



MAC ADVICE

Code of Conduct for Responsible Business and Marketing Practices

Brussels, 28 May 2021

1. Background

Under the Farm to Fork Strategy, the European Commission proposed, as a non-legislative action, the development of the Code of Conduct for Responsible Business and Marketing Practices, in collaboration with the relevant stakeholders. The Code specifically addresses the actors of the middle of the food chain, such as food processors, food service operators and retailers, since these actors shape the market and influence consumer's dietary choices through the types and nutritional composition of the food produce, the choice of suppliers, production methods and packaging, transport, merchandising and marketing practices.

The main objectives of the Code will be to stimulate the update of healthier and sustainable consumption patterns, to facilitate the uptake of sustainable practices by all relevant actors in the food system, and to foster further improvement of internal processes, operations and organisation. The Code will have two components. First, a general part based on aspirational objectives with specific actions that can be adopted by all actors, beyond legal obligations and existing voluntary codes. Second, specific commitments from individual companies. Adherence to the code, outcomes and progress will be monitored.

The Code is being designed in a participatory way as part of a stakeholder dialogue. Several MAC members are participating directly in this process. The Code is to be ready for signing by stakeholders by the end of June 2021.

2. Recommendations

The Market Advisory Council (MAC) welcomes the development of the Code of Conduct for Responsible Business and Marketing Practices and supports the main objectives of the initiative, while also highlighting that the seafood supply chain should be an essential element under the Farm to Fork Strategy and its initiatives. In the development of the Code of Code for Responsible Business and Marketing Practices, the MAC believes that the European Commission should:

- a) Ensure the engagement of seafood stakeholders, including SMEs, in the development of the Code and in the uptake of signatures and monitoring, including through close cooperation between DG SANTE and DG MARE on this matter;
- b) Take into account the role of the consumption of fishery and aquaculture products in the promotion of adequate, balanced nutrition, prevention of malnutrition and helping to reverse the rise in childhood obesity;
- c) Take into account previous MAC advice on consumer information, food contact materials, the EU's contingency plan for ensuring food supply and food security, plastics, and biodiversity;¹
- d) Take into account and acknowledge the initiatives undertaken by seafood operators to ensure responsible business and marketing practices, such as the AIPCE-CEP's principles for environmentally responsible fish sourcing and processing², the Sustainable Seafood Coalition's codes of conduct³, the sustainable commerce actions by EuroCommerce's

¹ In 2021, the MAC adopted advice on Illegal, Unreported and Unregulated Fishing and the European Union's Biodiversity for 2030 Strategy, on the Roadmap on the Revision of EU Regulation on the Provision of Food Information to Consumers, on the Roadmap on the Revision of EU Rules on Food Contact Materials (FCMs), on the Roadmap on the Contingency Plan for Ensuring Food Supply and Food Security. In 2020, the MAC adopted advice on Plastics and the Seafood Supply Chain, on Consumer Information on Fishery and Aquaculture Products, and on Nutri-Score Labelling on Fish Products.

These are available on the MAC's website: <https://marketac.eu/en/category/recommendations/>

² <https://www.aipce-cep.org/aipce-cep/publications/general-publications/>

³ <https://www.documents.clientearth.org/library/download-info/ssc-codes-of-conduct/>

retail and wholesale members as presented on their recently launched website⁴, as well as national-level initiatives, for example the work of the “Spanish Platform for Fisheries Sustainability” (*in Spanish, “Plataforma for la Sostenibilidad Pesquera”*)⁵;

- e) Take into account the recommendations made by environmental NGOs to the seafood supply chain operators, such as the Common Vision for Seafood from the Conservation Alliance for Seafood Solutions⁶ as well as national-level ones, for example the document “Responsible sourcing recommendations for the Spanish seafood supply chain”⁷;
- f) Take into account the available tools and guides to assist seafood supply chain operators comply with the existing legislative framework, such as the Code of Practice PAS 1550⁸ and national-level ones, for example the “Guide on traceability and food information to the final consumer in fisheries and aquaculture products” (*In Spanish, “Guía sobre trazabilidad e información alimentaria facilitada al consumidor final en productos Pesqueros y Acuícolas”*)⁹;
- g) Recognise the efforts of seafood operators to invest in sustainable production, including improved fisheries management, effective aquaculture practices, and increased resource efficiency in processing, while bearing in mind the increased space competition with emergent economic activities under the Blue Economy¹⁰ and the importance of a fair position for producers in the supply chain;

⁴ <https://www.sustainable-commerce.com/>

⁵ https://www.es.clientearth.org/wp-content/uploads/PLATAFORMA-POR-LA-PESCA-SOSTENIBLE-dossier_final.pdf

⁶ <https://solutionsforseafood.org/wp-content/uploads/2021/02/A-Common-Vision-for-Sustainable-Seafood-01-21.pdf>

⁷ <https://www.documents.clientearth.org/wp-content/uploads/library/2019-09-30-responsible-sourcing-recommendations-for-the-spanish-seafood-supply-chain-coll-en.pdf>

⁸ PAS 1550:2017 *Exercising due diligence in establishing the legal origin of seafood products and marine ingredients. Importing and processing. Code of practice*; <http://www.iuuwatch.eu/2021/04/blog-toolbox-for-businesses-for-legal-ethical-and-traceable-seafood-now-freely-available/> and: <https://industriaspesqueras.com/noticia-65674-seccion-Medio%20Ambient>

⁹ <http://fedepesca.org/wp-content/uploads/2014/12/GUIA-PESQUEROS-ACUICOLAS.pdf>

¹⁰ At the end of 2020, MAC, LDAC, MEDAC, PELAC, NSAC, NWWAC, BSAC, BLSAC, SWWAC, and CC RUP adopted joint advice on a sustainable Blue Economy: <https://marketac.eu/en/commissions-reply-sustainable-blue-economy/>

- h) Use the EU's market force to drive social and environmental change, while also aiming for a level-playing-field with imported products;
- i) In relation to environmental sustainability, promote and support sustainable fishing and aquaculture, in close partnership with fishers, farmers, and other relevant stakeholders, including through commitments to tackle marine litter and waste management, support for local artisanal fisheries, increased scientific knowledge, fight against IUU fishing, respect for control and traceability measures, undertaking of FIPs, and enhancement of logistics and infrastructure;
- j) In relation to environmental sustainability, promote and support sustainable processing, trading, and retailing, in close partnership with processors, traders, retailers, and other relevant stakeholders, including through commitments to improve energy efficiency, reduce water usage, minimise waste, recycling of packaging, use of alternative packaging materials, transportation efficiency, digitalised and verifiable seafood traceability throughout the supply chain, and provision of adequate information to consumers;
- k) In order to create sustainable value in the European food supply chain through partnership, particularly social sustainability, promote commitments against human rights abuses in supply chains, plus the respect for the provisions of the ILO Work in Fishing Convention 2007 (C188) and the implementation of EU Directive 2017/159 into national legislation;
- l) Promote due diligence processes by private operators with cooperation of their own supply chains in the sourcing of fishery and aquaculture products, for example through partnerships with independent and certified third parties, through the use of risk assessments for sourcing decisions or supporting access to information on sourcing to increase transparency in business activities, such as weighing and species sorting in the fishmeal industry.