

Working Group 3: EU control and sanitary issues, consumer rules

Minutes

Wednesday, 26 January 2022 (09:00 – 12:45 CET)

Zoom (Online)

Interpretation in EN, ES, FR

Welcome from the Chair, Benoît Thomassen

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

Adoption of draft agenda and of the last meeting minutes (15.09.21): adopted

Action points of the last meeting

- **State-of-play of the decision made during the last meeting - information**
- Substantiating Green Claims:
 - Focus Group to be established to analyse the draft documents in advance of the Second Open Consultation for the Marine Fish PEFCR
 - Terms of Reference adopted: 8 November 2021
- Empowering the Consumer for the Green Transition:
 - Wait for the publication of the Commission's legislative proposal, before the potential development of advice on the topic
 - Still pending – Planned for second quarter of 2021
- Caviar Labelling:
 - Wait for potential further developments in the Aquaculture Advisory Council
 - No new developments known
- EU School Fruit, Vegetables and Milk Scheme:
 - Specific recommendation to be included in the draft advice on health and environmental value of seafood
 - Advice adopted: 8 October 2021 (recommendation j)
 - Commission's reply: 8 December 2021 ("due note is taken")
- Health and Environmental Value of Seafood:
 - Agreed draft advice to be put forward to the Executive Committee for consideration and potential adoption through two weeks written procedure
 - Advice adopted: 8 October 2021
 - Commission's reply: 8 December 2021
- Sanitary & Hygiene Rules:
 - Agenda item on the maximum level of sulphite in crustaceans to be included in the draft agenda of the next meeting
 - Technical note prepared by ADEPALE to be circulated via email



- Agenda item scheduled (10:25)
- Technical note circulated (13 October 2021)

Animal Welfare

- **Presentation of revision of EU legislation by Commission representative**

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

Kornilia Zafeiropoulou (DG SANTE) explained that Article 13 of the TFUE was the legal basis for the development of animal welfare legislation. Currently, there are five directives on animals kept in farms and two regulations on animal transport and killing of animals. Under the Farm to Fork Strategy, the Commission acknowledge that better animal welfare improves animal health and food quality, reduces the need for medication and can help preserve biodiversity. The Commission committed to revising the animal welfare legislation, including on animal transport and slaughter of animals, to align it with the latest scientific advice, broaden its scope, make it easier to enforce and ultimately ensure a higher level of animal welfare. As part of the procedure, the Commission is undertaking a fitness check, meaning an evaluation of existing EU animal welfare legislation according to relevance, coherence, efficiency, effectiveness, and EU added value. A field study and a desk study are being undertaken. The fitness check is expected to be concluded in the Summer 2022.

There are already some preliminary results of the fitness check: lack of clarity of certain provisions; lack of specific, updated and detailed requirements; lack of tools to monitor, measure and report; lack of training and competencies; insufficient and uneven information to consumers. An inception impact assessment was launched in July 2021. 983 contributions were received. In October 2021, a public consultation on the revision of EU legislation was launched, which lasted until 21 January 2022. 59281 contributions were received, mostly from EU citizens. The Commission mandated EFSA to deliver opinions on several animal welfare issues. In terms of timeline, the legislative proposal is expected to be published by end of 2023.

On 26 October 2021, the Commission sent a roadmap to EFSA indicating its planned future mandates in the area of farm animal welfare, after 2023, including on farmed salmon and trout (June 2026), farmed carp (June 2027), farmed sea bass, sea bream, European eel (June 2028), farmed tune (December 2029), and certain invertebrates such as decapods (December 2030). In terms of specific actions related to aquatic animals, the inception impact assessment includes two options for the killing of fish: option 1 – provisions for the five main species of farmed fish (Atlantic salmon, common carp, rainbow trout, European sea bass and gilthead sea bream) and option 2 – provisions for two species (European sea bass and gilthead sea bream). The EFSA roadmap includes opinions on aspects other than killing.

Javier Ojeda (FEAP) highlighted that much of the knowledge used to set animal welfare rules follows animal production reference centres. Mr Ojeda wanted to know if the Commission was planning to establish reference centres for fish. He also wanted to know more about the provisions that the Commission was planning for the previously mentioned farmed fish species.



Kornilia Zafeiropoulou (DG SANTE) responded that, within the proposals up to 2023, the provisions are only for the slaughter and killing of fish. There will also be basic provisions applying to all farm animals. A decision has not been taken on whether fish will be covered. There has not been any decision to establish a reference centre for fish, even though the Regulation on Official Controls does provide the legal basis to possibility to establish reference centres on animal welfare.

Denis Simonin (DG SANTE), in relation to the reference centres, explained that reference centres are usually established when a substantial piece of legislation is being developed. The mandates of the reference centres are based on the Official Controls Regulation. The purpose is to assist Member States in the implementation of the EU legislation.

Javier Ojeda (FEAP) commented that there is already legislation on animal welfare for fish but added that he understood Mr Simonin's point. In relation to Ms Zafeiropoulou's intervention, Mr Ojeda wanted to know more about the kind of provisions planned (e.g., guidelines, directive, etc.).

Kornilia Zafeiropoulou (DG SANTE) responded that the decision on the kind of provision was still to be taken, once the impact assessment is finalised.

Denis Simonin (DG SANTE) recalled that, under the inception impact assessment, there are two different options on the killing of fish. Therefore, on that matter, legislation is envisaged. The extent of the legislation will depend on the results of the impact assessment.

Jennifer Reeves (MSC) explained that the Marine Stewardship Council certifies wild capture fisheries. Their partner organisation, the Aquaculture Stewardship Council, is currently reviewing their fish standards to include animal welfare components and indicators. Ms Reeves informed that MSC provided a response to the Commission's consultations, in order to highlight the work of her organisation on the topic. Ms Reeves wanted to know more about the differentiation between wild capture fisheries and farmed fisheries, plus whether the Commission planned to address wild capture fisheries in the future. At the 9 December 2021 Stakeholder's Conference, there were several presentations about the technological developments for stunning at sea.

Denis Simonin (DG SANTE) responded that, at the moment, the first step is farmed fish. The inception impact assessment is about farmed fish. In the near future, no actions are planned for wild caught fish. In terms of welfare provisions for the production of animals, it is typical to start with the rules on the killing of animals.

The Chair asked about the potential development of a label on animal welfare.

Denis Simonin (DG SANTE) explained that animal welfare labelling is under consideration in the inception impact assessment. Three different options are provided. It would likely cover all farm animals. It would likely be a framework that sets up the basis for species-specific issues. Under the initiative on a sustainable food system, sustainable labelling is also being considered. There are also initiatives on front-of-pack labelling. Therefore, these initiatives must be considered together. It is unlikely that, in 2023, there would be species-specific requirements.



Christine Absil (Good Fish) wanted to know if the legislation would be applicable to imported aquaculture products. Ms Absil highlighted the importance of the implementation to achieve a level-playing-field for producers.

Denis Simonin (DG SANTE) exemplified that the legislation on slaughter and killing of terrestrial animals included a provision requiring equivalence. Therefore, it would be appropriate to consider a similar provision, if further legislation on farmed fish is developed. The difference is that rules on killing are applicable to enterprises. Therefore, the EU does not need to convince the third country to change its legislation. This solution raises less difficulties in relation to international trade rules than animal welfare requirements applicable to farming or transport.

- **Exchange of views & way forward**

The Chair suggested two options of way forward: option 1 – taking into account that it is a technical aquaculture issue, wait for action from the Aquaculture Advisory Council, and option 2 – circulate a questionnaire, inspired by the Commission’s consultations, in order to prepare a draft text ahead of the next meeting.

The Working Group agreed with the circulation of a questionnaire to prepare a draft advice.

Food Waste

- **Presentation of initiative on EU-level targets by Commission representative**

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

Bartosz Zambrzycki (DG SANTE), in relation to the developments of the policy action, explained that, in 2015, there was the Circular Economy package, a set of actions and a new legislation proposal on waste (Waste Framework Directive). In 2018, the Waste Framework Directive was adopted, including provisions on food waste (definition, obligation for monitoring, possible targets). In 2020, the Farm to Fork Strategy promised legally binding targets on food waste prevention. In 2023, a proposal for targets is planned to be adopted by the Commission, as part of the revision of the Food Waste Framework Directive, alongside targets on other waste streams. Mr Zambrzycki recalled the definition of “food waste” provided by the Waste Framework Directive. The initiative will be primarily focused, in terms of the food supply chain, on “processing and manufacturing”, “wholesale, retail and marketing”, and “food preparation and consumption” and, in terms of food and inedible parts removed from the food supply chain, on “food waste”.

In terms of context, 20% of all food produced in the EU ends up as food waste. 88m tonnes of food waste are generated annually in the EU. Member States’ response to food waste has been uneven and insufficient. The objective of the legally binding target would be to ensure that Member States take ambitious action to reduce food waste in their respective territories. The proposal will define the level of reduction of food waste and each Member State will need to choose the most effective measures taking into account its specific national situation, for example: improving knowledge / raising awareness on food waste levels and impacts; influencing attitudes and behaviours of food



business operators and consumers; and encouraging change in the food value chain towards less wasteful practices.

In terms of policy options, two issues need to be decided: (1) scope and form of the target and (2) the level of the target. A two-phase approach is proposed: step 1 – select a combination of scope and form that is most feasible and efficacious (to be decided by the Commission, with the input from stakeholders) and step 2 – for the selected combination, find the optimal level of the target (through an assessment of technical feasibility and comparing costs and benefits). The Commission is proposing to, initially, analyse impacts from three target levels, plus a baseline. In terms of scope, the option 1 would be a target covering whole food supply chain, from farm gate to final consumer. The challenges are data coverage, waste vs by-products, and food trade. The option 2 would be a target covering only selected staged of the food supply chain (for example, SDG Target 12.3 sets targets at retail and consumer levels). The challenge is that the target is limited to retail and consumption phase only. In terms of target setting, option 1 would be the same target level for all Member States (default option). Option 2 would be a target level differentiated by Member States. Option 3 would be a collective target on EU level. For step 2, it would be necessary to find the optimal level of the target. Analysis of the impacts is planned to be conducted using JRC MAGNET model.

The inception impact assessment was published in 2021. There were 85 responses from 17 Members States, plus from the UK and USA. There was general support to the targets and (usually) calls for ambitious targets. Several comments calling for extending the scope of the exercise. In relation to objectives and policy options, there was higher preference to set targets across whole food supply chain. There was support for high reduction targets from NGOs, but Member States suggest a more cautious approach. The expected economic impacts are positive for the society as a whole, impact on specific stakeholder may vary, strongly dependent on the implementation measures of the Member States. The social impacts are positive but limited, possible reduced convenience for consumers. The environmental impacts are highly positive. In terms of expected administrative burden, additional burden is expected to be limited, but strongly depends on the actions of the Member States. As for next steps, the open public consultations are planned for Q2 2022. There will be data reporting from Member States to Eurostat by 30 June 2022. The Commission’s proposal is planned for Q2 2023.

- **Exchange of views & way forward**

Agnieszka Korbel (WWF) wanted to know if households would be considered in the scope of the initiative.

Bartosz Zambrzycki (DG SANTE) responded that households will be part of it. In this context, “consumer” includes households as well as catering and food services. According to earlier research and estimations, households represent more than half of food waste in the EU. The biggest effort would be to achieve reduction of food waste in households.

Maria Luisa Álvarez Blanco (FEDEPESCA) informed that her association is part of a Spanish commission to follow food waste. More than 50% of the food waste is generated in the household. Ms Álvarez emphasised the importance of accounting for the points in the supply chain where more waste is generated. In the specialised marketing channels, it is estimated that food waste is less than 5%,



because fishmongers go daily to the distribution centre, meaning that there is a good balance between supply and demand. In the case of Spain, a law on food waste is in advanced stages of development. Therefore, Ms Álvarez expressed concern that the EU legislation might imply the need to amend the Spanish legislation.

Bartosz Zambrzycki (DG SANTE), in relation to the impact on the Spanish law, stated that the EU initiative is not expected to harm “early achievers”. The Commission is analysing existing efforts of the Member States, in order to see if these could be extrapolated to the rest of the EU.

Bruno Guillaumie (EMPA) wanted to know, if from the perspective of the European Commission, the shells of bivalve molluscs were considered as waste or as by-product. There should be special provisions for the collection and separation in the sorting. It is possible to value 100% of the shells through the circular economy. The incineration of shells leads to emission of more greenhouse gases.

Bartosz Zambrzycki (DG SANTE) responded that the shells count as food waste, if it is sold attached to the food, meaning that it would be covered by the target. The focus of the initiative is not on recycling, meaning the recycling of discarded shells is out of scope. However recycling is covered by the waste legislation, which requires that there should be more and more recycling and less incineration. The aim would be for the shells to be processed as early as possible. If the processing plant uses the shells, for example to develop fertiliser, then there this would be counted as food waste prevention. Sorting of shells at the consumer level (where shells are part of household waste) would count as recycling. Shells is an issue specific to certain Member States, which will be able to take action according to their own analysis.

Paulien Prent (Visfederatie) wanted to know if the Commission was aware that retailers generally consider themselves to have minimum amounts of waste. Usually, unsold products are sent back to the processors. Therefore, Ms Prent to know the Commission’s vision to address this.

Bartosz Zambrzycki (DG SANTE) responded that the Commission is aware. Retailers have little food waste, but are an important part of the food chain. In many countries, retailers are the most powerful player of the food supply chain. Therefore, retailers must be involved in the solutions. Mr Zambrzycki emphasised that it will be up to the Member States to determine the actions, for example the establishment of cooperation platforms or voluntary agreements between retailers and producers. When retailers send back unsold products, these are not registered as a waste, meaning that the producers are responsible for finding a use. Cooperation along the supply chain is one of the options to reduce food waste.

The Chair asked members about the preferred way forward, since, under the Work Programme of Year 6, the MAC committed to produce advice on the topic.

The Working Group agreed with the circulation of a questionnaire to prepare a draft advice.

Food Information to Consumers

- **Presentation of public consultation**



The Chair recalled that, under the Farm to Fork Strategy, initiatives are foreseen on front-of-pack nutrition labelling, setting of “nutrient profiles”, extensions of mandatory origin/provenance, revision of date marking (“use by” and “best before”), through a revision of the FIC Regulation. The feedback period of the roadmap was from 23 December 2020 to 4 February 2021. The public consultation took place from 13 December 2021 to 7 March 2022. The legislative proposal is planned for Q4 2022. MAC advice on concerning the roadmap was adopted on 23 February 2021.

The Secretary General provided an overview of the questionnaire of the Commission’s public consultation. The questionnaire covers front-of-pack nutrition labelling, date marking, and origin labelling. There are questions about consumer understanding of labels, logos, date markings, food waste, origin, among others. The Secretary General encouraged members to submit individual responses directly to the Commission’s public consultation. He also recalled that, under the Work Programme of Year 6, the MAC committed to adopting advice on the different initiatives of the revision of the FIC Regulation. Therefore, the Working Group should decide on the way forward.

- **Exchange of views & way forward**

The Chair recalled that the MAC is also addressing consumer information issues in the advice concerning the implementation report of the CMO Regulation. The Chair suggested an adaptation of the Commission’s questionnaire to gather input from members.

Pierre Commère (ADEPALE) drew attention to the specificity of fishery products in the context of nutritional labelling. The MAC previously adopted advice about the Nutri-score, particularly about how this scheme does not sufficiently account for the nutritional benefits of fishery products. There were also discussions, following proposal from EuroCommerce, to develop a general advice on nutritional labelling. Mr Commère argued that it was an opportunity to bring back this topic.

Bruno Guillaumie (EMPA) agreed with the previous intervention. There should also be a reflection about the geographical range of origin. In the case of the shellfish sector, products are provided live to the consumer, so the date markings have a different impact. The use of a single date could be useful, in order to avoid consumer confusion and food waste.

Carla Valeiras Álvarez (EuroCommerce) recalled that, indeed, when there was the discussion about drafting advice about the Nutri-score scheme, EuroCommerce suggested the drafting of advice on nutrition labelling. In relation to the Commission’s questionnaire, Ms Valeiras emphasised that several of the questions are quite difficult to answer. It would be quite difficult to respond together as the MAC. It would be more appropriate for the MAC to develop general advice.

Maria Luisa Álvarez Blanco (FEDEPESCA) agreed that there should be a position from the MAC and agreed with the circulation of an adapted questionnaire. In general, consumers do not understand the date markings, which is problematic. The date markings can lead to the waste of food that is fit for human consumption. There should be a balance between the information provided and the understanding of the information. Ms Álvarez recalled that the consultations on the CMO Regulation and on the FIC Regulation would both cover consumer information topics, but that these are separate consultations. Therefore, it might be more appropriate to have positions on both.



Guus Pastoor (Visfederatie) agreed with the previous intervention. The FIC Regulation is a general regulation. Therefore, issues specific to fishery and aquaculture products should be addressed under the consultations on the CMO Regulation. It would be more appropriate for the MAC to address these files separately.

The Working Group agreed with the circulation of a questionnaire to prepare a draft advice.

Product Environmental Footprint Category Rules for Marine Fish Products

- **Update on the work of the Focus Group on PEFCR for Marine Fish Products by Pedro Reis Santos, Secretary General**

The Secretary General explained that, with support from the European Commission, a Technical Secretariat was established to prepare the PEFCR for Marine Fish products, which are technical rules to assist in determining the environmental footprint of products. These will be relevant for an upcoming legislation proposal on substantiating green claims. The Technical Secretariat published a first draft of the PEFCR, and a First Open Public Consultation took place between August and October 2021. The Secretary General recalled that, at the previous meeting, the Working Group agreed to the establishment of a Focus Group to analyse the first draft PEFCR and to prepare work ahead of the Second Open Public Consultation, which was expected to take place in March 2022.

The Secretary General further recalled that, following the adoption of Terms of Reference, the Focus Group on PEFCR for Marine Fish Products was established. The Focus Group met on 18 November 2021, 3 December 2021, 11 January 2022. A fourth meeting was planned for early February. In terms of ongoing work, the Focus Group has been analysing the first draft PEFCR. Exchanges, through written questions and participation in meetings, with the Technical Secretariat and with DG MARE have taken place. The Focus Group has also started worked on a draft advice. Taking into account the technical complexity of the file, the Focus Group asked DG ENV to organise a training session dedicated to Marine Fish PEFCR. The training will be taking place in February 2022.

- **Exchange of views & way forward**

The Chair suggested to consider the draft text of the Focus Group at the next meeting.

Sean O'Donoghue (KFO) emphasised the importance of this initiative and agreed with further discussion at the next meeting.

Sanitary & Hygiene Rules

- **Presentation on the maximum sulphite levels for crustaceans by Pierre Commère, ADEPALE**

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

Pierre Commère (ADEPALE) mentioned that the issue of the maximum sulphite levels for crustaceans is a long-lasting issue. The market of crustaceans has significant importance in the EU, reaching 1000 tonnes in 2020. In relation to the use of sulphites, Mr Commère explained that melanosis results from



enzymatic activity catalysing irreversible oxidation of the tyrosine present in the tissues, resulting in black spots on the crustaceans. Post-mortem melanosis in crustaceans has significant impacts on the shelf life and the overall commercial value of the products, particularly shrimps and Norway Lobsters. To limit this process, shrimps and Norway Lobsters in shell are treated with sodium metabisulphite (E223) to inhibit enzymes and stop the appearance of melanosis. Currently, there is no other available means of preventing melanosis on crustaceans in shell.

As for the health aspects of using sulphites, the major risk is intolerance for sensitive people. Hazard associated with sulphites is generated by two distinct causes: quality of the metabisulphite used (purity criteria for food additives) and use rates. This danger is well controlled by professionals, particularly through implementation of good hygiene practices. Acceptable Daily Intake (ADI) defined by EFSA is 0.7 milligrams per kilogram of body weight of SO₂ covering eight combined substances (E220 to E228), which is currently under reevaluation. Sulphites are additives and the maximum level of sulphites for shrimps (*Penaeidae*, *Solenoceridae* and *Aristeidae* families) and Norway Lobsters (*Nephrops norvegicus* - *Nephropidae* family) are regulated by Regulation (EC) No 1333/2008.

In relation to the problems encountered for shrimps in shell, Mr Commère explained that, for raw and cooked shrimps, the maximum permissible thresholds vary according to size. There is a 10% difference in the allowed rate between raw and cooked, which is not justified after at the experience. Mr Commère would like to request a modification of the maximum limits, in order to harmonise levels between raw and cooked products, and to remove variations related to sizes to be closer to the reality, thus simplifying the regulation without creating any danger for the consumer. Mr Commère provided an overview of the current thresholds and the suggested thresholds for shrimps and Norway Lobster.

- **Exchange of views & way forward**

The Chair suggested that Mr Commère could prepare a draft for consideration at the next meeting.

Sean O'Donoghue (KFO) thanked Mr Commère for his presentation, stating that he had no opposition to the modifications requested. Mr O'Donoghue agreed with the Chair's suggestion.

Bruno Guillaumie (EMPA) agreed with the way forward. Mr Guillaumie wanted to know more about the technical and scientific data collected. For this type of legislative changes, DG SANTE usually acts on the basis of scientific advice from EFSA. Therefore, it is important to provide data.

Pierre Commère (ADEPALE) thanked Mr Guillaumie for the suggestion. The issue is connected to other sources of exposure to sulphites. Shrimps and Norway Lobster are minor sources of exposure.

The Working Group agreed with the preparation of a draft advice by Pierre Commère (ADEPALE) for consideration at the next meeting.

Sustainable Food System Framework

- **Presentation of the initiative by Commission representative**

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



Dora Szentpaly-Kleis (DG SANTE) explained that the Sustainable Food System Framework is a flagship initiative launched under the Farm to Fork Strategy in 2020. The objective of the initiative is to have a framework legislation to mainstream sustainability in all food policies. The general objective of the Farm to Fork Strategy is to achieve a fair, healthy and environmentally-friendly EU food system. The Farm to Fork Strategy includes 27 initiatives, including new legislative proposals, the revision of current legislation, non-legislative actions (e.g. Code of Conduct, actions plans, etc.). Currently, there is no dedicated EU framework law on food sustainability similar to the EU framework law on food/feed safety (i.e. General Food Law). Different pieces of legislation address some components of food sustainability (e.g. pesticides, GMOs, food waste, the Common Agricultural Policy, the Common Fisheries Policy), but none do so holistically. The Fitness Check of the General Food Law (2018) concluded that the regulatory framework was largely inadequate to address the new challenges of food sustainability.

The objective of Union level intervention is to ensure that all foods placed on the EU market increasingly become sustainable through an enabling environment for future policy and legislation, ensuring coherence with all food related policies in terms of sustainability objectives, including biodiversity and climate objectives and a favourable and transparent food environment making it easier to choose healthy and sustainable diets, and by avoiding externalisation of unsustainable practices and raise global standards, while remaining within planetary boundaries and optimising the production, distribution and consumption of food, so as to increase resource efficiency and reduce food loss and waste.

The following options to achieve the objectives are considered under the inception impact assessment: option 1 – baseline, option 2 – voluntary approached, option 3 – reinforcing existing legislation, and option 4 – new comprehensive framework legislation on the sustainability of the Union food system. Following indicative elements for option 4 have been identified: sustainability principles and objectives to provide common understanding; definitions (e.g. food system, sustainable food system, food environment, food system actors, sustainability analysis, healthy/sustainable diets, traceability for sustainability purposes); minimum sustainability standards for foods/food operations; responsibilities of the food system’s actors; horizontal elements for sustainability analysis; legitimate and proportionate requirements on sustainability for imports of food (e.g. WTO conformity); processes to ensure synergies/mechanisms to facilitate the transition towards sustainable food systems; sustainability labelling; minimum mandatory sustainability criteria for public procurement; governance systems and transparency consultations; actions to mitigate negative impacts of the transition on food system actors; and monitoring. The impact assessment will analyse economic, social, environmental impacts, impacts on fundamental rights, and impacts on simplification and/or administrative burden.

In terms of next steps, after having analysed the feedback on the inception impact assessment, the Commission initiated the work on the impact assessment. The adoption of the initiative is foreseen at the latest by December 2023. There will be a continuous consultation of public and private stakeholders throughout the process.

During the consultation on the inception impact assessment, which took place from 28 September to 26 October 2021, 230 responses were received. For business and business associations, the main



issues were: the definition of sustainability (consensus on the need for common EU definition), the sustainability assessment (diversity of views), labelling (diversity of views), the impacts of the transition to sustainability on costs and prices and the necessity of support measures (relatively broad consensus among respondents), and trade (consensus on the need for policy coherence between sustainability objectives and trade). For academia, responses focused on making recommendations as regards labelling, pricing of sustainable food, and support measures for the transition to more sustainable food systems. Member States (Belgium, Czech Republic, Denmark, Finland, Ireland) highlighted the importance to assess the impact of the different options, that the different options should not exclude each other, and that voluntary measures can play a role during the transition. For NGOs / environmental and consumer organisations, there was general support for the option to establish a comprehensive framework legislation. The role of sustainable public procurement, the importance of labelling and the need for a transition towards plant-based diets was emphasised. For EU citizens, the main concerns related to unsustainable animal production and the too high consumption of meat. They asked to stop supporting intensive livestock production and to encourage the production and consumption of plant-based alternatives.

As for the consultation of public and private stakeholders, the following will take place: targeted expert workshops, the Annual Farm to Fork Conference, consultation of relevant experts / sectorial groups of stakeholders, consultations of relevant Member States' expert groups of the Commission, Consultation of the European Parliament, European Economic and Social Committee and the Committee of the Regions, decentralised agencies (EFSA, EEA, ECHA), structured / semi-structured interviews, and targeted questionnaires.

Bruno Guillaumie (EMPA) recalled that the Commission launched a call for application to establish an Advisory Group on the Sustainability of Food Systems. Mr Guillaumie requested for information on the role of this Advisory Group in the context of the Commission's services.

Dora Szentpaly-Kleis (DG SANTE) explained that the mandate of the current stakeholder group of DG SANTE is expiring. The mandate was focused on food safety. Under the call of the Advisory Group on the Sustainability of Food Systems, the mandate is extended to cover sustainability in its entirety.

Jennifer Reeves (MSC) wondered about the membership composition of the Advisory Group, including whether Advisory Councils could participate. In relation to the timeline of the different initiatives, Ms Reeves expressed concern about the lack of coherence and the duplication of work, particularly on the revision of the marketing standards framework for fishery and aquaculture products. Ms Reeves wanted to know more about the impact of sectoral legislative developments taking place before the sustainable food system framework.

Frangiscos Nikolian (DG MARE) emphasised that their main concern is to ensure consistency in the different initiatives. DG MARE is considering the most appropriate timeline for their proposal on the marketing standards framework. There is close contact with DG SANTE and other Commission services, in order to ensure consistency and avoid overlaps.



Dora Szentpaly-Kleis (DG SANTE) explained that, amongst the Commission services, there are four DGs responsible for the sustainable food system framework, namely DG SANTE, DG MARE, DG AGRI, and DG ENV. There is daily contact between the services, in order to ensure consistency. At that time, Ms Szentpaly-Kleis was not able to respond concerning the possibility of Advisory Councils participating in Advisory Groups as members¹, but told that she will inquire the relevant information and will inform DG MARE accordingly.

The Secretary General encouraged individual members to respond to the call and join the Advisory Group on the Sustainability of Food Systems, in order to ensure representation of fishery and aquaculture stakeholders.

- **Presentation of the replies to the Secretariat’s questionnaire**

The Secretary General explained there were replies from Good Fish, MSC, Oceana, ClientEarth, WWF, AIPCE-CEP, and EJF. There was additional feedback from FEAP, Good Fish, and EuroCommerce. A draft proposal was prepared by the Secretariat and by the Working Group Chair. The draft was circulated on 18 November 2021.

- **Consideration of draft advice & way forward**

The Working Group proceeded to analyse the draft advice, paragraph per paragraph.

Bruno Guillaumie (EMPA) suggested that the advice should include a recommendation to incentivise EU consumers to consume more sustainable products. According to scientific studies, shellfish has a better environmental footprint than many plant-based products. Fish products have a better environmental footprint than the majority of meat products. In the general framework, the Commission should recognise the quality of fishery and aquaculture products. Taking into account that the Commission will be providing definitions of “sustainability”, Mr Guillaumie wondered about whether the MAC would work on definitions of sustainability. It could be useful to have advice, line with S.M.A.R.T. goals, on a definition of sustainability and indicators. The AAC has worked on a definition of “sustainable aquaculture”, even though it has not developed indicators.

Maria Luisa Álvarez Blanco (FEDEPESCA) agreed with Mr Guillaumie that it could be an opportunity to recall the lower environmental impact of fishery and aquaculture products. Ms Álvarez suggested the inclusion of a recommendation about the development of an appropriate fiscal policy to promote the consumption of sustainable and healthy products, namely the reduction of VAT rates.

Pierre Commère (ADEPALE) expressed satisfaction with the draft report. Mr Commère expressed opposition to explicit comparisons with other food products. The efforts of the fishery and aquaculture sector on sustainability, particularly under the CFP, should be highlighted.

¹ After the meeting, via email, the Commission services clarified that Advisory Councils are not admissible as members. Individual members were encouraged to apply.



Christine Absil (Good Fish) agreed that, in many cases, from an environmental perspective, fishery and aquaculture products would be a better choice than meat. The sector and other stakeholders should make this quite clear. Plant-based products should not be seen as the only alternative to meat. At the same time, Ms Absil expressed doubts that the general framework would be the most appropriate platform to communicate on this issue. The initiative on Product Environmental Footprint provides an opportunity to highlight the different impacts.

The Secretary General, in relation to Ms Álvarez's intervention, stated that it was not entirely inside the scope of the general framework initiative, but added that the advice could repeat recommendation i) of the Advice on Health and Environmental Value of Seafood, adopted on 8 October 2021. In relation to Mr Guillaumie's intervention, the Secretary General that it was possible to include a recommendation that avoids explicit comparisons with other food products, for example a recommendation to promote the consumption of sustainable fishery and aquaculture products, in line with the international and national nutritional recommendations. As for the suggestion to develop a definition and indicators for "sustainability", the Secretary General commented that it would be a very ambitious task, but that it depends on the willingness of the members.

Christine Absil (Good Fish) agreed with the Secretary General's suggested recommendation on the consumption of sustainable products, while adding that it should avoid a reference to "promotion".

Sean O'Donoghue (KFO) underscored the importance of mentioning the role of fishery and aquaculture products for nutrition and healthy diets. Mr O'Donoghue agreed with the suggestion of the Secretary General concerning this recommendation. He also agreed with Mr Commère that explicit comparisons with other food products should be avoided.

Jennifer Reeves (MSC), in relation to the definition of sustainability and indicators, recalled that the EU taxonomy and technical screening criteria is working on the definition of "sustainable fishing activity", in order to drive financial investments. There will also be work on a definition of "sustainable aquaculture".

The Working Group agreed on the draft advice as amended.

AOB

- **Brown Crab**

Sean O'Donoghue (KFO) recalled that, in previous occasions, Working Group 3 addressed the matter of testing for cadmium levels in brown crab exported to the People's Republic of China. Despite efforts from the MAC, there does not seem to be any developments on the matter. Mr O'Donoghue suggested to include the topic on the agenda and to invite a DG SANTE representative to provide an update on the matter. It is a matter that needs to be resolved at EU-level. As highlighted in the Advice on Production and Marketing of Brown Crab in the EU, China is a very important market for several EU Member States.



- **Approval of plans submitted by third countries to monitor certain substances and residues**

Matthias Keller (Fischverband) requested, as an agenda item for the next meeting, an exchange of views with DG SANTE, in relation to different aquaculture products exported by third countries, about the residue-monitoring plans. Operators were very surprised by the publication of the Commission's Implementing Decision (EU) 2021/2315, which cause difficulties in the market. The objective would be to achieve better communication between the sector and public authorities in the future, in order to avoid unexpected situations at border inspection posts.



Summary of action points

- Animal Welfare:
 - Chair and Secretariat to prepare a questionnaire to the members, in order to gather input for future advice, ahead of the next meeting
- Food Waste:
 - Chair and Secretariat to prepare a questionnaire to the members, in order to gather input for future advice, ahead of the next meeting
- Food Information to Consumers:
 - Chair and Secretariat to prepare a questionnaire to the members, in order to gather input for future advice, ahead of the next meeting
- Product Environmental Footprint Category Rule for Marine Fish Products:
 - Under the draft agenda of the next meeting, to schedule a consideration of the draft advice prepared by the Focus Group on PEFCR for Marine Fish Products
- Sanitary & Hygiene Rules:
 - Pierre Commère (ADEPALE) to prepare proposal of draft advice on maximum sulphite levels for crustaceans, which will be considered at the next meeting
- Sustainable Food System Framework:
 - Agreed draft advice to be put forward to the Executive Committee for adoption through written procedure
- AOB:
 - Under the draft agenda of the next meeting, to schedule an exchange of views with DG SANTE about the testing for cadmium levels in brown crab exported to China
 - Under the draft agenda of the next meeting, to schedule an exchange of views with DG SANTE about the approval of plans submitted by third countries to monitor certain substances and residues in live animals and animal products.



Attendance List

Representative	Organisation	Role
Agnieszka Korbel	WWF	Member
Aitana López Albaquero	Spain	Observer
Alexander Rogge	European Commission	Expert
Alexandra Philippe	Market Advisory Council	Secretariat
Annelie Rosell	Swedish Pelagic Federation Producer Organisation (SPFPO)	Member
Bartosz Zambrzycki	European Commission	Expert
Benoît Guerin	BG Sea Consulting	Observer
Benoît Thomassen	Federation of European Aquaculture Producers (FEAP)	Chair
Bruno Guillaumie	European Molluscs' Producers Association (EMPA)	Member
Carla Valeiras Álvarez	EuroCommerce	Member
Catherine Pons	Federation of European Aquaculture Producers (FEAP)	Member
Christine Absil	Good Fish	Member
Daniel Voces	Europêche	Member
Daniel Weber	European Fishmeal	Member
Denis Simonin	European Commission	Expert
Dora Szentpaly-Kleis	European Commission	Expert
Eduardo Míguez López	Puerto de Celeiro (OPP77)	Member
Emiel Brouckaert	European Association of Fish Producers Organisations (EAPO)	Member
Emilia Gargallo González	European Commission	Expert
Frangiscos Nikolian	European Commission	Expert
Garazi Rodríguez	Federation of European Aquaculture Producers (FEAP)	Member
Georg Werner	Environmental Justice Foundation (EJF)	Member
Guus Pastoor	Visfederatie	Member
Ignacio Fresco Vanzini	Oceana	Member



Representative	Organisation	Role
Javier Ojeda	Federation of European Aquaculture Producers (FEAP)	Member
Jean-Marie Robert	Les Pêcheurs de Bretagne	Member
Jennifer Reeves	Marine Stewardship Council (MSC)	Member
Jens Mathiesen	Danish Seafood Association	Member
Jérôme Dorgelo	Marine Stewardship Council (MSC)	Member
Joash Mathew	EU Fish Processors and Traders Association (AIPCE)	Member
José Basilio Otero Rodríguez	Federación Nacional de Cofradías de Pescadores (FNCP)	Member
Juan Manuel Trujillo Castillo	European Transport Workers' Federation (ETF)	Member
Julio Morón Ayala	Organización Productores Asociados Grandes Atuneros Congeladores (OPAGAC)	Member
Karolina Majewska	European Commission	Expert
Katarina Sipic	EU Fish Processors and Traders Association (AIPCE) / European Federation of National Organizations of Importers and Exporters of Fish (CEP)	Member
Kornilia Zafeiropoulou	European Commission	Expert
Maria Luisa Álvarez Blanco	Federación de Asociaciones Provinciales de Empresarios Detallistas de Pescados y Productos Congelados (FEDEPESCA)	Member
Marta Moren Abat	European Commission	Expert
Martina Zurli	FRUCOM	Member
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.	Member
Miguel Lizaso	European Commission	Expert
Mike Turenhout	Visfederatie	Member
Niall Gerlitz	European Commission	Expert
Nicolás Fernández Muñoz	Organización Productores Pesqueros Artesanales Lonja de Conil (OPP72)	Member
Patrick Murphy	Irish South & West Fish Producers Organisation (IS&WFPO)	Member
Paulien Prent	Visfederatie	Member
Pedro Luis Casado López	Asociación de Armadores Punta del Moral (OPP80)	Member



Representative	Organisation	Role
Pierre Commère	Association Des Entreprises de Produits Alimentaires Élaborés (ADEPALE)	Member
Pim Visser	VisNed	Member
Poul Melgaard Jensen	Danish Seafood Association	Member
Quentin Marchais	ClientEarth	Member
Roberto Carlos Alonso de Sousa	ANFACO-CECOPESCA	Member
Rosalie Tukker	Europêche	Member
Santiago Folgar Gutiérrez	Asociación de Volaneros del Cantábrico Noroeste (AVOCANO)	Member
Sean O'Donoghue	Killybegs Fishermen's Organisation (KFO)	Member
Sergio López García	Organización de Productores Pesqueros de Lugo (OPP-07-LUGO)	Member
Stylios Filopoulos	Aquaculture Advisory Council (AAC)	Observer
Thomas Kruse	Danish Fishermen P.O.	Member
Yannis Pelekanakis	Federation of European Aquaculture Producers (FEAP)	Member
Yobana Bermúdez	Asociación Española de Mayoristas, Importadores, Transformadores y Exportadores de Productos de la Pesca y Acuicultura (CONXEMAR)	Member
Zarah Bellefroid	European Association of Fish Producers Organisations (EAPO)	Member

