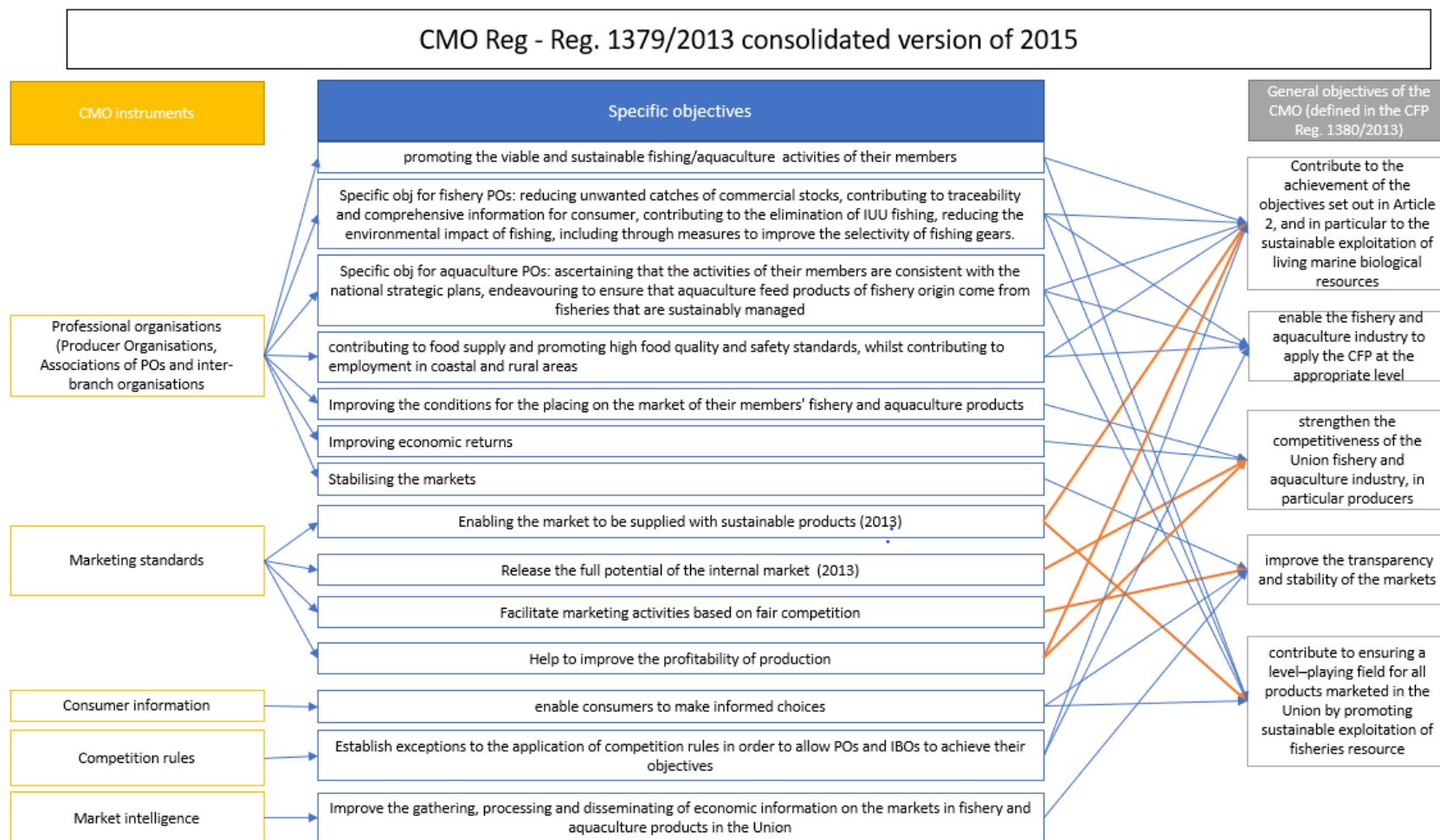


## Table of acronyms

Acronyms/ Abbreviations	Definition
AC	Advisory Councils
AFNOR	French standards association ( <i>Association Française de normalisation</i> )
CAFIA	Czech Agriculture and Food Inspection Authority
CFP	Common Fisheries Policy
CMO	Common Market Organisation
CSR	Corporate Social Responsibility
DG MARE	Directorate-General for Maritime Affairs and Fisheries
EASME	Executive Agency for Small and Medium-sized Enterprises
EMFF	European Maritime Fisheries Fund
EQ	Evaluation Question
EQM	Evaluation Questions Matrix
EU	European Union
EUMOFA	European Union Market Observatory for Fisheries and Aquaculture products
IUU	Illegal, Unreported and Unregulated
JC	Judgement criteria
Lwe	Live Weight Equivalent
MAC	Market Advisory Council
MCRS	Minimum Conservation Reference Size
MMS	Minimum Marketing Size
MSC	Marine Stewardship Council
MS	Member State
NA	National Authority
OPC	Open Public Consultation
PDO	Protected Designation of Origin
PEFA	Pan European network of Fish Auctions
PO	Producer organisation
RASFF	Rapid Alert System for Food and Feed
SCM	Standard Cost Model
SME	Small and Medium-sized Enterprise
TOR	Terms of Reference

# Evaluation of the marketing standards framework for fishery and aquaculture products

## ANNEX 1. INTERVENTION LOGIC OF THE CMO REGULATION (REGULATION (EC) 1379/2013)



→ Specific contributions of marketing standard to the CMO objectives.

## ANNEX 2. DESCRIPTION OF CONTROL ACTIVITIES: CONTROL REGULATIONS, ACTIVITIES AND PRINCIPLES FOR FISHERY AND AQUACULTURE PRODUCTS

The following table presents the control activities that have to be carried out at the different stages of the supply chain of fisheries and aquaculture products.

Topic	Regulation reference	Item(s) to be controlled	Objectives	Control activities /principles	Stage in the supply chain		
					First sale	Retail	All stages
Conservation measures	Reg (EC) No 1380/2013	MRCS	Ensuring the protection of juveniles of marine organisms	The control shall be based on the primacy of the MRCS over the minimum marketing sizes.	x	x	x
Marketing standards	Reg (CE) No 2406/1996 – Art. 7	Minimum marketing sizes	Ensure that the standards apply without prejudice to health rules and rules adopted as part of stock conservation	<ul style="list-style-type: none"> <li>- if there is no MRCS, the minimum marketing size applies,</li> <li>- if there is no minimum marketing size, the MRCS applies,</li> <li>- if there is both minimum marketing size and a MRCS, the MRCS applies.</li> </ul>	x	x	x
Marketing standards	Reg (CE) No 2406/1996 – Art. 8	Size categories	<p>Improve products quality</p> <p>Make marketing easier</p> <p>Define uniform trade characteristics for the products across the entire Community market in order to prevent distortions of competition</p>	<p>The lots presented for sale must be homogenous.</p> <p>Small lots could not be homogenous. In this case, the lot shall be placed in the lowest size category represented therein.</p> <p>The size category and presentation must be clearly and indelibly marked on labels affixed to the lot.</p>	x		
Marketing standards	<p>Reg (CE) No 2406/1996 – Art. 5</p> <p>Reg (EC) No 1224/2009 – Art. 57</p>	Freshness categories		<p>The lots presented for sale must be homogeneous. Small lot could not be homogenous. In this case, the lot should be placed in the lowest category represented therein.</p> <p>Products classified as “not admitted” cannot be sold.</p>	x	x	x

## Evaluation of the marketing standards framework for fishery and aquaculture products

Topic	Regulation reference	Item(s) to be controlled	Objectives	Control activities /principles	Stage in the supply chain		
					First sale	Retail	All stages
				Freshness categories must be clearly and indelibly marked on labels affixed to the lot.			
Marketing standards	Reg (CE) No 2406/1996 – Art.11	<p>Compliance with marketing standards</p> <p>Information to be marked in packages:</p> <ul style="list-style-type: none"> <li>- country of origin, printed in Roman letters at least 20 mm high,</li> <li>- scientific name of product and its trade name,</li> <li>- presentation,</li> <li>- freshness and size categories,</li> <li>- net weight in kilograms of products in the package,</li> <li>- date of grading and date of dispatch,</li> <li>- name and address of consignor.</li> </ul>	Ensure compliance with the same requirements both for imports and products originating from within the Union	Inspections shall control the compliance of products with the marketing standards as well as the presence of the information clearly and legibly marked in packages.	x	x	x
Traceability	Reg (EC) No 1224 / 2009 – Art. 58	<p>The minimum labelling information requirements for all lots:</p> <ul style="list-style-type: none"> <li>- identification number of each lot</li> <li>- identification number and name of fishing vessel</li> <li>- FAO code of each species</li> <li>- date of production</li> <li>- quantities of each species (net weight or the number of individuals)</li> <li>- name and address of suppliers</li> <li>- information to consumers</li> </ul>	Contributing to the traceability of products and the access to clear and comprehensive information for consumers	<p>All lots of fisheries and aquaculture products shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage.</p> <p>Products placed on the market in the Community shall be adequately labelled to ensure the traceability of each lot.</p>	x	x	x

## Evaluation of the marketing standards framework for fishery and aquaculture products

Topic	Regulation reference	Item(s) to be controlled	Objectives	Control activities /principles	Stage in the supply chain		
					First sale	Retail	All stages
		- whether the products have been previously frozen or not.					
Consumer information	Reg (EC) No 1379/2013	<ul style="list-style-type: none"> <li>- commercial designation of the species and its scientific name</li> <li>- production method</li> <li>- area of production (and the category of fishing gear)</li> <li>- whether the product has been defrosted</li> <li>- date of minimum durability.</li> </ul>	Facilitating consumer access to information on fishery and aquaculture products		-	X	
Traceability	Reg (EC) No 1224/2009	<p>The minimum labelling and information requirements for all lots shall include:</p> <ul style="list-style-type: none"> <li>- the identification number of each lot;</li> <li>- the identification number and name of the vessel or the aquaculture production unit;</li> <li>- the FAO alpha-3 code of each species;</li> <li>- the quantities of each species in kilograms expressed in net weight or, where appropriate, the number of individuals;</li> <li>- the name and address of the suppliers;</li> <li>- the information to consumers provided for in Article 8 of Regulation (EC) No 2065/2001.</li> </ul>	All lots of fisheries and aquaculture products shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage.	Fisheries and aquaculture products placed on the market in the Community shall be adequately labelled to ensure the traceability of each lot.	x	x	x
Food and feed law, rules on animal health and welfare	Reg (EC) No 625/2017 Reg (EC) 882/2004	Controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare.	Preventing, eliminating or reducing to acceptable levels risks to humans and animals.	Official controls shall be carried out at any of the stages of production, processing and distribution for feed or food and of animals and animal products.	x	x	x

## Evaluation of the marketing standards framework for fishery and aquaculture products

Topic	Regulation reference	Item(s) to be controlled	Objectives	Control activities /principles	Stage in the supply chain		
					First sale	Retail	All stages
			Guaranteeing fair practices in feed and food trade and protecting consumer interests, including feed and food labelling and other norms of consumer information.				
Hygiene rules	Reg (EC) 854/2004	<p>Official controls of fishery products are to include at least the following elements to ensure they are in accordance with EU legislations:</p> <ul style="list-style-type: none"> <li>- Organoleptic examinations</li> <li>- Freshness indicators: when the organoleptic examination reveals any doubt as to the freshness of fishery products, samples may be taken for laboratory analysis.</li> <li>- Histamine</li> <li>- Residues and contaminants:</li> <li>- Microbiological checks</li> <li>- Parasites</li> <li>- Poisonous fishery products: checks to take place to ensure that: i) poisonous fish of specific families are not placed on the market, and ii) to ensure that fishery products placed on the market do not contain toxins dangerous to human health.</li> </ul>		<p>Official controls on the production and placing on the market of fishery products are to include, in particular</p> <ul style="list-style-type: none"> <li>- a regular check on the hygiene conditions of landing and first sale,</li> <li>- inspections at regular intervals of vessels and establishments on land, including fish auctions and wholesale markets to check whether the conditions for approval are still fulfilled, whether the fishery products are handled correctly, for compliance with hygiene and temperature requirements and the cleanliness of establishments, including vessels, and their facilities and equipment and staff hygiene.</li> <li>- Checks on storage and transport conditions.</li> </ul> <p>Controls have to take place at all stages of production, processing and distribution.</p>	x	x	x

### ANNEX 3. LIST OF OTHER STANDARDS FOR PROCESSED PRODUCTS

MS	Type of standards	Concerned products
Austria	National law	The national law provides definitions for various products, including <b><u>frozen fish fingers</u></b> , <b><u>marinated herring</u></b> and <b><u>surimi packs</u></b>
Germany	National law	The national law provides definitions for few products, including <b><u>frozen fish fingers</u></b> (similar requirements as in Austria), <b><u>frozen fish fillets</u></b> and <b><u>sauces</u></b> used with fishery products.
Spain	National law	National laws provide some general definitions on the terms “fresh”, “ <b><u>frozen</u></b> ”, “ <b><u>salted</u></b> ”, etc. and there are two specific laws that establish quality standards for <b><u>cooked</u></b> and <b><u>frozen mussels</u></b> , <b><u>cockles</u></b> and <b><u>clams</u></b> and for <b><u>canned mussels</u></b> , <b><u>clams</u></b> and <b><u>scallops</u></b> , an important segment of the fish processing industry in Spain.
France	AFNOR voluntary use	NF V45-069 Canned product with topping (2013) – <b>Canned tuna and sardine</b>
		NF V45-071 Canned sardine « Traditional preparation » (2015) – <b>Canned sardine</b>
		NF V45-070 Level of fulfilment of cans for canned tuna (1997) – <b>Canned tuna</b>
		<i>NF V45-065 Saumon fumé (décembre 2012)</i> – <b>Smoked salmon</b>
		<i>NF V45-064 Conserves appertisées de maquereaux (août 2013)</i> – <b>Canned mackrel</b>
		<i>NF V45-073 Rillettes, terrines et mousses d'animaux aquatiques (septembre 2013)</i> – <b>Spreadable / pâtés</b>
		<i>NF V45-066 Anchois salés et préparations à base d'anchois salés (septembre 2014)</i> – <b>Salted Anchovy</b>
		<i>NF V45-068 Surimi et spécialités à base de surimi (février 2016)</i> – <b>Surimi</b>
		<i>NF V45-067 Filets de hareng fumé (septembre 1996)</i> – <b>Smoked herring flet</b>
		<i>NF V45-074 Portions de filet de poisson surgelé (avril 1999)</i> - <b>Frozen pieces of fish (filled, back..)</b>
	Professional decision	<i>N°39 – Conserves de crustacés et de mollusques - 18/01/1955 -</i> <b>Canned crustaceans and molluscs</b>
		<i>N°61 – Fabrication des semi-conserves – sauf « Anchois » -</i> <b>Semi-preserved products (except anchovy)</b>
		<i>N°64 – Article 3 « Bouillabaisse » - 16/10/2017 -</i> <b>Bouillabaisse (traditional meal from Southern part of France)</b>
	Code of conducts	<i>Soupes de poissons, bisques de crustacés et potages à base de poisson -</i> <b>Soup</b>
		<i>Tarama et produits dérivés -</i> <b>Tarama and derived products</b>
		<i>Crevettes vendues réfrigérées -</i> <b>Shrimps sold chilled</b>
		<i>Anchois salés et préparations à bases d'anchois salés -</i> <b>Salted anchovy</b>

**ANNEX 4. CODEX STANDARDS FOR FISHERY PRODUCTS**

CODE No.	Title	Year of latest Version	Year of Adoption	Years of Revision	Years of Amendments
CODEX STAN 3-1981	Standard for Canned Salmon	2011	1981	1991, 1995	2011
CODEX STAN 36-1981	Standard for Quick Frozen Finfish, Uneviscerated and Eviscerated	2017	1981	1995, 2017	2013
CODEX STAN 37-1991	Standard for Canned Shrimps or Prawns	2016	1991	1995	2011, 2013, 2016
CODEX STAN 70-1981	Standard for Canned Tuna and Bonito	2016	1981	1995	2011, 2013, 2016
CODEX STAN 90-1981	Standard for Canned Crab Meat	2016	1981	1995	2011, 2013, 2016
CODEX STAN 92-1981	Standard for Quick Frozen Shrimps or Prawns	2017	1981	1995, 2017	2011, 2013, 2014
CODEX STAN 94-1981, formerly	Standard for Canned Sardines and Sardine-Type Products	2016	1981	1995, 2007	1979, 1989, 2011, 2013, 2016
CODEX STAN 95-1981	Standard for Quick Frozen Lobsters	2017	1981	1995, 2004, 2017	2011, 2013, 2014
CODEX STAN 119-1981	Standard for Canned Finfish	2016	1981	1995	2011, 2013, 2016
CODEX STAN 165-1989	Standard for Quick Frozen Blocks of Fish Fillets, Minced Fish Flesh and Mixtures of Fillets and Minced Fish Flesh	2017	1989	1995, 2017	2011, 2013, 2014, 2016
CODEX STAN 166-1989	Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets - Breaded or in Batter	2017	1989	1995, 2004, 2017	2011, 2013, 2014, 2016
CODEX STAN 167-1989	Standard for Salted Fish and Dried Salted Fish of the Gadidae Family of Fishes	2016	1989	1995, 2005	2011, 2013, 2016
CODEX STAN 189-1993	Standard for Dried Shark Fins	1993	1993	na	na



## Evaluation of the marketing standards framework for fishery and aquaculture products

CODE No.	Title	Year of latest Version	Year of Adoption	Years of Revision	Years of Amendments
CODEX STAN 190-1995	Standard for Quick Frozen Fish Fillets	2017	1995	2017	2011, 2013, 2014
CODEX STAN 191-1995	Standard for Quick Frozen Raw Squid	1995	1995	na	na
CODEX STAN 222-2001	Standard for Crackers from Marine and Freshwater Fish, Crustaceans and Molluscan Shellfish	2016	2001	na	2011, 2013, 2016
CODEX STAN 236-2003	Standard for Boiled Dried Salted Anchovies	2003	2003	na	na
CODEX STAN 244-2004	Standard for Salted Atlantic Herring and Salted Sprat	2016	2004	na	2011, 2013, 2016
CODEX STAN 291-2010	Standard for Sturgeon Caviar	2010	2010	na	na
CODEX STAN 292-2008	Standard for Live and Raw Bivalve Molluscs	2015	2008	2014, 2015	2013
CODEX STAN 302-2011	Standard for Fish Sauce	2013	2011	na	2012, 2013
CODEX STAN 311-2013	Standard for Smoked Fish, Smoke-Flavoured Fish and Smoke-Dried Fish	2016	2013	na	2016
CODEX STAN 312-2013	Standard for Live Abalone and for Raw Fresh Chilled or Frozen Abalone for Direct Consumption or for further Processing	2016	2013	na	2016
CODEX STAN 315-2014	Standard for Fresh and Quick Frozen Raw Scallop Products	2017	2014	2017	2016

## ANNEX 5. COMPARISON BETWEEN CODEX AND EU MARKETING STANDARDS

Items	Codex	EU MKTS
Tuna and bonito		
Species	<ul style="list-style-type: none"> <li>- Thunnus alalunga</li> <li>- Euthynnus affinis</li> <li>- Thunnus albacares</li> <li>- Euthynnus alleteratus</li> <li>- Thunnus atlanticus</li> <li>- Euthynnus lineatus</li> <li>- Thunnus obesus</li> <li>- Katsuwonus pelamis (syn. Euthynnus pelamis)</li> <li>- Thunnus maccoyii</li> <li>- Sarda chilensis</li> <li>- Thunnus thynnus</li> <li>- Sarda orientalis</li> <li>- Thunnus tonggol</li> <li>- Sarda sarda</li> </ul>	<p>(a) Albacore or longfinned tuna (Thunnus alalunga)</p> <p>(b) Yellowfin tuna (Thunnus (neothunnus) albacores)</p> <p>(c) Bluefin tuna (Thunnus thynnus)</p> <p>(d) Bigeye tuna (Thunnus (parathunnus) obesus)</p> <p>(e) Other species of the genus Thunnus. (Euthynnus (Katsuwonus) pelamis).</p> <p>(a) Atlantic bonito (Sarda sarda)</p> <p>(b) Pacific bonito (Sarda chiliensis)</p> <p>(c) Oriental bonito (Sarda orientalis)</p> <p>(d) Other species of the genus Sarda.</p> <p>Atlantic little tuna (Euthynnus alleteratus)</p> <p>(b) Eastern little tuna (Euthynnus affinis)</p> <p>(c) Black skipjack (Euthynnus lineatus)</p> <p>(d) Other species of the genus Euthynnus</p> <p>(a) Frigate mackerel (Auxis thazard)</p> <p>(b) Auxis Rochei.</p>
Definition of Solid (skin-on or skinless)	Fish cut into transverse segments which are placed in the can with the planes of their transverse cut ends parallel to the ends of the can. The proportion of free flakes or chunks shall not exceed 18% of the drained weight of the container.	The musculature is cut transversely and is presented as a whole slice formed by a single portion or reconstituted by the compact assembly ,of several portions of flesh. The presence of flakes, accounting for up to 18 % of fish weight, shall be tolerated. However, when the musculature is canned raw, the presence of flakes shall be prohibited ; fragments of flesh may be added as makeweight ;
Definition of Chunk	Pieces of fish most of which have dimensions of not less than 1.2 cm in each direction and in which the original muscle structure is retained. The proportion of pieces of flesh of which the dimensions are less than 1.2 cm shall not exceed 30% of the drained weight of the container.	Fragments of flesh, the initial muscle structure of which is maintained and the shortest side of which is not less than 1,2 cm. The presence of flakes, accounting for up to 30 % of fish weight, shall be tolerated
Definition of Flake or flakes	A mixture of particles and pieces of fish most of which have dimensions less than 1.2 cm in each direction but in which the muscular structure of the flesh is retained. The proportion of pieces of flesh of which the dimensions are less than 1.2 cm exceed 30% of the drained weight of the container.	Fragments of flesh the initial muscle structure of which is maintained and which are of heterogeneous size
Definition of Grated or shredded	A mixture of particles of cooked fish that have been reduced to a uniform size, in which particles are discrete and do not comprise a paste.	Separate particles of flesh of uniform dimension which do not constitute a paste

## Evaluation of the marketing standards framework for fishery and aquaculture products

Definition of Fillets	Not in the standard.	(a) longitudinal strips of muscle taken from the musculature parallel to the vertebral column ; (b) strips of muscle from the abdominal wall ; in this case, the fillets may be described as abdominal fillets, too ;
Labelling – name of the food	<p>The name of the product as declared on the label shall be "tuna" or "bonito", and may be preceded or followed by the common or usual name of the species, both in accordance with the law and custom of the country in which the product is sold, and in a manner not to mislead the consumer.</p> <p>The name of the product may be qualified or accompanied by a term descriptive of the colour of the product, provided that the term "white" shall be used only for <i>Thunnus alalunga</i> and the terms "light", "dark" and "blend" shall be used only in accordance with any rules of the country in which the product is sold.</p>	<p>Where there is an established trade usage, the type of fish used (tuna or bonito) and the species may appear in the trade description under the name normally used in the Member State in which the products are marketed.</p> <p>Not in the standard.</p>
Ratio between the weight of the fish contained in the container after sterilisation and the net weight expressed in gr	The standard does not apply to speciality products where the fish content constitutes less than 50% of the contents.	<p>The ratio between the weight of the fish contained in the container after sterilisation and the net weight expressed in grams shall be at least:</p> <p>(a) in the case of presentations in solid, chunks, fillets, flakes or grated/shredded tuna:</p> <ul style="list-style-type: none"> <li>- 70% in the case of the covering medium "in olive oil", "natural", "in vegetable oil".</li> <li>- 65% in the case of other covering media.</li> </ul>
Mix with other species	Not allowed	Allowed in preparations entailing disappearance of the muscular structure and provided that tuna or bonito account for 25% of the net weight
<b>Sardines</b>		
Species	<p>-Sardina pilchardus</p> <p>-Sardinops melanostictus, S. neopilchardus, S. ocellatus, S. sagax, S. caeruleus,</p> <p>-Sardinella aurita, S. brasiliensis, S. maderensis, S. longiceps, S. gibbosa</p> <p>-Clupea harengus</p> <p>-Clupea bentincki</p> <p>-Sprattus sprattus</p> <p>-Hyperlophus vittatus</p> <p>-Nematalosa vlaminghi</p> <p>-Etrumeus teres</p> <p>-Ethmidium maculatum</p> <p>-Engraulis anchoita, E. mordax, E.</p>	<p>Sardina pilchardus</p> <p>Since 2003, following the WTO proceedings:</p> <p>(a) Sardinops melanostictus, S. neopilchardus, S. ocellatus, S. sagax, S. caeryleus;</p> <p>(b) Sardinella aurita, S. brasiliensis, S. maderensis, S. longiceps, S. gibbosa;</p> <p>(c) Clupea harengus;</p> <p>(d) Sprattus sprattus;</p> <p>(e) Hyperlophus vittatus;</p> <p>(f) Nematalosa vlaminghi;</p> <p>(g) Etrumeus teres;</p> <p>(h) Ethmidium maculatum;</p> <p>(i) Engraulis anchoita, E. mordax, E.</p>

# Evaluation of the marketing standards framework for fishery and aquaculture products

	ringens -Opisthonema oglinum	ringens; (j) Opisthonema oglinum; <i>Since 2008:</i> (k) Strangomera bentincki.
Presentation	Any presentation of the product shall be permitted provided that it: (i) contains at least two fish in each can; and (ii) meets all requirements of this standard; and (iii) is adequately described on the label to avoid confusing or misleading the consumer; (iv) contains only one fish species	1. sardines: the basic product, fish from which the head, gills, internal organs and caudal fin have been appropriately removed. The head must be removed by making a cut perpendicular to the backbone, close to the gills; 2. sardines without bones: as the basic product referred to in point 1, but with the additional removal of backbone; 3. sardines without skin or bones: as the basic product referred to in point 1, but with the additional removal of the backbone and skin; 4. sardine fillets: portions of flesh obtained by cuts parallel to the backbone, along the entire length of the fish, or a part thereof, after removal of the backbone, fins and edge of the stomach lining. Fillets may be presented with or without skin; 5. sardine trunks: sardine portions adjacent to the head, measuring at least 3 cm in length, obtained from the basic product referred to in point 1 by making transverse cuts across the backbone; 6. any other form of presentation, on condition that it is clearly distinguished from the presentations defined in points 1 to 5.
Labelling – name of the food	The name of the product shall be: (i) "Sardines" (to be reserved exclusively for <i>Sardina pilchardus</i> (Walbaum)); or (ii) "X sardines" where "X" is the name of a country, a geographic area, the species, or the common name of the species, or any combination of these elements in accordance with the law and custom of the country in which the product is sold, and in a manner not to mislead the consumer.	1. 'preserved sardines' means products prepared from fish of the species <i>Sardina pilchardus</i> ; 2. 'preserved sardine-type products' means products marketed and presented in the same way as preserved sardines and prepared from the species added to the regulation since 2003 (c.f. row species). preserved sardine-type products may be marketed in the Community under a trade description consisting of the word 'sardines' joined together with the scientific name of the species and the geographic area where the species was caught.
Ratio between the weight of the fish contained in the container after sterilisation and the net	The standard does not apply to speciality products where fish content constitute less than 50% m/m of the net contents of the can.	The ratio between the weight of sardines in the container after sterilization and the net weight: a) For the presentations defined in points 1 to 5 in the row presentation, the ratio shall be not less than: - 70% for the following covering media: olive oil, other refined vegetable oils (including olive-residue oil used singly

weight expressed in gr		or in mixtures), natural juice and marinade with or without wine. - 65% for tomato sauce. - 50% for the other covering medium.
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**ANNEX 6. NATIONAL LAWS AND REGULATIONS FOR MARKETING OF FISHERY PRODUCTS**

Country	Name in national language and link	English Name	year	Binding Instrument	Scope of the regulation	Specific requirements related to product quality
Austria	Österreichisches Lebensmittelbuch	Austrian Food Book	2017	yes	Definition of various fishery product, indications on maximum water content of stockfish, salt content of klipfish, definition of smoked fish and temperature, definition of caviar (type of sturgeon to be used), storage temperature of caviar, other types of roes, marinated products for anchovies and herring, definition of canned fish, and minimum fish content, definition of surimi, indication on live bivalves marketing, description of tests on fish marketing to be executed, the annex contains the list of official names of fish species.	Fish content in fish fingers higher 65%, Austrian law on salting is stricter than the EU law, Indications on glazing at 20%, lower than EU regulations, the net weight of marinated herring has to be at least 40%, in solid tuna pack fillets have to be greater than 2.5 cm, and the share of flakes should not be greater than 15%, canned tuna steaks have to be of one piece, for canned tuna flakes, the majority (more than 85%) have a length of 4 mm, and a diameter of 6 mm; it is not allowed to add crabs or something alike on the surimi packs, less than 10% of live clams can be open;

## Evaluation of the marketing standards framework for fishery and aquaculture products

Germany	Deutsche Leitsätze für Fische, Krebstiere und Produkte daraus	Guidelines for Fish, Crustaceans and Products thereof	2011	yes	<p>Definition of various types of fish cuts; definition of crabs and molluscs for human consumption, regulations on sauces; regulations on the cream for herrings; definitions of the various cuts of frozen fish; definition and norms for fish fingers; definition of stockfish and klipfish; definition of hot smoking and cold smoking; definition of hard salting and mild salting; definition of matjesherring; definition of anchovies; definition and norms for rollmops; definition of minimum fish weight in various fish products; definition of canned products with reference to EU regulation for canned tuna and bonito; norms for glazed crustaceans and for glazed molluscs;</p>	<p>Fish content in fish fingers should be higher 65%, Indications on glazing at 20%, lower than EU regulations; sauces used with fishery products need to have at least 10% fat; cream for herring (Sahneherring) need to have at least 4% milkfat; a frozen fillet can contain up to 25% of fish pieces if they origin from the preparation; a product "practically without bones" can have up to 2 bones per 1 kg fillet; a fish finger should have the weight of 30 g and should not contain more than 25% of fish pieces; for small battered fish fillets, the net fish content should be greater than 50%; for small formed battered products the fish contents should be greater than 40%; for fish fillet portions (Schlemmerfillet and there like) the fish content has to be greater than 50%; water content in stockfish not greater than 18%; water content in klipfish not greater than 48%; hot smoking heat greater than 60°, cold smoking heat greater than 30°; hard salting more than 20% of salt per fish weight, mild salting between 6-20%; fat content of matjesherring more than 12%; the filling of rollmops should be less than 20% of the total product weight; in all fish products with sauces etc the fish weight should exceed 50%; glazing of crustaceans or molluscs should not exceed 20%; for battered crustaceans and for battered molluscs the net weight should be greater than 50%, only for very small shrimp and</p>
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						small molluscs (squid rings below 4 cm in size) 40% is acceptable;
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## Evaluation of the marketing standards framework for fishery and aquaculture products

Country	Name in national language and link	English Name	year	Binding Instrument	Scope of the regulation	Specific requirements related to product quality
Latvia	Par lašu izplatīšanas aizliegumu	On the prohibition of the distribution of salmon"	2005	yes	Salmon marketing norms	Allow to distribute for human consumption salmon, caught in the Baltic Sea and the Gulf of Riga, only if the length of whole salmon not exceeds 72 cm and weight 4.4 kg (inclusive); Allow to distribute for human consumption fillet of salmon, caught in the Baltic Sea and the Gulf of Riga, if the weight of whole salmon is greater than 4.4 kg but not exceeding 6 kg.
Spain	Decreto 2484/1967, de 21 de septiembre, por el que se aprueba el texto del Código Alimentario Español	Decree 2484 / 1967, of 21 September, which approves the text of the Spanish food code	1967, but rev. 2017	yes	In chapter XII, fish and fishery products are described in detail, definition of the five main products forms (fresh, frozen, salted, smoked and dried) and derived products such as canned, semi-conserves, soups and ready meals; in chapter XIII it defines crustaceans and molluscs products	The water content in dried fish should not exceed 15%;

## Evaluation of the marketing standards framework for fishery and aquaculture products

Country	Name in national language and link	English Name	year	Binding Instrument	Scope of the regulation	Specific requirements related to product quality
	Norma de Calidad para los Mejillones, Berberechos y las Almejas Cocidos y Congelados.	Quality norms for cocked and frozen mussels, cockles and clams	1984, corr. 1985	yes	Commercial classification of mussels, cockles and clams	<p>Mussel  Big: &gt; 7.5 g  Medium: &gt; 5.5 g  Small: &lt; 5.5 g</p> <p>Clam  Giant: &gt; 7 g  Big: &gt; 5 g  Medium: &gt; 3 g  Small: &lt; 3 g</p> <p>Cockles  Big: &gt; 1.7 g  Medium: &gt; 1.2 g  Small: &lt; 1.2 g</p> <p>10% tolerance (10% medium acceptable in big etc.)</p>
	Norma de calidad para el mejillon, almeja y berberecho en conserva	Quality norms for canned mussels, clams and scallops	1984, corr 1985	yes	Defines various forms of canned clams and mussels, their sauces,	Definition of "natural" if the filling is either water or brine and if the sodium chloride is less than 7%; various minimum molluscs content is defined by type of filling material, type of can, and by type of mollusc.

## **ANNEX 7. QUESTIONNAIRE FOR THE NATIONAL AUTHORITIES**

The questionnaire will be delivered online or through an Excel form. If online, the questionnaire will be accessible with an identifier and password per MS, in order to allow for multiple respondents.

### **Introduction**

The objective of the evaluation is to examine the relevance, effectiveness, efficiency, coherence and EU added value of the current marketing standards for fishery products, in accordance with the Better Regulation Package Guidelines. The regulatory framework under evaluation is:

- Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines;
- Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito;
- Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products; and
- Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products – Chapter III – Common Marketing Standards;

This is the first evaluation carried out specifically on the implementation of marketing standards for fishery products and feedback from national administrations and in particular control authorities is critical to analyse their efficiency and enforceability.

The questionnaire includes the eight following sections:

- Contacts;
- Administrative organisation of the implementation, control and monitoring of EU marketing Standards;
- Compliance;
- Impacts of EU marketing standards;
- Coherence with other EU rules and standards or norms;
- Potential for simplification;
- Conclusion

Please circulate the questionnaires (log in information) to all the relevant organisations/units.

If you have any issue with filling in the questionnaire or if you wish to send us additional documentation please contact Séverine Renault ([severine.renault@and-international.com](mailto:severine.renault@and-international.com)) or Safa Souidi ([safa.souidi@and-international.com](mailto:safa.souidi@and-international.com))

### **Contacts**

Please list the relevant organisations and contacts. We may contact you for follow-up on specific issues.

1. Country:

2. List of respondents to the questionnaire:

Organisation/unit	Name	Email address

**Administrative organisation of the implementation, control and monitoring of EU marketing Standards**

3. What are the administrations involved in the implementation and control of EU Marketing Standards? Please describe the main activities carried out by each organization.

Organisation/unit	Activities

4. Are some of these services also involved with the control of other relevant EU regulations (please check all relevant answers)

- i. EU rules on food safety
- ii. Consumer information rules (Regulation (EU) No 1169/2011 and Chapter IV of the CMO Regulation;
- iii. Hygiene rules for food of animal origin (Regulation 853/2004);
- iv. National standards or codes of practices, if so please specify the products covered:
- v. International standards (e.g. Codex), if so please specify:

5. How is the implementation of EU marketing Standards controlled? Please list the items checked during the inspections and specify at what stage of the supply chain inspections take place.

Regulations	Items inspected at the different Stage of the supply chain /types of operators

Reg. 2136/89 for preserved sardines and Reg. 1536/92 for preserved tunas and bonitos	
Reg. 2406/96 for certain fishery products	

6. Can you please provide the total number of FTEs dedicated to the control of EU marketing standards in 2017 (even approximately)?: \_\_\_\_\_
7. How much time do inspections take on average (in hours, even approximately)?  
\_\_\_\_\_
8. How much time do inspectors have to spend before and after the inspection itself (preparation and reporting/ follow up), in hours? \_\_\_\_\_
9. Are controls of EU marketing standards usually combined with other types of controls (e.g. controls of landings, controls of MCRS, controls of hygiene rules, etc.)? (Never/Sometimes/Always)
10. If 9=Always, please specify which types of controls are combined
11. If 9=Sometimes, please explain in which cases they are combined and what prevents from always combining them with other controls
12. If 9=No, please explain what prevents from combining with other types of controls.
13. What type of Information Technology tools do you have for the control of EU marketing standards? Please describe the main tools.
14. Can you please provide the recurring annual costs for managing those tools (in local currency) for 2017 (even an approximate figure)?  
\_\_\_\_\_
15. Do you have other costs related to the control of marketing standards? Y/N
16. If 15 = Yes, please detail those expenditures and the corresponding amounts

Expenditures	Amount for 2017 (in local currency)

17. Have new technologies (e.g. electronic auctions, development of e-commerce, landing of products already packed, etc.) raised new issues in terms of controlling EU marketing standards? (Y/N/don't know)

18. If 17=Yes, please explain:

### Compliance

19. How have the intensity of inspections, the number of observed anomalies, the volumes of fish inspected and the penalties evolved over the past 5 years:

	Sharp decrease	2	3	4	Sharp increase	Don't know
Number of inspections						
Number of anomalies observed						
Volumes of fish /fish products inspected						
Amount of penalties						

20. Can you please provide those statistics for the past 5 years (2013 to 2017): (check relevant items)?

- Number of inspections per year
- Number of anomalies per year
- Volumes of fish/fish products inspected per year
- Amount of penalties per year

21. Please fill in the following table (should only show the lines where statistics are available based on answers to the previous question):

	2013	2014	2015	2016	2017
Number of inspections					
Number of anomalies observed					
Volumes of fish /fish products inspected					
Amount of penalties					

22. Do you have explanations on the evolution of the number of observed anomalies?

23. Please rank the type of anomalies or irregularities from the most frequent to the least frequent (1=most frequent / 5=least frequent)

- Infringement to the minimum marketing size criteria
- Infringement to the minimum freshness criteria
- Wrong grading/sorting of catches
- Infringement to the provisions on imported products
- Infringement to the provisions on canned sardines and canned tunas and bonitos

24. Please describe the consequences for operators for the different types of anomalies

Type of anomalies	Consequences for operators (products removed, amount of penalties, etc.)
Infringement to the minimum marketing size criteria	
Infringement to the minimum freshness criteria	
Wrong grading/sorting of catches	
Infringement to the provisions on imported products	
Infringement to the provisions on canned	

sardines and canned  
tunas and bonitos

25. Are there issues of compliance specific to some species / products? Please explain which species and why.

26. Are there issues of compliance specific to some operators? Please explain which operators and why.

### Impacts of EU marketing standards

27. Please provide the following data if available (for the most recent year available):

	Volumes (t)	Year
Volumes of fish products not marketed for direct consumption because they do not comply with EU marketing standards criteria <u>for canned products</u>		
Volumes of fresh fish not marketed for direct consumption because they do not meet EU marketing standards minimum size criteria		
Volumes of fresh fish not marketed for direct consumption because they do not meet EU marketing standards minimum freshness criteria		

28. Do you have additional information or data on products not complying with marketing standards (e.g. % of products destroyed, main outlets outside direct human consumption, etc.)

29. To what extent do you agree with the following sentences?

EU marketing standards contribute to ....	Completely disagree	Somewhat disagree	Neutral	Somewhat Agree	Completely agree	Don't know
Improve products quality						
the sustainability of fishery products marketed in the EU						
the fairness and transparency of the internal market						



The profitability of operators along the supply chain						
Ensure a level-playing field between EU and non-EU products						

30. Please explain how the different provisions and criteria of EU marketing standards contribute to those objectives.

	Contribution to the objectives above
Minimum content requirements for preserved products	
Trade descriptions and contents for preserved products	
Minimum marketing standards for fresh fish	
Provisions on grading for fresh fish	
Provisions on imported products for fresh products	

31. From your perspective, have marketing standards had other positive impacts? Please explain.

32. Have they led to negative impacts? Please explain.

### Coherence of marketing standards with other regulations and public standards

33. Are there national or regional public standards or codes of practices setting quality criteria (e.g. minimum requirements, quality grades, definitions for trade description, product presentations or contents) for fishery and aquaculture products in your country? Y/N/Don't know

34. If 33 = Yes, Please specify the name and scope (geographical, products and main requirements) of those standards (if available, provide a link to the website).

35. Can you provide examples of synergies/complementarities between EU marketing standards and:

	Examples
Conservation rules	
EU rules on food safety	
Consumer information rules (Regulation (EU) No 1169/2011 and Chapter IV of the CMO Regulation)	
Hygiene rules for food of animal origin (Regulation 853/2004)	
International standards (e.g. Codex)	
National or regional standards or codes of practices (If relevant)	
Control Regulation for the Common Fisheries Policy (Council Reg. (EC) No 1224/2009)	
Other norms or standards (please specify)	

36. Can you provide examples of conflicts between EU marketing standards and:

	Examples
Conservation rules	
EU rules on food safety	
Consumer information rules (Regulation (EU) No 1169/2011 and Chapter IV of the CMO Regulation)	

Hygiene rules for food of animal origin (Regulation 853/2004)	
International standards (e.g. Codex)	
National or regional standards or codes of practices (If relevant)	
Control Regulation for the Common Fisheries Policy (Council Reg. (EC) No 1224/2009)	
Other norms or standards (please specify)	

### Potential for simplification

37. Do you think the following could be simplified without hindering the achievements of marketing standards?

	5 To a great extent	4	3	2	1 Not at all	Don't know
Size criteria						
Freshness criteria						
Provisions on imported fresh/chilled products						
Trade descriptions for preserved products						
Presentation requirements for preserved products						
Species names for preserved products						
Minimum content requirements for preserved products						
Control procedures						

38. Please provide examples (only show rows for which the rate in previous question is 2 or more)

	Examples
Size criteria	
Freshness criteria	
Provisions on imported fresh/chilled products	
Trade descriptions for preserved products	
Presentation requirements for preserved products	
Species names for preserved products	
Minimum content requirements for preserved products	
Control procedures	

## Conclusion

39. Do you have any other comment or recommendation on EU marketing standards?

Thank you for your time!

## **ANNEX 8. SUMMARY OF ANSWERS TO THE NATIONAL AUTHORITIES SURVEY**

The National Authority (NA) survey was disseminated through an online tool and by email to Member States in June 2018. By October 2018, when the survey was close, 25 member states had answered.

The objective of the survey is to understand how controls of Marketing Standards are managed in the MS, and gather feedback on the different national norms, the level of compliance with marketing standards at the different stages of the supply chain, and the main impacts perceived by national authorities in charge of marketing standards implementation and control.

### **8.1. Administrative organization, control and monitoring**

According to the results of the survey among the 25 MS, between one and five administrative entities are involved in the implementation and controls of EU marketing standards, depending on the organization in each MS.

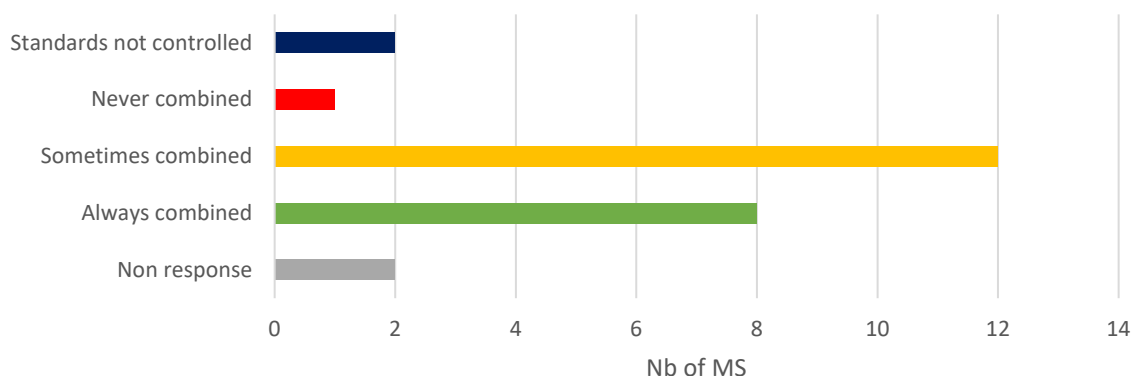
**Table 1: Number of administrative entities involved in the control and implementation of marketing standards**

	No of countries
<b>1 Administrative Services</b>	6
<b>2 Administration Services</b>	10
<b>3 Administration Services</b>	6
<b>4 Administration Services</b>	1
<b>5 Administration Services</b>	2

Source : NA survey, N=25

The basic scheme involves the Department of Agriculture and/or Fishery, in addition to the Veterinary Services. The third administrative entity is usually a market control service. All these structures are also engaged in other types of controls. Inspections can cover various topics : control of the supply chain – from the catch sector to retailers -, transport, sales notes, market or food labelling, in both fresh and canned industry. In Spain, the situation varies between autonomous communities, and the number of services involved ranges between one (like Cataluña and Cantabria) to five (Galicia).

**Figure 1: Answer to the question : Are controls of marketing standards combined with other types of controls ?**



Source : NA survey, N=25

For 80 % of the national services interviewed, marketing standards controls are always or sometimes combined with other inspections, usually hygiene, traceability, laboratory sample checks, control of storage conditions and labelling. Three countries (Luxembourg, Cyprus and Austria) do not combine controls on marketing standards. In this category, in two cases, marketing standards controls are not performed at all, and in the last case they are not applied because of legal issues of involved services in this types of checks. Most of the time, combining the types of control with other checks is a way to optimize expenditure and reduce administrative burden for the public services.

Out of the 25 MS interviewed in the NA survey, 14 declared to use IT tools supported by national database to register data and prepare controls. These data include various aspects (landing database, traceability information system, digitalized sale notes, tracking of catches, inspections and laboratory tracking or electronic auctions database). Cross-checking those IT tools can be used by the various services in charge of controls and traceability. Ireland declares being developing a unique electronic database that will cover the relevant aspects of the marketing standards and will guide inspectors in completing an assessment.

Concerning the specific controls related to Reg. 2136/89 for preserved sardines and Reg. 1536/92 for preserved tunas and bonitos, among the 14 MS that provided an answer, a large majority indicated that controls are performed at the industry, wholesale and retail level. Laboratory sample and labelling checks are the most common type of checks.

Concerning control related to Reg. 2406/96 for fresh and chilled fishery products, 16 MS indicated that size and freshness controls on other type of fishery products are performed at various stages, by public services. Only in Netherlands, the industry is in charge of the controls since 2017. Private controller are mainly mobilized at the auction stage.

**Table 2: Answer to the question : How much time do inspections take on average ?**

No of NAs	
Non response	10
Less than 60	1
From 60 to 119	7
From 120 to 179	3
From 180 to 239	1
From 240 to 299	1
300 and more	2
<b>Total</b>	<b>25</b>

Source : NA survey, N=25

Within the 25 MS interviewed, two third could provide an answer concerning the average duration time of inspections. Excluding the time of preparation and the time of reporting, the median time of inspection is one hour. Extreme values are reported for Greece and Czech Republic, with controls reaching 5 to 6 hours. These figures had to be estimated in most cases, as marketing standards controls are performed in combination with other types of checks.

The data provided in relation to the number of FTE dedicated to marketing controls are partial, with a response rate of 48 %. Within the answers, a large majority (78.6%) indicated less than 200 FTE dedicated to the task. Denmark and Czech Republic indicate employing more than 400 FTEs on such type of controls.

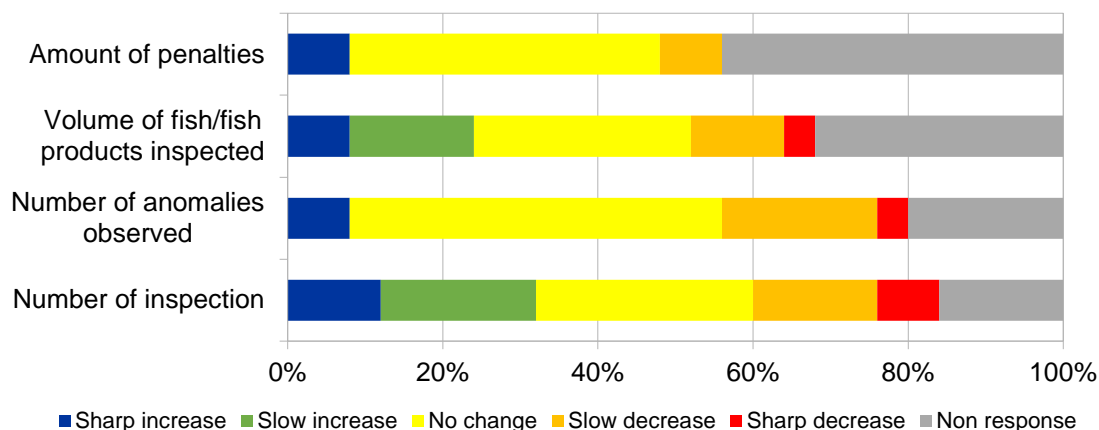
**Table 3: Number of FTE dedicated to the control of marketing standards in 2017**

No of FTEs	
Non response	12
Less than 1	2
From 1 to 5	3
From 6 to 9	2
From 10 to 49	0
50 and more	6
<b>Total</b>	<b>25</b>

Source : NA survey, N=25

## 8.2. Compliance

**Figure 2: Answer to the question: How have evolved ... ?**



Source : NA survey, N=25

Over the past five years, for the majority of MS, the number of anomalies observed, the volume of fish or fish products inspected and the amount of penalties was reported as stable, respectively for 50%, 29% and 42%. Only the number of inspections is reported to have increased over the period, for a third of the sample. In France, NA underlined that the number of inspections has increased, as a consequence of the professionalization of fisheries control and the strengthening of regulatory obligations. In Spain, a slow increase is reported. In Czech Republic too, were even if the number of inspections increased significantly, the number of anomalies related specifically to marketing standards (i.e. violation on minimum size criteria, freshness criteria and violation of provisions on imported sardines, tuna and bonito tins) is very low and not statistically significant in comparison with other types of controls.

From 10 to 14 MS could provide full or partial data on the number of anomalies observed during controls of the EU marketing standards, related to the volume of fish and fish products controlled.

**Table 4: Evolution of the number of anomalies observed**

	Mean	Median	Frequency
<b>2013</b>	453	54	9
<b>2014</b>	374	71	10
<b>2015</b>	334	84	12
<b>2016</b>	317	81	13

According to the 14 MS that could provide full or partial answers, the number of irregularities reported during controls has decreased from 2013 to 2017, with a median value in progression in 2014 and 2015.



**Table 5: Evolution of volumes of fish/fish products inspected**

	Mean	Median	Frequency
<b>2013</b>	1558	499	7
<b>2014</b>	1149	546	7
<b>2015</b>	2876	888	10
<b>2016</b>	11669	920	10
<b>2017</b>	4032	769	10

The 10 NA that could provide data on the volume of products controlled underlined a global increase from 2013 to 2017. In 2016, an important peak of volumes checked is reported. This is the consequence of the increase in controls mentioned in the Netherlands, as the responsibility of control for marketing standards has been shifted to the industry. All products that go through the auction are controlled by private contractors, most of the fresh fish products pass the auction, and all shrimp products are legally obliged to go through auction via an acknowledged sieving location. Products that do not go through auction are periodically controlled by the NA.

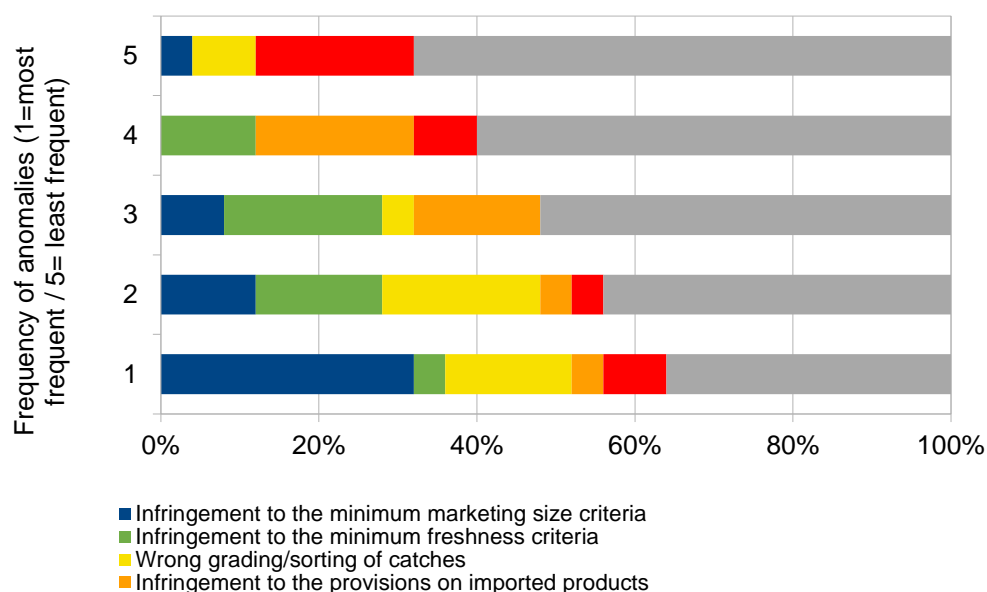
The NA survey also aimed to determine the amount of penalties reported each year. The data are not reliable according to the answers provided, as some NA understood the question as the number of violations of the marketing standards reported. Furthermore, the perimeter of the controls is often wider than the marketing standards themselves, as for 80% of the NA, controls are always or sometimes combined with other types of controls.

When asked about the frequency of anomalies reported during controls, by priority (1=most frequent and 5=least frequent), 8 NAs (out of 16 answers) pointed out infringement related to the minimum marketing size criteria as the most frequent irregularity observed. 4 NAs indicated wrong grading/sorting of the catches as the main anomaly reported. As most frequent irregularities, both are related to size issue of the products.

According to the NA survey, infringement to the minimum freshness criteria and on provisions on imported products occur mainly from 2 to 4 in the top five ranking. Issues related to provisions on canned sardines and canned tunas and bonitos are mentioned as the least frequent anomalies by 5 MS (out of the 8 MS that provided an answer).

To sum up, the results of the survey indicate that the most frequent irregularities are related to size issues, irregularities on imports and freshness are middle range in the ranking and the least frequent anomalies concern preserved and canned products.

**Figure 3 : Ranking of the type of anomalies or irregularities from the most frequent to the least frequent**



The evolution of the number of anomalies yet is indicated for 25 % of the cases to have decreased. This is the consequence of targeted inspections (Hungary, Poland), the intensification of checks and an effort to perform exhaustive survey during controls in few cases (France, Spain). Yet, it is underlined that infringement to marketing standards is also reduced by the law of supply and demand, as buyer will not be interested in products not following the EU regulation (Croatia).

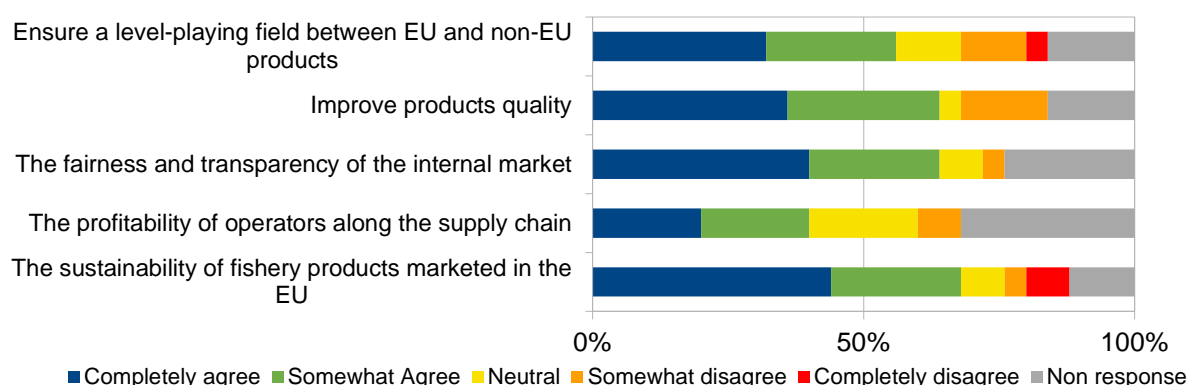
Among the 15 answers concerning specific issues on species, 9 MS reported that there are no particular compliance anomalies related to specific species of products, such as in France and Italy, a major fish operator in EU. For fresh or chilled products, CZ reported Gadidae fish. In general, high value-added species issues are more related to minimum size infringement (Spain, Ireland), while low value-added products can have issues regarding freshness criteria. For instance, the NA in Netherlands underlined issues related to sole and plaice, concerning size anomalies. Sole is also often pointed out in Poland, where *Limanda aspera* is sometimes sold as *Solea vulgaris*, as importers and restaurants use a different terminology, what misleads consumers. It is also reported in some MS that anomalies are more often observed in canned products, with substitution of tuna and bonito with other species (Spain). Furthermore, laboratory inspections in CZ highlight the deficiencies under the term "fish meat" in canned products.

Some operators present more anomalies than others among the MS in the survey. Within the answers reported in the survey, 21 % of NA reported issues of compliance specific to some operators, when a third didn't. Operators involved are fishing companies and auctions. In Denmark, it is underlined that fishing vessels often do not correctly sort by size and the boxes of products are often overweight. Issues of compliance are also pointed out at retail level, in particular with street vendors and restaurants, but it appears to be more a traceability issue than a problem specifically related to marketing standards.

When controlled products do not comply with marketing standards, merchandise is used for purposes other than human consumption, mostly as fish meal for animal feeding, as mentioned by 20,8% of the 25 NA interviewed.

### 8.3. Main impacts

**Figure 4 : Extent to which EU marketing standards contribute to ...?**



Source: NA survey, N=25

The vast majority of NAs and control authorities consider EU marketing standards as a positive regulation in terms of quality, sustainability, transparency of the market, fairness of international trade and for the operators all along the supply chain. Even if the implementation of marketing standards relies mainly on the first operators of the supply chain (i.e. fisheries and auctions) the contribution of those regulation is considered to also benefit to the downstream operators.

Various impacts of EU marketing standards have been spotlighted by the NA. First of all, NA consider marketing standards as an essential tool to improve the quality of products and preserve the fish stocks.

The main issues underlined by NA is that marketing standards do not ensure equal treatment between EU and non-EU products (except for preserved products) (Croatia). Another issue mentioned was the extra-cost related to the implementation of marketing standard. Extra expenditure can rely on operators, like sorting and grading by freshness and size (Greece), or on public administrations, as they are in almost all cases in charge of controls, except in the Netherlands.

#### 8.4. Coherence with other regulations and standards

**Figure 5: Answer to the question: are there other public standards / codes of practice for fishery and aquaculture products?**

	Number
Non response	5
Yes	8
No	10
I don't know	2
Total	25

Source : NA survey, N=25

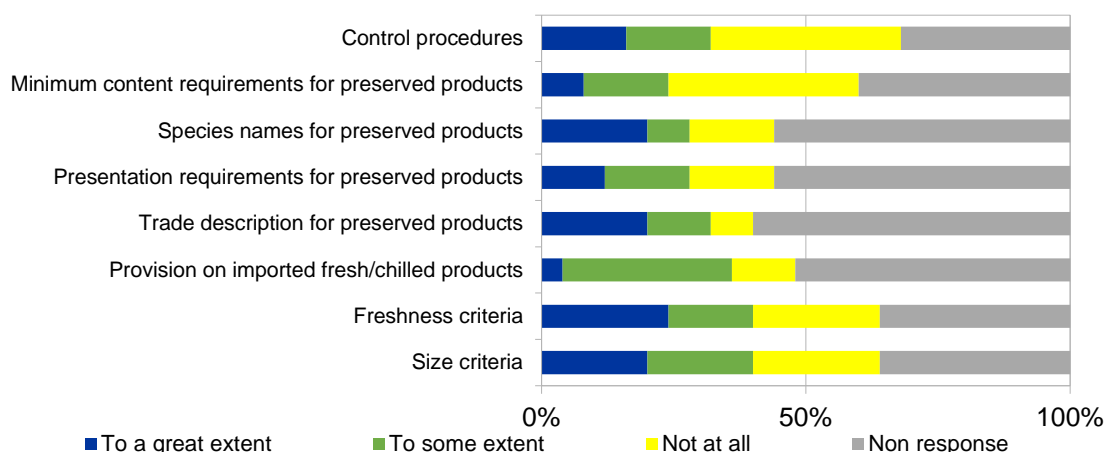
Among the NAs covered by the survey, a third declared to have implemented local standards setting quality criteria for fishery and aquaculture products. These extra regulations cover various aspects, from labelling of canned products, to hygiene criteria. When relevant, national ministries of agriculture and/or fisheries promote decrees to define standards as regards labelling for consumers, but the criteria mentioned by MS are mainly different from marketing standards. Focusing specifically on size criteria, private label can overlap marketing standards requirement. As mentioned in the Netherlands, producers need to land a minimum size of 6.8 mm (v.s. 6.5mm under marketing standards requirements) to keep acquire and keep the MSC label on *Crangon crangon*.

As a consequence, local standards, private or promoted by public administrations, can be a complement to EU marketing standards. Concerning conservation rules, the minimum size criteria enhances the sustainability of fish stocks and prevents environmental issues. Marketing standards are also complementary to wider food safety regulations. For instance, it is underlined in Croatia that freshness regulated by marketing standards works in synergy with other aspects of food safety on fish products, like best before date or date of catch. It is also highlighted that – in Spain – there is a total synergy between marketing standards and labelling of preserved products.

On the other hand, conflicts can occur between marketing standards and other regulations. For instance, conservation rules are often pointed out by the NA, as minimum size criteria, as written in Reg 2406/96 establish minimum marketing size for certain species not covered by MCRS (as mentioned in Spain on the confusion due to the alignment between minimum marketing sizes and minimum conservation size, with consequence to make it more difficult to understand the whole regulation (France)).

## 8.5. Potential for simplification

**Figure 6: Answer to the question: do you think the following could be simplified without hindering the achievements of EU marketing standards?**



Source: NA survey, N=25

Within the 25 MS covered by the NA survey, from 32 % to 60 % did not provide any answer concerning the potential of simplification of the various aspects related to EU marketing standards. In general, NA consider that EU marketing standards can be simplified to some extent to a great extent.

Concerning size criteria, NA highlighted that simplification should focus on correlation between minimum conservation size and size defined in EU marketing standards, to avoid overlapping regulations, as minimum reference size is considered as sufficient. Furthermore, one NA think that there are too many size criteria by fish species (Denmark). Yet, for 24 % the NA, simplification of size criteria could lead to a less effective regulation.

As example, the Dutch NA highlighted that for the criteria related to canned products, labelling is already regulated by the general consumer information rules (Regulation EU No 1169/2011).

## ANNEX 9. LIST OF INTERVIEWS AND CONTRIBUTIONS

### High level interviews

Position	Organisation
EU staff in charge of scientific advice and data collection	European Commission
EU staff in charge of sanitary control	European Commission
EU staff in charge of market and trade	European Commission
-	Federation of European Aquaculture producers

Representatives of EU organisations were interviewed during the case studies:

- AIPCE
- EAPO

Europeche and Eurocommerce were contacted but did not provide feedback.

### Interviews in the context of case studies

Organisation, Company	Sector
<b>Croatia</b>	
MARE CROATICUM (association of professional fishermen)	Fishing
Mišlov d.o.o.	Fishing and processing
Mirna d.o.o., part of Podravka Group	Processing
Podravka d.d.	Processing
Ricciotti Bullo s.a.s.	Auctions
<b>Denmark</b>	
Danish Fishermen's association and producer organisation	Fishermen association
Danish pelagic producer organisation	Large pelagic fishing fleet
Hanstholm Auction	Fish auction
Fish auction Nord (the auction consists of two auctions in Hirtshals and in Strandby)	Fish auction
Focus group study.	Fishermen
Fishermen in Hirtshals (at fish auction Nord)	
Danish Aquaculture Association	Aquaculture sector
Danish Seafood Association (DSA)	Fish processors/wholesalers
Royal Greenland	Processor/wholesaler. Shrimp processing and trade, largest in EU
Danforel	Processor/wholesaler. EUs leading smoked trout processor and trader
The Association of Danish fishmongers	Fishmongers association
<b>France</b>	
Union du mareyage de France	Wholesale
Association nationale des organisations de producteurs (ANOP)	Catching sector
ADEPALE	Processing
Comité Interprofessionnel des Produits de l'Aquaculture	Aquaculture
Comité national de la conchyliculture	Shellfish farming
Association des directeurs et responsables des halles à marée de France	Auction

## Evaluation of the marketing standards framework for fishery and aquaculture products

Région Bretagne	Regional authority
Le Guilvinec auction	Auction
Comité Départemental des Pêches Maritimes et des élevages Marins du Finistère	Catching sector
Producer organisation « Pêcheurs de Bretagne »	Catching sector
Association Bretonne des Acheteurs des Produits de la Pêche Scapêche	Wholesale, auction
Distribution Casino France	Catching sector, retail
Pêcherie des Brisants	Retail
Ets François CADORET	Catching sector, wholesale
Ets CHELLET BERTEAU PRODUCTION	Shellfish farming
Ets LES BOUCHOLEURS BIZEUL ET FILS	Shellfish farming
<b>Italy</b>	
ANCIT Director	Canning industry
ANCIT President and Quality Assurance Director of Bolton Alimentari	Canning industry
ANCIT Vice President and General Manager of Generale Conserve S.p.A	Canning industry
ANCIT Vice President and Commercial Director of Nino Castiglione	Canning industry
Representative of Nireus group exporting in Italy	Aquaculture
Veneta Pesca, in Porto Viro	Wholesaler
Associazione Produttori Pesca "San Marco" di Chioggia and representative of Federcoopesca	Catching sector
LOMAR S.r.l	Catching sector (intermediary between catching sector and buyers)
Commisioner/Auctionist (astatore) in Chioggia's Auction	Auction Organization
Chioggia Wholesale Fish Market, officer and Director respectively	
Associazione Piscicoltori Italiani Secretariat and director respectively	Aquaculture
Alleanza Cooperative Italiane	Catching sector
Livorno Market, Labronica motopescherecci società cooperativa arl.	Catching sector
<b>Netherlands</b>	
VisNed	Flatfish sector association
Visserbond	Mixed flatfish fish and shrimp association
PFA	Pelagic fleet association, frozen fish
W van der Zwan / Quotter	Fresh demersal fish
Auction Urk	Largest flat fish auction
Visfederatie	Wholesale / processing association / AIPCEE
Vereniging van Visimporteurs	Fish importers association
Vebega	Shrimp trade association
Klaas Puul	Shrimp processing
Vereniging van Nederlandse Visspecialisten (VNV)	Specialized fish retailers association
<b>Spain</b>	
Auction of Burela (auction + meeting with the auction manager, the Junta de Galicia, OPAGA - PO, and Decaexport – wholesale company)	3 <sup>rd</sup> largest auction in Galicia (main species: Hake, Mackerel, Albacore Bogue and Blue Whiting)

Auction of Fisterra (auction + meeting with auction manager, the Junta de Galicia, one vessel-owner and one buyer for a restaurant)	Small-scale coastal fisheries, fresh fish, mainly not included in Annex I
ARVI	Catching sector (Vigo), main species: hake, megrim and monkfish
CEPESCA	National ass.: all types of fleet
Nueva Pescanova	Fish farming, Trade/wholesale, Frozen fish 90% (mainly imports of hake, squids) and fresh fish 10% (Spanish auctions and sold to supermarkets)
APROMAR	Fish farming (marine and continental)
Mejillon de Galicia and 4 shellfish producers (3 members of OPMEGA, including the president and 1 producer outside OPMEGA)	Shellfish sector (mainly mussels, under PDO)
ANFACO + Conservas selectas de Galicia (Group Bolton)	Processing industry, in particular canning
AEPMP (Asociación de Empresarios Mayoristas de Pescados de Madrid)	Wholesale
FEDEPESCA	Specialised fish retailers (covers different types of fish products but answers are mainly about fresh products, which they know better)

#### **Complementary interviews in MS not covered by the case studies**

Country	Organisation
LV	Karavela Sia (canning industry)
PL	PSTRAG PUSTELNIA Fish Farm (Aquaculture)
PL	Association of Fish Market Development (Trade)
GR	Nireus (Aquaculture)

#### **Written contributions received following dissemination of the questionnaires by the Expert Group for Fisheries and Aquaculture Products**

Country	Organisation
AT	Federal Food Retailers and Wholesalers Association
BE	Auction of Zeebrugge & Oostende
IT	Auction of Livorno
IT	Coordinamento Pesca - ALLEANZA COOPERATIVE ITALIANE
PT	DG Pesca - Madeira
PT	SESIBAL (fresh fish)
PT	Armalgarve
PT	Auction in Portugal mainland
PT	ANICP
SW	Göteborg Fishery Auction



## ANNEX 10. DISCUSSION GUIDES FOR CASE STUDIES

### Interview guide for the auctions

General instructions for the interviewer

Ideally these items should be discussed in a meeting with different types of stakeholders but can also be discussed in individual interviews.

The first section of the guide (Background) should be filled in prior to the meeting/interviews with the main point of contact.

The guide should be sent to the main point of contact but not to individual participants /interviewees.

**In case of focus group/collective meeting**, the length of the meeting should be discussed with the auction main point of contact. It should be at least 1h30 and ideally 2 hours (a few min for presentation and introduction and approximately 15 min for each of the question). If it is a 1H30 meeting, then the two first questions (awareness and relevance) can be skipped for the discussion with the group and discussed with the main point of contact. In any case a follow-up should be organised with the main point of contact to complete items that could not be covered or not sufficiently during the meeting.

If done through individual interviews, the whole guide should be covered with the auction main point of contact and questions should be adapted for other operators based on the specific organisation of the auction and the type of operators interviewed.

In any case, the objective is to have a good understanding of how marketing standards are implemented at auction level, how useful they are, if there any practical issues and what are the costs for the different types of operators (auction, sellers, buyers).

**As far as statistics are concerned in the background section**, please ask for **long-term series** (annual data) whenever available, or most recent year available if not possible to have series. Please also check if it is possible to have them in **electronic and usable format (Excel, csv) rather than pdf**.

Country	
Auction location	
Interviewer name	
Date	
List of participants	

### Introduction

The objective of the evaluation is to examine the relevance, effectiveness, efficiency, coherence and EU added value of the current marketing standards for fishery products, in accordance with the Better Regulation Package Guidelines. The regulatory framework under evaluation is:

- Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines;
- Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito;
- Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products; and
- Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products – Chapter III – Common Marketing Standards;

***Background on the auction: for the auction main point of contact***

1. What was the volume of fish auctioned in 2017?
2. What was the value of fish auctioned in 2017?
3. What were the main species?
4. Who are the main sellers?
5. Who are the main buyers (wholesalers, foodservice, processing industry, retail...)?
6. What share of the fish landed in the port actually goes through auction?
7. Do you have statistics on prices for some of the main products sold through the auction by categories of size and freshness? Can you please provide them to us, if possible for the past 10 years?
8. ***Interviewer should show Annex I of the Regulation 2406/96 with the list of species covered by Marketing Standards.*** What are the main species sold in the auction that are not included in Annex I of the Reg. 2406/96? Are there specific issues with the marketing of these products, due to the fact that they do not have EU marketing standards?
9. Do you have statistics on the percentage of products not complying with marketing standards? Do you have a breakdown by species and/or by type of irregularity (not complying with minimum size, minimum freshness criteria, wrong grading)? Can you please provide them to us?
10. Have inspections on EU Marketing Standards taken place at your auction? Y/N  
If Yes, ask the following questions
11. When was the last time?
12. In a 5-year period, how often would you expect inspections to take place?
13. Do you remember the last time inspection resulted in sanctions?  
If Yes, how long ago was it? What were the sanctions on that occasion?

***Items to be discussed with operators***

### **Relevance of criteria used by EU Marketing Standards**

14. Do you know the different criteria used for EU marketing Standards (in EU Reg 2406/96)? Can you provide an example please?

If Not or examples provided do not correspond to EU marketing standards, interviewer should provide examples from the Annex I of EU Reg 2406/96 for relevant species.

15. Are the size and freshness categories defined in EU marketing standards used to set prices (e.g. are they used in auction sales, contracts)? Are there other references/criteria used to grade fish and set prices? Which ones?

### **Implementation of EU marketing standards**

16. At what point is the fish sorted according to EU marketing standards (on board, at landing, at the auction)? Who is in charge? What are the tasks involved? How long does it take? Is the sorting automated or by hand? What are the costs involved? How is the grading controlled and by whom?

17. What happens with products that do not comply with marketing standards? How often do buyers reject products because they do not comply with marketing standards? Do you think that most operators generally comply? Has the level of compliance changed over time? How and why?

18. What factors have most impacted how EU marketing standards are or should be implemented over the past 10 years (regulatory changes, development of other norms and standards, sustainability issues, technological changes, changing demand from consumers)? Please explain.

### **Benefits of EU Marketing standards**

19. Do you think EU marketing standards are useful? In what ways do you think they are beneficial for your activity? Do they facilitate selling? Do they help to get better prices? Do they contribute to a better quality of products? Are there any other positive impacts, including in terms of broader social considerations, such as fairness of competition, transparency, sustainability or other environmental considerations?

### **Conclusion**

20. On balance, do you think the benefits outweigh the costs involved? Do you think EU marketing standards should be kept as they are, or that they should be modified/updated, or that they should be removed? If you think that there should be changes, what are the two or three changes that should be given the highest priority?

21. Would you accept to be contacted again to discuss the recommendations of this study?

Thank you for your time!

### Final version of interview guidelines for professional organisations

Evaluation of the marketing standards framework for fishery and aquaculture products

Interview guide for professional organisations

Only relevant questions for the products covered by the organisation should be asked.

Country	
Auction location	
Interviewer name	
Date	
List of participants	

#### Introduction

Interviewer to briefly introduce the objective of the evaluation and this interview

The objective of the evaluation is to examine the relevance, effectiveness, efficiency, coherence and EU added value of the current marketing standards for fishery products, in accordance with the Better Regulation Package Guidelines. The regulatory framework under evaluation is:

- Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines;
- Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito;
- Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products; and
- Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products – Chapter III – Common Marketing Standards;

The questionnaire includes the following sections:

- Presentation of the organisation;
- Relevance of criteria used by EU marketing standards;
- Benefits and costs of EU marketing standards;
- Enforcement and compliance;
- Other standards and norms;
- Simplification of marketing standards;
- Conclusions and perspectives.

Short presentation of the organisation interviewed

1. How many members are registered in your organisation and what is their profile (fishermen, wholesalers, processors, etc.)? Please provide some figures on the representativeness of your organisation.

2. What are the main product types covered by your organisations (only fresh and chilled products, frozen products, preserved products, etc.)?
3. What are the main missions of your organisation? Do you (or your members in case of federations of organisations) have a role in the marketing of fishery products? Please explain.

### Relevance of criteria used by EU marketing standards

4. Do you know the different criteria used for EU marketing Standards?

Fresh products	Canned products	
	Tunas and bonitos	Sardines
Size	Type of fish (tuna or bonito),	Designations for sardines and sardine-types products
Freshness categories	Commercial presentation (solid/ chunks/ fillets/ flakes/ grated-shredded),	Commercial presentation (sardines/ without bones/ without skin or bones/ fillets/ trunks/ other),
Provisions for products from third countries (information to be provided on packages, including size and freshness categories)	Culinary preparations (in olive oil/ natural/ in vegetable oil/ other), Ratio between the weight of the fish contained in the container after sterilization and the net weight expressed in grams.	Culinary preparations (olive oil/ natural/ refined vegetable oils/ tomato sauce/ natural juice / marinade, with or without wine/ other), Ratio between the weight of the fish contained in the container after sterilization and the net weight expressed in grams, Appearance of product in the container after sterilization (uniformed in size and arranged in orderly manner/ no significant breaks, free of foreign bodies, etc..).

5. In your view, to what extent are these EU Marketing Standards relevant to assess the quality of the products for both fresh and canned products?
6. In your view, to what extent is the price of fresh fish, crustaceans and molluscs set on the basis of the marketing standards (size and freshness categories)? What are the other criteria used? Is there a difference between EU and imported products?

7. For other non-processed products that are NOT covered by Reg. 2406/96 (aquaculture products, other fresh wild fish not included in Annex I of the Reg. 2406/96 and frozen fish, crustaceans and molluscs), what are the criteria used by operators to assess quality and determine prices?
8. For canned sardines, tunas and bonitos, in your view, to what extent are the trade descriptions and composition provisions defined in EU marketing standards relevant for business-to-business activities?
9. For other preserved and processed products, what are the references used for trade descriptions and composition provisions?
10. Do you think that EU marketing standards are relevant to final consumers?
11. Do you think that technological changes (e.g. e-commerce, electronic auctions, changes in the way products are manipulated, stored, controlled, etc..) have had an impact on the relevance of marketing standards or on the way they are implemented? Please explain.

#### **Benefits and Costs of EU marketing standards**

12. In what ways do you think EU Marketing Standards are beneficial for your members? Please describe the benefits
13. In what ways do EU Marketing Standards impose costs on your members? Please explain the tasks and costs involved.
14. On balance, do the marketing standards improve or reduce operators' profitability in the short-term or in the long-term? If so, how?
15. Apart from any effects on operators' profitability, do you think there are benefits or costs in terms of broader social considerations, such as fairness of competition, transparency, sustainability, food waste reduction or environmental considerations?
16. What factors have most impacted how EU marketing standards are or should be implemented over the past 10 years (regulatory changes, development of other norms and standards, sustainability issues, technological changes, changing demand from consumers)? Please explain?

17. Could the role of EU marketing standards be left to the market? If so, all functions or specific parts? Could you please explain?

### **Enforcement and compliance**

18. How often are you or your members likely to be inspected for compliance with EU Marketing Standards during a 5-year period? On what aspects?
19. In general, what are the consequences for operators if inspections find anomalies or irregularities? Do you think sanctions are adequate?
20. Do you think that most operators generally comply, or are there big differences in compliance rates between operators? If so, what might account for such differences?
21. Do you think that compliance has been improving or deteriorating? Do you have an explanation why?
22. Are you aware of any specific issues related to the application of EU marketing standards to imported products (from non-EU countries)?
23. Are you aware of trade disputes related to EU marketing standards? What are the subjects of the disputes? How often do they happen? Has the frequency of this kind of dispute evolved over time?

### **Other standards and norms**

24. What are the other standards or norms (e.g. private certifications, other public standards, codes of practices) commonly used in your sector? Please specify the names, scope (products, criteria, geographical scope), if they are voluntary or mandatory, if they are public or private, how they are set up and controlled and the relevant markets.
25. When those standards/norms apply to products already covered by EU marketing standards, do you consider these standards/norms to be complementary, redundant or in conflict with EU standards? Please explain, and please explain what is the incentive to use them in addition to EU marketing standards?
26. When those standards/norms apply to products NOT covered by EU marketing standards, do you think they are sufficient? Are there shortcomings? In your view, what difference would it make if there were EU marketing standards for these products? Please explain.



27. In your opinion, how do the burden and costs caused by the implementation of these norms or standards compare to the burden caused by EU marketing Standards?

### **Simplification of marketing standards**

28. For fresh products, would it be possible to simplify freshness and size criteria without compromising the effectiveness of marketing standards? Please provide specific examples.
29. For imported fresh/chilled products, would it be possible to simplify the provisions for those products (country of origin, scientific name and trade name, presentation, freshness and size categories, net weight, date of grading and dispatch, name and address of consignor) without compromising the effectiveness of marketing standards, in particular considering provisions under other regulations (hygiene, conservation rules, etc.) that did not exist in 1996 ? Please provide specific examples.
30. For canned products, would it be possible to simplify the standards' requirements without compromising their effectiveness? Please provide specific examples.
31. To what extent could controls be simplified without increasing the risk of non-compliance?

### **Conclusions and perspectives**

32. What do you think should be kept unchanged about EU marketing standards? Please explain why.
33. What are the main changes that you would like to see? Please explain why.
34. Would you be interested in being involved in the consultation that will be carried out to test the recommendations on marketing standards?
35. Do you have any other comment?

## Final version of interview guidelines for operators

Interview guide for operators along the supply chain of fresh fish (other than fishermen)

Country	
Auction location	
Interviewer name	
Date	
List of participants	

### Introduction

Interviewer to briefly introduce the objective of the evaluation and this interview

1. Please describe the main activities of your company (wholesale, retail, imports, etc.)?
2. What are your main products (main species and product forms)?
3. Please describe your main sources of supply (wild fish/aquaculture, imports/domestic, through auctions, wholesale markets or directly from producers, etc...)?
4. Who are your main clients (wholesalers, foodservice, processing industry, retailers, final consumers...)?
5. What is your turnover in fish (for 2017)?
6. What is the volume of fish sold in a year (for 2017)?

### Relevance of criteria used by EU marketing standards

7. Do you know the different criteria used for EU marketing Standards (in EU Reg 2406/96)? Y/N
8. If 7=Yes, can you provide an example please?

If 7=No or example provided does not correspond to EU marketing standards, interviewer should provide examples from the Annex I of EU Reg 2406/96 for relevant species.

9. Do you think the criteria used in EU marketing standards are relevant to assess the quality of fresh fish? To what extent does it depend on the species?
  - Size:
  - Freshness criteria (skin colour, flesh appearance, smell, eyes, etc.):

10. Do you rely exclusively on EU marketing standards categories (Extra/A/B or size) to assess the quality of fish? If not, please explain what you rely on to assess the quality of fish.
11. Do you rely on EU marketing standards to determine the price of fresh fish from fisheries (i.e. size and category of freshness Extra/A/B)? What other factors can influence prices? Can you rank those factors (including EU standards) by decreasing importance? To what extent does it depend on the market segments (e.g. foodservice vs retail)?
12. For companies that also market farmed fish/frozen or processed fish, what are the criteria used to determine prices for those types of products?

### **Implementation of EU marketing standards**

13. Can you please briefly describe the tasks involved with the implementation of EU marketing standards at your level (e.g. checking the compliance of purchased fish..) how long they take and how often they take place?
14. Who is in charge of sorting? Who is primarily responsible for ensuring that the standards are complied with? Please describe the role and responsibilities of the person in charge.
15. What happens if you assess that products from your suppliers are not compliant with marketing standards, e.g. not correctly sorted/classified?
16. What happens if your buyer assess that your products are not compliant with marketing standards, e.g. not correctly sorted/classified?
17. Do you have product waste as a result of EU marketing standards? Please explain. What does that represent in terms of % fish volume and value? Could that be avoided?
18. Have you ever been inspected on EU Marketing Standards? Y/N

If 18=Yes, ask questions 19 to 22.

19. When was the last time?

20. In a 5-year period, how often would you expect to be inspected?

21. Do you remember the last time inspection resulted in sanctions?

22. If 21=Yes, how long ago was it? What were the sanctions on that occasion?

23. Do you think that most operators more or less comply, or are there big differences in compliance rates between operators? If so, what might account for such differences?

24. Do you think that compliance has been improving or deteriorating? Do you have an explanation why?

25. Are you aware of any specific issues related to the application of EU marketing standards to imported products (from non-EU countries)?

### **Benefits of EU marketing standards**

26. In what ways do you think EU Marketing Standards are beneficial for your activity?

27. In what ways do EU Marketing Standards impose costs on your activity?

28. On balance, do the marketing standards improve or reduce your profitability in the short-term or in the long-term? If so, how?

29. Apart from any effects on your profitability, do you think there are benefits or costs in terms of broader social considerations, such as fairness of competition, sustainability or other environmental considerations?

### **Other standards and norms**

30. Do you use other types of standards or norms (e.g. private certifications, other private or public standards)?
- Which ones (please specify nature and origin)?
  - For which species?
  - For which markets?
31. Are they related to product quality or other aspects (e.g. sustainability)?
32. Do you consider these certifications to be complementary, redundant or in conflict with EU standards? Please explain, and please explain what is the incentive to use them in addition to EU marketing standards?
33. For companies that also market farmed fish/frozen or processed fish, do you use private or public quality standards for those products? And if so which? What are the advantages? Are there shortcomings? Please explain.
34. In your opinion, how does the workload and costs involved by the implementation of those certifications or standards compare to the workload involved by EU marketing Standards?

### **Simplification of marketing standards**

35. Would it be possible to simplify freshness and size criteria without compromising the effectiveness of marketing standards? Please provide specific examples.
36. What do you think would change in your activity and in general if there were no more EU marketing standards? Would you or your clients require new standards or certifications (e.g. private ones)?

### **Other comments**

37. Do you have any other comment or suggestion to make to improve the situation with respect to EU marketing standards?

## **ANNEX 11. SUMMARY OF CASE STUDIES**

The MSs were selected as they include a large proportion of the EU seafood trade, yet provide a range of scales and types of seafood markets across a number of different sea basins.

All stages of the supply chain were covered in the 6 MSs, which provided a general understanding of how marketing standards are implemented and used in the different MSs and how operators deal with products not covered by EU marketing standards. The fieldwork focused on the industry, through the national representative organisations and a sample of operators in each country.

National authorities were contacted to follow up on the online survey and discuss specific points raised in their answers. The NAs also informed the main stakeholder organisations to help the planning of the interviews.

Representative organisations assisted the team in identifying relevant targets and provided contact information. The list of interviews evolved during the fieldwork as some stakeholders engaged with the evaluation and others chose not to.

Depending on circumstances in the case study MS, the fieldwork included either 1 focus group + 7 to 10 interviews or 10 to 15 interviews and no focus group (but including individual interviews with operators going through auctions). The total number of interviews in the three larger countries (FR, ES and IT) was at the high end of these ranges to ensure a good overview of the sector.

The marketing of fresh fish products included in Reg. 2406/96 was covered in the 6 MS through interviews with national organisations, interviews or focus groups in at least 1 auction and, where relevant, with wholesale and retail interests. In addition, there was the following thematic focus in each MS:

- FR: shellfish farming
- ES: shellfish farming, canning industry
- IT: fish farming, canning industry
- NL: extra-EU trade
- DK: processing
- HR: fish farming, processing

The findings are based on six case studies (DK, ES, FR, HR, IT and NL). In total 82 individuals from the fisheries sector contributed, either in focus groups or in individual interviews. In addition, 10 written contributions were received in IT. The interviewees reflect well the total distribution chain, from the catching sector to retail, as shown in the following table.

**Table 6: Number of consulted stakeholders (persons participating in interviews and focus groups)**

	DK	ES	FR	HR	IT	NL	Total
<b>Auction managers</b>	2	5	2	1	2	1	13
<b>Catching sector</b>	2	6	6	2	4	4	24
<b>Aquaculture sector</b>	1	8	5		3		17
<b>Wholesalers</b>		2	2		1	2	7
<b>Canning industry</b>		6			4		10
<b>Other processing industry</b>	3			2		2	7
<b>Retail</b>	1	1	1			1	4
<b>Regional authority</b>			2				2
<b>Total</b>	9	28	18	5	12	10	84

### 11.1. Fresh products from fisheries

#### 11.1.1. *Level of knowledge*

Stakeholders involved in EU fisheries and landing fresh fish are in general well aware of the existence of the marketing standards. This applies particularly to species with which they are regularly working. They do not necessarily know exactly what the total content of the Regulation is in terms of all covered species, specific sizes and precise descriptions of the quality. In countries where specific additional standards apply, the stakeholders do not always know whether these standards are national or originate from the EU legislation.

The only exception is HR, where the stakeholders in the catching sector were not well aware of the existence of the EU marketing standards.

#### 11.1.2. *Criteria used at the different stages and relevance of marketing standards*

There is full consensus that the marketing standards are highly relevant for market transparency and price formation. Prices depend on 3 main aspects: supply and demand, size of fish and quality.

Supply and demand depend on the specific situation of the moment, i.e. (expected) landings, stocks at wholesale / processing stage, delivery contracts, etc. This may lead to exceptional situations where smaller fish of lower quality fetches momentarily higher price than larger fish of better quality at another moment.

Price statistics are maintained by size category, which illustrates the importance of this criterion. Despite the exceptions mentioned above, statistics show that on average larger

fish is always better priced. Various interviewees indicated (DK, ES, IT, NL) that the 'market' may demand other / more detailed size classifications than those set in the marketing standards. Such classifications may be used either directly at the auction (ES) or in subsequent trade (NL). However, this does not mean that the current marketing standards should be changed.

The organoleptic freshness criteria of the marketing standards are applied. Many respondents indicated that, when it comes to quality, the buyers also rely on the reputation of the vessel from which the fish comes. Other important aspects are the time elapsed since the catch, as it determines the shelf-life, and in some cases the fishing gear used. The interviews and the available statistics indicate that large part of the landings is quality A. Fish caught shortly before landing or fish from small scale coastal fisheries will be classified as Extra. The B quality is relatively rare, for various reasons: increasing quality awareness on board, available technologies and the importance attached to shelf life after landing by buyers. The marketing standards have made this improvement visible, e.g. quality of landings of HR vessels at Trieste auction has improved thanks to accession to EU.

Some of the interviewees are of the opinion that the quality assessment may differ somewhat between auctions and MS. There are many quality criteria and although they are linked, it is up to the individual staff member at the auction to decide on the final quality level (E-A-B). Such decision is taken rather quickly, time not allowing to inspect fish in the boxes in detail. Experience of the auction staff plays an important role and a certain subjectivity cannot be avoided. In the end it is the buyer who must be satisfied and it is in the interest of the vessel owner as well as of the auction to provide reliable information.

The marketing standards are mainly applied at first sale / auction. As the fish passes through the chain, their application becomes increasingly 'difficult'. Size may not be recognizable after processing and quality may gradually deteriorate with time. The marketing standards related to size, are used to a limited extent (or implicitly) at processing / wholesale stage, e.g. when whole (frozen) fish is traded. Given the specificity of many market segments, the interviewees could not provide generalized details. There is a general consensus that the marketing standards as such have no relevance at the consumer / retail level, although size evidently plays a role in retail trade when fish is sold whole. The stakeholders beyond the first sale are relatively more concerned with issues like complexity of labels, commercial designations and cost of traceability.

#### 11.1.3. *Tasks and costs involved*

Fish sold through auctions is usually size / quality-graded according to the marketing standards, although exceptions have been reported in ES and IT. The grading takes place on board or in the auction. The buyers may size-grade the fish further according to the demand of their clients (e.g. NL). Size-grading is done either by hand (important part of white fish) or mechanically<sup>1</sup> (some plaice, shrimp, small pelagics). Fish sold on contract

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<sup>1</sup> Mechanical grading takes place on shore.



and delivered directly to processing plants is size-graded on board and/or at the buyer's premises, in which case the marketing standards may or may not be applied.

The specific costs have been presented for some MS (NL, DK). However, there is a general agreement that if the present marketing standards would not exist, a comparable system would have to be developed and the costs would be similar. Consequently, many interviewees believe that the marketing standards as such do not lead to additional costs, in comparison with other systems. The marketing standards play a decreasing role as the fish passes through the chain so that the interviewees could not pin point specific costs related to marketing standards in wholesale, processing or retail.

#### 11.1.4. *Compliance issues and trends*

All case studies indicate that compliance is not a problem. The controls are carried out with different intensities in different auctions and MS, from continuous to occasional. It is not always possible to distinguish between controls of marketing standards and controls of other Regulations (minimum conservation reference sizes, logbooks, hygiene, etc.).

Identification of non-compliance is very rare. In such cases, the vessel owner or trader are given a warning or advice how to prevent this in the future. There is no evidence at all of any legal proceedings or imposition of fines due to non-compliance with the marketing standards.

It seems likely that compliance with the marketing standards is not only a result of legal obligation, but at least as much a result of the relation between the trading partners. Meeting agreed characteristics of the product is important to maintain the necessary mutual trust between sellers, buyers and facilitators (auctions and wholesale markets).

#### 11.1.5. *Main perceived benefits*

The case studies show a very consistent view on the benefits of the marketing standards in relation to market transparency and level playing field. The marketing standards set one basic common denominator for the classification of the main landed species. The fact that they do not always reflect exactly the size classification required by the following chains in the market does not compromise the importance of having one standard classification at first sale.

The main benefits occur at first sale. The relevance of the marketing standards decreases as the product passes through subsequent chain links. There are no direct benefits to the consumers.

#### 11.1.6. *Other norms and standards used*

Although other norms are used in the fresh fish chain, no conflict or overlap between them and the marketing standards has been mentioned. These norms are complementary and serve other specific purposes:

- MSC and ASC for sustainability;
- HACCP, ISO, BRC, IFS for quality assurance during the production process;
- BSCI for social responsibility.

In some cases specific 'local' norms have been developed, e.g. QIM (Urk, NL) and specific rules for bivalves in FR (which are not under the marketing standards).

#### 11.1.7. *Recommendations (simplification, removal)*

There is a general agreement that the marketing standards should remain as they are. The system has worked for a long time well and all stakeholders are used to it. Some of the ES interviewees are of the opinion that the marketing standards could be removed, but nothing would change. The marketing standards are well adapted to daily practice of first sale and seem to be based on it. The stakeholders agree that the marketing standards do not impose any additional costs.

It is desirable to clarify what the role of the marketing standards is beyond the first sale. The case studies show that while the marketing standards play an important role at first sale / auction, their purpose, implementation and control throughout the following steps in the chain is not clear.

Several very specific recommendations have been made by interviewees:

- DK: several new species could be added: witch, turbot and halibut.
- DK: for some species the largest size class should be further split, e.g. cod: 12 kg, hake > 4 kg.
- DK and ES: the differences in MCRS for some species should be eliminated, as it may lead to problems in the chain. This regards mackerel in the North Sea and Western waters and hake in Atlantic and Mediterranean.
- FR: control should be strengthened and further harmonization of the implementation should be pursued.
- HR: attention should be given to dissemination of information about the marketing standards applicable to the fresh fish sector.
- NL: shrimp minimum size should be increased from 6.5 to 6.8 mm in order to ensure that MSC certification will not be jeopardized by a small number of non- producer organisation (PO) producers. It was suggested that it could be supplemented with a maximum count per kg.
- IT: canning industry strongly recommends not to change anything in the relevant regulations.
- ES: harmonization of minimum marketing sizes for species that have different MCRS, depending on the origin.
- General: clarification is required regarding the application and control of the marketing standards after first sale.

## 11.2. Canned sardines and tunas<sup>2</sup>

### 11.2.1. *Level of knowledge*

The representatives of the canning industry are all very well acquainted with the marketing standards as they are very relevant to their daily operation.

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<sup>2</sup> This section is based on case studies from ES, FR and IT

#### 11.2.2. *Criteria used at the different stages and relevance of marketing standards*

The criteria defined in the two Regulations in terms specification of species, covering medium and product form are considered highly relevant throughout the chain. As they reflect the nature of the contents of the can, they also reflect the costs of the raw materials used and consequently the price of the final product.

Some ES interviewees outside the canning industry pointed out that the term 'sardine-type products' in combination with the Latin name of the species used can be misleading for final consumers who lack the detailed knowledge.

#### 11.2.3. *Tasks and costs involved*

The tasks involved in implementing the marketing standards are checking quality of raw material, defining products characteristics, labelling, controlling the quality of final products, incl. the weight after sterilization. These tasks are integral part of the production process and the canning companies have their own laboratories for quality monitoring.

As the above tasks would have to be implemented even if marketing standards would not exist, the marketing standards do not increase the production costs.

#### 11.2.4. *Compliance issues and trends*

Interviewees in the four relevant MS (ES, FR, HR, IT) indicated that there is high level / full compliance with the Regulations. Only one case of non-compliance could be mentioned in FR, but that was quickly solved in cooperation between the industry and the authorities. There have been no legal procedures against canning companies in relation to the marketing standards.

#### 11.2.5. *Main perceived benefits*

Marketing standards promote a level-playing field (between EU and non-EU products), ensure minimum quality and contribute to the positive image of the products. They stimulate fair competition, based on the transparent choice of raw materials. The fact that marketing standards apply throughout the supply chain obliges all operators to deliver good quality products to the consumers.

It is important for the canning industry that the marketing standards provide a solid basis for the main products, while they do not impose restriction on development of new products.

#### 11.2.6. *Other norms and standards used*

FR and IT interviewees have pointed to a large number of standards which play specific roles in the production processes and marketing, e.g. Friend of the Sea, MSC, Dolphin safe, BRC, IFS, and of course ISOs and HACCP. Some of the private standards and certification schemes are increasing their impact on trading practices. Although they are voluntary they may become de facto mandatory when compliance is imposed by big retailers. In such situations certification and / or other market requirements become new marketing standards.

These norms pursue specific aims and they are complementary to the marketing standards.

#### **11.2.7.**        *Recommendations (simplification, removal)*

There is full consensus among the case studies that the marketing standards for canned products serve well their purpose and therefore should certainly not be removed or even simplified.

Some interviewees have expressed fear that intention to adapt the present Regulations will open discussion among all MS, while only very few are really involved in canning tuna and sardines. This may become a time consuming exercise for the stakeholders and it could have undesirable consequences.

Expansion of marketing standards to new species (e.g. calamar) may be considered, but preferably should be avoided as only few MS or producers are involved, which may not justify a generic (EU-wide) standard. The small number of producers makes it also feasible to agree on a common private standard, which is consistent with the subsidiarity principle.

### **11.3. Aquaculture products (fresh)**

#### **11.3.1.**        *Criteria used at the different stages*

Criteria to classify aquaculture products are quite comparable to those used in the fisheries sector. Prices depend on supply and demand, size and sometimes other criteria, e.g. country of origin or the reputation of the producer.

The fish and some shellfish is classified by size. The size classes are determined by the clients, often the supermarket chains.

The quality is a determinant for shelf-life. As aquaculture has a regular production process, the quality is determined by the date the fish has been harvested and slaughtered.

In some MS national standards exist, often specified by the industry itself. These standards exist in relatively small market niches and seem to have little effect on internal market.

#### **11.3.2.**        *Other norms and standards used*

FR and IT indicate that national or sectorial norms have been formulated for specific farmed specie. In IT aquaculture farms use various private, voluntary certifications, like HACCP, ISOs, IFS, Global gap and BRC.

#### **11.3.3.**        *Recommendations (simplification, removal)*

The stakeholders in the aquaculture sector do not see any need to formulate EU wide marketing standards for their products. The present situation offers them the flexibility to meet closely the demands of their buyers in terms of sizes. Quality is guaranteed as food safety and similar legislation is applicable. Other objectives of the marketing standards (market transparency) does not seem to be sufficiently important argument for the aquaculture representatives to plead for introduction of marketing standards in this sector.

#### **11.4. Other processed products**

##### **11.4.1.        *Criteria used at the different stages***

Other processed products are mainly fresh products based on species not mentioned under the marketing standards, frozen, smoked and dried products and canned products other than tunas and sardine-type species. The trade practices are similar whether the product is of EU origin or imported.

Criteria used are determined by the precise needs of the buyers and consumer demand. The characteristics of processed products are 'demand-driven', e.g. weight of fillets or portions, which may differ between MS. Production processes take into account the different requirements in different markets in their product range.

##### **11.4.2.        *Other norms and standards used***

Standards used for other processed products regard production processes, hygiene, food safety etc. They are identical to standards already mentioned: MSC and ASC for sustainability; HACCP, ISO, BRC, IFS for quality assurance during the production process; BSCI for social responsibility.

Non-EU producers must be certified as 'authorized establishments' to be allowed to export to the EU (Regulation 854/2004).

##### **11.4.3.        *Recommendations (simplification, removal)***

Apart from coincidentally mentioned products (e.g. smoke trout fillets in DK), there does not seem to be any need for introduction of EU marketing standards for other processed products. Should such need arise, FR recommends to harmonise the national standards through the European Committee for Standardisation (ECS).

**ANNEX 12. QUESTIONNAIRE FOR THE RECOMMENDATIONS****Evaluation of the marketing standards framework for fishery and aquaculture products****Consultation on preliminary recommendations****Identification**

Name:	
Organisation:	
Email address:	
Type of organisation (company/ trade organisation/ public authority/ NGO/ individual/other):	
Sector (fisheries/ aquaculture/ processing/ wholesale/ retail/ other)	

**Recommendations on the specific Marketing Standards Regulations**

The evaluation has found that although the scope and criteria used in individual regulations are generally considered adequate, some specific issues were raised either by stakeholders or during the analysis. Recommendations are proposed below to address those issues.

Recommendations	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly Agree	Not my area of expertise
<b>Fresh products (reg. 2406/96)</b>						
<b>R1:</b> Keep the current regulation as it is.						
<b>R2:</b> The present regulation could be removed and its content re. size and freshness grades provided as an EU 'Recommendation' in order to take into account the difficulty to implement the grading in some cases (e.g. absence of auctions or small volumes landed for each species).						
<b>R3:</b> If R2 is implemented, the article about Minimum Conservation Reference Sizes constituting Minimum Marketing Sizes should remain in the CMO Regulation. as this allows to apply the same minimum sizes to EU and non-EU products from the same sea areas.						
<b>R4:</b> If the Regulation remains, it should include an exemption from the obligation to control marketing standards beyond the first sale in the EU (including imports).						
<b>R5:</b> Keep freshness criteria as they are despite inconsistency of the implementation, as the existing system can be implemented at a fairly low cost, through visual checks whereas suggested improvements would either significantly raise the implementation costs or would reduce the effectiveness of marketing standards						
<b>R6:</b> Quality specifications for crustaceans should be revised to better take into account the specificities of those products (e.g. specify that shrimps should not stick to each other)						

**R7:** Provide one single up-to-date list of applicable minimum sizes in length (MCRS) and weight (MMS) in order to reduce possible misinterpretation due to scattered information.

#### Preserved sardines and sardine-type products (reg. 2136/89)

**R8:** Request an assessment of the technical applicability of presentations, trade descriptions and minimum weight requirements to sardine-type products and clarify the text accordingly as the current text leads to different interpretations as whether some of those specifications apply only to *Sardina Pilchardus* or to all the species covered by the Regulation.

#### Preserved tuna and bonitos (Reg. 1536/92)

**R9:** Request an assessment the similarity between the product characteristics of *Auxis* species and other species authorised in the Regulation and in particular in the 'bonito' category, as well as the socio-economic impact of potentially removing those species as those species are not authorised under the Codex standards.

**R10:** Clarify the legal obligations under the current regulation as regards the possible use of commercial designations of specific species in addition to the terms 'tuna' and 'bonito'.

**R11:** Strengthen controls on the use of trade designations in order to avoid fraudulent practices.

Please comment on your above assessment and explain the **potential benefits or risks** associated with these recommendations (refer to specific recommendations by using the numbers R1, R2, etc.)

#### Perspectives on the role of Marketing Standards within the CMO framework

The following questions explore if and how different types of marketing standards could better contribute to achieving the CMO objectives (sustainability, functioning of the internal market, competitiveness of the EU producers, level-playing field).

If you are in the fishery and aquaculture sector, do your clients (or your members' clients) already include product specifications related to sustainability (environmental and/or social)? Yes/No

If Yes,

a. please indicate which ones:

b. In your opinion, would there be an interest in harmonising this information at EU level, please explain why or why not?

Considering that EU marketing standards apply by definition to both EU and non-EU products and can deal with product specifications primarily relevant in business-to-business activities,

- a. Are there commonly used specifications or trade descriptions that could be worth harmonising at EU level? Which ones? What would be the difficulties?

- b. Are there other minimum requirements that could be established, for all products marketed in the EU, in order to improve the level-playing field between EU and imported products?



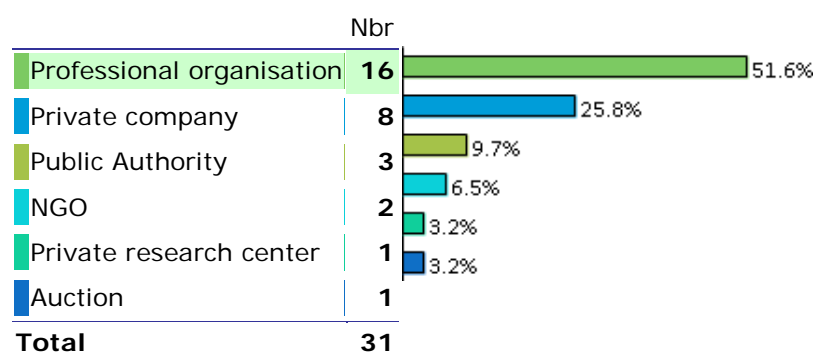
## ANNEX 13. SUMMARY OF ANSWERS TO THE CONSULTATION ON RECOMMENDATIONS

### Overview of profile of respondents

The questionnaire was sent to the stakeholders consulted during the data collection phase who declared willing to participate to the consultation phase on recommendations, including the OPC respondents. In total, **31 respondents** participated to the consultation on recommendations and answered the questionnaire, from Spain (9 answers), Italy (6), Denmark (5), France, (5), Netherlands (3), Croatia (2) and Estonia (1). We noticed a good level of feedback from respondents that have been met during the consultation phase. However, we had little feedback from the OPC respondents (6 respondents). Some answers correspond to more than one respondent. In Spain, we received a collective single answer from an organisation and 4 producers involved in production of *Mejillon de Galicia*. We also received three collective answers from respondents in France Denmark and Netherland. Out of the 31 respondents, 16 were professional organisations involved in fishery and aquaculture products (fresh or processed), 8 were private companies, 3 were public authorities, 2 were NGOs, 1 was private research centre and another was an auction. Overall, most respondents cover more than one sector: 16 respondents represented the fishery sector, 12 the aquaculture, 10 the processing sector, 7 were involved in wholesale/trade, 2 represented the retail sector and 1 respondent represented another sector.

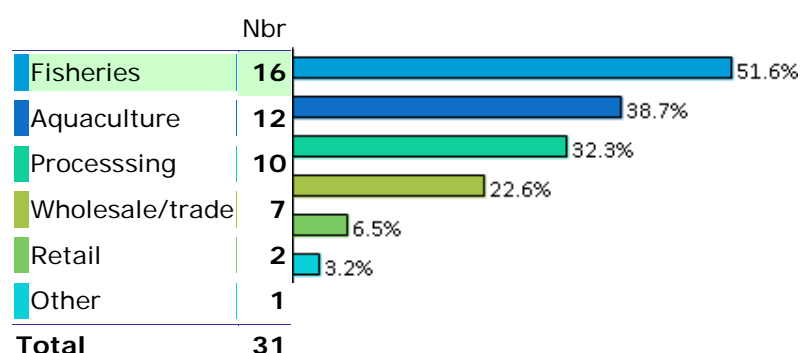
This sample **is not statistically representative** and the feedback gathered should be considered as only an indication of the relevance and applicability of suggested recommendations.

**Figure 7: Breakdown of respondents by type of organisation**



Source: Consultation on recommendations, N=31

**Figure 8: Breakdown of respondents by sector**



Source: Consultation on recommendations, N=31

### Fresh products (regulation 2406/96)

**Table 7: Answers to the question: do you agree with the following recommendations?**

	No response	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	Not my area of expertise
R1	0.0%	19.4%	6.5%	19.4%	12.9%	16.1%	25.8%
R2	0.0%	3.2%	16.1%	6.5%	12.9%	32.3%	29.0%
R3	3.2%	12.9%	35.5%	3.2%	6.5%	9.7%	29.0%
R4	0.0%	6.5%	6.5%	25.8%	9.7%	3.2%	48.4%
R5	0.0%	19.4%	35.5%	9.7%	9.7%	3.2%	22.6%
<b>Total</b>	<b>0.6%</b>	<b>12.3%</b>	<b>20.0%</b>	<b>12.9%</b>	<b>10.3%</b>	<b>12.9%</b>	<b>31.0%</b>

Source: Consultation on recommendations, N=31

#### ***R1: Keep the current regulation as it is.***

From 31 respondents, 8 respondents indicated that this is out of their area of expertise. Out of the 23 respondents concerned by this recommendation, 8 responded that they agree (2 answers) or strongly agree (6 respondents) with this recommendation.

Table 4 indicated that respondents who agree with this recommendation are mainly from countries where marketing standards are well known, understood and implemented by stakeholders (e.g. France, Denmark and Netherlands). However, although marketing standards are well known and implemented in Spain, stakeholders rather disagree to keep this regulation as it is now. Respondents who agreed the most with this recommendation are respondents involved in wholesale/trade sector.

Stakeholders who agree with this recommendation recall the importance of this regulation to constitute a shared bases for analysing freshness all along the supply chain as well as the importance of size grading in price formation. They indicate that the transparency ensured by this regulation justify why it should be maintained. One of these respondents recall the necessity of reinforcing the uniformity of its application.

***R2: The present regulation could be removed and its content re. size and freshness grades provided as an EU 'Recommendation' in order to take into account the difficulty to implement the grading in some cases (e.g. absence of auctions or small volumes landed for each species).***

From the 31 respondents to this questionnaire, 9 indicated that the issue is out of their area of expertise. Out of the 22 respondents concerned by this recommendation, 6 indicated that they agree (5 respondents) or strongly agree (1 respondent). Respondents who agreed the most with this regulation include respondents from retail.

Table 4 indicated that respondents who agree with this regulation are mainly from countries where the consultation phase showed that marketing standards are not well known and understood by stakeholders and thus not well implemented (i.e. Croatia and Italy). Although, the consultation phase showed that marketing standards are well implemented in Spain, respondents from Spain to this questionnaire, 3 out of 7 respondents concerned by this recommendation (2 respondents indicated this recommendation is out of their area of expertise) agree with it.

One of the respondent who agree to remove the regulation commented that freshness could be removed but not sizes explaining that thy are very subjective and they have never been implemented effectively.

Respondents who disagree with this recommendation emphasize the risk of **removing freshness criteria** on the market. One of these respondents indicated that recommendations make compliance more difficult which harm market transparency and fair competition. Another respondent indicated that removing freshness criteria would have strong impact on products from small scale fishing as they are mostly classified in the category Extra which allow to get good prices. In addition, as marketing standards support the selling through electronic auctions, removing this regulation will hinder the development of this new selling model. According to some stakeholders, removing marketing standards could ultimately lead to the disappearance of freshness categories and would undermine the steps undertaken to improve products quality in the EU.

Opinions of stakeholders involved in the fisheries sector (who are the most concerned by R1 and R2) concerning the two first recommendations seemed shared between stakeholders who agree with them and others who disagree.

***R3. If R2 is implemented, the article about Minimum Conservation Reference Sizes constituting Minimum Marketing Sizes should remain in the CMO***

***Regulation, as this allows to apply the same minimum sizes to EU and non-EU products from the same sea areas.***

21 respondents indicated they are concerned by this recommendation (9 respondents indicated that this recommendation is out of their area of expertise and 1 did not answer the question).

Out of the 21 respondents concerned by this recommendation, 15 respondents indicated that they agree (11) to strongly agree (4) with it. Respondents who agreed the most with this recommendation include respondents from retail and aquaculture sectors, followed by respondents from the fisheries sector. Respondents to this question did not comment their answers.

***R4: Quality specifications for crustaceans should be revised to better take into account the specificities of those products (e.g. specify that shrimps should not stick to each other)***

16 respondents declared concerned by this recommendation (15 respondents indicated that this recommendation is out of their area of expertise). Out of the 16 respondents concerned by this recommendation, 4 respondents agree (2 agree and 2 strongly agree) and 4 disagree with it (2 disagree and 2 strongly disagree). Opinions of stakeholders from the different sectors on this recommendation seem the closest<sup>3</sup> (stakeholders the most agree with this recommendation are those involved in wholesale/trade, followed by processing and aquaculture, etc.).

One of the respondents who agree with this recommendation indicated that the revision of quality specifications of crustaceans is important. However, this requires to analyse the additional costs and the feasibility of implementing any specification, particularly when products have to be sorted onboard (e.g. the space onboard of the vessels). Another respondent indicated that there is no additional benefit from adding other quality specification as long as these quality specifications are managed between producers and buyers. One of the respondents who disagree with this recommendation indicated that there is no other option and the only way to qualify crustaceans are either dead or alive.

***R5: Provide one single up-to-date list of applicable minimum sizes in length (MCRS) and weight (MMS) in order to reduce possible misinterpretation due to scattered information***

24 respondents provided their opinion on this recommendation (7 respondents declared not concerned by this recommendation). Two respondents who are not directly involved in fresh fish (one in aquaculture and the second in processing) answered this question. Out of the 24 respondents concerned by this recommendation, 17 agree (6 strongly agree and 11 agree) with it.

There is a clear trend that respondents tend to agree with this recommendation. This trend concerns all sectors consulted (fishing, aquaculture, processing, retail, wholesale / trade

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<sup>3</sup> This means that the rates of positive feedbacks (agree or strongly agree) in comparison to the total number of respondents involved in each sector are almost equivalent.

and others). Stakeholders who agree the most with this regulation are from Croatia, France, Italy and Netherlands. In addition, respondents provide additional thoughts on recommendations that could be implemented in fresh fish. Particularly, one respondent indicated that in addition to the species' sizes, it is important to provide the control authorities with a list of the common local names of species. Another respondent emphasized the fact that the importance for the sector is to have minimum sizes in cm and not in weight which facilitate the control.

**Preserved products (regulation 1536/92 and regulation 2136/89)**

**Table 8: Answers to the question: do you agree with the following recommendations?**

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	Not my area of expertise
R6	13.3%	23.3%	6.7%	0.0%	3.3%	53.3%
R7	6.5%	12.9%	9.7%	0.0%	16.1%	54.8%
R8	6.5%	9.7%	12.9%	3.2%	6.5%	61.3%
R9	22.6%	12.9%	6.5%	3.2%	3.2%	51.6%
<b>Total</b>	<b>12.2%</b>	<b>14.6%</b>	<b>8.9%</b>	<b>1.6%</b>	<b>7.3%</b>	<b>55.3%</b>

**Source:** Consultation on recommendations, N=31

**R6: Apply presentations ("without bones", "filets", etc.), trade descriptions (olive oil, other refined vegetable oils, tomato sauce, marinade, etc.) and minimum weight requirements to sardine-type products (e.g. sprat, herring, sardinella, anchovy, Pacific/South Atlantic pilchard).**

14 respondents indicated they are concerned by this recommendation (17 respondents indicated that this recommendation is out of their area or expertise). Out of the 14 respondents concerned by this recommendation, 11 respondents agree (4 respondents strongly disagree and 7 respondents agree), 2 respondents neither agree nor disagree and only one respondent strongly disagree. Respondents who agree the most with this recommendation are stakeholders involved in retail. Opinions of stakeholders from the industry sector are shared. Respondents who agree emphasize the necessity of harmonisation of the information communicated to consumers for both sardine and sardine type species and limit the sources of different interpretations. Stakeholders from Croatia, France and Italy agree the most with this regulation.

**R7: Include the following provision from Codex in the regulation: "The name of the product may be qualified or accompanied by a term descriptive of the colour of the product, provided that the term "white" shall be used only for Thunnus**

***alalunga and the terms "light", "dark" and "blend" shall be used only in accordance with any rules of the country in which the product is sold".***

14 respondents indicated that they are concerned by this recommendation (17 respondents indicated that this recommendation is out of their area of expertise). Out of the 14 respondents concerned by this recommendation, 6 respondents agree (2 strongly agree and 4 agree), 3 respondents neither agree nor disagree and 5 respondents strongly disagree with it. Overall, stakeholders involved in processing tend to disagree with this recommendation. Overall, stakeholders in all countries tend to agree with R7, except in Croatia (with only one respondent) who tend to disagree with this recommendation. One of respondents who strongly disagree indicated that this information will complicate commercial designations of products without additional benefit for consumers. In addition, most respondents who disagree with this recommendation indicated that the term of "blend" cannot be used in accordance with the EU regulation as the mixing of different tuna species is not permitted.

Another respondent indicated that these terms are already fixed in different versions of the EU regulation (EEC) No 1536/92 (namely ES, PT, FR, DE, IT) and that only *Thunnus alalunga* may have this name<sup>4</sup>.

***R8: Reconsider the inclusion of Auxis species (not included in the Codex standards) in the list of species authorised for canned tunas and bonitos.***

12 respondents indicated that they are concerned by this recommendation (19 respondents indicated that this recommendation is out of their area of expertise). Out of the 12 respondents concerned by this recommendation, 5 respondents agree (2 respondents strongly agree, 3 respondents agree), 4 respondents neither agree nor disagree and 3 respondents disagree (1 respondent disagrees and 2 respondents strongly disagree) with it. Stakeholders involved in the processing sector tend to disagree with this recommendation. Only respondents from Netherlands (one respondent) and Italy tend to agree with it.

Respondents who agree with this recommendation indicated that reconsidering the inclusion of *Auxis* could limit fraudulent practices to mislead consumers. Two of respondents who strongly disagree highlighted the fact that current regulation ensure that the most valuable tuna species have different designations than *Auxis* species.

***R9: Add a provision in the Regulation to specify the trade designations that can be used for the products listed in Annex I in order to avoid fraudulent practices.***

15 respondents indicated that they are concerned by this recommendation (16 respondents indicated that this recommendation is out of their area of expertise). Out of the 15 respondents concerned by this recommendation, 11 respondents agree (7 respondents strongly agree and 4 respondents agree), 2 respondents neither agree nor disagree and 2 respondents disagree (1 disagree and 1 strongly disagree). While, stakeholders from the

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<sup>4</sup> It has to be noted that the provision to which the respondent made reference do not concern the color of the species but it concerns the local vernacular name of *Thunnus alalunga* according to the languages.

retail sector tend to agree with this recommendation, stakeholders from wholesale/trade rather disagree with it. Respondents from Croatia, France and Italy agree the most with this recommendation.

Only two respondents who agree with this recommendation commented on this. They indicated that national lists have to be in line with the EU regulation in order to avoid fraudulent practices.

Only one respondent from those who disagree with this recommendation commented on this, saying that this is not necessary, as this concerns fraudulent practices. To cope with this situation, control should be reinforced.

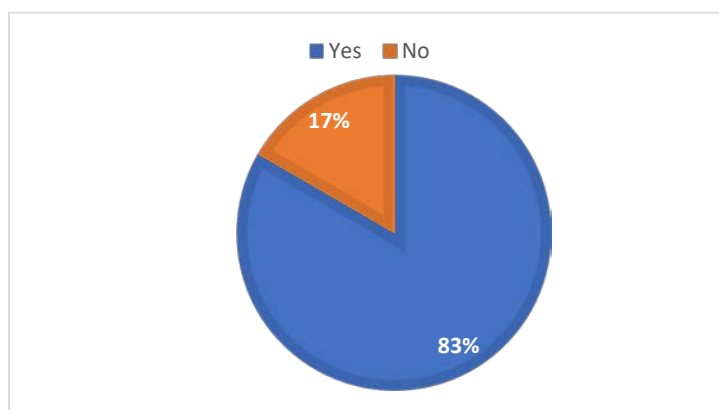
### Perspectives on the role of Marketing Standards within the CMO framework

- **Harmonisation of sustainability information**

In this section, stakeholders were asked if their clients (or their members' clients) already include products' specifications related to sustainability (environmental and/or social). 83% of respondents answered yes. When asked about the type of specifications related to sustainability required by respondents' clients/members' clients, most of respondents mentioned certifications rather than type of specifications. MSC for fishery products and ASC for aquaculture products were the most common certifications indicated by respondents. Other types of certification were mentioned such as Friend of the Sea, Global Gap, Dolphin Safe, etc.

Only two respondents indicated what could be these specifications. They mentioned specifications that may concern fish (e.g. species, size, species stocks, etc.), fishing method (e.g. seine, with or without DCP), certification, landing port, ethical certification of processing sites, etc.

**Figure 9: Answers to the question: Do your clients already include product specifications related to sustainability (environmental and/or social)?**



Source: Consultation on recommendations

When asked if there would be an interest in harmonising sustainability information at EU level, stakeholders' opinions were divided between those who agree with the need for harmonisation and those who disagree with it. The respondents profiles are very different and we cannot conclude whether there are specific type of respondents who agree and

others who disagree with harmonisation at EU level. The table below represents the main comments indicated by 24 respondents to argue their opinions.

**Table V – Summary of the main comments indicated by respondents who agree and disagree with harmonising sustainability information at EU level**

Agree	Disagree
<ul style="list-style-type: none"> <li>- A harmonised information regarding sustainability would: <ul style="list-style-type: none"> <li>• help consumers make their choices regarding sustainable products.</li> <li>• Increase transparency all along the supply chain.</li> <li>• Increase the value and promote products caught or reared sustainably.</li> </ul> </li> <li>- Even though private standards cover a significant share of fisheries market, many operators are open for simpler and more cost-effective standards.</li> <li>- One of the respondents highlighted the necessity to adopt a gradual information about sustainability. They consider that there is no sustainable and unsustainable. But all fishing activities has more or less an impact.</li> </ul>	<ul style="list-style-type: none"> <li>• Complicated to implement as many criteria could be considered.</li> <li>• This will add additional burdens to fishermen and these specifications shall be built on arrangements between operators.</li> <li>• Similar private standards exist with the same scope and then there is no need for additional standards.</li> <li>• Expectations in terms of societal sustainability are very different between EU MS. Environmental standards are applied in different ways according to organisations and to their interests. Thus, harmonisation seems neither possible nor desirable.</li> <li>• There is no agreed definition of a sustainable fishery.</li> </ul>

Source: Consultation on recommendations

• **Harmonisation of trade descriptions or other commonly used specifications**

6 respondents did not answer this question, 8 respondents support the need for harmonisation of trade descriptions or other commonly used specifications and 17 respondents did not agree with this. Overall, in their comments, respondents highlighted the necessity of ensuring that EU and non-EU products apply the same rules, indicating several examples where the legal framework has to be reinforced without specific focus on trade descriptions. For example, one of the respondents indicated that EU and non-EU aquaculture products should apply the same rules (e.g. imported products should respect the same rules regarding the use of some substances in breeding cycle as products produced in EU). Another respondent indicated the necessity to indicate the origin of fishery and aquaculture products either fresh or processed, as well as by products. The examples provided concern the Sturgeon's eggs and the tolerance granted to batches of fish where distributors can indicate a list of countries of a batch of fish without having to indicate the proposed quantity of each origin. This leads to partial information to consumers. Several respondents suggested that harmonisation should be done for commercial designations. One respondent indicated specific example of harmonisation that needs to be done at EU



level. It concerns the following products: anchovy (*Engraulis encrasicolus*), the Bonito del Norte (*Thunnus alalunga*) and the Sardine (*Sardina pilchardus*).

Respondents who did not support the idea of harmonisation indicated that the current regulations ensure the flexibility needed by the market. FAO standards ensure a broader level of harmonisation and the existing of scientific names on products' packages make the need of harmonisation of commercial designations not desirable. One respondent indicated that harmonisation of commercial designation is not desirable as it will lead to the loss of the diversity of high-quality products.

When asking if there are other minimum requirements that could be established to improve the level playing field, 12 respondents indicated that there is no need to add other minimum requirements for non-EU products marketed in the EU. According to these respondents, the different EU regulations already ensure that imported products apply the same rules as EU products, particularly through the different CMO provisions. 15 respondents indicated that they support the idea of establishing requirements to ensure level playing field between EU and non-EU products. Overall, these respondents did not provide a clear idea of which requirements shall be added, but they underline the necessity of ensuring the current rules are properly applied by non-EU products and of reinforcing control.

## **ANNEX 14. SUMMARY AND ANALYSIS OF THE CONTRIBUTIONS RECEIVED DURING THE OPEN PUBLIC CONSULTATION AND AS A RESULT OF THE TARGETED CONSULTATIONS**

### **14.1. Outline of the consultation strategy**

The objective of this 13<sup>th</sup>-month evaluation was to examine the relevance, effectiveness, efficiency, coherence and EU added value of the current marketing standards framework for fishery and aquaculture products, in accordance with the Better Regulation Guidelines.

The evaluation covers EU marketing standards that are underpinned by the CMO Regulation for fishery and aquaculture products. This regulation includes specific reference to marketing standards in its Chapter III, as well as in Article 47 as part of the regulation's final provisions, as well as the three following regulations:

- Council Regulation (EC) No 2136/89: preserved sardines and sardine-like products;
- Council Regulation (EC) No 1536/92: preserved tuna and bonito products; and
- Council Regulation (EC) No 2406/96: fresh and chilled fishery products.

In the context of the evaluation of the marketing standards for fishery and aquaculture products, the consultation strategy aimed to:

- Obtain information from stakeholders and general public on the effects of marketing standards and their contribution to ensuring a fair and sustainable market for fishery and aquaculture products;
- Gather feedback on the relevance of these standards in comparison to private / international requirements;
- Identify the benefits and burdens generated by these standards; and
- Detect issues in the applicability and enforcement of these rules.

The consultation strategy mapped the following as relevant stakeholder groups to be consulted during the consultation phase:

- Representative organisations/ associations at national and EU levels;
- Operators involved in the supply chain covered by marketing standards;
- Operators involved in the supply chain of products not covered by marketing standards;
- Standards setting bodies, whether private or public;
- National authorities in charge of controls as well as customs officials and any other authority which may be concerned by these standards (e.g. health ministries);
- Citizens as consumers, even though not directly affected by these standards.

This mapping ensured that all types of stakeholders regardless of their influence and stake in the supply chain are consulted. The following types of consultations have been conducted:

- A public consultation of 4 weeks carried out by the Commission prior to the evaluation, in order to give stakeholders the opportunity to provide feedback on the evaluation roadmap;<sup>5</sup>
- A public consultation of 12 weeks carried out by the Commission in order to allow all stakeholders (including citizens, consumer organisations and scientists, etc.) to express their views EU marketing standards for fishery and aquaculture products;<sup>6</sup>
- A written consultation of Member States' public authorities, carried out by the evaluators, in order to gather the views of public administrations;
- Targeted consultations of stakeholders in the supply chain carried out by the evaluators in six Member States (Croatia, Denmark, France, Italy, Netherlands and Spain) through bilateral interviews and focus groups, complemented by a few phone interviews in other Member States in order to complete the information gathered during the case studies on specific topics (aquaculture in Greece, canned sardine-type products in Latvia and aquaculture and intra-EU exchanges in Poland);
- Dissemination of the evaluation questionnaires used for the fieldwork in all Member States through the EC expert group on markets and trade in fishery and aquaculture products to complement the targeted consultations<sup>7</sup>.

Besides those consultation activities, the Market Advisory Council (MAC) and the South Western Waters Advisory Council (SWWAC) published opinions on this topic during the timeframe of the evaluation.

The consultation phase carried out in the context of the evaluation of marketing standards for fisheries and aquaculture products included the following consultations:

- **National authorities survey:** it was carried out from June to the end of September 2018 and targeted the 28 Member States. National Authorities (NA) were asked about the implementation and control of the EU marketing standards for fishery and aquaculture products, and about the existence of other relevant standards at national level. The survey was disseminated in four languages (EN, FR, DE and ES) through an online tool. By October 2018, 25 responses were received from MS National Authorities for consideration by the evaluation team. MS that did not answer the survey are Slovakia, Slovenia and Portugal. The survey provided information on how controls of EU marketing standards are managed in the MS, the resources allocated, the level of compliance with marketing standards at the different stages of the supply chain, further information on other norms and the main impacts as perceived by those national authorities.
- **Targeted consultation of stakeholders:** case studies were carried out in six Member States: Croatia, Denmark, France, Italy, Netherlands and Spain. These Member States were selected as they include a large proportion of the EU seafood

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<sup>5</sup> [https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-594424\\_en](https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-594424_en)

<sup>6</sup> [https://ec.europa.eu/info/consultations/public-consultation-eu-marketing-standards-fishery-and-aquaculture-products\\_en#about-this-consultation](https://ec.europa.eu/info/consultations/public-consultation-eu-marketing-standards-fishery-and-aquaculture-products_en#about-this-consultation)

<sup>7</sup> See Evaluation report for the detailed methodology of targeted consultations and Annex 9 of the evaluation report for the full list of interviews and written contribution received.

production and trade and reflect the diversity of the supply chains within the EU. Operators and representatives of the supply chain were targeted through a mix of individual interviews and focus groups in order to gather feedback at different levels of the supply chain. Interview guides for operators were drafted and adapted to each type of operator according to their role and place in the supply chain. A larger number of interviews was carried out in the three larger countries (FR, ES and IT) to take into account the diversity of operators in those countries. The marketing of fresh fish products included in Reg. 2406/96 was covered in the 6 MS through interviews with national organisations, meetings with at least 1 auction per country and, where relevant and possible, with wholesale and retail interests. In addition, canned sardines and sardine-type products, covered by Reg. 2136/1989, canned tuna and bonito, covered by Reg. 1536/92, and products not covered by the marketing standards (aquaculture and other processed products) were investigated through specific thematic focuses in the different MS: shellfish farming in France, shellfish farming and canning industry in Spain, fish farming and canning industry in Italy, extra-EU trade in Netherlands, processing in Denmark and fish farming and processing in Croatia. These interviews were a key element to provide a general understanding of how marketing standards are implemented and used in the different MS and how operators deal with products not covered by EU marketing standards. In total, 63 contributions were gathered from private companies and representative organisations all along the supply chain. In addition to these consultations, the questionnaires used for field work in the six MS were distributed through the Commission's Expert Group on Fisheries and Aquaculture to all Member States and 10 additional written contributions from operators in 5 Member States (Austria, Belgium, Italy, Portugal and Sweden) were received.

The data collection described above was complemented by five additional interviews with the Federation of European Aquaculture Producers (FEAP) and with operators in MS not covered by case studies (Greece, Poland and Latvia). Specific interview guides were developed for each type of stakeholders including targeted questions in order to focus on specific topics (aquaculture, internal trade, canned sardine-type products).

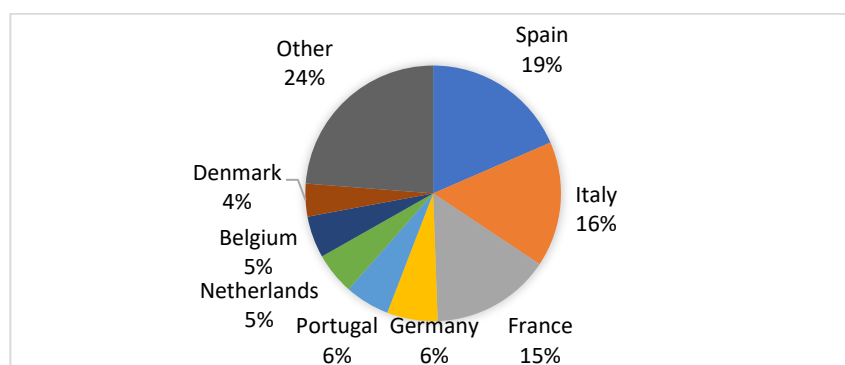
- **Public Consultation:** The European Commission's Directorate-General for Maritime Affairs and Fisheries published a Public Consultation (PC) to gather the public's feedback on marketing standards for fishery and aquaculture products. The PC took place from 16 July to 9 October 2018. It aimed to gather opinions on the EU marketing standards and relevant topics (e.g. views on the quality of fishery and aquaculture products) from the broadest possible range of stakeholders – both expert and non-expert stakeholders (the questionnaire was designed to be accessible to a non-expert audience). The PC also fulfilled the consultation requirement stipulated in the Commission's [Better Regulation Guidelines](#). 155 contributions were received.
- **Consultation on recommendations:** a consultation in the final stage of the study was carried out to obtain feedback from the stakeholders interviewed during the data collection phase and from some of the PC respondents, on a set of possible

recommendations for the current marketing standards and on the perspectives for the evolution of the general framework for EU marketing standards. The questionnaire for the consultation was translated into the 6 languages in use in the case studies (FR, ES, IT, NL, HR, DK) and disseminated via e-mail to 119 participants. When the questionnaire was sent in English, possibility to answer in local language was provided and notified to participants. 31 operators and organisations provided feedback.

## 14.2. Profile of stakeholder groups

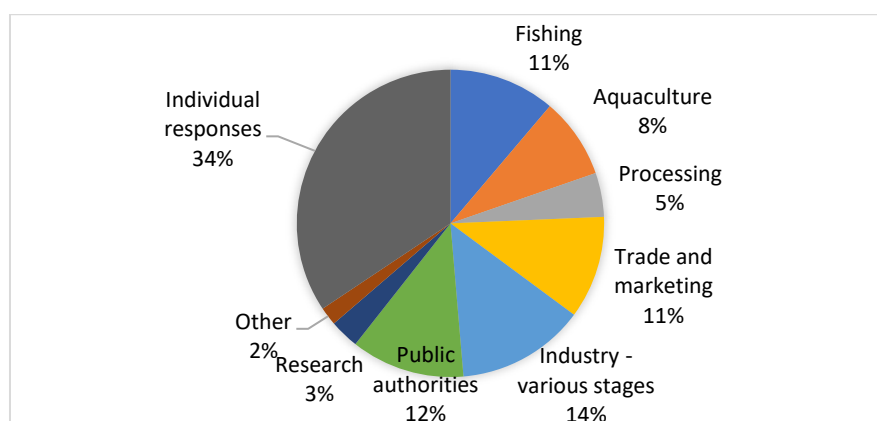
In total, 259 stakeholders from 28 Member States contributed to the evaluation. Out of these contributions, 19% were from Spain, 16% from Italy, 15% from France, 6% from Germany, 6% from Portugal, 5% from Netherlands and Belgium, 4% from Denmark and 24% from other countries.

**Figure 10: Distribution of contributions by Member States**



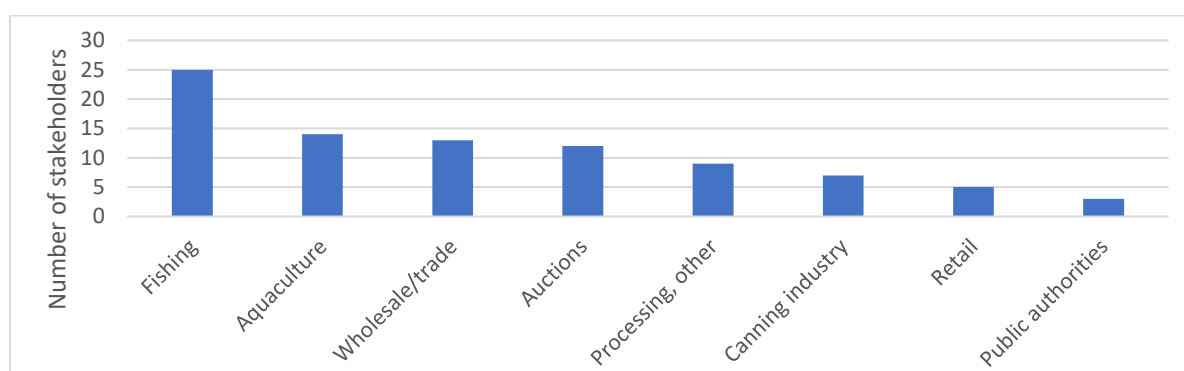
Contributions have been gathered from stakeholders operating at all the supply chain stages and sub-sectors, with 69% of contributions from stakeholders responding on behalf of their companies or organisations and 31% from people responding in their individual capacity (in the context of the Public Consultation). The figure below indicates that all stages of the supply chain were consulted and covered, including operators in fishing (11%), aquaculture (8%), processing (5%), trade and marketing at first sale (i.e. auctions) and beyond (i.e. wholesale, retail, etc.) (11%), as well as public authorities and research institutions. Moreover, 14% of contributions concern operators or organisations involved in more than one sub-sector (e.g. fishing and processing, fishing/ processing and trade, etc.). Both operators from SMEs and large companies were consulted in addition to representative organisations which cover all types of companies, including SMEs. Individual members of the Market Advisory Council were interviewed during the fieldwork. Final consumers were also reached out through the Public Consultation.

**Figure 11: Distribution of contributions by sector**



Respondents to the public consultation can only be classified according to the above main categories but the detailed analysis of stakeholders who contributed through the targeted consultations shows that all stages of the supply chain contributed<sup>8</sup>.

**Figure 12 : Contribution of the different subsectors for the targeted consultations**



### 14.3. Short description of the methodology and tools used to process the data

Data gathered through the targeted consultation were mainly qualitative and were processed using qualitative methods (synthesis of feedback gathered by key themes, comparative analysis between Member States and stakeholder groups).

The only quantitative data collected from stakeholders were:

- **National authority survey:** the number of FTEs allocated to controls of marketing standards, number of controls, volumes of products controlled and number of infringements. However, only very few reliable and comparable answers were provided to these questions, which were therefore processed as qualitative answers rather than through classical statistical analysis.

<sup>8</sup> Each stakeholder can operate in more than one sub-sector, so there is some overlap among the different categories

- **Auctions price statistics:** some auctions provided price series. Likewise, the data provided did not allow to carry out statistical analysis but were used as examples.

To process the feedback received through the **public consultation**, we reviewed and analysed the data using appropriate tools and techniques. We used statistical techniques such as bivariate and multivariate analysis to understand both the overall patterns and the differences between groups of respondents (i.e. professionals, consumers, scientists, etc.). We also analysed the qualitative data in order to understand the reasons behind the patterns or main variations. The results of this analysis has been taken into consideration of the evaluation.

#### **14.4. Description of the results of the consultation phase**

The different consultation activities allowed to obtain complementary information and opinions. Overall, feedback received from the different types of operators provided a realistic and coherent picture of the implementation of the current marketing standards. Views on the possible evolution of those standards were however fairly heterogeneous and contradictory.

##### **National Authority survey**

Questions to national Authorities focused on the organization of controls for EU marketing standards in their Member States and their views on the achievements of EU marketing standards toward the objectives set by the CMO.

The survey showed that between one and five administrative entities are generally involved in the implementation and controls of EU marketing standards, depending on the organization in each MS. The basic scheme involves the Department of Agriculture and/or Fishery, in addition to the Veterinary Services. The third administrative entity is usually a market control service. All these structures are also engaged in other types of controls.

20 out of 23 MS who provided information on this topic answered that marketing standards controls were always or sometimes combined with other inspections, usually hygiene, traceability, laboratory sample checks, control of storage conditions and labelling. When they are not, it is because they are not carried out at all (2 MS) or because of legal issues concerning specific competences of the different services (1 MS).

Only 13 MS provided answers on the resources allocated to the control of marketing standards, and only 6 of them were actually used for the analyses. Other answers seemed to include other types of controls and not only marketing standards. The fact that controls of marketing standards are often combined with other controls makes it difficult for NAs to precisely assess the resources specifically dedicated to this specific set of regulations. The answers that were considered reliable, also crossing with feedback from the case studies, indicated that MS generally dedicate between 0 and 9 FTEs/year for the control of marketing standards. Feedback on the number of inspections and reported anomalies was difficult to interpret as well, as it was not always clear whether answers provided were for marketing standards only or if they covered other EU regulations. In general, answers provided by MS indicated a good level of compliance with marketing standards. They also indicated that the number of infringements of marketing standards have reduced in the

past years due to the increasing requirements of buyers and the efforts undertaken by producers to satisfy them. When asked about specific types of anomalies related to marketing standards, MS indicated that most frequent irregularities were related to size issues while anomalies regarding preserved and canned products were the least frequent.

The vast majority of NAs and control authorities consider EU marketing standards as a positive regulation in terms of quality, sustainability, transparency of the market, fairness of international trade and for the operators all along the supply chain. They also generally considered them coherent with other national and EU regulations.

Finally, feedback from the NAs does not show a strong call for simplification. Depending on the criteria, between one third and over half of the NAs did not express an opinion. Overall the strongest support for simplification is for the freshness and size criteria, with about a third of the NAs expressing no opinion, a quarter being opposed to simplification and about 40% being in favour. Those in favour indicated in particular that minimum conservation reference size could be sufficient.

### **Targeted consultation of stakeholders**

The consultations in the six MS, as well as additional interviews and contributions allowed to provide an overall understanding of the implementation and the benefits of marketing standards as well as the costs related to their application.

Stakeholders involved in fresh fish supply chain are in general aware of the existing marketing standards. The only exception is Croatia, where the stakeholders in the catching sector were not well aware of these standards. Operators of the canning industry are all very well acquainted with the marketing standards.

When operators in the fresh fish supply chain were asked about the relevance of the criteria defined by marketing standards (i.e. size and freshness), the respondents indicated that price statistics in first sale locations are maintained by size categories (in some cases more detailed size classifications than those set in marketing standards are used), which illustrate the importance of the size criterion. The organoleptic quality criteria of the marketing standards are also applied. However, many respondents indicated that operators may rely on other criteria to assess the product's quality (e.g. the reputation of the vessel, the time elapsed since the catch and in some cases the fishing gear used). These respondents are of the opinion that the quality assessment may differ somewhat between auctions and MS. In addition, the consultation phase of operators indicated that the specific context of the small polyvalent fisheries in the Mediterranean region (high number of species landed in small volumes) made the implementation of marketing standards difficult in that area.

Overall, price statistics provided during the case studies showed that on average larger and higher quality fish is better priced.

This consultation phase also confirmed that marketing standards for fresh fish are only relevant at first sale/ auction, as expected. As the fish travels through the supply chain, their application becomes increasingly difficult and loses relevance. According to operators, the inconsistent application of marketing standards does not compromise the benefits of



having one basic common denominator for the classification of the main landed species. Concerning canned products, the criteria defined in the two regulations are considered highly relevant through the chain.

Operators indicated that compliance with the marketing standards has increased and that it is not only a result of legal obligation, but at least as much a result of the relation between the trading partners. Meeting agreed characteristics of the product is important to maintain the necessary mutual trust between sellers, buyers and facilitators. Operators in the fresh fish supply chain indicated that controls are carried out with different intensities in different auctions and MS and that distinguishing between controls of marketing standards and controls of other regulations (e.g. conservation, hygiene, etc.) is not always possible, but that identification of non-compliance is very rare.

The consultation indicated that there is no equivalent standards to marketing standards. In some MS, more detailed grading systems may be used, but they are generally based on the EU marketing standards. Private standards and certification schemes have developed, but they focus on processes and sustainability, rather than quality. Those standards can however have a significant impact on trading practices when they become de facto mandatory to enter certain markets (e.g. with large retailers in some countries).

Some operators are of the opinion that marketing standards for fresh products could be removed but the majority of them consider that they should be maintained, as they are well adapted to daily practice at first sale and seem to be based on it. Similarly, operators in the canning supply chain agreed that marketing standards for canned products serve well their purpose and therefore should not be removed or simplified.

Finally, the fieldwork did not show a need or expectations to extend the existing marketing standards to products currently not covered (i.e. aquaculture products and other processed products).

### **Public consultation for the evaluation roadmap<sup>9</sup>**

Two contributions were received at that stage, from the AIPCE and CEP (representing EU fish processors, traders, importers and exporters) and from the ANFACO-CECOPESCA, representing Spanish fish processors, and in particular the canned tuna and canned sardines industry. The two contributions stressed the usefulness of marketing standards for canned tuna and bonito and for canned sardines and sardine-type products, and the fact that the rationale for the evaluation (e.g. reported lack of compliance and rigidity of the marketing standards) did not apply to marketing standards for preserved products.

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<sup>9</sup> [https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-594424\\_en](https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-594424_en)

## **Public consultation for the evaluation<sup>10</sup>**

The Public Consultation aimed to gather feedback about respondent choices when buying seafood, their assessment of seafood quality and sustainability in their country and the EU, the need for standardisation, the usefulness and impact of the marketing standards, and potential ways to improve them.

Appearance and origin clearly came out as the most important criteria when buying fresh seafood products for most respondents. Size and, notably, price are considered less important. Respondents are the most satisfied with the quality of fresh seafood in their countries, but most have doubts about seafood sustainability and feel that information on seafood quality is not easily accessible. Public authorities are trusted more to control the implementation of the standards than private certification bodies.

Very few respondents answered negatively about the usefulness of the various criteria used in the current marketing standards, but the number of respondents who did not know or were neutral about them is significant.

When asked about the impacts of the EU's marketing standards, 'harmonisation of trade description and composition provision for preserved products' and 'protect consumers against the marketing of products unfit for consumption' were the effects that most respondents agreed with. Then came 'improve quality', 'avoid fraudulent practices' and 'fair competition in the EU'. Respondents' opinions on the contribution that the existing standards provide to the sustainability of seafood products were more mitigated and the contributions that respondents agreed the least with were 'level-playing field between EU and non-EU products' and 'profitability of the EU producers'. It should be noted however that comments to open questions indicate that there is some confusion between marketing standards and consumer information rules.

The reported difficulties in implementing or controlling the marketing standards are often related to other aspects of the common fisheries policy, consumer information rules or food law (e.g. labelling requirements about production methods or catch areas). Differences in application are also mentioned, but again it is not always clear whether it is related to marketing standards (e.g. the use of the term "white tuna") or to other regulations (e.g. enforcement of the rules in third countries). Answers about possible improvements are also primarily related to consumer information, sustainability and conservation issues rather than the existing marketing standards themselves.

Responses about possible simplification are mixed. Over a third of the respondents agreed that it would be possible 1) to simplify freshness and size criteria without compromising the effectiveness of marketing standards; 2) to simplify freshness and size criteria to improve the effectiveness of marketing standards; and 3) to simplify EU marketing standards for preserved products without compromising their effectiveness. In each

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<sup>10</sup> [https://ec.europa.eu/info/sites/info/files/summary-results-consultation-on-marketing-standard-framework-for-fishery-and-aquaculture-products\\_en.pdf](https://ec.europa.eu/info/sites/info/files/summary-results-consultation-on-marketing-standard-framework-for-fishery-and-aquaculture-products_en.pdf)

question, between a fifth and a fourth of them chose the 'don't know' answer, and around one in five believed that such simplifications were not possible.

The respondents could not say much about the coherence of the marketing standards and other standards. The EU standards were generally considered as a minimum common reference.

Codes of practice were seen as the most possible 'candidate' to replace the EU marketing standards, but none of the options (private standards, codes of practice or national standards) received more than 40% of positive answers.

The respondents were supportive of expanding marketing standards, especially for aquaculture. Comments show, however, that what is expected is not necessarily to expand current rules to other products. Instead, common definitions and rules should be established in a more general way in order to guarantee minimum quality for consumers across the EU, protect EU producers from unfair competition, in particular from non-EU products, increase transparency among stakeholders, contribute to better-quality products and therefore increased added-value, and increase sustainability.

### **Consultation on recommendations**

The consultation aimed to obtain feedback from stakeholders on possible recommendations that came out of the broader evaluation. These addressed both the existing marketing standards' criteria and implementation, as well as the perspectives for the general framework. We received 31 answers to the consultation. Answers to the consultation did not bring further factual elements and rather confirmed the main findings of the first phase of consultations.

Feedback from stakeholders in the fresh fish supply chain were heterogenous and indicated two contradictory situations. On the one hand, some operators, generally from countries where marketing standards are well known and implemented, call for maintaining the regulation and in some cases to establish more elaborated grading systems (further size grades for instance, or expansion to other species). They indicated that the transparency ensured by these standards justify that they be maintained. On the other hand, some operators, generally in countries where marketing standards are not known or not consistently applied, call for simplifying marketing standards by removing some criteria (e.g. minimum marketing sizes or simpler grading systems with only small, medium, large for sizes) or by removing the regulation.

Concerning regulations laying down marketing standards for preserved tuna and bonito and for preserved sardines and sardine-type products, feedback from operators differed according to whether they are involved or not in the canning industry. There is consensus among operators from the canning industry that these standards should neither be removed nor simplified. However, operators from the tuna fishing sector call for reconsidering the inclusion of Auxis species (not included in the Codex standards) in the list of species authorised for canned tunas and bonitos and for changes in the trade description requirements.

On the general perspectives, the consultation did not allow to identify any specific need that could be addressed through existing marketing standards, for products currently not covered (i.e. aquaculture products and other processed products). Most operators who replied to the recommendation questionnaire indicated that their buyers included product specifications related to sustainability. However, replies as to whether sustainability information could be harmonised at EU level were more nuanced.

### **Ad hoc contributions**

The SWWAC published an opinion on 24/12/2018 on the marketing standards for canned tunas<sup>11</sup> to recommend a revision of the species authorised and the trade designations for canned tuna on the grounds that trade designations used in the current marketing standards could be misleading for consumers and result in unfair competition.

The MAC published an opinion on 28/3/2019 on the marketing standards for fresh products<sup>12</sup>, based on its members' feedback. It concluded that freshness categories were no longer considered useful (i.e. no longer determinant in the assessment of quality) but that size criteria were still useful. The MAC opinion also makes some recommendations in order to increase the flexibility of marketing standards and facilitate a harmonised implementation.

### **Conclusion**

Feedback received from the different consultation activities is generally coherent as regards how existing marketing standards are implemented and controlled, as well as regarding their usefulness.

The feedback received from the PC, calling for increased transparency, especially as regards sustainability, confirms feedback from the industry that these requirements are included in purchase contracts. Whether the industry sees scope for new possible marketing standards in this area remains more debated.

#### **14.5. Explanation on how the information gathered has been taken into account in the evaluation work**

Factual information received through the public consultations and targeted consultations on the implementation and control of marketing standards was analysed and fed the answers to the evaluation questions. Stakeholders' opinions on the relevance, effectiveness, efficiency, coherence and EU added-value of the marketing standards were also used as indicators, among others, to answer the evaluation questions.

The arguments presented in the SWWAC opinion were taken into account for the evaluation questions and triangulated with available data (tuna prices, production data for the different tuna species, analysis of the relevant regulations).

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<sup>11</sup> <http://cc-sud.eu/images/img-ccs/avis/Avis-2018-2019/126-ConservesThons/Avis126-conserves-EN.pdf>

<sup>12</sup> <https://marketac.eu/wp-content/uploads/2019/04/MAC-Advice-Marketing-Standards-FRESH-28.03.2019.pdf>

The MAC opinion was not taken into consideration for the evaluation work as it was published after the delivery of the draft final report.

## ANNEX 15. EVALUATION QUESTIONS MATRIX

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods
Relevance				
EQ1. To what extent are the existing marketing standards still relevant?	To what extent marketing standards are relevant for stakeholders involved in the supply chain?	<ul style="list-style-type: none"> <li>Quality criteria used by stakeholders are based on the marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of quality criteria and marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews with stakeholders (fishermen, wholesaler, importer, processor, retailer, Market Advisory Council) and UE staff (Market and Conservation)</li> <li>Desk research on criteria used by other relevant marketing standards</li> </ul>
		<ul style="list-style-type: none"> <li>No additional standards are necessary for stakeholders or additional standards rest on EU marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Use of additional standards by stakeholders</li> <li>Content of additional standards compared to EU marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Desk research: criteria defined in the marketing standard and other private standard</li> <li>Desk research on market penetration of other existing marketing standards</li> </ul>
	For crustaceans and molluscs, to what extent the marketing standards are relevant with the characteristics of the products?	<ul style="list-style-type: none"> <li>Key criteria used by stakeholders for the description of the products are defined in the marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of key criteria and marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews with stakeholders (fishermen, wholesaler, processor, retailer) and UE staff (Market)</li> <li>Desk research: criteria defined in the marketing standard</li> <li>Desk research on certifications used for crustaceans and molluscs</li> </ul>
	To what extent the marketing standards are relevant for the sales to the final consumer (size, freshness)?	<ul style="list-style-type: none"> <li>Coherence between marketing standards and market segmentation at retail stage (freshness and size)</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of marketing standards and market segmentation for final consumers</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews with retailers and UE staff (Market and Health) and an Open Public Consultation</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods
Relevance				
	To what extent the sizes and freshness defined in marketing standard are used for pricing of EU and imported products?	• Stakeholder opinion on the criteria for pricing of product	• Ranking of the criteria for pricing	• Qualitative interviews with stakeholders (Fishermen, wholesalers, importers, retailers)
		• Existence of evidence showing differences in prices for different freshness and size categories	• Comparison of prices by category based on available data from specific auctions or other stages of the supply chain	• National/regional sources on prices for each size and freshness state • Desk research by country expert+ Data from sales notes •
	To what extent the size defined in marketing standards are coherent with conservation issues for species not covered by MCRS	• Size from marketing standards are coherent with conservation issues	• Relevance of minimum sizes defined in marketing standards for products not covered by minimum conservation reference size	• Answer from other EQ on effectiveness and coherence • Qualitative interviews
	To what extent marketing standards allows a good trade description and composition provision for processed products covered by EU marketing standards compared to processed products not covered by marketing standards.	• For canned tunas and sardines only: trade description and composition provision are based on EU marketing standards	• Comparison of EU marketing standards for canned tunas and sardines with trade descriptions and provisions on composition used by stakeholders	• Qualitative interviews with stakeholders (wholesalers, processors and retailers)
		• For canned tunas and sardines only: no additional standards are needed for stakeholders for trade description and composition provision	• Feedback from stakeholders on the use of other standards for canned tunas and sardines, and comparison with actual trade description and provisions on composition	• Qualitative interviews with stakeholders (operators in the trade and processing sector) and EU staff (Market)

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods
Relevance				
		<ul style="list-style-type: none"> <li>For other canned and processed products only: some shortcomings in trade description and composition provisions are identified in the supply chains not covered by marketing standards.</li> </ul>	<ul style="list-style-type: none"> <li>Feedback from stakeholders on standards used for trade descriptions or on the absence of standards for some products and the consequences for Intra and extra-EU trade.</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews with stakeholders (operators in the trade and processing sector) and EU staff (Market)</li> </ul>
	What are the consequences of the absence of EU marketing standards in the aquaculture supply chain? To what extent shortcoming in quality description are identified?	<ul style="list-style-type: none"> <li>What are the methods for quality assessment in the aquaculture supply chain?</li> </ul>	<ul style="list-style-type: none"> <li>Method for quality description by stakeholders (standard, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews (Operators in the aquaculture sector and trade) and EU staff (Market)</li> </ul>
		<ul style="list-style-type: none"> <li>Do stakeholders use standards for quality description (private / public)?</li> </ul>	<ul style="list-style-type: none"> <li>Identification and description of standards used by stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews (Operators in the aquaculture sector and trade) and EU staff (Market)</li> <li>Desk research on the content of standards</li> </ul>
		<ul style="list-style-type: none"> <li>Are there shortcoming identified in quality description between stakeholders?</li> </ul>	<ul style="list-style-type: none"> <li>Identification of shortcoming in product description</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews (Operators in the aquaculture sector and trade) and EU staff (Market)</li> </ul>



## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Effectiveness				
EQ2. To what extent have the current marketing standards met the objectives?	To what extent have the marketing standards contributed to improve the quality of the products in the interest of producers, traders and consumers?	<ul style="list-style-type: none"> <li>• Extent to which the marketing standards have improved the quality of products</li> </ul>	Change in quality grades of products placed on the market.	<ul style="list-style-type: none"> <li>• Stakeholder Consultation Sources: EU-wide survey to control authorities, interviews with operators, designated experts and trade organisations and EU staff (market and conservation) and Open Public Consultation</li> <li>• Possibly sales notes data</li> </ul>
		<ul style="list-style-type: none"> <li>• Factors helping or hindering improved quality of products (including technical innovations).</li> </ul>		<ul style="list-style-type: none"> <li>• Stakeholder Consultation Sources: EU-wide survey to control authorities, interviews with operators, designated experts and trade organisations and Open Public Consultation</li> </ul>
	To what extent do the marketing standards ensure that the EU market is supplied with sustainable products?	<ul style="list-style-type: none"> <li>• Extent to which the marketing standards have ensured the sustainability of seafood products in the EU market.</li> <li>• Factors helping or hindering ensuring the supply of sustainable products</li> </ul>	<ul style="list-style-type: none"> <li>• Performance of the supply chain in relation to marketing standard requirements (level of infringements, sanctions).</li> <li>• Trend in share of EU landed/traded products covered by marketing standards.</li> <li>• Change in % of seafood products certified as sustainable.</li> </ul>	<ul style="list-style-type: none"> <li>• Data analysis Sources: DCF data on discard levels, sustainable seafood availability in EU markets.</li> <li>• Stakeholder Consultation (interviews with operators of trade and processing sector, scientists, environmental NGOs and trade organisations) and an Open Public Consultation</li> <li>• Open Public Consultation</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Effectiveness				
	To what extent do the marketing standards facilitate market activities based on fair competition and improve the profitability of production?	<ul style="list-style-type: none"> <li>Extent to which the marketing standards have facilitated fair competition.</li> </ul>	<ul style="list-style-type: none"> <li>Change in extent of seafood trade disputes within the EU.</li> </ul>	<ul style="list-style-type: none"> <li>Review of trade dispute instances.</li> <li>Stakeholder Consultation Sources: interviews with operators of trade and processing sector, UE Staff on conservation and trade and trade organisations</li> <li>Open Public Consultation</li> </ul>
		<ul style="list-style-type: none"> <li>Extent to which the marketing standards have facilitated profitability.</li> </ul>	<ul style="list-style-type: none"> <li>Change in profitability within seafood chains.</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder Consultation Sources: interviews with operators of trade and processing sector, UE Staff on conservation and trade</li> <li>Data analysis Sources: DCF data on production and processing economics</li> </ul>
		<ul style="list-style-type: none"> <li>Factors helping or hindering</li> </ul>	<ul style="list-style-type: none"> <li>Change in perceptions of operators regarding fairness/transparency and profitability.</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder Consultation Sources: interviews with operators of trade and processing sector, UE Staff on conservation and trade and trade organisations</li> <li>Open Public Consultation</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Effectiveness				
	To what extent do the marketing standards ensure a level-playing field between EU and non-EU products?	<ul style="list-style-type: none"> <li>• Extent to which EU and non-EU products face the same regulatory requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Performance of the supply chain in relation to marketing standard requirements involving imports (level of infringements, sanctions).</li> <li>• Trend in share of imported products covered by marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>• Desk review Sources: WTO, DG Trade, Competition information and Review of trade dispute instances.</li> <li>• Data sources: COMEXT, FAO FISHSTAT (imports)</li> <li>• Stakeholder Consultation Sources: interviews with operators of trade and processing and trade organisations, UE Staff on conservation and trade</li> <li>• Open Public Consultation</li> </ul>
		<ul style="list-style-type: none"> <li>• Factors helping or hindering achieving a level playing field.</li> </ul>		<ul style="list-style-type: none"> <li>• Open Public Consultation</li> </ul>
	To what extent are the marketing standards effective in helping to avoid fraudulent practices and misleading consumers in the trade description of preserved products?	<ul style="list-style-type: none"> <li>• Extent to which marketing standards help to avoid fraudulent practices.</li> </ul>	<ul style="list-style-type: none"> <li>• Level of compliance with marketing standards for preserved seafood products.</li> <li>• Change in the amount of fraudulent practices in preserved products.</li> <li>• Consumer perception of seafood products.</li> </ul>	<ul style="list-style-type: none"> <li>• Desk review Sources: Control &amp; compliance reports at all stages in the supply chain. Consumer perceptions of seafood.</li> <li>• Stakeholder Consultation Sources: EU-wide survey to control authorities, interviews with operators, designated experts and trade organisations and UE staff on Market, Health and Conservation</li> <li>• Open Public Consultation</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Effectiveness				
		<ul style="list-style-type: none"> <li>Factors helping or hindering fraudulent practices and misleading consumers.</li> </ul>		<ul style="list-style-type: none"> <li>Stakeholder Consultation Sources: EU-wide survey to control authorities, interviews with operators, designated experts and trade organisations</li> <li>Open Public Consultation</li> </ul>
EQ3. To what extent has the implementation of marketing standards caused unexpected or unintended effects?	No sub-question	What unexpected or unintended effects were caused by the marketing standards?	<ul style="list-style-type: none"> <li>Changes in levels of loss &amp; waste throughout the seafood supply chain.</li> <li>Consumer perceptions of seafood (understanding and confidence in the information related to the marketing standards).</li> </ul>	<ul style="list-style-type: none"> <li>Desk review Sources: DG Env reports on food waste, consumer perceptions.</li> <li>Stakeholder Consultation Sources: EU-wide survey to control authorities, interviews with operators, designated experts and trade organisations and UE staff on Conservation, Health and Market</li> </ul>

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Efficiency				
EQ4. To what extent are the incurred costs justifiable and proportionate to the benefits achieved?	No sub-question	<ul style="list-style-type: none"> <li>Extent to which the benefits of having marketing standards in place outweigh the costs of implementation and control</li> </ul>	<ul style="list-style-type: none"> <li>FTEs dedicated to control of MKTS and costs identified – examples from specific MS</li> <li>Costs compared to the benefits of EU marketing Standards (Questions on effectiveness)</li> </ul>	<p>Sources: EU-wide survey to control authorities, interviews with processors, traders, and trade organization</p> <p>Answers from EQ 2 and 3, Eurostat (labour costs)</p>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Efficiency				
EQ5. Could the use of other policy instruments or mechanisms have provided better cost-effectiveness?	Could the same objectives be achieved without marketing standards regulations ( <i>i.e.</i> without the related costs)?	<ul style="list-style-type: none"> <li>Extent to which minimum conservation reference sizes alone would allow to achieve the same objectives</li> </ul>	<ul style="list-style-type: none"> <li>Perception of stakeholders about costs vs benefits.</li> <li>% of landings covered (in volumes and value)</li> <li>Relevance of minimum reference sizes compared to other quality criteria</li> <li>Objectives that could be achieved by minimum conservation reference sizes</li> <li>Objectives that would not be achieved</li> </ul>	Landings data : EUROSTAT EU-wide survey to public authorities, interviews with processors, traders, control agencies, designated experts and trade organization. Answers from EQ 1 to 4
		<ul style="list-style-type: none"> <li>Extent to which other applicable norms and standards alone would achieve similar results</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of those norms and standards for the different types of products and for the operators at the different stages of the supply chain</li> <li>Objectives that could be achieved by minimum conservation reference sizes</li> <li>Objectives that would not be achieved</li> </ul>	EU-wide survey to public authorities, interviews with processors, traders, control agencies, designated experts and trade organization. Answers from EQ 1 to 4 Open Public Consultation
	To what extent do MS implementation choices impact the cost-effectiveness of marketing standards?	<ul style="list-style-type: none"> <li>Extent to which the cost-effectiveness of marketing standards depend on MS implementation choices</li> </ul>	<ul style="list-style-type: none"> <li>Evidences of significant differences in terms of cost-effectiveness among MS</li> <li>Identification of cost drivers related to MS implementation choices</li> </ul>	Cross-analysis based on previous questions and answers to Q4 + check opinion of NA and EU staff

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Efficiency				
EQ6. To what extent is there a potential for simplification of marketing standards?	To what extent is there a potential for simplification of freshness/size criteria?	Extent to which the implementation of freshness/size criteria leads to unnecessary/ disproportionate costs	<ul style="list-style-type: none"> <li>Evidence of unnecessary or disproportionate costs</li> </ul>	Analyses will build on Questions 4 and 5 and Interviews operators and public authorities, in particular control authorities, processors, trader, control services in airports
	To what extent is there a potential for simplification of the provisions on imported fresh/chilled products?	Extent to which the implementation of the provisions on imported fresh/chilled products leads to unnecessary/ disproportionate costs	<ul style="list-style-type: none"> <li>Evidence of unnecessary or disproportionate costs</li> </ul>	
	To what extent is there a potential for simplification of presentation requirements for preserved products?	Extent to which the implementation presentation requirements for preserved products leads to unnecessary/ disproportionate costs	<ul style="list-style-type: none"> <li>Evidence of unnecessary or disproportionate costs</li> </ul>	
	To what extent is there a potential for simplification of control procedures?	Extent to which control procedures lead to unnecessary/ disproportionate costs	<ul style="list-style-type: none"> <li>Evidence of unnecessary or disproportionate costs</li> </ul>	

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Coherence				
EQ7 To what extent are marketing standards and other norms having the same effect as marketing	No sub-question	<ul style="list-style-type: none"> <li>Extent to which conflicts have been identified with other norms and rules acting as marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Identification and description of possible conflicts</li> <li>Volumes/value of products falling under conflictual rules</li> </ul>	<ul style="list-style-type: none"> <li>Desk review</li> <li>Stakeholders' consultation: Control authorities, traders, processors, designated experts</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Coherence				
standards coherent with one another?			(depending on previous indicator)	and EU staff in market and conservation <ul style="list-style-type: none"> <li>Detailed interviews in several MS</li> <li>Landings data: Eurostat</li> </ul>
EQ8. To what extent are marketing standards coherent with other EU rules (e.g. EU rules on food safety, food information to consumers, conservation rules)?	To what extent are the marketing standards coherent with other EU rules on food safety?	<ul style="list-style-type: none"> <li>Extent to which the marketing standards are coherent with other EU rules on food safety.</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder's feedback on perceived external coherence (or lack thereof)</li> </ul>	<ul style="list-style-type: none"> <li>Desk review</li> <li>Stakeholders' consultation: Management authorities, control authorities, traders, processors, designated experts and EU staff in market and Health</li> <li>Open Public Consultation</li> <li>Detailed interviews in several MS</li> </ul>
	To what extent are the marketing standards coherent with the control system for marketing standards established in Regulation (EC) No 1224/2009 and Regulation (EU) 2017/625.	<ul style="list-style-type: none"> <li>Extent to which the marketing standards are coherent with regulation 1224/2009 and 2017/625</li> </ul>	<ul style="list-style-type: none"> <li>Evidence of intra-policy coherence</li> <li>Stakeholder's feedback on perceived complementarity and/or synergies between the policies (or lack thereof)</li> </ul>	<ul style="list-style-type: none"> <li>Desk review</li> <li>Stakeholders' consultation: Management authorities, national fisheries control and food safety agencies and EU staff in market</li> <li>Detailed interviews in several MS</li> </ul>
	To what extent are the marketing standards coherent with Consumer information rules (Regulation (EU) No 1169/2011 and Chapter IV of the CMO Regulation).	<ul style="list-style-type: none"> <li>Extent to which the marketing standards are coherent with EU rules on consumer information.</li> </ul>	<ul style="list-style-type: none"> <li>Evidence of intra-policy coherence</li> <li>Stakeholder's feedback on perceived complementarity and/or synergies between the policies (or lack thereof)</li> </ul>	<ul style="list-style-type: none"> <li>Desk review</li> <li>Stakeholders' consultation: Management authorities, retailers, food safety agencies and EU staff in market and Health</li> <li>Detailed interviews in several MS</li> <li>Open Public Consultation</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods and sources
Coherence				
	To what extent are the marketing standards coherent with Hygiene rules for food of animal origin (Regulation 853/2004).	<ul style="list-style-type: none"> <li>Extent to which the marketing standards are coherent with EU hygiene rules</li> </ul>	<ul style="list-style-type: none"> <li>Evidence of intra-policy coherence</li> <li>Stakeholder's feedback on perceived complementarity and/or synergies between the policies (or lack thereof)</li> </ul>	<ul style="list-style-type: none"> <li>Desk review</li> <li>Stakeholders' consultation: Management authorities, retailers, food safety agencies and EU staff in market and Health</li> <li>Detailed interviews in several MS</li> <li>Open Public Consultation</li> </ul>
EQ9. To what extent are EU marketing standards coherent with international standards?	To what extent are the marketing standards coherent with international standards (e.g. Codex and Global Food Safety Initiative)	<ul style="list-style-type: none"> <li>Extent to which the marketing standards are coherent with Codex and FGSi</li> </ul>	<ul style="list-style-type: none"> <li>Evidence of intra-policy coherence</li> <li>Stakeholder's feedback on perceived complementarity and/or synergies between the policies (or lack thereof)</li> </ul>	<ul style="list-style-type: none"> <li>Literature review of Codex, Global Food Safety Initiative and other recognised standards/codes.</li> <li>Stakeholders' consultation: management authority, traders, processors, control agencies and designated experts and EU staff on market</li> <li>Detailed interviews in several MS</li> <li>Consultation with FAO Codex team.</li> </ul>
	To what extent are the marketing standards coherent with private standards?	<ul style="list-style-type: none"> <li>Extent to which the marketing standards are coherent with private marketing standards.</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder's feedback on perceived complementarity and/or synergies between the policies (or lack thereof)</li> </ul>	<ul style="list-style-type: none"> <li>Desk review of private marketing standards.</li> <li>Stakeholders' consultation: management authority, traders, processors and designated experts and EU staff on market</li> <li>Detailed interviews in several MS.</li> </ul>



## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods
European Added Value				
EQ10. To what extent are EU marketing standards justifiable and provide added value in addition to international marketing standards (e.g. Codex)? Would national/regional standards provide the same result? What is the added value of the EU marketing standards compared to private standards in place in the supply chain?	Would national/regional standards provide the same result?	<ul style="list-style-type: none"> <li>National / regional organisation would not be able or interested to develop marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Interest and ability of national / regional organisations to implement marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews to management authorities, designated experts, national and regional organisations dealing with certification</li> <li>COMEXT statistics on trade</li> <li>Desk analysis on national and EU marketing standards</li> </ul>
		<ul style="list-style-type: none"> <li>Fishery markets are international</li> </ul>	<ul style="list-style-type: none"> <li>Level of internationalisation of the fishery market (intra-EU trade, level of imports)</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews to management authorities, designated experts, national and regional organisations dealing with certification</li> <li>COMEXT statistics on trade</li> <li>Desk analysis on national and EU marketing standards</li> </ul>
		<ul style="list-style-type: none"> <li>What is the level of coherence of the different national standards the ones with the others and with EU marketing standards?</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of the content of national and EU marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews to management authorities, traders, processors, control agencies, designated experts, national and regional organisations dealing with certification and EU staff on market</li> <li>COMEXT statistics on trade</li> <li>Desk analysis on national and EU marketing standards</li> </ul>

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods
European Added Value				
		<ul style="list-style-type: none"> <li>In case of high coherence between the national standards: to what extent mutual recognitions could be developed between these national standards?</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of the content of national standards.</li> <li>Opinion of stakeholders on recognitions between national standards.</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews to management authorities, traders, processors, control agencies, designated experts, national and regional organisations dealing with certification and EU staff on market COMEXT statistics on trade</li> <li>Desk analysis on national and EU marketing standards</li> </ul>
		<ul style="list-style-type: none"> <li>In case of low coherence between national standards, to what extent does it affect the functioning of the internal market?</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of the content of national standards.</li> <li>Opinion of stakeholders on the impact of national standards on internal market.</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews to management authorities, traders, processors, control agencies, designated experts, national and regional organisations dealing with certification</li> <li>COMEXT statistics on trade</li> <li>Desk analysis on national and EU marketing standards</li> </ul>
	What is the added value of the EU marketing standards compared to private standards in	<ul style="list-style-type: none"> <li>Content and geographical scope of EU marketing standards are more relevant than existing private standards</li> </ul>	<ul style="list-style-type: none"> <li>Comparison of relevance of the content and geographical scope of EU marketing standards and existing private standards</li> </ul>	Qualitative interviews: Catching sector, traders, processors, control agencies and designated experts

## Evaluation of the marketing standards framework for fishery and aquaculture products

Evaluation questions	Sub-questions	Judgement criteria	Indicators	Methods
European Added Value				
	place in the supply chain?	<ul style="list-style-type: none"> <li>• Applicability across supply chains is higher for EU marketing standards than for existing private standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Comparison of the applicability across supply chains of EU marketing standards and existing private standards</li> </ul>	Qualitative interviews: Catching sector, traders, processors, control agencies and designated experts
		<ul style="list-style-type: none"> <li>• Specific features of the fishery sectors would lower the impact of private standards (in particular the low concentration of the sector)</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of features for the fishery sector which would lower the impact of private scheme</li> </ul>	Qualitative interviews: Catching sector, traders, processors, control agencies and designated experts and EU staff on market
EQ11. To what extent would EU marketing standards have been useful for the sectors/products currently not covered?	<ul style="list-style-type: none"> <li>• No sub-question</li> </ul>	<ul style="list-style-type: none"> <li>• Shortcomings are identified in the supply chains not covered by EU marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>• Shortcoming identified in the aquaculture and processed products supply chains related to the absence of EU marketing standards</li> </ul>	<ul style="list-style-type: none"> <li>• Interviews with operators: Catching sector, traders, processors, control agencies and designated experts and EU staff on market</li> </ul>
		<ul style="list-style-type: none"> <li>• Marketing standards in the fishery sector are assessed to be useful</li> </ul>	<ul style="list-style-type: none"> <li>• EU marketing standards and their implementation in the fishery sector are assessed to be relevant, effective, coherent and efficient</li> </ul>	<ul style="list-style-type: none"> <li>• Interviews with operators: Catching sector, traders, processors, control agencies and designated experts</li> </ul>
		<ul style="list-style-type: none"> <li>• Specific features of supply chains covered and not covered by marketing standards which would impact the implementation of marketing standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Specific features of supply chains</li> </ul>	Interviews with operators: Catching sector, traders, processors, control agencies and designated experts

## ANNEX 16. FISH SOLD BY QUALITY GRADES IN A SAMPLE OF AUCTIONS

### *Hantsholm & Nord (DK):*

The tables below show the recent trends in the proportion of fish per freshness grade for Hantsholm and Nord auctions. This relatively limited time series does not show clear trends, other than the reduction in non-graded fish to near zero. The very small amounts of 'B' grade fish remain at around 0.3% of total landed weight.

**Table 9: Proportion of fish sold per freshness grade (by weight) in Hantsholm auction 2014-17**

	2014	2015	2016	2017
<b>E</b>	64.5%	59.2%	54.4%	53.6%
<b>A</b>	35.0%	40.5%	45.3%	46.2%
<b>B</b>	0.5%	0.3%	0.3%	0.3%
<b>X</b>	0.0%	0.0%	0.0%	0.0%

Source: Hantsholm auction

**Table 10: Proportion of fish sold per freshness grade (by weight) in Nord auction 2014-18**

	2014	2015	2016	2017	2018
<b>E</b>	78.6%	88.5%	84.1%	68.8%	58.8%
<b>A</b>	20.8%	11.2%	15.7%	31.0%	41.0%
<b>B</b>	0.3%	0.3%	0.2%	0.2%	0.3%
<b>X</b>	0.3%	0.1%	0.0%	0.0%	0.0%

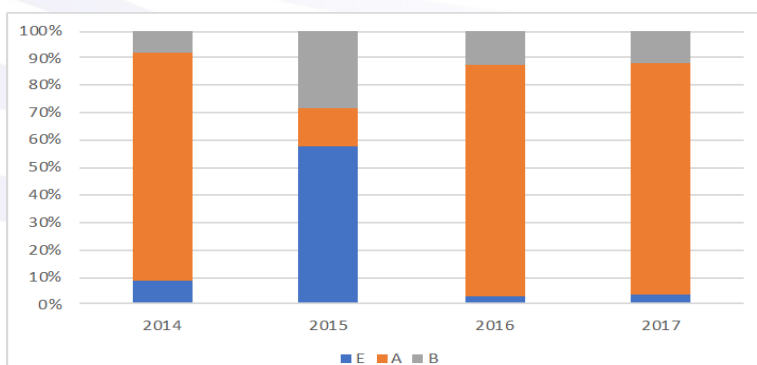
Source: Nord auction

Danish stakeholders stated that the freshness grade is very important in the first-hand sale of fresh and chilled products at auction. The name of the fishing vessel is also important in assessing quality as certain vessels are known for quality catch handling.

### *Guilvinec (FR):*

The figure below shows the proportion of landings by size grade. The 'v' grade used for landings of live crustaceans and molluscs is not included in the totals. There are no evident trends in the years reported. 2015 appears anomalous with substantially more E grade landings, but also nearly 1/3 of landings given 'B' grade. In 2014 the grading included an A+ grade, but this was not used in subsequent years.

**Figure 13: Landings by quality grade on Guilvinec auction 2014-17\***



Source: Guilvinec auction

\* excluding 'v' grade for live landings

## ANNEX 17. DATA ON INSPECTIONS AND INFRINGEMENTS IN JOINT DEPLOYMENT PLANS

The 2017 evaluation of the Community Control System<sup>13</sup> found that the number of infringements detected concerning marketing standards across 18 member states increased from 780 in 2010 to 990 in 2014. During this reporting period the number of onshore inspections increased, representing close to 80% of total inspections (20% offshore inspections). The ratio of infringements detected increased from 8.3% of inspections in 2010 to 12.6% of inspections in 2014. These results are thought to represent improved control and inspection procedures rather than an increased tendency towards non-compliance with marketing standards. Indeed, the NA survey suggested that most non-compliance identified from market inspections were not related to the marketing standards, but to hygiene, traceability and MCRS.

**Figure 14: Number of inspections and infringements on Joint Deployment Plans 2012-2017**



Source: EFCA

<sup>13</sup> <https://publications.europa.eu/en/publication-detail/-/publication/0edfa926-d328-11e6-ad7c-01aa75ed71a1>

# ANNEX 18. AVAILABILITY OF INFORMATION ON CONSERVATION OF SPECIES UNDER MARKETING STANDARDS BUT WITHOUT MCRS

Species	Latin name	Management measures <sup>14</sup>	Existence of assessment, number of stocks assessed and comments ( assessment are by ICES, unless stated otherwise)	
Spotted dogfish	<i>Scyliorhinus spp.</i>	No measure	No	
Dab	<i>Limanda limanda</i>	No measure	No	
Lemon sole	<i>Microstomus kitt</i>	No measure	No	
Conger eel	<i>Conger conger</i>	No measure	No	
Picked dogfish	<i>Squalus acanthias</i>	Prohibited to retain on board (art. 45)	No	
Ray's bream	<i>Brama spp.</i>	No measures	No	
Anglerfish (Atlantic)	<i>Lophius spp.</i>	TAC	Yes	5 stocks
Blue whiting	<i>Micromesistius poutassou / Gadus p.</i>	TAC	Yes	1 stock
Albacore	<i>Thunnus alalunga</i>	TAC and capacity restriction, incl. non-EU waters	Yes	ICCAT and other RFMOs
Big-eye tuna	<i>Thunnus obesus</i>		Yes	ICCAT and other RFMOs
Boghe	<i>Boops boops</i>	No measures	No	
Picarel	<i>Maena sararis</i>	No measures	No	
Gurnard / Tub gurnard	<i>Trigla spp.</i>	No measures	No	
Other Gurnard		No measures	Yes	1 stock (grey gurnard)
Skate	<i>Raja spp.</i>	TACs and other restrictions	Yes	
Frostfish	<i>Lepidopus caudatus</i>	No measures	No	
Flounder	<i>Platichthys flesus</i>	No measures	No <sup>15</sup>	

<sup>14</sup> COUNCIL REGULATION (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127

<sup>15</sup> ICES prepares an assessment of flounder (*Platichthys flesus*)

## Evaluation of the marketing standards framework for fishery and aquaculture products

Species	Latin name	Management measures <sup>14</sup>	Existence of assessment, number of stocks assessed and comments ( assessment are by ICES, unless stated otherwise)	
Black scabbardfish	<i>Aphanopus carbo</i>	By catch counted against quota of (blue) ling	Yes	1 stock
Cuttlefish	<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	No measures	No	
Crangonid shrimps	<i>Crangon crangon</i>	No measures	No	MSC certification of crangon fishery requires a minimum size of 6.8 mm
Pandalid shrimps	<i>Pandalus borealis</i>	TACs and other restrictions	Yes	1 stock
Black sea bream	<i>Spondyliosoma cantharus</i>	No measures	No	
Sprat	<i>Sprattus sprattus</i>	TAC	No	

**ANNEX 19. COMPARISON BETWEEN MINIMUM MARKETING SIZES AND MCRS**

Scale of market size					Minimum conservation reference sizes		
		Size	kg per fish	Number of fish per kg	Region		
Herring	Clupea harengus	1	> 0.25 kg	4 or less	Areas 1-5, except A		20 cm
		2	0.125 - 0.25 kg	5 - 8	A		18 cm
		3	0.085 - 0.125 kg	9 - 11			
		4 (a)	0.05 - 0.085	12 - 20			
Baltic herring, Caught and landed South of 59° 30'		4 (b)	0.036 - 0.085	12 - 27			
Baltic herring, Caught and landed North of 59° 30'		4 (c)	0.057 - 0.085	12 - 17			
		5	0.031 - 0.057	18 - 32			
		6	0.023 - 0.031	33 - 44			
Baltic herring caught and landed in waters under the sovereignty and jurisdiction of Estonia and Latvia		7 (a)	0.023 - 0.036	28 - 44			
		7 (b)	0.014 - 0.023	45 - 70			
Baltic herring, Caught and landed in the Gulf of Riga		8	0.01 - 0.014	71 - 100			



# Evaluation of the marketing standards framework for fishery and aquaculture products

Sardine	Sardina pilchardus	1	> 0.067 kg	15 or less	Areas 1-5, except A		11 cm
		2	0.042 - 0.067 kg	16 - 24	Mediterranean		11 cm
		3	0.028 - 0.042 kg	25 - 35			
		4	0.015 - 0.028 kg	36 - 67			
Mediterranean			0.011 - 0.028 kg	36 - 91			
Spotted Dogfish	Scyliorhinus spp.	1	> 2 kg				
		2	1 - 2 kg				
		3	0.5 - 1 kg	2 or less			
Piked dogfish	Squalus acanthius	1	> 2.2 kg				
		2	1 - 2.2 kg				
		3	0.5 - 1 kg	2 or less			
Redfish	Sebastes spp.	1	> 2 kg				
		2	0.6 - 2 kg				
		3	0.35 - 0.6 kg	2 - 3			
Cod	Gadus morhua	1	> 7 kg		Areas 1-5, except A		35 cm
		2	4 - 7 kg		A		30 cm
		3	2 - 4 kg				
		4	1 - 2 kg		Baltic	subdivision 22-32	38 cm

# Evaluation of the marketing standards framework for fishery and aquaculture products

		5	0.3 - 1 kg	3 or less		South of 59°30'N	35 cm
Saithe	Pollachius virens	1	> 5 kg		Areas 1-5, except A		35 cm
		2	3 - 5 kg		A		30 cm
		3	1.5 - 3 kg				
		4	0.3 - 1.5 kg	3 or less			
					Baltic	South of 59°30'N	30 cm
Haddock	Melanogrammus aeglefinus	1	> 1 kg		Areas 1-5, except A		30 cm
		2	0.57 - 1 kg	2 or less	A		27 cm
		3	0.37 - 0.57 kg	2 - 3			
		4	0.17 - 0.37 kg	3 - 6			
Whiting	Merlangius merlangus	1	> 0.5 kg	2 or less	Areas 1-5, except A		27 cm
		2	0.35 - 0.5 kg	2 - 3	A		23 cm
		3	0.25 - 0.35 kg	3 - 4			
		4	0.11 - 0.25 kg	4 - 9			
Ling	Molva spp.	1	> 5 kg		Areas 1-5, except A		63 cm
		2	3 - 5 kg				
		3	1.2 - 3 kg				

# Evaluation of the marketing standards framework for fishery and aquaculture products

Mackerel	Scombrus scombrus	1	> 0.5 kg	2 or less	Areas 1-5, except North Sea		20 cm
		2	0.2 - 0.5 kg	2 - 5	North Sea		30 cm
		3	0.1 - 0.2 kg	06-ott	Mediterranean		18 cm
Mediterranean			0.08 - 0.2 kg	5 - 13			
	Scomber japonicus	1	> 0.5 kg	2 or less			
		2	0.25 - 0.5 kg	2 - 4			
		3	0.14 - 0.25 kg	05-lug			
		4	0.05 - 0.14 kg	7 - 20			
Anchovy	Engraulis spp.	1	> 0.033 kg	30 or less	3, except ICES IXa)		12 cm
		2	0.02 - 0.033 kg	31 - 50	ICES IXa)		10 cm
		3	0.012 - 0.02 kg	51 - 83	Mediterranean		9 cm
		4	0.008 - 0.012 kg	84 - 125			
Plaice	Pleuronectes platessa	1	> 0.6 kg		Areas 1-5		27 cm
		2	0.4 - 0.6 kg	2 or less			
		3	0.3 - 0.4 kg	2 - 3			
		4	0.15 - 0.3 kg	4 - 6			
					Baltic	subd 22-32	25 cm

# Evaluation of the marketing standards framework for fishery and aquaculture products

Hake	Merluccius merluccius	1	> 2.5 kg		Areas 1-5, except A	27 cm
		2	1.2 - 2.5 kg		A	30 cm
		3	0.6 - 1.2 kg		Mediterranean	20 cm
		4	0.28 - 0.6 kg	3 or less		
		5	0.2 - 0.28 kg	4 - 5		
Mediterranean			0.15 - 0.28 kg	4 - 6		
Megrim	Lepidorhombus spp.	1	> 0.45 kg	2 or less	Areas 1-5, except A	20 cm
		2	0.25 - 0.45 kg	2 - 4	A	25 cm
		3	0.20 - 0.25 kg	4 - 5		
		4	0.11 - 0.20 kg	6 - 10		
Mediterranean			0.15 - 0.28 kg	03-giu		
Ray's bream	Brama spp	1	> 0.8 kg			
		2	0.2 - 0.8 kg	1 - 5		
Anglerfish	Lophius	1	> 8 kg			
whole gutted		2	4 - 8 kg			
		3	2 - 4 kg			

# Evaluation of the marketing standards framework for fishery and aquaculture products

		4	1 - 2 kg				
		5	0.5 - 1 kg				
head removed		1	> 4 kg				
		2	2 - 4 kg				
		3	1 - 2 kg				
		4	0.5 - 1 kg				
		5	0.2 - 0.5 kg				
Dab	Limanda limanda	1	> 0.25 kg	4 or less			
		2	0.13 - 0.25	5 - 7			
Lemon sole	Microstomus kitt	1	> 0.6 kg				
		2	0.35 - 0.6 kg	2 - 3			
		3	0.15 - 0.35 kg	3 - 6			
Albacore tuna	Thunnus alalunga	1	> 4 kg				
		2	1.5 - 4 kg				
Bluefin tuna	Thunnus thynnus	1	> 70 kg		Mediterranean		30 kg or 115 cm
		2	50 - 70 kg				
		3	25 - 50 kg				
		4	10 - 25 kg				
		5	6.4 - 10 kg				

# Evaluation of the marketing standards framework for fishery and aquaculture products

Bigeye tuna	Thunnus obesus	1	> 10 kg				
		2	3.2 - 10 kg				
Pollack	Pollachius pollachius	1	> 5 kg		Areas 1-5 except A		30 cm
		2	3 - 5 kg				
		3	1.5 - 3 kg				
		4	0.3 - 1.5 kg				
Blue whiting	Micromesistius poutassou	1	> 0.14 kg	7 or less			
		2	0.07 - 0.14 kg	8 - 14			
		3	0.04 - 0.07 kg	14 - 25			
		4	0.03 - 0.04 kg	26 - 30			
Pouting	Trisopterus spp.	1	> 0.4 kg	2 or less			
		2	0.25 - 0.4 kg	3 - 4			
		3	0.125 - 0.25 kg	5 - 8			
		4	0.05 - 0.125 kg	9 - 12			
Boghe	Boops boops	1	> 0.2 kg	5 or less			
		2	0.032 - 0.2 kg	giu-31			
		3	0.014 - 0.032 kg	32 - 70			

# Evaluation of the marketing standards framework for fishery and aquaculture products

Picarel	Maena sararis	1	> 0.05 kg	20 or less			
		2	0.025 - 0.05 kg	21 - 40			
		3	0.011 - 0.025 kg	41 - 90			
Conger eel	Conger conger	1	> 7 kg		Areas 2-3		58 cm
		2	5 - 7 kg				
		3	0.5 - 5 kg				
Gurnard	Triglia spp	1	> 1 kg				
		2	0.4 - 1 kg	1 - 2			
		3	0.2 - 0.4 kg	3 - 5			
		4	0.06 - 0.2 kg	giu-16			
Other Gurnard		1	> 0.25 kg	4 or less			
		2	0.2 - 0.25 kg	4 -5			
Horse mackerel	Trachurus spp.	1	> 0.6 kg		Areas 1-3, 5		15 cm
		2	0.4 - 0.6 kg	2 or less			
		3	0.2 - 0.4 kg	2 - 5			
		4	0.08 - 0.2 kg	6 - 12			
		5	0.02 - 0.08 kg	13 - 50		Mediterranean	12 cm
Mullet	Mugil spp.	1	> 1 kg		Areas 2-3		20 cm
		2	0.5 - 1 kg	2 or less			

		3	0.2 - 0.5 kg	3 - 5			
		4	0.1 - 0.2 kg	6 - 10		Mediterranean	11 cm
Skate	Raja spp.	1	> 5 kg				
		2	3 - 5 kg				
		3	1 - 3 kg				
		4	0.3 - 1 kg	3 or less			
wings		1	> 3 kg				
		2	0.5 - 3 kg				
Flounder	Platichthys flesus	1	> 0.3 kg	3 or less	Areas 1-3		24 cm
		2	0.2 - 0.3 kg	4 - 5	Baltic Sea	Subdivisions 22 to 25	25 cm
						Subdivisions 26 to 28	21 cm
						Subdivisions 29 to 32, south of 59° 30' N	18 cm
Sole	Solea spp.	1	> 0.5 kg	2 or less		Areas 1-5	24 cm
		2	0.33 - 0.5 kg	2 - 3			
		3	0.25 - 0.33 kg	3 - 4			
		4	0.20 - 0.25 kg	4 - 5			



		5	0.12 - 0.2 kg	5 - 8		Mediterranean	20 cm
Frostfish	Lepidopus caudatus	1	> 3 kg				
		2	2 - 3 kg				
		3	1 - 2 kg				
		4	0.5 - 1 kg	2 or less			
Black scabbardfish	Aphanopus carbo	1	> 3 kg				
		2	0.5 - 3 kg	2 or less			
Cuttlefish	Sepia officinalis	1	> 0.5 kg	2 or less			
	Rossia macrosoma	2	0.3 - 0.5 kg	2 - 3			
		3	0.1 - 0.3 kg	3 - 10			
Norway lobster	Nephrops norvegicus	1	> 0.05 kg	20 or less	Whole area, except Region 3 and ICES VIa, VIIa: total length		total length 85 mm, carapace length 25 mm
		2	0.033 - 0.05 kg	21 - 30	ICES VIa, VIIa; Region 3:		total length 70 mm, carapace length 20 mm
		3	0.025 - 0.033 kg	31 to 40	Norway lobster tails		
		4	< 0.025 kg	> 40			

tails		1	> 0.017 kg	60 or less	Whole area, except Region 3 and ICES VIa, VIIa:	46 mm	
		2	0.008 - 0.017 kg	61 - 120	ICES VIa, VIIa; Regione 3:	37 mm	
		3	0.005 - 0.008 kg	121 to 180			
		4	< 0.005 kg	> 180			
Crangonid shrimp	Crangon crangon	1	> 6.8 mm				
		2	> 6.5 mm				
Pandalid shrimp	Pandalus borealis						
fresh or chilled		1	> 0.004 kg	250 or less			
boiled or steamed		1	> 0.006 kg	160 or less			
		2	0.004 - 0.006 kg	161 - 250			

