

MAC ADVICE

Public Consultation - Review of the Marketing Standards Framework for Fishery and Aquaculture products

Brussels, 4 February 2021

1. Background

In 2018, in accordance with the Better Regulation Package Guidelines, the European Commission launched an evaluation of the framework to assess the extent to which these were still fit for purpose. In this context, the MAC adopted an opinion covering marketing standards for fresh products¹, which was followed by an opinion covering processed products².

On November 2019, the Commission made publicly available an external evaluation study on the evaluation of the marketing standards³, which was followed, in the subsequent month, by a Commission Staff Working Document⁴. As feedback, the MAC adopted an advice with its views on the results of the external evaluation study, its positions regarding the policy positions presented, and considerations on the addition of a sustainability component⁵.

¹ Advice adopted on 28 March 2019. The advice and the Commission's reply are available on the MAC's website: <https://marketac.eu/en/commission-responds-to-mac-opinion-on-marketing-standards-fresh-products/>

² Advice adopted on 12 July 2019. The advice and the Commission's reply are available on the MAC's website: <https://marketac.eu/en/commission-responds-to-mac-opinion-on-marketing-standards-processed-products/>

³ The study was prepared by an external consultant, a consortium led by Coffey International, and is available on the Publications Office of the European Union's website: <https://op.europa.eu/en/publication-detail/-/publication/9480757a-100c-11ea-8c1f-01aa75ed71a1/language-en/format-PDF/source-110372510>

⁴ Available on the Commission's website: https://ec.europa.eu/fisheries/sites/fisheries/files/docs/body/swd-2019-453_en.pdf

⁵ Advice adopted on 15 May 2020. The advice and the Commission's reply are available on the MAC's website: <https://marketac.eu/en/commissions-reply-inception-impact-assessment-on-marketing-standards-framework/>



On November 2020, the Commission launched a public consultation on the review of the marketing standards framework for fishery and aquaculture products⁶. The initiative's feedback period concludes on 23 February 2021.

2. European Commission's Public Consultation

The Market Advisory Council (MAC) welcomes the opportunity to contribute to the European Commission's public consultation on the review of the marketing standards framework for fishery and aquaculture products. The public consultation takes form in a survey with questions for stakeholders/specialists with an interest in seafood products and questions for consumers/the general public.

The survey's introduction highlights that sustainability is at the heart of the Commission's Farm to Fork Strategy. It also explains that there is currently no EU legal framework to regulate or harmonise information on sustainability aspects specifically for seafood products and that the current revision of the marketing standards could be a potential opportunity to address this. The MAC generally supports the objectives of the European Green Deal, particularly the ones on sustainable food under the Farm to Fork Strategy, and aims to assist the Commission in achieving these.

In the survey, the questions for stakeholders/specialists with an interest in seafood products cover technical aspects, such as a more harmonised implementation of existing marketing standards, the definition of qualitative terms commonly used in the aquaculture sector, the extension of freshness and size criteria to additional species, the establishment of a standard for the minimum fish content in frozen fish fingers at EU level, and the relevance, importance and impact of the incorporation of sustainability aspects. The technical questions are based

⁶ Accessible on the European Commission's Better Regulation website: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12262-Fish-seafood-products-review-of-marketing-standards>



on the specific findings of the evaluation, while the sustainability questions deal with an aspect not covered in the evaluation.

The MAC maintains its previous position of general agreement with the results of the evaluation, while having different views in relation to some of the main findings. The freshness criteria are no longer relevant and should be replaced by an indication whether the product is “fit for human consumption” or “not fit for human consumption”, as per the General Food Law⁷. The external evaluation study highlights multiple times that the freshness criteria become irrelevant after the first sale, that there are compliance issues in the Mediterranean Sea basin, issues of subjectivity and inconsistent implementation across the actions and Member States.

On the policy perspective and the incorporation of sustainability aspects, the MAC’s membership maintains the positions expressed in the opinion on fresh products, the opinion on processed products, and the advice on the inception impact assessment.

Taking into account the survey’s format, which includes several questions with an operational perspective, the MAC chose to not submit a collective response. Members were encouraged to provide direct individual responses. The MAC hopes to continue assisting the Commission on the review of the marketing standards framework, including participating in future consultations, and remains committed to working on the topic of sustainability in the future.

⁷ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety