



## MAC ADVICE

# Voluntary Sustainability Claims on Fishery and Aquaculture Products, including Ecolabels and Certification Schemes

Brussels, 15 June 2021

### 1. Background

Under the EU's legislation, fishery and aquaculture products, besides foreseen mandatory information, can include additional voluntary information that is "clear and unambiguous". These are often communicated through ecolabels and certification schemes.

In the EU market, there has been an increase of claims and schemes. These can be: 1st party claims, such as claims of sustainability by a producer; 2nd party claims, such as testing of suppliers by supermarkets; or 3rd party claims, which involve an independent party using independent standards to assess the sustainability performance of the producers. Claims can be consumer-facing, business-to-business or even business-to-NGO.

As determined by Article 36 of the CMO Regulation, in 2016, the European Commission issued a feasibility report on options for an eco-label scheme for fishery and aquaculture products<sup>1</sup>. The report found no evidence of explicit market failures or regulatory gaps. No formal proposals are currently foreseen. At the same time, the European Green Deal and the Farm to Fork Strategy place greater emphasis on sustainable food choices. Furthermore, DG ENV is considering proposing legislative initiatives on substantiating environmental claims<sup>2</sup>.

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<sup>1</sup> [https://ec.europa.eu/fisheries/european-commission-adopts-ecolabelling-report\\_en](https://ec.europa.eu/fisheries/european-commission-adopts-ecolabelling-report_en)

<sup>2</sup> More information is available on DG ENV's dedicated page:  
[https://ec.europa.eu/environment/eussd/smgp/initiative\\_on\\_green\\_claims.htm](https://ec.europa.eu/environment/eussd/smgp/initiative_on_green_claims.htm)

Last year, the MAC organised a workshop on voluntary sustainability claims on seafood products. The workshop report<sup>3</sup>, which takes into account the state-of-play of certification schemes in the EU market, the role of sustainability claims in relation to market actors, and thus their function in and impact on the market, served as a basis to the present advice. Additionally, the MAC Secretariat circulated a questionnaire to the members on the matter of voluntary sustainability claims, which assisted in the formulation of the below recommendations<sup>4</sup>.

## 2. Recommendations

Taking into account the role of voluntary sustainability claims, including ecolabels and certification schemes, in the EU market of fishery and aquaculture products, and the emphasis on sustainable food choices placed by the European Green Deal and the Farm to Fork Strategy, the MAC believes that the European Commission should:

- a) Guarantee that voluntary sustainability claims and certification schemes are not used for greenwashing and/or for misleading consumers, including through adequate controls by public authorities;
- b) Take into account that credible robust third-party labels can be useful tools to substantiate green claims and act in a complementary manner to EU policy;
- c) Undertake a study on consumer perception and understanding of voluntary sustainability claims and certification schemes;
- d) Undertake a study to determine the economic and environmental benefits of voluntary sustainability claims and certification schemes;

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<sup>3</sup> The workshop took place from 13 to 15 July 2020. The workshop report is available in MAC's website: <https://marketac.eu/en/minutes-of-meetings/>.

<sup>4</sup> A summary of the questionnaire results can be requested from the MAC Secretariat. Minutes of the meetings are also publicly available on the MAC's website: <https://marketac.eu/en/minutes-of-meetings/>.

- e) Recognise the importance of the three pillars of sustainability and increase consumer awareness on the applicable legal requirements regarding environmental and socio-economic sustainability for products placed in the EU market, on the requirements for voluntary sustainability claims and certification schemes, and under the Common Fisheries Policy;
- f) Bear in mind that there is the legitimate existence and further development of certification schemes that are focusing on environmental sustainability (*ecolabels*). This should be made clear to consumers;
- g) Keep in mind that, currently, an insufficient number of certification schemes is specialised on socio-economic sustainability for fishery and aquaculture producers;
- h) Assist smaller producers who wish to participate in certification schemes, but lack the financial and management capacity to do so;
- i) Take note of the increase in sustainability claims and certification schemes, while ensuring that these voluntary claims are credible, accurate, and consistent;
- j) Explore the potential usefulness of minimum requirements for voluntary sustainability claims and certification schemes, be it through EU legislation or through European or international standardisation;
- k) Assess the potential risk of development of a monopolistic situation by specific certification schemes in the EU market;
- l) In the wider context of relationships between operators of the supply chain, such as the framework on unfair trading practices in the food supply chain, assess if primary producers are able to freely participate in certification and to choose from a range of schemes;
- m) Promote the development of credible, collaborative and transparent sustainability systems throughout the supply chain, as well as to seek harmonisation and coordination of these systems, while ensuring the engagement of stakeholders, including through the



existing global public and private multi-stakeholder initiatives, such as under FAO and GSSI.