



ASSOCIATION OF NATIONAL ORGANISATIONS  
OF FISHING ENTERPRISES IN THE EU

EP(18)78

**Ms Sandra Sanmartín**  
**Executive Secretary of the**  
**Market Advisory Council**  
Rue de la Science 10  
1000, Brussels  
Belgium

Brussels, 29 November 2018

**Subject: Consumer information**

Dear Ms Sanmartín,

In light of the letter sent by the European Commission on the “labelling of caviar”<sup>1</sup> inviting stakeholders of the AAC and the MAC to continue discussions on consumer information and particularly on the possibility to adopt stricter data requirements for prepared and preserved products, the European catch sector would like to express its opinion on the subject.

Currently, a set of obligations relating to the consumer information are provided for in Regulation (EU) No 1169/2011 on food information to consumers, and for certain fishery and aquaculture products in Regulation (EU) No 1379/2013. More specifically, Article 35 of the latter Regulation establishes as mandatory information for these products the following data:

- (a) the commercial designation of the species and its scientific name;*
- (b) the production method, in particular by the following words "... caught ..." or "... caught in freshwater ..." or "...farmed ...";*
- (c) the area where the product was caught or farmed, and the category of fishing gear used in capture of fisheries, as laid down in the first column of Annex III to this Regulation;*
- (d) whether the product has been defrosted;*
- (e) the date of minimum durability, where appropriate.*

Prepared or preserved fish, crustaceans, molluscs and caviar - under codes 1604 and 1605 - are currently exempted from these mandatory requirements. However, as recently emphasised by the European Parliament, the EU marketing standards should be strengthened, and include, among other aspects, more information to the consumer like the “origin” of the product. Consequently, the traceability of the product should be reinforced and ensured, as currently the catch industry has to declare exhaustive information that must accompany the fish lot throughout all the stages of the value chain to the final delivery in destiny, including the fishing trip, vessel identification number, flag state and fishing area, which may be lost during the processing stage. All these efforts would be lost if this information does not reach the consumer.

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<sup>1</sup> Ref. Ares(2018)5464609 - 24/10/2018

Furthermore, the European Parliament resolution of 30 May 2018 on the implementation of control measures for establishing the conformity of fisheries products with access criteria to the EU market (2017/2129(INI)), expressed its conviction that European consumers would often make different choices if they were better informed about the true nature of products on sale, their geographical origins, their quality and the conditions under which they have been produced or caught.

In the same vein, the European Parliament report of 4 May 2018 on the optimisation of the value chain in the EU fishing sector (2017/2119(INI)) calls on the European Commission and the Member States to put in place a system for the labelling of fish, both fresh and processed, clearly indicating the country of origin. Above all, the marketing standards should ensure a harmonized functioning of the common market, and a fair and sustainable market for the fishery products.

In addition, just providing the country of production or fishing could in certain occasions be misleading to the consumer since a product can be labelled as originated from country X while it could have been processed in country Y or raised in country Z. Therefore, it is important to discuss the need to provide not only the country of production or fishing, but also the country of repacking. This was clearly demonstrated during the last MAC meeting of the “Level playing field” focus group where official EUROSTAT statistics on fisheries imports and exports were contested by trade organisations under the premise that these trade flows may not reflect the true origin of the product.

From an economic point of view, the European fishing fleet finds it difficult to compete with products imported from third countries since the existing legislation permits to combine both EU and non-EU products in the EU factories’ production lines without the obligation to declare the origin of the final prepared or preserved product (flag state vessel and catch area). The parliamentary reports above-mentioned clearly state that the EU fishing fleet needs to comply with the highest standards (labour, hygiene, sanitary, control, ...) and consequently fulfilling these requirements are costly. Therefore the price offered by EU operators would normally be higher than the products from non-EU operators, even more in the case of applicable preferential trade agreements or autonomous tariff quotas. If the origin and the sustainable way of production are lost in the production chain, since the information on the origin in the label is voluntary, the fishing industry is often forced to meet the non-EU operator prices if they want to sell the product in the EU market. The normal consequence is that the EU producer should then try to find a non-EU market with better prices for their products.

With this derogation for prepared or preserved seafood products, the traceability is not guaranteed throughout the entire production chain as required by the CFP since one of the most important stages - when it reaches the final consumer - is lost.

Cost-effective solutions to ensure the full traceability of the product and to provide the consumer with relevant information are therefore fundamental. We believe that an in-depth discussion among stakeholders, EU officials and experts on the field within the framework of the Advisory Councils could be beneficial to identify possible constraints and opportunities.

**In light of the above-mentioned arguments, the letter from the European Commission and the interest of the AAC on the labelling of caviar which touches upon this issue, we would kindly request the Secretariat of MAC to include this item on the agenda for the next Working Group 3 meeting and invite relevant experts on the topic for a constructive and informed discussion.**