

## **Working Group 1: EU Production Draft Minutes**

Wednesday, 25 November 2020

10:00 - 13:00 CET

Zoom online meeting

**Welcome from the Chair, Sean O'Donoghue**

**Adoption of draft agenda and minutes of last meeting (22.09.20): adopted**

Click [here](#) to access the Chair's presentation.

### **Action points of the last meeting**

- **State of play of the decisions made during the last meeting (22.09.20) –information**
- COVID-19 Pandemic:
  - Secretariat to prepare a first draft document: Done
  - Special meeting dedicated to the consideration of the draft to take place in November: Done
- Marketing Standards:
  - Follow developments on the European Commission's public consultation and targeted consultations, while taking into account the potential development of sustainability criteria and indicators: Ongoing
- European Fishery Statistics:
  - Secretariat to circulate the public consultation, so that members can submit individual contributions: Done
- Brown Crab Management:
  - Proposal of establishment of a joint MAC-NWWAC-NSAC Focus Group to be put forward to the Executive Committee by the Chair: Done
  - Secretariat to circulate the draft Terms of Reference prepared by NWWAC, allowing for potential amendments: Done
- EMFAF:
  - Continue monitoring legislative developments: Ongoing



## Marketing Standards

- **Update on the launch of the public consultation by Commission representative**

Gerd Heinen (DG MARE) explained that the public consultation was launched on 17 November. In the context of the COVID19 pandemic, the public consultation will be open until later than usual, concluding on 23 February 2021. The Commission would welcome a collective contribution from the MAC and individual contributions from the members. The consultation is composed of a questionnaire divided into two parts: a general part for citizens and consumers, since there is a relevant potential consumer angle, particularly if sustainability elements are reflected, and a technical part, which is directed at experts and experienced fishery and aquaculture stakeholders. Respondents can provide feedback on both parts.

Regarding the impact assessment, the Commission is being supported by a consortium of external consultants. The Commission worked together with the consortium in the development of the public consultation's questionnaire. The consortium will initiate targeted stakeholder consultations in parallel to the public consultation. The Commission services and the consortium are still discussing the target audience, which will include the MAC. Public authorities will also be consulted.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgroßhandels e.V.) wanted to know why only closed answers are foreseen for the technical questions, while for the sustainability questions open answers are allowed. In his view, the wording of the fourth technical question is misleading and non-transparent in relation to fish content and quality issues, particularly for frozen fish fingers. In June 2020, the JRC published a report on dual quality of food stating that there is no evidence of explicit market failures. Therefore, he wondered why the JRC's report was not mentioned in the introduction. At least a footnote should be included in the questionnaire referencing this report. Regarding his experience filling the questionnaire, the questionnaire requires the respondent to indicate on whose behalf they are answering. Mr Keller indicated "association", but later was asked to provide opinions as a "company", therefore he wondered if the questions were posed in a logical manner.

Gerd Heinen (DG MARE) explained that respondents were able to upload documents alongside their response to the questionnaire, which can include broader views. The questions were prepared based on the evaluation, so these should be in line with the results. In the case of technical problems with the questionnaire or lack of logical flow, the representative invited respondents to send a detailed email to the Commission services, so it can be corrected.

The Chair invited the Commission representative to come back at later stage with a response on the logical flow of the questionnaire.



Gerd Heinen (DG MARE) explained that the introduction of the fourth technical question reflects the results of the evaluation. Therefore, the representative asked for more detailed information on how the introduction was contradictory.

The Chair proposed to put Bundesverband der deutschen Fischindustrie und des Fischgroßhandels e.V.'s questions directly in writing to the European Commission. The Chair stated that, in his experience, some of the questions were confusing. The questions could be answered as an association, but then there were technical operational questions directed at companies and individuals. Therefore, the inclusions of options for “no reply” could be considered.

Pierre Commère (ADEPALE) requested information regarding the link between the inception impact assessment and the public consultation, particularly if individual contributions to the inception impact assessment would be taken into account in the public consultation. He also wanted to know if the external consultants working on the public consultation would be the same as for the inception impact assessment.

Gerd Heinen (DG MARE) explained that, from the Commission's perspective, these are two different initiatives. The first consultation was on the evaluation, so with backward perspective. The current consultation is on the revision of the marketing standards framework, so a forward perspective. The current consultation is broader and covers the sustainability gap identified by the evaluation. Therefore, new contributions would complement previous ones. The consortium of external consultants is the same, since it is under a framework contract.

Roberto Carlos Alonso (ANFACO-CECOPECA) argued that efforts are being doubled in a process that is not as transparent as it should be. The external consultants will repeat the work. In the view of ANFACO-CECOPECA, the position remains the same: the marketing standards for processed products should not change. Regarding the public consultation's questionnaire, they expressed surprise that there is a section for consumers. They drew attention to a recent EuroBarometer study, according to which, Spanish consumers continue to prioritize taste, price, aspect and nutrition, and not sustainability matters. They argued that, instead of a focus on the marketing standards framework, there should be a focus on the general sustainability framework and the legislation on information to consumer, instead of guiding the discussion towards a pre-determined view of sustainability. The next steps should focus on what has been achieved, instead of repeating the same work. The external consultants will receive the same replies from the concerned companies.

Gerd Heinen (DG MARE) emphasised that the new consultation is different from the previous one. The previous consultation was a backwards-looking evaluation on the existing legislation. The new consultation is a forward-looking on the potential revision, which builds on the results of the evaluation, plus it looks into the policy options to change the marketing standards. Therefore, in the Commission's view, there is not a repetition of the work.



Frangiscos Nikolian (DG MARE), in relation to ANFACO-CECOPECA's comment on lack of transparency, clarified that the topic has been under discussion for two years in full transparency. The revision of the marketing standards framework is part of the European Commission's work programme. The Commission services apply the Better Regulation guidelines and requirements. Due to the COVID-19 pandemic, the Commission services extended the public consultation by two weeks. The questionnaire's questions were agreed with the Commission's internal services.

Vanya Vulperhorst (Oceana) requested information on the link between the public consultation and the ongoing STECF's working group of experts on marketing standards. They wanted to know if there would be a meeting report. They highlighted that the NGO members of the MAC support the analysis of the potential sustainability component under the marketing standards framework.

Gerd Heinen (DG MARE) explained that the STECF's working group also takes place in the context of the revision. The group has a specific mandate to assess potential criteria or indicators that could potentially be reflected in the marketing standards to cover sustainability aspects. The group is meeting for one week. There will be a report, likely in January 2021, for the STECF plenary group to adopt in March 2021, which will then be made public. If the consultation confirms that there is a policy interest to potentially broaden the marketing standards framework, then this report will be relevant.

- **Future work: Development of draft contribution to the public consultation**

The Chair stated that, considering the format of the questionnaire, it would be extremely difficult for the MAC to submit a collective response, since several of the questions have an operational perspective. Nevertheless, it is important to ensure feedback from the MAC. As a way forward, the Chair encouraged members to submit individual replies to the questionnaire. The Chair proposed to draft together with the Secretariat an overview of the previous three MAC advices on the marketing standards framework, in order to submit it as feedback to the public consultation.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgroßhandels e.V.) agreed with the proposed way forward. He expressed concern with the questions on personal profiles. He expressed disappointment with the quality of the questionnaire.

Gerd Heinen (DG MARE) explained that the questionnaire provides the possibility for the respondent's identity not to be made public. The questionnaire was developed on the basis of the standard better regulation guidelines, so it should be safe to assume that it is in line with GDPR rules.



## Joint MAC/NWWAC/NSAC Focus Group on Brown Crab

- **Update on the establishment of the Focus Group and Terms of Reference - information**

Click [here](#) to access the presentation.

Norah Parke, Chair of the Focus Group on Brown Crab, provided an update on the establishment of the Focus Group and Terms of Reference, including the first meeting.

## COVID-19 Pandemic

- **Consideration of draft advice**

The Chair explained that the draft was based on a significant amount of consultation. The draft recommendations were grouped in three major areas, while trying to take all recommendations on board. The three areas are: market initiatives, funding initiatives, and environmental and social initiatives. There was an effort to maintain the recommendations under the remit of the MAC. Some recommendations outside the remit of the MAC were not included. The Chair expressed satisfaction with the Commission's work, particularly MARE A.4 Unit's availability to hold informal meetings and exchange information.

*The Working Group proceeded to analyse, paragraph by paragraph, the main text of the draft advice, in order to reach agreement.*

The Chair explained that the introduction section was in line with previous discussions in the Working Group. The section on problems is not an exhaustive list, but only provides some examples in relation to the different sectors.

Annelie Rosell (Swedish Pelagic Federation PO) stated that it was relevant to indicate which recommendations are the most important ones.

Sean O'Donoghue (KFO) explained that the draft recommendations were arranged in order of importance in each of the categories. The Chair welcomed suggestions on the order.

Nicolás Fernandez Muñoz (OPP72) emphasised to take into account all these measures, but that the Pan-European campaign is fundamental. Wild caught fishery producers have been heavily impacted due to the connection with the HORECA sector. The situation is likely the same for aquaculture. There has been a step backwards. Usually, seafood consumption is high at the end of the year due to the holiday celebrations, but, since most restaurants are closed or have limitations, the prices have heavily decreased, especially in some fishing communities. Therefore, a campaign to highlight the importance of seafood consumption for health is needed. It needs to compensate for the HORECA



gap. EU citizens must maintain seafood as a reference in their diet. Until there is significant coverage by a vaccine, there are still many difficult months for fishery and aquaculture operators. Therefore, a marketing campaign is very important and can contribute to a smaller decrease of prices.

Patrick Murphy (IS&WFPO) argued that the importance of the seafood industry for rural coastal communities should be mentioned in the recommendation on the marketing campaign.

Emiel Brouckaert (EAPO) wondered about the connection between the recommendation on traceability tools and the market initiatives.

The Chair stated that the aim was to ensure that supported production is fully traceable and that no IUU fishing is involved, plus to ensure consumer confidence.

Patrick Murphy (IS&WFPO), in relation to the recommendation for plans to ensure distribution at fair prices, argued that it should go beyond a fair price and also cover appropriate financial return for primary producers for their activities in emergency situations.

Guus Pastoor (Visfederatie) argued that it should be appropriate financial return for all seafood value chain operators.

Daniel Weber (European Fishmeal) requested the inclusion of feed producers under the recommendation on ensuring that financial support measures cover the entire supply chain.

Emiel Brouckaert (EAPO) wondered if the recommendations should not also be directed at the European Parliament.

The Chair explained that, as determined by the rules on the Advisory Councils, the advice is directed at the European Commission and the Member States. Nevertheless, the advice will be sent to the European Parliament for their information.

Emiel Brouckaert (EAPO) suggested moving the recommendation on supporting investments that contribute to a transition towards an environmentally-friendly, sustainable, and low impact seafood production to the heading on funding initiatives.

Patrick Murphy (IS&WFPO) highlighted that the implementation of support measures might need to extend beyond the duration of the measures.

*The Working Group agreed to put forward the draft text, with the integration of the proposed amendments, to the Executive Committee under written procedure.*



## Sustainable Blue Economy

- **Way forward: Work by the Joint Advice Drafting Group on the Commission's Roadmap**

The Chair explained that a Joint Advice Drafting Group was established by six Advisory Councils. The feedback period for the European Commission's Roadmap on the Sustainable Blue Economy concludes on 7 December 2020. Guillaume Carruel (EAPO) and Linnéa Engström (MSC) were the two participating MAC members. The Chair invited Guillaume Carruel to provide a state-of-play on the draft text, with the aim of proposing to put it forward to the Executive Committee through urgent written procedure.

Guillaume Carruel (EAPO) explained that the Commission's Roadmap presents three pillars to be used in the new approach: 1) preserving marine capital, 2) sharing profits and investment in innovation, and 3) providing benefits to present and future generation. The draft multi-AC advice is based on these three pillars, including recommendations for each pillar. They explained that several MAC documents were taken into account: advice on Level Playing Field, letter on Public Online Consultation on Horizon Europe Co-Design 2021-2024, advice on Consumer Information on Fishery and Aquaculture Products, advice on Better Alignment of Import Control Schemes in Major Market States, opinion on EU Fisheries Control System.

The Secretary General recalled that the draft text includes contributions from other ACs, so the MAC members might not agree with some of these. The MAC would be endorsing the entire document.

Guillaume Carruel (EAPO) provided an overview of the recommendations under the three sections of the draft text.

The Chair, taking into account the involvement of six Advisory Councils and the importance of the document, proposed putting forward the draft text to the Executive Committee through urgent written procedure. The Executive Committee should be informed that the Working Group was not in a position to consider the draft at the meeting, since the final version of the draft was not yet available. The Chair also proposed for the final draft prepared by the NWWAC Secretariat to be circulated to Working Group 1 members for their information, once available.

## AOB

None.



## Summary of action points

- Marketing Standards:
  - o Secretariat and Chair to prepare a draft advice in response to the public consultation, which should be based on the previously adopted advice
  - o Encouragement of individual submissions to the public consultation by members
  - o Send Bundesverband der deutschen Fischindustrie und des Fischgroßhandels e.V.'s questions on the public consultation to DG MARE in written format
- Joint MAC/NWWAC/NSAC Focus Group on Brown Crab:
  - o Working Group to be continuously updated on the work of the Focus Group
- COVID-19 Pandemic:
  - o Draft text to be put forward to the Executive Committee through written procedure
- Sustainable Blue Economy:
  - o Final draft to be circulated to WG1 members for their information
  - o Draft text to be put forward to the Executive Committee through urgent written procedure, informing that WG1 was not in a position to consider it

After the meeting, Bundesverband der deutschen Fischindustrie und des Fischgroßhandels e.V.'s questions on the public consultation on marketing standards were sent to DG MARE in written format. The questions and the answers provided by the Commission services are made available below:

*Q: Why only closed answers are foreseen for the technical questions, while the sustainability questions allow open answers?*

*A: The technical questions are based on the specific findings of the evaluation and the sustainability questions are dealing with an aspect not covered in the evaluation - hence it seemed more opportune to provide possibilities for open answers for those latter questions. Additionally, there is the possibility for respondents to upload a free text document with complementary comments.*

*Q: The wording of the fourth technical question is misleading and non-transparent in relation to fish content and quality issues, particularly for frozen fish fingers. In June 2020, the JRC published a report on dual quality of food stating that there is no evidence of explicit market failures. Therefore, why was the JRC's report not mentioned in the introduction?*

*A: As mentioned in the questionnaire, the issue of varying fish content was identified specifically in the evaluation. Moreover, the JRC'S EU-wide comparison study states that case-specific assessments are required to assess whether the identical marketing of products with significantly different compositions would constitute a specific problem.*

*Q: At the end of the survey, the respondent is asked to indicate on which behalf they are answering. If one indicated "association", then why are there questions to provide opinion as a "company"?*





*A: To our knowledge, there is only one question that is specifically addressed to companies. This question does not require a response, so respondents can just leave the response fields empty, if the question does not apply to their organisation.*

DRAFT



## List of attendees

Representative	Organisation
Aitana López (observer)	Spain
Angeles Longa	EMPA
Annelie Rosell	Swedish Pelagic Federation PO
Benoît Thomassen	FEAP
Carla Valeiras	EuroCommerce
Catherine Pons	FEAP
Cécile Fouquet (observer)	Aquaculture Advisory Council
Daniel Voces	Europêche
Daniel Weber	European Fishmeal
Emiel Brouckaert	EAPO
Erin Priddle	MSC
Frangiscos Nikolian	European Commission
Georg Werner	Environmental Justice Foundation
Gerd Heinen	European Commission
Guillaume Carruel	EAPO
Guus Pastoor	Visfederatie
Jean-Marie Robert	Les Pêcheurs de Bretagne
Jens Mathiesen	Danish Seafood Association
José Carlos Escalera	Federación de Cofradías de Pescadores de Cádiz (FECOPESCA)
José Basilio Otero Rodríguez	Federación de Cofradías de Pescadores de Cadiz (FECOPESCA)
Juan Manuel Elices López (observer)	Spain
Juana María Parada Guinaldo	OR.PA.GU.
Katarina Sipic	AIPCE-CEP
Katrin Poulsen	WWF
Linnéa Engström	MSC



Representative	Organisation
Malgorzata Kieliszewska (observer)	Poland
Maria Luisa Álvarez Blanco	FEDEPESCA
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgroßhandels e.V.
Mirta Novak (observer)	Croatia
Monika Kołodziejczyk (observer)	Poland
Nicolás Fernández Muñoz	OPP72
Norah Parke	EAPO
Patrick Murphy	IS&WFPO
Pedro Luis Casado López	OPP80
Pierre Commère	ADEPALE
Pedro Reis Santos	Market Advisory Council
Pim Visser	VisNed
Purificación del C. Fernández Alvarez	OPPC-3
Roberto Carlos Alonso	ANFACO-CECOPESCA
Rosalie Tukker	Europêche
Sean O'Donoghue (Chair)	Killybegs Fishermen's Organisation Ltd
Sergio López García	OPP Lugo
Stavroula Kremmydiotou	Market Advisory Council
Thomas Wenzel Kruse	Danish Fishermen PO
Vanya Vulperhorst	Oceana

