

# MAC

## Performance review (2019-2022)

### March 2022

**BG SEA CONSULTING**



# MAC's Performance Review (2019 – 2022)

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## Executive summary

The Market Advisory Council will enter its 7th year of operation in September 2022. Since its establishment in 2016, it has made significant progress and is generally considered to deliver sound and well-argued advice to the European Commission.

**The MAC's membership** is characterised by multiple interests, representing the entire fishery and aquaculture value chain as well as other interest groups. At the same time, the composition is not entirely balanced, since it is characterised by a significant participation of fisher's organisations and, to a lesser extent, of processors. Despite several attempts from the Secretariat, consumers are not represented.

Over the review period, **the internal procedures** have been assessed as very well established and strictly followed, enabling all members to fully participate and contribute to the internal decision-making process. Contribution to the chairs to the work of the MAC has been widely acknowledged by members, while they are bringing relevant experience and used to manage time well. The executive secretary's role is highly valued by all MAC members and partners and his qualities in terms of work capacity, synthesis and finding points of balance are widely praised.

**MAC's advice** is being considered as a very initial input into the EU's long and complex decision-making process. Its influence on the final European legislation is therefore limited, but it provides a solid common basis and a general tone on the position of stakeholders. Yet we consider that recommendations often remain quite general and not specific enough. Even when they are specific, the recommendations do not receive a concrete response from the European Commission, which usually provides considerations in terms of procedures and methods. Whereas the MAC is widely contributing to the objective of efficiency and transparency of the market as settled down in the **Common Fisheries Policy**, it could provide stronger inputs to the other objectives falling within its remit: achieving economic, social and employment benefits; making the best use of unwanted catches, defining the conditions for economical viability of the industry; and taking into account interests of consumers.

**As for its cooperation practices**, the MAC has developed solid and fruitful relationship with the European Commission services, other Advisory Councils and the European Fisheries Control Agency. Yet, improvements are possible as to cooperating with the Member States, the STECF, the European Parliament and, in general should, seek from further input from experts of the seafood market.

The MAC has devoted a considerable amount of time and effort to dealing with the various EU legislative initiatives, increasing the number of issues it deals with in recent years. It **should probably seek to focus and prioritise its work further in the coming years**. It should also reflect upon topics – outside the EU legislative movement – where its membership would bring added value, such as developing criteria around sustainability pillars or partnering with other EU food sectors.

There is an understandable desire on the part of its members to use the MAC for their specific needs and to contribute to thinking in terms of policy direction and choice, but the MAC should prioritise its contribution to selected concrete issues affecting the market, where it could really provide knowledge, expertise and added value.

## Background & methodology

In 2016, the Market Advisory Council was established as an advisory body to the European Commission and EU Member States on matters related to the EU market of fishery and aquaculture products, as determined by Article 44 of the Common Fisheries Policy. The MAC is currently composed of representatives of 61 member associations from 12 Member States, representing the entire seafood value chain (primary producers, processors, traders, retailers, trade unions), and other interest groups (environmental and development NGOs).

In the context of ongoing discussions to improve the functioning of the Advisory Councils, the MAC's Executive Committee agreed with the undertaking of an external evaluation on the performance and functioning of the MAC, in order to identify examples of good practices and shortcomings, recommendations to improve the functioning, and assess overall contribution to the objectives of the Common Fisheries Policy. The review will be focused on the internal functioning, such as operational structure, Chairs and Secretariat, and relationship with relevant partners, including the Commission, Member States and other Advisory Councils. The review shall answer the issues raised in the MAC's Terms of Reference for a Performance Review (2019-2022), which have been adopted by the Executive Committee in July 2021 (See Annex 1).

The review relies on three main sources of information:

1. Qualitative semi-directed interviews with active members (list of interviewees can be find in Annex 4) and partners;
2. Observance and attendance to MAC meetings (September 2021);
3. Online questionnaire to members and AC's secretaries (Annexes 5 and 6);
4. Analysis of MAC advices (Annex 2).

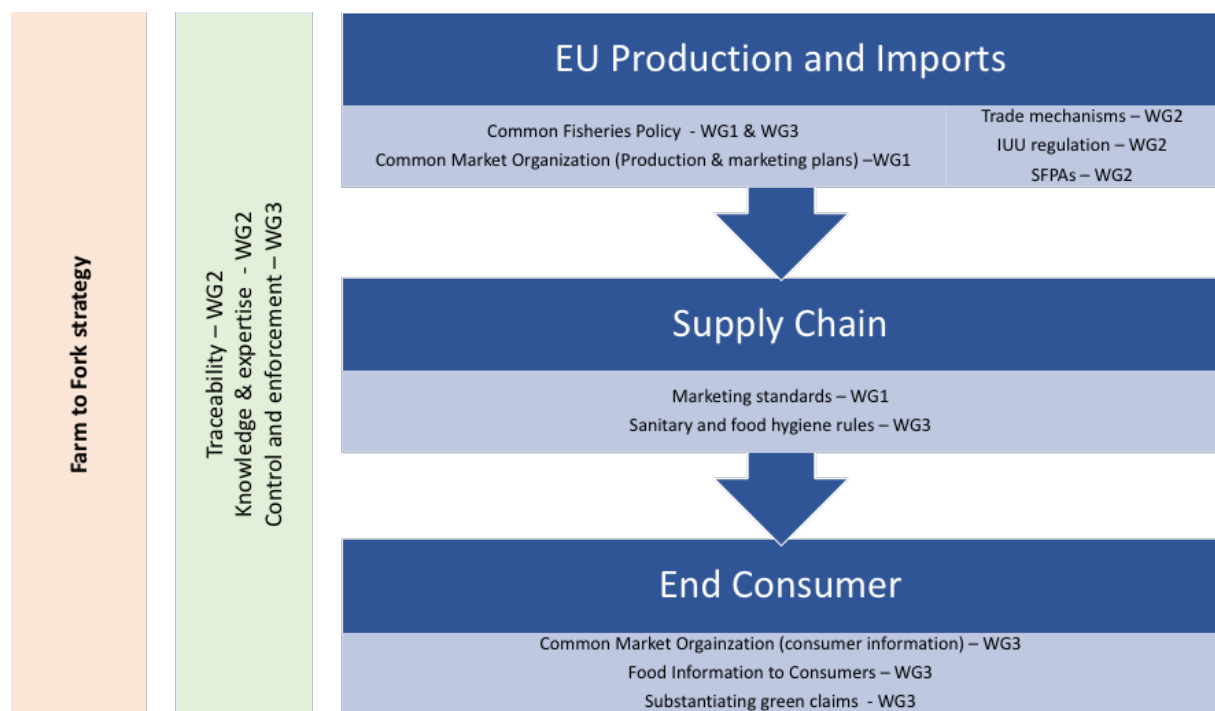
Initial interviews were conducted with MAC's active members in order to obtain an overview of internal and functioning issues (based on the sources of information listed previously, see points a) to e) of the Terms of Reference in Annex 1). In a second step further interviews were conducted with European Commission representatives that coordinate or participate in MAC work, active observers, Member State representatives, MEPs, observers and other Advisory Councils to better consider the performance of the MAC within its institutional framework.

## 1. EU Seafood market and legislative framework

“In 2020, the EU trade of fisheries and aquaculture products – combined amounts of imports and exports with third countries – was the highest in the world. It totalled EUR 31,17 billion and 8,72 million tonnes. (..) Per capita apparent consumption, estimated at 23,97 kg of live weight of mostly wild caught products, was almost stable in 2019 compared with 2018” (EUMOFA, 2021)

A number of mechanisms have been put in place by the European Union to ensure food safety and traceability from both EU production and EU imports throughout the supply chain, until finally information is given to the end consumer through required mandatory information.

The figure 1 below is proposing an overview of the supply chain – from production & imports to consumption – including corresponding EU regulation and identifying corresponding MAC’s working groups (working group 1: EU production, working group 2: markets, working group 3: EU control and sanitary issues, consumer rules).



*Schematic flow chart of the seafood supply chain with corresponding regulation from the European Union.*

The MAC's as a multi-stakeholder-led organisation is delivering advices on all these various mechanisms trying to reach consensus of its members views. Established by the Common Fisheries Policy basic regulation (Reg UE n°1380/2013), the MAC as an advisory body may (article 44):

- *“submit recommendations and suggestions on matters relating to the management of fisheries and the socio- economic and conservation aspects of fisheries and aquaculture to the Commission and to the Member State concerned, and, in particular, recommendations on how to simplify rules on fisheries management;*
- *inform the Commission and Member States of problems relating to the management and the socio-economic and conservation aspects of fisheries and, where appropriate, of aquaculture in their geographical area or field of competence and propose solutions to overcome those problems;*
- *contribute, in close cooperation with scientists, to the collection, supply and analysis of data necessary for the development of conservation measures.”*



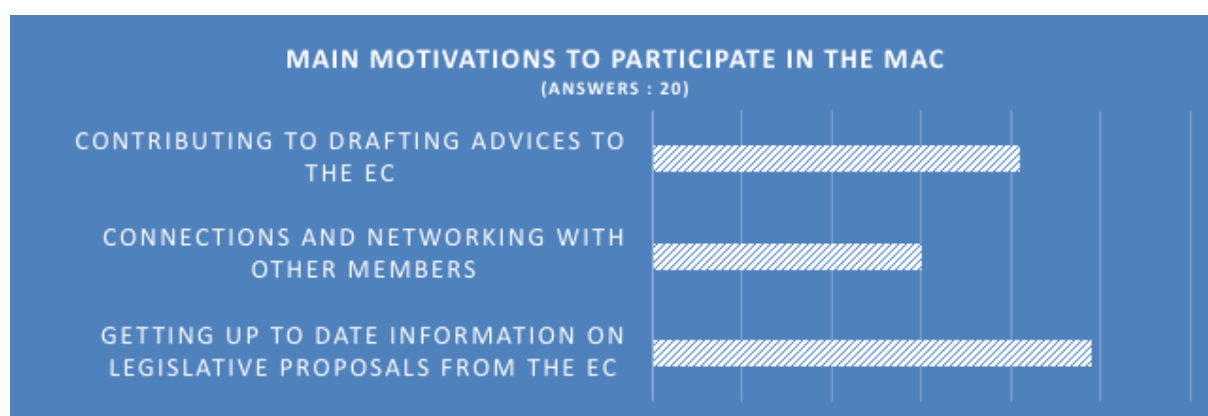
## 2. MAC Internal functioning (see also Annex 5)

Overall, a **positive dynamic** can be observed within the MAC, which is recognised by the members. Although many doubts remain about the real impact of the MAC in the overall legislative process, members consider the MAC to be important and to be doing good work. The recent influx of new members is probably a sign of this good momentum.

### 2.1 Participation in MAC meetings

A general satisfaction has been noticed from the members participating in the MAC. Though many dedicate a significant amount of time and effort (between 10 and 20 days a year for active members), they consider their commitment worthwhile, and their participation is being supported by their own constituencies.

Among the three main motivations proposed (Getting up to date information at EU level, Connections and networking with other members, contributing to drafting advice to the EC), all were considered relevant but the first option came 1<sup>st</sup> from the online questionnaire.



Though concrete outcomes from the MAC's work seem hardly identifiable, some pointed to concrete results, such as changes to the marketing plans for Producers Organisations during the COVID crisis, or use of a specific article of the EMFF Regulation for molluscs farmers.

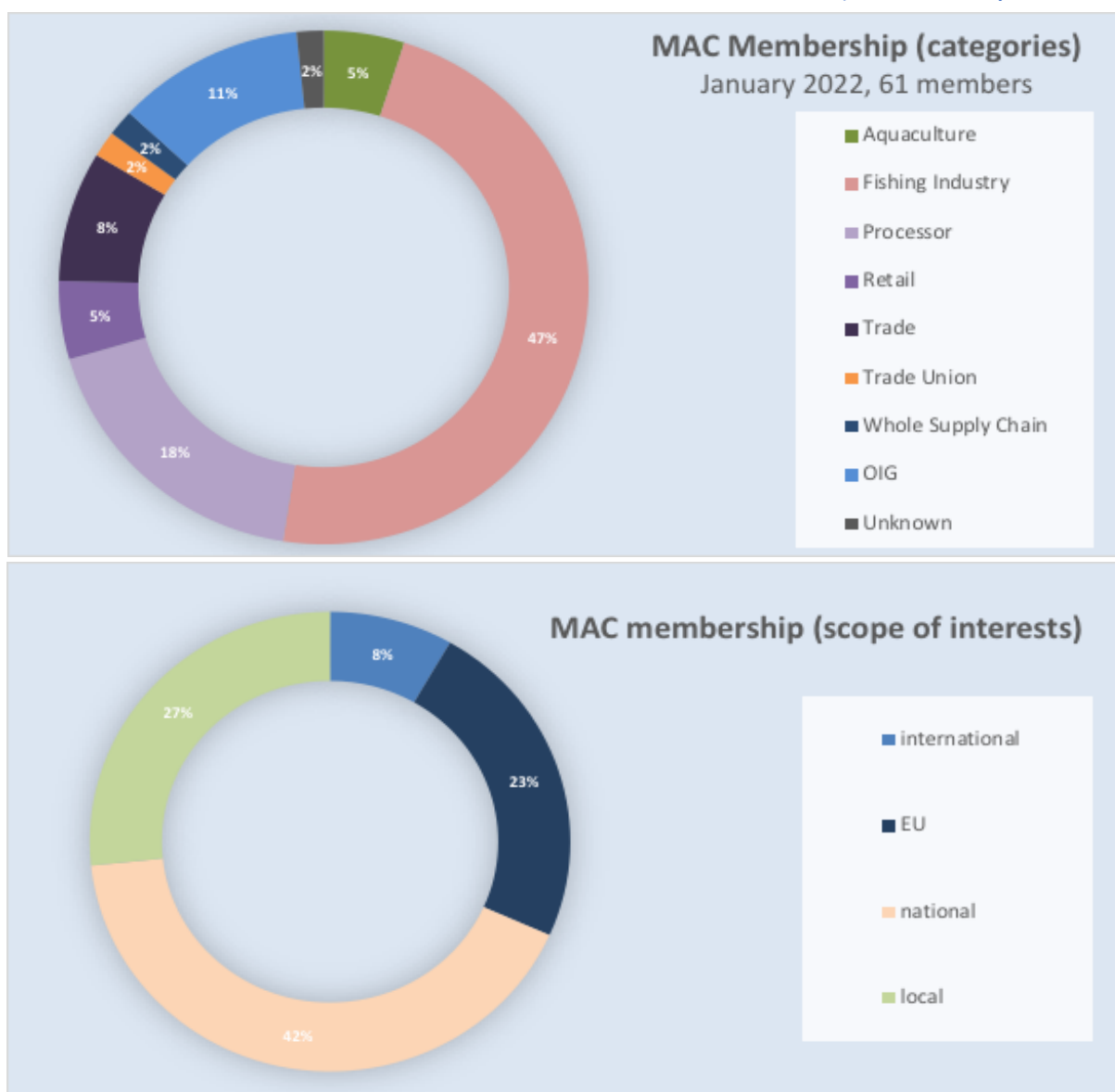
*"For us, the MAC offers a direct channel with the European Commission and European bodies." (MAC industry member)*

## 2.2 Representation of the interests

On the whole, there is a **general satisfaction about the representativity** of the whole supply chain within the MAC: from producers to retailers, including processors and traders, whereas the Other Interested Groups are also represented through NGOs. A notable exception raised is the absence of a formal representation of the consumers despite attempts from the Secretary to find representative organisations.

**Considering the balance** in the representation of the various interests, there is again a broad satisfaction with the fact that anyone has the chance to defend their interests. Some consideration is however given to the fact that some part of the supply chain (in particular producers and processors) is more represented in numbers than others, and in particular retailers being only represented by two associations (one for large and medium-size retail in Europe, one for small retail in Spain). Some consideration is also given to local association VS European ones.

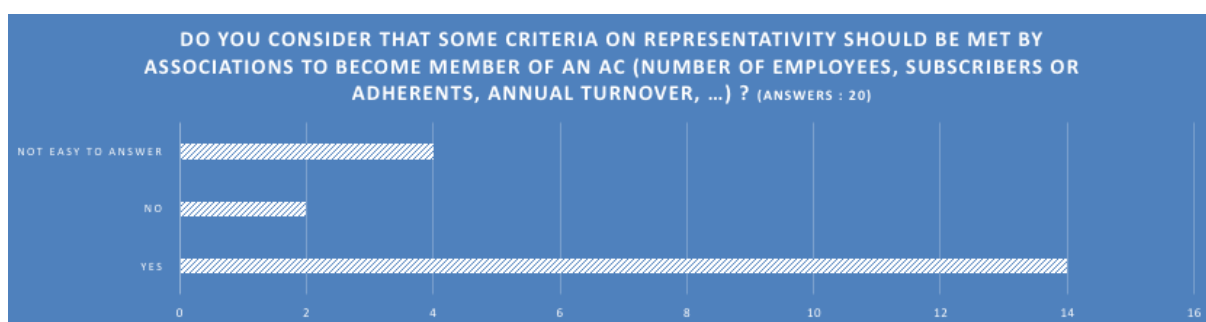
*“We have already concentrated our opinion. They are coming with single opinion, bringing national interests. It has no added value.”. (MAC industry member)*



The issue of **geographical balance** has not come as an issue for the majority of the members though some argue that there is an over-representation from southern countries. EU umbrella organisations supposedly represent wider EU interests but their own constituencies would need to be checked to properly assess the scope of their representation. Also, the **consideration seems still to fall on the western Europe** with less participation and consideration for the eastern part. **Small markets seem also to be out of the scope** of the MAC.

The predominance of the producers and processors' representation is reflected within various works and advice from the MAC which basically opposes these 2 sectors (level-playing field, marketing standards, trade, ...) around the question of EU standards Vs standards applying to import products whereas they fill more than half of the EU seafood market. It further appears as the **main opposition line within the MAC's membership**.

In the online questionnaire, a specific question was asked on the question of using **representativity criteria** and it is generally considered as a good solution though it would certainly lead to additional questions on the criteria that should be used.



It is however important to recall that under the rules of the Common Fisheries Policy, it is up to the Member States to determine the members of Advisory Councils, and to our knowledge no specific criteria are being used.

*“There are many more industry in the MAC, and not so many NGOs, even if the secretary is constantly trying to involve more NGOs.” (MAC OIG member)*

## 2.3 Running of the meetings

On the whole, the members consider the **MAC Work Programme** is covering their own priorities and everyone one has the capacity to propose any issue they find interesting. A remark was made on the fact the work programme is probably too ambitious and it actually appears that the MAC is actually trying to give input to all EU legislation linked with the seafood market (either current legislation or on-going broad initiatives as the Farm to Fork strategy) **without clear priorities given to each topic.**

As for **the preparation of the meetings**, unanimous congratulations are being given to the work made by the **Secretariat** because meetings are always well prepared, with adequate documentation, and also **clear guidance document to support the Chair** during the working group meeting. As generally observed in other ACs, **the majority of the members are silent** (information taker) while a minority is active and up to the point. According to the working groups' meetings held in September 2021, we checked that **only about one quarter of the members took the floor during a meeting** (the proportion being notably lower for the General Assembly).

*“The secretariat is working very well, its role is very important. All meetings are supported by very well-prepared content.” (MAC industry member)*

**Contributions** made during the meeting are generally considered of good quality by the members with people usually knowing the files. We have observed that interventions are indeed generally focused on the issue being dealt and trying to improve the content of the file being discussed. If there are **conflicting opinions**, the **Chair usually asks for an alternative text** to be considered, following the internal MAC “Rules of Procedures” (art 23) stating that “any changes requested must offer an alternative text where appropriate”. There may *still be an issue with members defending their opinions without bringing evidence* supporting their views. Some **conflicting issues** (imports VS EU production, sustainability criteria), discussions appear to **work in loops with opinions repeated.**

Whereas the meetings take place in a **good and professional working environment**, the **members do not feel they have a sense of ownership over the MAC.** There may be several reasons to explain this situation:

- the MAC's membership is characterised by multiple interests and various possible opposition lines (processors/traders Vs Producers, fishers/aquaculture, industry / NGO, ...).
- The Covid times does not ease the situation while meetings are only virtual since 2020, limiting face to face interactions and discussions.
- The huge and acknowledged commitment and role of the Executive Secretary in the MAC's work may also relieve members of their own responsibilities.

Some distinction should however be made for the members of the **Management Team** composed by Chairs and with a responsibility to ensure coherence and coordination.

Opinions are being debated within the Working Groups with the Executive Committee adopting recommendations and caring about the MAC's cooperation. In-depth discussion is

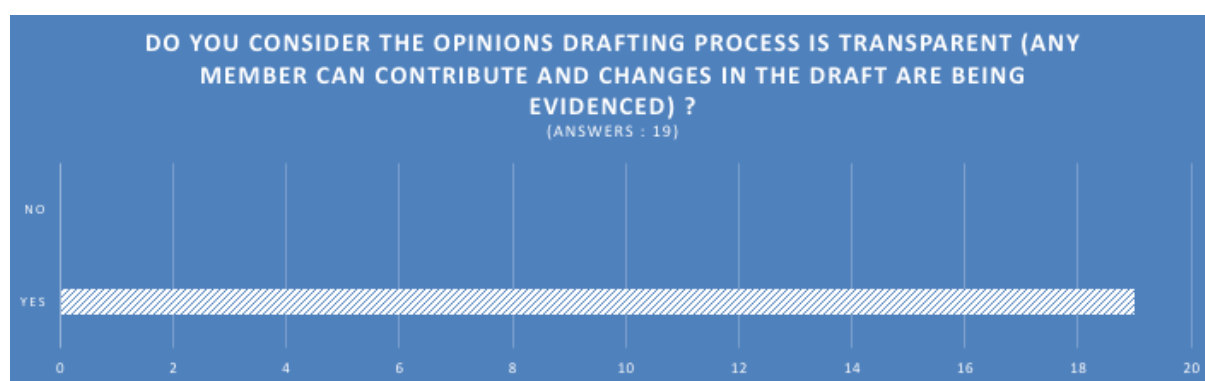
also held through the establishment of Focus Groups whose limited size enable more technical discussion without the need for members to already take position. For example, the **contentious issues of trade mechanisms are being dealt by a focus group** to try to draw the state of the play, describing regulation and different legal tools.

*“Discussion around competition between production and imports is our number 1 issue. We have made progress but not concrete recommendations. We have established a Focus Group on trade looking at all agreements. It is a good way towards a consensus view. We decided to take this in small bites.” (MAC industry member)*

Regarding observers in the meetings, there is a **general recognition that the DG MARE is participating on a regular basis to the meetings**, and the MAC recently also succeeds in getting participation from other DG as TRADE and SANTE in particular. The European Fisheries and Control Agency (EFCA) also uses to participate in MAC working group 2. MS are participating in a very limited way (with the notable of Spain usually attending all meetings), which many members regret. And as it comes to scientists, members are mainly referring to presentation of reports from the STECF.

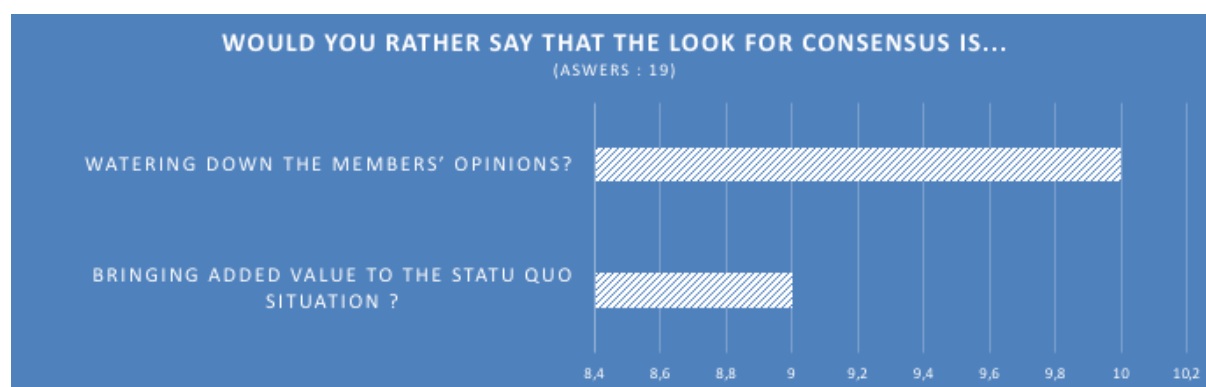
## 2.4 Advices drafting process

All members interviewed consider the process is **fully open**. The **working procedure is very well established** through the Rules of Procedure. According to the rules of procedure, besides requests for advice from the EU institutions, members can propose topics for consideration in the relevant Working Group. Proposals are considered in meetings or via written procedure. In practice, in order to collect input, the process usually starts with a questionnaire circulated to all members to a first draft proposed by the Secretariat submitted either to a Focus Group or a Working Group, then forwarded to the Executive Committee for adoption. From the online questionnaire, **all respondents indicate they consider the process is transparent**.



The **participation from members to the process vary in a certain extent from one advice to another** with some advices benefitting from a large number of contributions (such as the advice on the incorporation of sustainability aspects in the marketing standards framework), whereas others are built upon one member contribution (such as the advice on IUU fishing activities by Ghana’s industrial trawl sector). The synthesis is usually done by the Executive Secretary with supervision from the respective Working Group’s Chair. Again, the **role of the Executive Secretary is instrumental in finding the tone and the right balance**.

In terms of **consensus building**, it is clear that MAC members place a high value on consensus and the importance of achieving it. It is especially important **since many members consider it is the way the EC will take into account the MAC's advices**. Also, it is a method used to encourage members to **consider others' interests and evolve from their own and somehow restrictive perspectives**. However, from answers to online questionnaire and face to face interviews, it appears that this ambition is often watering down the members' opinions.



*"It will always revolve around a verbal formulation. We'll twist the wording but it doesn't affect our fundamental interests. On the other side, they do the same thing." (MAC industry member)*

## 2.5 Chairs' and executive secretary's performance evaluation

From both attendance to the MAC's meetings over the review period (September 2021 – March 2022) and questions asked through the on-line questionnaire (Annex 5), the performance of the MAC's chairs and the MAC's executive secretary is very positive. **Performance has been assessed along the following lines:**

Ethics - Acts independently of any stakeholder group

Professional profile - Benefits the MAC through personal and professional contacts

Competence:

- Brings relevant experience
- Ensures the group deals with the right matters

Diligence - is well prepared for chairing meetings

Chairing meetings:

- Manage time well in chairing meetings
- Sticks to the agenda
- Brings minor matters to an early close
- Encourages wider and deeper discussion of important issues
- Draws out contributions from all members
- Encourages collegiately
- Is adept of summarizing ourcomes from discussion
- ensures clarity of decision making

Within the online questionnaire filled by 21 respondents, on a range from 1 to 5 stars, the chairs have an average score of about 4,5/5 (with no major discrepancy between criteria), whereas the executive secretary received an average score of 4,8.

### 3. MAC'S ADVICES

#### 3.1 Number and quality of advices

Over the three years period considered for this review (2019-2022), 47 advices have been delivered by the MAC to the European Commission (21 advices both for Year 4 2019-2020 and year 5 2020-2021, see Annex 2).

In general, MAC's advices are clear well written and attempt to take a holistic approach to a situation. Advices are mainly **relying mostly on members' expert opinions** though scientific and legal references are regularly quoted.

*"Members try to have a reasonable amount of scientific basis as a foundation of the advice".  
(MAC OIG member)*

Over the period of the review (September 2021 to march 2022), we have also notice that the drafting of advices is based a significant number of contributions received from the



questionnaire circulated by the Executive Secretary (around 10 contributions on average). In the past, the European Commission has asked the MAC to produce shorter opinions, as they were considered too long.

The MAC **members have expressed a general**

**satisfaction** with the quality of the opinions submitted to the European Commission, with recent notable improvements. Yet, from the online questionnaire, a vast majority still consider that more can be done.

Despite an over whole really solid structure, certain MAC's **recommendations remain vague and non-specific**. Indeed, we have noticed many recommendations are rather broad and too general. See for example the following quotes:

*"e) Recognize 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;<sup>1</sup>*

*« d) Evaluate how to promote sustainable fisheries value chains at consumer levels in EU and partner countries as well as evaluate sanitary constraints and conditions; »<sup>2</sup>*

<sup>1</sup> Voluntary Sustainability Claims on Fishery and Aquaculture Products, including Ecolabels and Certification Schemes. June 2021 [LINK](#)

<sup>2</sup> Roadmap on the Evaluation of the Sustainable Fisheries Partnership Agreements (SFPAs) [LINK](#)



These recommendations do not refer to any specific action, nor can they be measured, no target can be defined. On the contrary, from the list of advices we have reviewed, specific recommendations are usually answered by the European Commission, even if the latter is not always clear enough as to whether or not they are taken into account.

### 3.2 Alignment with the adopted Work Program

We note that a significant number of opinions were not included in the adopted work programme for year 4 and year 5 (see Annex 2), even though it can be argued that these opinions fall within the responsibilities assigned to the working group.

Also, we notice that the number of identified priorities is increasing: while 12 priorities were listed in work program 4, there are 14 and 16 for work programs 5 and 6 respectively.

### 3.3 Follow-up of advices and impact

**The impact of the MAC's advices** on the decision-making process remains to be seen as the “million-dollar question” as no conclusive elements may be brought<sup>3</sup>. MAC members usually think that there are having little impact on the draft regulation proposed by the European Commission. **Some specific issues however are being quoted** where the MAC did play an instrumental role as during the COVID (with increased interventions possibility for the Producers Organisations, the art. 55 of the EMFF) or as for the EU's Code of Conduct for Responsible Business and Marketing Practices.

We also note the opinions given on EUMOFA in Year 4<sup>4</sup> where clear and specific recommendations to adapt the observatory were proposed by the MAC and the European Commission responded point by point justifying its acceptance or rejection of the recommendation.

From the interviews held with MAC's members, most of them do think that the MAC is having influence while they recognised it is impossible to measure. The score given to the MAC's advice by its members is good but still leaves space for improvement. A majority of the respondents to the online questionnaire **considered that the MAC is contributing to decision-making in the EU.**

*“It is always very difficult to properly assess. We are talking about political processes, taking time. See the advices on imports controls or flag of convenience. They don't feed an EU legislative process. But we do believe that it has impact, we do feel it has impact”*  
(MAC OIG member)

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<sup>3</sup> The external evaluation on CFP Regionalisation (EASME/EMFF/2018/011) is also unable to assess the impacts of AC's advices on the decision-making process (com. pers.)

<sup>4</sup> MAC Advice, 2019. European Market Observatory for Fisheries and Aquaculture (EUMOFA) [LINK](#)



### 3.4 Current Common Fisheries Policy framework

The **lack of a legally binding character of the AC's opinions** is stressed. This is a well-known brake on the development and confidence of stakeholders in the importance of their participation in the EU decision-making process.

Some members however underline that the **MAC's advice is a starting point also for stakeholders who will further do their own lobbying** and use the MAC's advices in the extent it serves their interests. Indeed, it is clear that the MAC's advice does not come at a critical time in the decision-making process and there are other times of the negotiation. Some argue that more influence is being gained outside the AC.

### 3.5 Keeping track of advices' recommendations

As for the replies to advice received from the European Commission, a majority of **the members consider replies from the EC are rather formal but not precise or specific enough**. Some follow-up would be appreciated either through the MAC answering to the reply or inviting the EC to comment and argue on its reply. Following some members' opinion, **replies vary depending on whether the EC already has clear idea or view about the desired direction** or if there is already a strong political direction given. In some other cases, they think there is more room for input.

*"It is difficult to establish. It is never clear. It would be useful for all ACs to have a more precise feedback from the EC saying: 'this or that opinion was used but this point was not used for this or that reason'." (MAC industry member)*

### 3.6 Contribution to the Common Fisheries Policy

As an advisory body to the European Commission, the MAC shall contribute to the objectives laid down in the basic regulation (Reg UE N°1380/2013, article 2), and in particular as it comes to the market:

*"1 The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of **achieving economic, social and employment benefits, and of contributing to the availability of food supplies.** (..)*

*5 The CFP shall, in particular: (..)*

*(b) where necessary, **make the best use of unwanted catches, without creating a market** for such of those catches that are below the minimum conservation reference size;*

*(c) provide **conditions for economically viable and competitive fishing capture and processing industry** and land-based fishing related activity; (..)*

*(g) **contribute to an efficient and transparent internal market** for fisheries and aquaculture products and contribute to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union;*

*(h) take into account the **interests of both consumers and producers;***

*"*

***“Achieving economic, social and employment benefits, and of contributing to the availability of food supplies”***: economic consideration is present in the MAC’s advices and the supply is a key issue for processors and traders who are members of the MAC (access to raw materials). The questions of social and employment benefits however is not really included in MAC’s work. Whereas we notice repetitive debates around the 3 pillars of sustainability in the MAC’s meetings, such criteria have not been operationalised.

***“Make the best use of unwanted catches”***: the MAC is delivering every year an advice to request the European Commission and Member States on the “outlets for catches below the minimum conservation size of species”, however not contributing specifically providing figures, trends or testimonies from the field.

***“Conditions for economically viable and competitive fishing capture and processing industry”***: whereas the MAC has developed a regular working relationship with STECF, requesting for a yearly presentation of its annual economic report, it is not specifically underlining the conditions the operators need to make their activity viable and competitive.

***“Contribute to an efficient and transparent internal market”***: the MAC is strongly committed to the evolution of the Marketing Standards framework and the implementation of a level playing while various advices are dealing with information to consumers (nutria-score, substantiating green claims, labelling, ...) contributing therefore to the objective of transparency. Also

***“Taking into account the interests of both consumers and producers”***: while producers are representing 52% of the MAC’s membership (see 2.2), consumers are not being represented within the MAC despite several attempt from the MAC’s Secretary to get somerepresentation on board.

<i>Achieving economic, social and employment benefits, and of contributing to the availability of food supplies</i>	<i>Make the best use of unwanted catches</i>	<i>Conditions for economically viable and competitive fishing capture and processing industry</i>	<i>Contribute to an efficient and transparent internal market</i>	<i>interests of both consumers and producers</i>

*Contribution of the MAC’s to the objectives of the Common Fisheries Policy within its remits (yellow: we have noticed specific contribution from the MAC, yet there is margin for improvement / green : there is extensive contribution from the MAC aligned with these objectives).*

## 4. MAC COOPERATION PRACTICES

### 4.1 Cooperation with the European Commission services

We noticed that relationships with the European Commission services are very close and the Executive Secretary is successful in inviting the right person in charge of the file under consideration by MAC's members (including participation from DG SANTE and DG TRADE in recent meetings). European Commission replies to MAC's advices are in general thorough and considering the various recommendations, sometimes even on a point-by-point basis.

Interviews with EC officials (see list of interviewees in Annex 4) acknowledge recent progress in the work delivered by the MAC. It was acknowledged that the MAC is quite reactive, quoting in particular advices on Brexit and impact on the market but also the informal collaboration held with MAC during the COVID-19 pandemic while trying to modify the EMFF Regulation to cope with the situation.

Answering to usual AC's doubt about the relative weight of AC's advices compared to individual organisations, the interviewees confirm they are paying increased attention to MAC's advices. Consensus is seen as a higher value, but many also emphasise that they are primarily looking for opinions and, if so, a clear understanding of any differences.

However, some criticisms were made on the fact that the MAC is trying to cover too many issues whereas it should focus on specific topics within its remit. Furthermore, it is sometimes felt that members try to use the MAC as a lobbying platform, asking the European Commission for specific action, whereas the MAC should rather give information from the field on what works and what doesn't, giving details of operations (what fish? how is it processed? where is it sold?...) or proposing solutions.

*"Sometime, advices are rather a request. Somehow there is a wrong twist on how they put their advice. (...) being a reality-check is the reason of being of the MAC." (EC official)*

### 4.2 Cooperation with STECF

Cooperation with STECF is formalised through the presentation to the MAC of the annual economic report for the fleet and the bi-annual reports for aquaculture and the processing industry. Also, the Executive Secretary and the Chair of Working Group 1 usually participate in the STECF expert group meetings as observers. In terms of contribution however, after an initial advice<sup>5</sup> pointing out certain needs in terms of data acquisition, the MAC did not follow-up on its proposal to providing "suggestions of specific analysis, including species, fleet segments, and areas, for the consideration of STECF, as well as more detailed data on aquaculture."<sup>6</sup>

### 4.3 Cooperation with Member States

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<sup>5</sup> MAC advice 23 September 2020. Data Collection by the Scientific, Technical and Economic Committee for Fisheries (STECF) [LINK](#)

<sup>6</sup> Ibid.

Although MAC opinions are sent to the Member States that co-finance the MAC, they never receive a response. It should be noted, however, that no specific recommendations are addressed to Member States.

Member States are hardly participating to MAC's meetings with the notable exception of Spain participating to all MAC's meetings as observer. Three Member States' officials have been interviewed within the frame of this review (see Annex 4).

The quality of MAC's contribution was acknowledged though it was noted that the MAC could be using more the expertise and knowledge it has rather than acting as a political body.

*"They don't use the expertise and knowledge they have. (..) ACs are a mixture of lobbying and technical advice. If they concentrate on the technical aspects, they would have much more utility." (Member State civil servant)*

The MAC could even offer more contribution to the Member States on complicated policy issues as Brexit and the landing obligation. It was also said that the MAC's work is being taken into account in the Council of the European Union. On the other hand, it was also considered that the Council of the European Union is a rather closed body whereas the European Parliament may make it even more interested in MAC activities.

#### 4.4 Cooperation with Members of the European Parliament

In accordance with the CFP Regulation, ACs provide recommendations to the European Commission and to the Member States. Therefore, there is no formal cooperation between the MAC the European Parliament. Nevertheless, advice is sent, for information purposes, to the Secretariat of the Committee on Fisheries of the European Parliament and is circulated amongst MEPs. In 2019, the MAC and the AAC, with the participation of the other ACs and the European Commission, organised an event in the European Parliament to inform newly elected MEPs about the role of ACs under the CFP.

In the case of regulatory proposals linked to the MAC's work, such as the revision of the Fisheries Control Regulation and the new EMFAF, formal exchanges took place between the MAC and the Rapporteur MEPs. The contributions were very well valued by the Rapporteur MEPs and dialogue has been maintained on the files between the Executive Secretary and the assistants of the appointed MEPs. Workshop events organised by the MAC, for example on plastics and on voluntary sustainability claims, included MEPs as keynote speakers.

It should be noted that the opinions of stakeholders are fundamental to the work of the European Parliament, as the political debate is built on these opinions, although its members cannot be bound by a specific advice.

*"When new assistants arrive, the first advice I gave was to be in constant contact with the opinions of the ACs." (MEP assistant)*

## 4.5 Cooperation with other EU Advisory Councils

The MAC has started to establish strong working relationships with other AC mainly through the secretaries' exchanges. From the on-line questionnaire circulated to all AC's secretaries (see results from the online survey in Annex 6), the secretaries from the Aquaculture AC, the North Sea AC, the North Western AC, the Long-Distance AC and the Outermost regions AC answered they are looking to work with the MAC. Yet only the Aquaculture AC and the Long-distance AC consider market to be a regular concern for their members. Interviews have been held with these 2 AC's secretaries.

**With the LDAC in particular**, there has been some friction while the LDAC had covered some market's issues in its advices<sup>7</sup>. Also, the MAC is dealing with topics the LDAC is used to cover such as the IUU regulation, or SFPAs. Both secretaries are participating as observers to the meetings of the other AC and it has helped to build a more fluid relationship which has led recently to a joint advice on flags of convenience in the fishing sector<sup>8</sup>.

**With the AAC in particular**, the exchanges are also regular and have been formalized through mainly 2 joint advices<sup>9</sup>. The AAC's executive secretary have been appointed by its executive committee to also follow the MAC's meetings.

It is also interesting to note at this stage that these two ACs respond to some of the European Commission's consultations or contribute to some of the legislative initiatives, but they also provide opinions on their own initiative, in the margin of the European Commission's work programme.

## 4.6 Cooperation with the European Fisheries Control Agency

As all other ACs, the MAC is represented within EFCA's Advisory Board, especially to provide updates on its work and to be informed of the implementation of EFCA's work. EFCA is organising "operational coordination of fisheries control and inspection activities by the Member States. Main joint activities refer to sea and landing controls, Member States are competent for control of marketing that occurs in their territory. (...) EFCA is involved in preparation of and participation to evaluation missions to Third countries under regulation 1005/2008. As regards Member States, EFCA organises capacity building sessions for Member States authorities" (P. Galache, com.pers).

EFCA representative states that he considered MAC's work as being highly valuable and EFCA is observer in MAC's Working Group 2 with specific focus on issues related to the Fisheries Control and IUU Regulations.

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<sup>7</sup> LDAC opinion, July 2020. EU autonomous tariff quotas for certain products. Tuna loins for the period 2021-2023. [LINK](#)

<sup>8</sup> Joint MAC-LDAC advice. October 2020. Fostering the European Union's leadership in reducing the detrimental impact of flags of convenience in the fishing sector. [LINK](#)

<sup>9</sup> MAC ADVICE. April 2021. Aquaculture Advisory Council's Recommendation on Labelling of Caviar [LINK](#)  
MAC ADVICE. May 2021. Analysis for Dioxins and Dioxin-like Polychlorinated Biphenyls (PCBs) in Fish Oil [LINK](#)

## 4.7 Cooperation with experts, other food sector and outside the EU

Outside the EU bodies, the MAC has not developed a specific working relationship with market experts, although they could certainly contribute concrete field expertise to support its recommendations.

As a food sector, the seafood market is also in competition with other food sectors and it would probably be useful to obtain benchmarks. We could refer in particular to the following sentence from the MAC's advice on STECF<sup>10</sup>: *"In the context of the Farm to Fork Strategy, the MAC believes that it would be relevant to assess how the seafood sector competes with other food sectors in terms of research, innovation, and product development, while taking into account the different scales of the sectors."* For example, the MAC could ally with other production sectors as far as issues as the carbon footprint, green claims or food system are concerning other sectors as well.

FAO officials attended meetings as observers. Presentations from FAO on relevant topics, such as the UN Food Systems Summit, social responsibility in fish value chains, voluntary sustainability claims, have taken place in meetings and in workshop sessions. Exchanges of views with MARE on FAO's work, particularly on the FAO's Committee on Fisheries, also take place.

Last, the FAO is carrying technical work on traceability, certification, import regulation, ... and as a highly global market there would be some point also for the MAC to get involved in these processes in a certain extent. Actually, some of MAC's members already participate to the FAO sub-committee on fish trade.



<sup>10</sup> MAC advice 23 September 2020. Data Collection by the Scientific, Technical and Economic Committee for Fisheries (STECF) [LINK](#)

## 5. TRANSPARENCY ISSUES

### 5.1 MAC's internal working procedures

MAC's internal working procedures<sup>11</sup> are well established and respected. Any interested member's organisation may therefore contribute and follow the MAC's activities.

All AC's meeting's minutes, advices and replies from the European Commission may be found easily on the MAC's website (<https://marketac.eu/>). Detailed minutes of the meetings also allow to get transparency on what has been said and by what organisation during the meetings.

### 5.2 MAC's advices

For transparency sake, it would also be relevant to **get some basic information of the advice as the origin of the advice, the main author, the contributors**. Also, while many members know each other, not all of them do, and a **directory of members** would bring more transparency to the council (a short factsheet with basic information about the member, such as their scope and interests, their board, their annual turnover, their constituencies).

### 5.3 Institutional set-up transparency

The MAC is however taking place in a wider EU institutional set-up where not all institutions are offering the same level of transparency.

**While the European Commission** publishes initial impact assessments allowing the general public to gain insight into the regulatory process, various stages of the procedure are not communicated (in particular from consultation up to the final proposal).



*Schematic process of the elaboration of a regulatory proposal by the European Commission (source : Better Regulation Guidelines).*

However, from various interviews held, it happens – depending on the will on the unit in charge of the file – that constant dialog may be maintained with a group of stakeholders or experts, including AC in some occasions.

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<sup>11</sup> MAC. 17 January 2019. Rules of Procedure for the Market Advisory Council [LINK](#)

*“We worked very closely with our unit. We worked from the start with 4-5 recommendations. They consulted the Member States and consulted us at the same time. We maintained a constant dialogue. When the communication came out, it was not 100% of what we had said, but we saw that we had contributed a lot. The members were happy”.*  
(AC Secretariat)

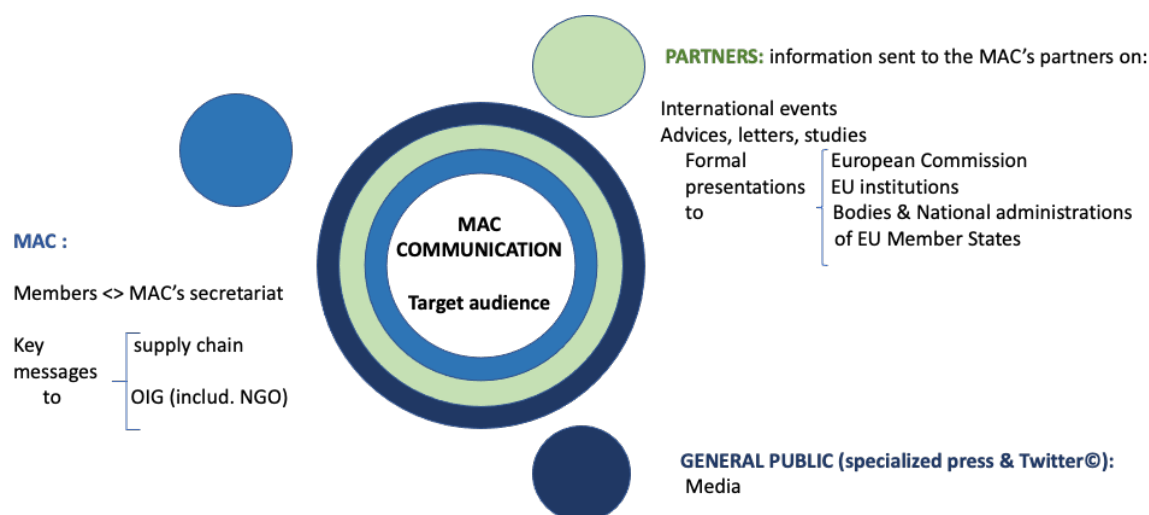
**As for the European Parliament**, meetings from the PECH committee are recorded and it is possible to watch them on-line, giving therefore insight in debates and MEP’s positions and arguments. Also, the Parliament allows to follow the legislative process through a specific [webpage](#). The European Parliament has the « Legislative Train » website where they publish a summary of the file and of the state-of-play: <https://www.europarl.europa.eu/legislative-train/>.

**As for the Council of the European Union**, part of the meetings of the AGRIFISH Council configuration are “public deliberations” recorded and available online. Other sections are not public however. Also Working Party meetings and COREPER (representatives from Member States) are not public even if draft agendas and meeting documents are generally publicly available. The Council does also include a “four-column document” in its public documents register, where it is possible to follow the initial proposal from the European Commission, the amendments proposed by the European Parliament and the ones proposed by the Council itself.



## 6. COMMUNICATION AND PUBLIC RELATIONS

Communication can be understood both in terms of internal communication, institutional communication and communication to a wider audience. These three elements can be seen as targets to which the MAC should communicate.



*The three target groups of MAC communication.*

- *MAC: corresponding to the internal communication e.g. the information flow between members and the secretariat*
- *Partners: corresponding to the information sent to the MAC's partners on behalf of the MAC, including writings (letters and advices, reports, studies), formal presentations*
- *Wider audience: corresponding to the communication to the media, the social networks and the LDAC website*

**As far as internal communication** is concerned, the flow of information is very fluid, but massive, and requires special attention from MAC members to keep up to date. In addition to EU legislative activities, it would probably be useful to disseminate to MAC members a general monitoring of seafood-related news and events, to ensure a minimum of shared knowledge. **Disseminating a newsletter on a monthly basis would help to create such common grounds.**

**Regarding communication to partners,** the MAC is sending its advices primarily to the European Commission and to the Member States that are following its activities, but also to Members of the European Parliament. The Secretariat of the EP PECH Committee follows the MAC website and includes its meetings and draft agendas in their newsletter, "the trawler". It would probably be useful - in order to build on the good technical work produced by some of the focus groups (see for example the recent study on trade mechanisms<sup>12</sup>) - to present this work in formal presentations inviting a wider institutional audience (MEPs, Member States, etc.). The MAC appears to still operate in a relatively isolated way and further connections could help to disseminate its advices, strengthen its position, grasp allies and eventually raise its profile.

<sup>12</sup> MAC report. Existing EU trade policy instruments and their impacts on the EU market for fish and fishery products [LINK](#)

**As regards communication with the general public**, few press impacts have been noticed. Two specialised Spanish newspapers are in the MAC's mailing list (Industrias Pesqueras that published several articles about the MAC's advices and IPAC acuicultura that also published articles about MAC's events and workshops). However, MAC's articles are not adapted to the press while press releases need to adopt a specific viewpoint, carrying mainly one main message. Similarly, the MAC's Twitter© account is not very active (although Twitter© should generally be 'fed' on an almost daily basis). It does not have many followers (410, compared to the LDAC Twitter© account which has 2537 followers). **The activity consists mainly of retweeting and passing on MAC activities (working group agendas and presentations, adoption of advices) with no specific story.** Yet, in order to develop its 'brand', the MAC would benefit from telling positive stories that are easily understood by a wider audience, such as collaboration within the supply chain (from fish to plate), strict import controls and win-win partnerships with third country fisheries.

## 7. FINAL REFLECTIONS AND PROPOSED ACTIONS

As we have observed during the review period (September 2021 - March 2022), we have found that the Market Advisory Council functions very effectively, producing sound and well-argued advice on all EU policy initiatives that may have an impact on the European seafood market. However, we see room for improvement for the MAC and propose in the paragraphs below some recommendations that - in our view - would improve its performance in its task of advising the European Commission and the Member States and contributing to the EU decision-making process for regulations impacting on the seafood market.

### 7.1 MAC's members responsibility

The efficient running of the MAC depends on a large part on the Executive Secretary's organising, facilitating and drafting capacities, which are well recognised and appreciated. The Executive Secretary is also writing the minutes, most advices and supporting materials. **The risk is for the members to rely too much on the Executive Secretary** and lose sight of their own role and responsibilities in the running of their council.

### 7.2 MAC's advices

Recalling that the EC is facing a difficult situation with about 300 opinions received from the different ACs in 2020 (Pascale Colson, com. Pers.). In this situation, it is easier to understand the difficulties of the European Commission to elaborate an adequate response to each advice received.

#### MAC's responsibilities

Following our assessment, a number of MAC's advices remain rather vague and not specific enough (page 14).

As pointed in the evaluation of the quality of the advices an effort could be brought **to try to make the MAC's recommendations following** the SMART approach e.g., being Specific, Measurable, Achievable, Reachable and Time-bound. From the list of advices we have reviewed, specific recommendations are usually answered by the European Commission, even if the latter is not always clear enough as to whether or not they are taken into account (see infra).

#### European Commission's responsibilities

We observe an effort made by the **European Commission to try to answer point by point** to the various recommendations formulated by the MAC though **replies focus on the processes** rather than answering to the issues being raised and giving explanation of how it will proceed. There may be some confidential reasons for this (see for example the issue of new sanitary

requirements for Brown Crab exports<sup>13</sup>, or the IUU fishing activities by Ghana's industrial trawl sector<sup>14</sup>). Also, **some suggestions are postponed to later dates** as for the thorough assessment on Article 35 of the CMO Regulation provisions and their impact for all fisheries and aquaculture products<sup>15</sup>.

The European Commission services should also make an effort in specifying the contribution they need from the MAC and give rationale for why it accepts or rejects recommendations from the MAC as it was done for the reply given to MAC's advice on EUMOFA<sup>16</sup>.

### Tracking the regulatory process

We endorse the request made in a joint-AC opinion delivered recently to DG MARE<sup>17</sup>: *"we would welcome a short summary of the way the responses have been taken into account, preferably through the policy paper/adopted legislative proposal"*.

Indeed, clear feed-back from the European Commission on files where ACs and their members have spent time and effort to reach common views is absolutely necessary for building confidence in the system and encourage the stakeholders to pursue their commitment within the ACs.

## 7.3 Narrowing scope of MAC's contributions to the EU legislative initiatives

The MAC is very productive with 21 solid advices being delivered on a yearly basis. The current workflows follow the numerous EU initiatives related to the seafood market, including the overall EU strategies (sustainable corporate governance, framework for a sustainable food system). In addition, then MAC covers topics that are only indirectly within its competence (landing obligation, IUU fishing, economic reporting on the fishing fleet, SFPAs, ...).

In a recent letter to the Advisory Councils<sup>18</sup>, the European Commission stressed that *"it is important to keep a sense of prioritisation in the planning and focus of the work. This is the best way to have your voice heard and ensure an efficient work. This is the best why it is important to carefully consider the topics and focus for meetings and recommendations, and to set priorities in relation to the strong link with the CFP."*

It could be valuable to **limit the scope of issues to be dealt by the MAC and refocus on topics pertaining to its primary responsibility such as markets' analysis, market channels, marketing of seafood products** and further anchor its advices on the reality of the business

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<sup>13</sup> Joint MAC-NSAC-NWWAC ADVICE. Production and Marketing of Brown Crab in the EU. 8 October 2021 [LINK](#)

<sup>14</sup> IUU fishing activities by Ghana's industrial trawl sector and the European Union seafood market. 11 January 2021 [LINK](#)

<sup>15</sup> Consumer Information on Fishery and Aquaculture Products. August 2020 [LINK](#)

<sup>16</sup> MAC Advice, 2019. European Market Observatory for Fisheries and Aquaculture (EUMOFA) [LINK](#)

<sup>17</sup> Subject: Joint-AC letter on contributions from Advisory Councils in Commission public consultations. 4 march 2022

<sup>18</sup> Letter from the DG MARE Director. December 2021. Better planning of meetings and streamlining of the commission participation to those meetings. [LINK](#)

reality. In that respect, MAC's advices on EUMOFA<sup>19</sup> and also the numerous contributions to the Marketing Standards<sup>20</sup> are good examples of the MAC's relevance.

Limiting MAC's contributions on the multiple policy initiatives that may affect the seafood market would on the other hand free some workforce for other own initiatives as proposed in 7.4 below.

#### 7.4 Looking for a more strategic MAC's approach

The MAC has been very active on many legislative fronts. Similarly, the recent COVID-19 pandemic has not helped to strengthen networking and create synergies and joint innovative proposals from members. Looking to the (hardly foreseeable) future, the MAC's would benefit from focusing its energies and building on its wide network.

##### Own initiatives to be developed

Taking into account the wide scope covered by the MAC's members and aside from the focus on EU regulation, the MAC's network could enable to build new synergies between different actors of the EU supply chain, including NGOs.

For example, **to better understand how value chains work**, it would probably be interesting to have open exchanges with operators of the different types of supply chains that exist in Europe. In summary, we can observe in Europe countries targeting mainly demersal species, such as Spain, France or Belgium, with limited vertical integration, compared to countries with an important pelagic sector, such as the Netherlands, the Baltic States, where vertical and horizontal integration is common<sup>21</sup>. Within such discussion the role of processors and importers may also be thrown into relief as complementing the insufficient EU producers' supply.

As another example, the majority of members responding to the online questionnaire (Annex 5) were in favour of the **MAC organising other events such as study trips** visiting processing plants, auctions, farm visits, site visits, ... in order to better understand the reality of each country<sup>22</sup>.

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<sup>19</sup> MAC Advice, 2019. European Market Observatory for Fisheries and Aquaculture (EUMOFA) [LINK](#)

<sup>20</sup> MAC Advice. July 2019. EU marketing standards for fishery and aquaculture products: Regulations 2136/89 and 1536/92 (Processed products) [LINK](#) MAC Advice. EU marketing standards for fishery and aquaculture products: Regulations 2136/89 and 1536/92 (Fresh products) [LINK](#) MAC Advice. February 2021. Public Consultation - Review of the Marketing Standards Framework for Fishery and Aquaculture products [LINK](#) MAC ADVICE. October 2021. Incorporation of Sustainability Aspects in the Marketing Standards Framework. [LINK](#)

<sup>21</sup> Study 2019. Research for PECH Committee - Seafood Industry Integration in all EU Member States with a coastline [LINK](#)

<sup>22</sup> Recent AIPCE-CEP Seafood Trade Symposium (December 2021) is probably a good example of bridging business realities with EU regulation, even if virtual due to the COVID-A9 pandemic.

## Focus on level-playing field

The issue of fair competition between operators is an important underlying issue for MAC members. In that respect, **MAC's advice on a level-playing field<sup>23</sup> probably enabled to draw some clear lines around sensitive regulations** for operators through a global and holistic approach (including among others trade mechanisms). It would make sense to follow-up on this advice and look for common grounds among MAC's members.

*« Importing products into the European market that do not abide by the EU's own production standards is inconsistent from every perspective, whether economic, environmental or food-related. Taking action to ensure that standards are reciprocal is a considerable task, and one that is at the top of the French presidency's priorities. » (Julien Denormandie, French Minister for Agriculture and Food, Agriculture and Fisheries Council, 17 January 2022*

## Seafood market as a food sector

There is one obvious and shared objective among the MAC's members which is to improve the seafood market in various dimensions. When it comes to consumer, seafood is to be compared with other protein sources following multiple personal criteria (price, conveniency, dietetics, taste, ...). It would probably be relevant **for the MAC to also position itself as a representative of this market, identifying its strengths and weaknesses through a comparison with other major food sectors.**

## Market's sustainability criteria

The issue of sustainability is everywhere in the seafood sector (as in other food sectors) from the Farm to Fork strategy, to NGOs' campaigning against or with the big retailers, to the EU Common Fisheries Policy. It is also a strong matter of concern for various trade mechanisms (considering not only the environmental dimension but also forced labour, human rights, ...). In that respect recent MAC's advice on the "Incorporation of Sustainability Aspects in the Marketing Standards Framework"<sup>24</sup> could set the ground for a more detailed and in-depth work from the MAC on implementable criteria to be used.

## 7.5 Cooperation and networking

Some improvement may be found through partnerships with experts within scientific projects the MAC could participate to as approved by a majority of the members (following answers to the online questionnaire, see Annex 5).

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<sup>23</sup> MAC ADVICE. September 2019. Level-playing field [LINK](#)

<sup>24</sup> MAC ADVICE. October 2021. Incorporation of Sustainability Aspects in the Marketing Standards Framework. [LINK](#)

## 7.6 Proposed actions to strengthen MAC's activities

### LIST OF PROPOSED ACTIONS TO BE IMPLEMENTED BY THE MAC

Adopt recommendations following the SMART approach **e.g., being Specific, Measurable, Achievable, Reachable and Time-bound**

Develop jointly with the relevant services of the European Commission a template for the AC's opinions and the European Commission's replies, **justifying the inclusion or rejection of the proposed recommendations.**

Work on a work program for Year 7 including a more limited number of priorities organised through a more strategic approach **with increase time to work on SMART recommendations for each advice. From the review, some core strategic topics may be further developed:**

**Follow-up on the advice delivered on Level-playing field, and identify common grounds for MAC's members to work on.**

**Develop a schematic flow chart of the EU seafood value chain and identify key features to be compared with other food sector.**

**Follow-up on the work around sustainability criteria to be implemented both for EU production and seafood imports.**

Develop MAC's own initiatives, organising events or thematic workshops on concrete realities from the field operators, **inviting experts, Member States and EU bodies as it was done for production and marketing plans<sup>25</sup> but covering the whole supply chain.**

Looking for partnership with seafood experts and scientists **(through EU funded projects for example) as to strengthen MAC's work and analysis.**

## 7.7 Monitoring progress

While the MAC requests an external evaluation of its functioning, it appears obvious to set objectives against which the MAC shall assess its own performance. This self-assessment and monitoring of progress cannot be done without specifying milestones and indicators (either quantitative or qualitative). In that purpose, considering human- and budgetary constraints, the MAC should further focus its actions and activities on a limited list of priorities that need to be set by its General Assembly.

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<sup>25</sup> MAC Guidelines & Good Practices: Production & Marketing Plans. 2019 [LINK](#)

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+ Numerous documentation produced by the MAC: <https://marketac.eu>



## **Annex 1 – Terms of reference for the MAC Performance Review (2019 – 2022)**

In 2020, the European Commission initiated discussions on improving the functioning of the Advisory Councils, aiming to ensure smooth functioning and a balanced representation of all stakeholders in the fields of fisheries and aquaculture. In this process, taking into account that the Advisory Councils, as bodies pursuing a goal of common EU interest, are granted financial support, the Commission recognised the importance of regular monitoring and evaluation of their functioning through external, regular and independent performance reviews.

At the 14 May 2021 meeting, in the context of an exchange of views on a MARE paper on suggestions to improve the functioning of the Advisory Councils, the Executive Committee agreed with the undertaking of an external evaluation on the performance and functioning of the MAC. The review should consider the methodology of reviews previously undertaken by other Advisory Councils. At the 6 July 2021 meeting, the Executive Committee provided further guidance on the exercise and agreed with the necessary financial expenditure. As an action item, the Secretariat would prepare terms of reference for approval.

### **Objectives**

- Perform an external and objective assessment of the functioning of the internal bodies of the MAC, including General Assembly, Executive Committee, Working Groups, and Focus Groups. Ad hoc events (e.g., workshops and seminars) should also be covered.
- Identify examples of good practices and shortcomings, list of recommendations aiming at improving the functioning, and overall contribution to the objectives of the Common Fisheries Policy.
- Tackle or reply to specific issues raised in the Terms of Reference.

The review will not include aspects of administration and finance already subject to annual auditing.

### **Topics of Review**

#### **a) Functioning of the Working Groups and the Executive Committee**

- i) Relevance and coverage of the addressed topics
- ii) Organisation of the meetings
- iii) Participation and evidence-based input from members (both orally at the meetings and in writing through consultations)

#### **b) Decision-making process**

- i) Openness of the process to members
- ii) Adequate time for discussion, consultation and adoption of drafts
- iii) Reflection of the consensus views of the members in advice
- iv) Reflection of minority and diverging views in advice
- v) Underpinning of advice with factual evidence, policy and/or science
- vi) Use of written consultations and of urgent consultations
- vii) Working environment (e.g., respect and professional behaviour)

c) Representation of different interests

- i) Balance between sector organisations and other interest groups
- ii) Balance within the category of sector organisations (catching, aquaculture, processors, traders, retailers and trade unions)
- iii) Balance between small and large organisations
- iv) Geographical representation
- v) Common identity and sense of ownership
- vi) Added value of membership and participation

d) Performance of MAC Chair, Vice-Chairs, Working Group Chairs and Secretariat

- i) Fulfilment of duties and responsibilities
- ii) Leadership, impartiality, and work environment
- iii) Deliverance of work programme, optimisation of budgetary resources, timely transmission of documents and information, compliance with rules of procedure

e) Relationship with the European Commission

- i) Satisfaction with the official replies
- ii) Cooperation, including attendance in meetings, with the relevant Commission services (e.g., MARE, TRADE, SANTE, STECF)
- iii) Provision of adequate time by the Commission for response to consultations and requests of advice
- iv) Provision of adequate information on relevant upcoming initiatives
- v) Influence of advice on EU policy-making

f) Relationship with the Member States

- i) Reaction to advice
- ii) Participation in meetings & financial support
- iii) Engagement of national stakeholders

g) Relationship with other Advisory Councils

- i) Cooperation and topics of common interest
- h) Contribution to the objectives of the Common Fisheries Policy
- i) Long-term environmental sustainability, socio-economic benefits, availability of food supplies
- ii) Efficient and transparent internal market & level-playing-field

i) Transparency

- i) Publication and accessibility (to the members and to the general public) of documents on the website
- ii) Information on membership composition
- j) Communication & Public Relations
- i) Reputation and image of the MAC
- ii) Use of social media and official website
- iii) Efforts to attract new membership applications
- iv) Representation at external meetings

## Annex 2 – list of MAC’s advice over the review period (2019-2022)

	Issue	description	link with the WP
WP6	15/02/2022 <a href="#">Sustainable Food System Framework Initiative</a>		2.Farm to Fork strategy (WP6)
	18/10/2021 <a href="#">EU-Ukraine FTA</a>	Renegotiation of Market Access under the EU-Ukraine Deep and Comprehensive Free Trade Agreement	13.Trade agreement & Trade policies (WP6)
	15/10/2021 <a href="#">Marketing Standards Sustainability</a>	Incorporation of Sustainability Aspects in the Marketing Standards Framework	4.Marketing standards framework (WP6)
	08/10/2021 <a href="#">Flags of Convenience</a>	Fostering the European Union’s leadership in reducing the detrimental impact of flags of convenience	5.IUU Fishing & Global governance (WP6)
	08/10/2021 <a href="#">Production &amp; Marketing of Brown Crab</a>	Production and Marketing of Brown Crab in the EU	2.3Brexite and implications for the market (WP5)
	08/10/2021 <a href="#">Health &amp; Environmental Value of Seafood</a>	Health and Environmental Value of Seafood	6.Health and Environmental Value of Seafood (WP5)
WP5	22/07/2021 <a href="#">Labelling of Vegetarian and Vegan Fish Imitations</a>	Labelling of Vegetarian and Vegan Fish Imitations	NOT IN THE WP
	15/06/2021 <a href="#">Voluntary Sustainability Claims</a>	Voluntary Sustainability Claims on Fishery and Aquaculture Products, including Ecolabels	13.Substantiating Green Claims (WP6 not 5)
	11/06/2021 <a href="#">Brexite</a>	Withdrawal of the United Kingdom from the European Union	2.3Brexite and implications for the market (WP5)
	28/05/2021 <a href="#">Food Supply Contingency Plan</a>	Contingency Plan for Ensuring Food Supply and Food Security	1.Farm to Fork strategy (WP5)
	28/05/2021 <a href="#">Code of Conduct for Responsible Business</a>	Code of Conduct for Responsible Business and Marketing Practices	NOT IN THE WP
	25/05/2021 <a href="#">PCBs in Fish Oil</a>	Analysis for Dioxins and Dioxin-like Polychlorinated Biphenyls (PCBs) in Fish Oil	NOT IN THE WP
	14/04/2021 <a href="#">Biodiversity Strategy</a>	Illegal, Unreported and Unregulated Fishing and the European Union’s Biodiversity for Aquaculture	7.Biodiversity strategy (WP5)
	14/04/2021 <a href="#">AAC Recommendation on Labelling of Caviar</a>	Aquaculture Advisory Council’s Recommendation on Labelling of Caviar	NOT IN THE WP
	14/04/2021 <a href="#">UK Unpurified Molluscs</a>	Import of live unpurified bivalve molluscs from the United Kingdom	2.3Brexite and implications for the market (WP5)
	18/03/2021 <a href="#">EU Promotion Programme</a>	Roadmap on the EU Promotion Programme for Agricultural and Food Products	NOT IN THE WP
	09/03/2021 <a href="#">Evaluation of Sustainable Fisheries Partnership Agreements</a>	Roadmap on the Evaluation of the Sustainable Fisheries Partnership Agreements (SFPAs)	NOT IN THE WP
	08/03/2021 <a href="#">2020 Implementation of Landing Obligation</a>	Annual Report on the Implementation in 2020 of the Landing Obligation	NOT IN THE WP
	23/02/2021 <a href="#">Revision of Food Information to Consumers Regulation</a>	Roadmap on the Revision of EU Regulation on the Provision of Food Information to Consumers	NOT IN THE WP
	17/02/2021 <a href="#">Revision of Food Information to Consumers Regulation</a>	Roadmap on the Revision of EU Rules on Food Contact Materials (FCMs)	NOT IN THE WP
	04/02/2021 <a href="#">Public Consultation on Marketing Standards</a>	Public Consultation - Review of the Marketing Standards Framework for Fishery and Aquaculture	5.Marketing Standards Framework (WP4)
	22/01/2021 <a href="#">Roadmap on Food Supply Contingency Plan</a>	Roadmap on the Contingency Plan for Ensuring Food Supply and Food Security	NOT IN THE WP
	11/01/2021 <a href="#">IUU Fishing by Ghana</a>	Illegal, unreported and unregulated (IUU) fishing activities by Ghana’s industrial trawl	NOT IN THE WP
	11/12/2020 <a href="#">Plastics and Seafood Supply Chain</a>	Plastics and the Seafood Supply Chain	NOT IN THE WP
	11/12/2020 <a href="#">COVID-19 Pandemic</a>	Impact and Mitigation of the COVID-19 Pandemic on the Seafood Supply Chain	8.COVID-19 PANDEMICS
	10/12/2020 <a href="#">Substantiating Green Claims</a>	DG ENV’s Public Consultation on a Potential Legislative Proposal on Substantiating Green Claims	NOT IN THE WP
WP4	10/12/2020 <a href="#">Nutri-Score Labelling on Fish Products</a>	Nutri-Score Labelling on Fish Products	1.Farm to Fork strategy (WP5)
	09/12/2020 <a href="#">Sustainable Blue Economy</a>	Multi-AC advice on the “Maritime sector – a green post-COVID future” Roadmap	NOT IN THE WP
	28/09/2020 <a href="#">Import Control Schemes in Major Market States</a>	Better Alignment of Import Control Schemes in Major Market States	Level playing field (WP4)
	23/09/2020 <a href="#">Data Collection by STECF</a>	Data Collection by the Scientific, Technical and Economic Committee for Fisheries (STECF)	Collaboration with STECF (WP4)
	10/09/2020 <a href="#">Clarifications on EUMOFA Studies</a>	Clarifications on MAC Advice on EUMOFA Case Studies	NOT IN THE WP
	05/08/2020 <a href="#">Consumer Information on Fishery and Aquaculture Products</a>	Consumer Information on Fishery and Aquaculture Products	NOT IN THE WP
	15/07/2020 <a href="#">Single Use Plastics Directive and Fishing for Litter</a>	Implementation of the Single Use Plastics Directive and operational aspects of the Fishing for Litter	Plastics (WP4)
	11/05/2020 <a href="#">EUMOFA Case Studies</a>	Suggestions of case studies on price structure analysis via EUMOFA	NOT IN THE WP
	15/04/2020 <a href="#">2019 Annual Report on the Implementation of the Landing Obligation</a>	European Commission’s request on the Annual Report on the Implementation in 2019 of the Landing Obligation	Landing obligation and implications for the market (WP4)
	16/12/2019 <a href="#">Testing for Cadmium Levels in Brown Crab Exported to People’s Republic of China</a>	Testing for Cadmium Levels in Brown Crab Exported to People’s Republic of China	NOT IN THE WP
	05/12/2019 <a href="#">EMFF Funding for Scientific Research Projects</a>	EMFF Funding for Scientific Research Projects	Future funding priorities for EMFF (WP4)
	22/11/2019 <a href="#">PCBs in Fish Oil Batches</a>	Analysis for the presence of dioxins and dioxin-like polychlorinated biphenyls (PCBs) in fish oil	NOT IN THE WP
	21/11/2019 <a href="#">Roadmap on Trade &amp; Development Agreements with ACP Countries</a>	Roadmap on “Trade & development agreements with African, Caribbean & Pacific countries”	Trade agreements (WP4)
	09/10/2019 <a href="#">Review of the State Aide Framework</a>	Review of the State Aid Framework applicable to the Fishery and Aquaculture Sector	NOT IN THE WP
	03/10/2019 <a href="#">Scientific Denomination Changes to Certain Fish and Cephalopods Species</a>	Scientific Denomination Changes to Certain Fish and Cephalopods Species	NOT IN THE WP
	30/09/2019 <a href="#">EUMOFA</a>	European Market Observatory for Fisheries and Aquaculture (EUMOFA)	NOT IN THE WP
	30/09/2019 <a href="#">Level Playing Field</a>	Level Playing Field	Level playing field (WP4)
	26/09/2019 <a href="#">Horizon Europe Co-Design 2021-2024</a>	Public Online Consultation on Horizon Europe Co-Design 2021-2024	NOT IN THE WP
	12/07/2019 <a href="#">Marketing Standards (Processed Products)</a>	EU marketing standards for fishery and aquaculture products: Regulations 2136/89 and 2406/96	NOT IN THE WP
	28/03/2019 <a href="#">Marketing Standards (Fresh Products)</a>	EU marketing standards for fishery and aquaculture products: Regulations 2406/96 and 2136/89	NOT IN THE WP
	27/02/2019 <a href="#">EMFF proposal</a>	European Maritime and Fisheries Fund	Future funding priorities for EMFF (WP4)
	12/11/2018 <a href="#">EU Fisheries Control System</a>	EU Fisheries Control System	Revision of control regulation (WP4)

## Annex 3 – Interview guidance

### MAC's members interview guidance

#### **Your participation in the MAC**

- What company/sector do you represent?
- Your motivations, reasons. What do you expect of your participation?
- Personal dedication (number of days / year) / How do you prepare your participation/intervention in the MAC's meetings?
- Do you usually forward MAC's information to your own members?
- Return on investment

#### **Representation of different interests**

- Do you think that all interests at stake are being well represented? (categories)
- How do you consider the balance between the different categories of sector organizations (catching, aquaculture, processors, traders, retailers and trade unions), small and large organizations (considering participation, influence, expertise ...)?
- How do you consider the geographical representation within the MAC?
- Would you like to have more information about the other MAC members?

#### **Running of meetings**

- Do the meetings cover your own priorities? Did you ever propose an issue to the MAC workstream?
- Quality in the preparation of meetings: documents, previous discussion, ...
- How do you judge the quality of contributions made during the meeting (bringing evidence)?
- Level of trust among MAC members. Do you consider there is a common identity and sense of ownership?
- Have you ever disseminated confidential information during a MAC meeting? Are there some issues of relevance for the MAC you prefer not to deal within ACs' meetings?
- Have there been any specific issues you remember where you have compromised from your organization genuine interest for the sake of the consensus? (quote example)
- Are you satisfied with the level of participation from observers (EC, MS, scientists & experts)?

#### **Opinions drafting process**

- How far is the process open to members?
- Do you consider adequate time is given? Are you happy with the procedure for urgent consultation?
- In the case of diverging opinions, how far do you think members should look for consensus? Would you prefer the advice rather to express diverging views? Are these views (consensus, majority, minority) adequately reported in the advice
- Do you consider the process is transparent?

#### **Quality of opinions submitted and relations with European organizations**

- Do you consider the advices are well underpinned by evidence (policy, scientific elements, reality-check)?
- Effectiveness of advices for the evolution of draft regulations? Do you consider the MAC is contributing to long-term environmental sustainability, socio-economic benefits, availability of food supplies?

- Do you see other ways the MAC could exercise its influence?
- Aside from sending advices, Do you see any other useful features of the MAC for you?
- Are you satisfied with the level of participation of the EC services (MARE, TRADE, SANTE, STECF)?
- Do you consider Member States should be more involved in the MAC's work?
- Are you satisfied with replies from the EC? Do you usually receive a rationale why the European Commission incorporate / do not incorporate recommendations / advice from the Advisory Council on a timely basis?

**Have you managed to observe any improvements in the running of the MAC? Regarding advices submitted?**

## Member States' representatives' interview guidance

### EU and national seafood market Work streams

- To your opinion what are the main trends of the EU seafood market that need to be considered from a regulatory perspective?
- Are you interested to receive stakeholders' input?
- How do you organize the stakeholders' consultation at the national level?
- What should be the MAC main areas of work?

### MAC

- Do you have any clear views of what the MAC is doing?
- Do you participate in the MAC meetings? (if positive, what are your motivations)
- Do you read the MAC advices?
- What is your opinion on these advices? (quality, bringing evidence, bringing innovative opinions, ...)
- Are the advices relevant for your own work? What added value compared to the stakeholders' consultation at a national level?

### Institutional set-up

- Do you have specific views on the role of the MAC in the EU decision-making process?
- Do you think that the Council should collaborate with the MAC?
- Do you think MEP should follow the MAC's work?

## Members of the European Parliament's interview guidance

### The seafood market in the EU

- In your opinion, what are the main trends in the European seafood market that need to be taken into account from a regulatory point of view?
- How do you consult with stakeholders? What kind of information/contribution do you expect from them?

### **Market Advisory Council**

- Do you have a clear view of what the MAC does?
- Have you ever participated in MAC meetings?
- Do you read MAC advice?
- What is your opinion of the advice produced by the MAC?
- Is the advice relevant to your own work?

### **Institutional structure**

- Do you have an opinion on the role of the MAC (and CAs in general) on the decision-making process within the EU?
- Should the role of the MAC (and of CAs in general) be limited to providing advice to the European Commission and Member States upstream, i.e., during the preparation of regulations?
- Do you think that the European Parliament could collaborate more with the MAC (and CAs in general)? If so, how?

## **Advisory Councils' secretaries' interview guidance**

### **EU seafood market and collaboration with the MAC**

- In your opinion, what are the main trends in the EU seafood market that need to be taken into account from a regulatory perspective?
- What kind of collaboration does the LDAC/AAC have with the MAC? (at Ex Sec level)
- Do you read the opinions of the MAC?
- What is your opinion on these opinions? (quality, provision of evidence, provision of innovative views, ...)
- Are the opinions relevant to your own work?

### **Institutional structure**

- - Do you have any specific views on the role of the MAC in the EU decision-making process?
- - Do you think the Council should cooperate with the MAC?
- - Do you think MEPs should follow the work of the MAC?

## **Seafood market's experts' interview guidance**

- To your opinion what are the main trends of the EU/national seafood market that need to be considered from a regulatory perspective? e.g., what needs to be regulated in particular
- Do you have in mind concrete example of how the regulation is impacting the market?
- Do you see ground for stronger cooperation throughout the supply chain (producers / processors / retailers)? And possibilities for the supply chain to collaborate with NGOs?
- Would you say the EU products are directly competing with seafood imports?

### EFCA's interview guidance

- Are there some EFCA activities linked to the compliance with CMO regulation (1379/2013), and in particular the articles 34 to 38 e.g., Compliance with common marketing standards / Mandatory information / commercial designation? Could you quote some concrete examples?
- How is EFCA contributing to the control of imported products from third countries following EU Reg 1005/2008 (catch certification scheme / carding system / penalties for EU nationals)? Could you quote some specific examples?
- Do you read MAC's advices on these issues?
- What kind of information from stakeholders would help your work on these matters?



## Annex 4 – list of interviews held over the review period

### MAC's members

<b>VISNED</b>	Pim Visser
<b>KFO</b>	Sean O'Donoghue (Vice-Chair/WG1)
<b>EAPO</b>	Emiel Brouckaert
<b>EUROPECHE</b>	Daniel Voces
<b>OP PdB</b>	Jean Marie Robert
<b>FEAP</b>	Benoit Thomassen (WG3)
<b>FEAP / APROMAR</b>	Javier Ojeda
<b>EMPA</b>	Bruno Guillaumie
<b>OPP - 72</b>	Nicolas Fernandez
<b>Federación de Asociaciones Provinciales de Empresarios Detallistas de Pescados y Productos Congelados (FEDEPESCA)</b>	Maria Luisa Alvarez Blanco
<b>ANFACO</b>	Juan Manuel Vieites Baptista de Sousa
<b>Association Des Entreprises de Produits ALimentaires Élaborés (ADEPALE)</b>	Pierre Commère (WG2)
<b>Vidfederatie / AIPCE</b>	Guus Pastoor (chair)
<b>EUROCOMMERCE</b>	Carla Valeiras
<b>Danish Seafood Association</b>	Poul Melgaard Jensen (FG TRADE)
<b>Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.</b>	Matthias Keller
<b>MSC</b>	Jennifer Reeves
<b>GoodFish</b>	Christine Absil (Vice-Chair)
<b>ClientEarth</b>	Quentin Marchais
<b>Enviromental Justice Foundation (EJF)</b>	Georg Werner

EC officials, Member States representatives, Members of the European Parliament, Advisory Councils' secretaries, Seafood market's experts, EFCA

<b>MARE - A4</b> Economic Analysis, Markets and Impact Assessment	Frangisco Nikolian (Head of Unit) Laurene Joly Gerd Heinen Christophe Vande-Weyer
<b>MARE - B3</b> International Ocean Governance and Sustainable Fisheries - Trade Negotiations and Sustainable Fisheries Partnership Agreements	Pawel Szatkowski Marta Moren-Abat
<b>MARE - D3 - Fisheries Policy Mediterranean and Black Sea - CFP and Structural Support, Policy Development and Coordination</b>	Pascale Colson
<b>MARE - A2 - Maritime Policy and Blue Economy - Blue Economy Sectors, Aquaculture and Maritime Spatial Planning</b>	Emilia Gargallo-Gonzalez
<b>TRADE E3 - Neighbouring Countries, Industry, Goods, Regulatory Cooperation and Public Procurement - Industry, Goods, Energy, Customs and Origin</b>	Nuria Navarro Diaz.
<b>Spain</b>	Juan Manuel Elice Antonio Lizcano
<b>Croatia</b>	Mirta Novak
<b>Ireland</b>	Dominic Rihan
<b>Members of the European Parliament</b>	Pierre Karleskind (Renew Europe) Konstantinos Kalamantis (ass. G. Mato, PPE) Maria Luisa Sevilla Andrada (ass. Clara Aguilera, S&D)
<b>AC</b>	Cecile Fouquet (AAC) Alexandr Rodriguez (LDAC)
<b>Seafood experts</b>	Benoit Vidal-Giraud and Pierre-Etienne Rollet (Via Aqu) Alexander Wever (AWF consulting)
<b>EFCA</b>	Pedro Galache
<b>Journalist</b>	Quentin Bates (Fiskerforum)

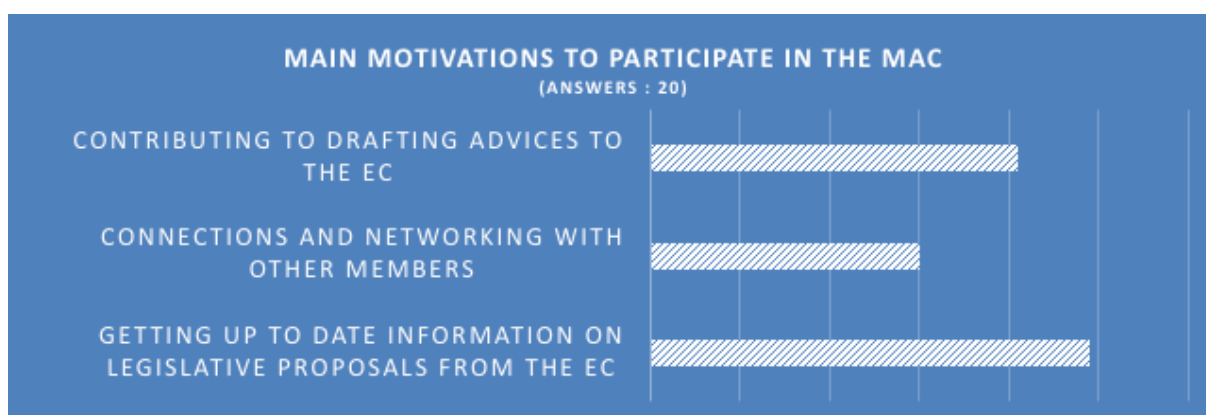


## Annex 5 – Synthesis from interviews + on-line survey

### Your participation in the MAC

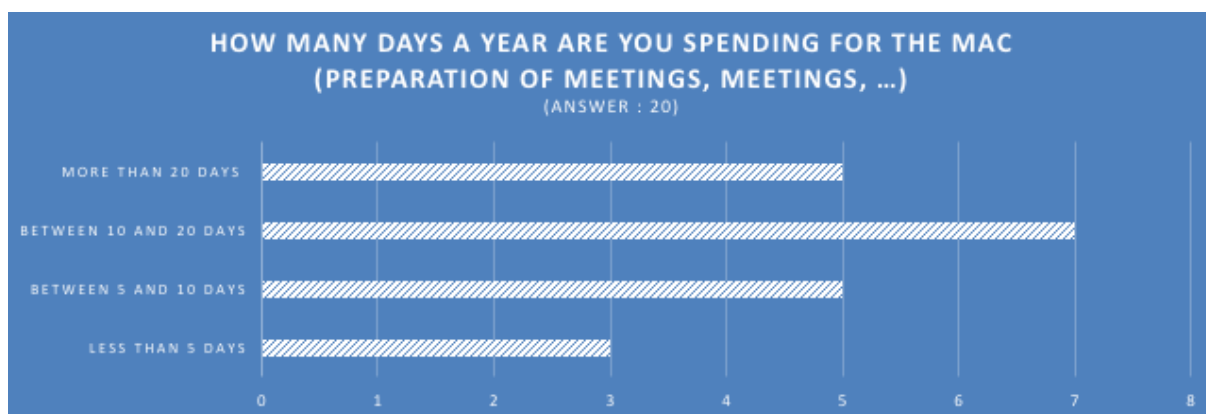
*Your motivations, reasons. What do you expect of your participation?*

Sector and interests' representation were pointed. Three main reasons proposed seem accurate to explain motivation to participate to the MAC e.g., "Getting up to date information on legislative proposals from the EC (but also direct access to the EC services during meetings), Connections and networking with other members, Contributing to drafting advices to the EC".

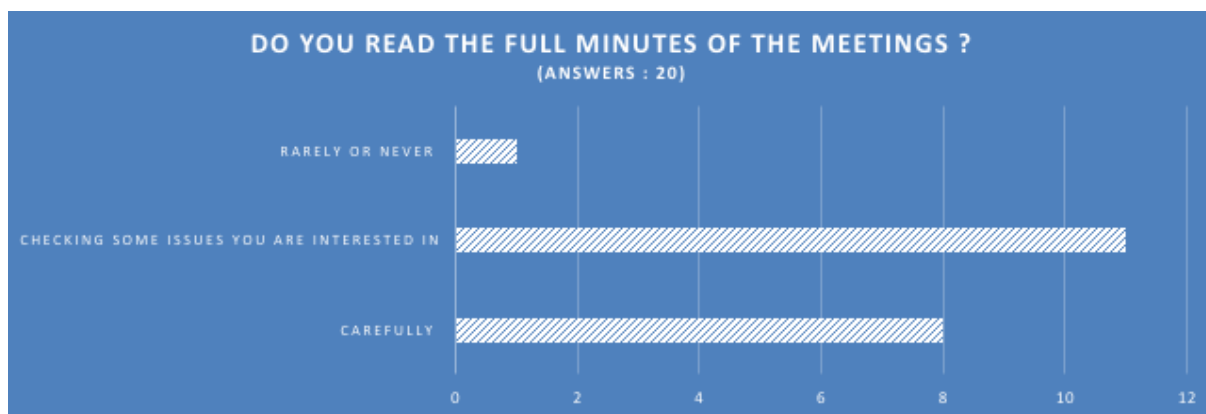


*Personal dedication (number of days / year) / How do you prepare your participation/intervention in the MAC's meetings?*

The MAC constitutes a real and significant personal dedication from its active members spending on average between 10 and 20 days a year, with even few members spending more than 20 days.



Preparation depends whether members are representing an EU association or no. In the latter case, they used to coordinate and even align with other members in advance of the meetings.

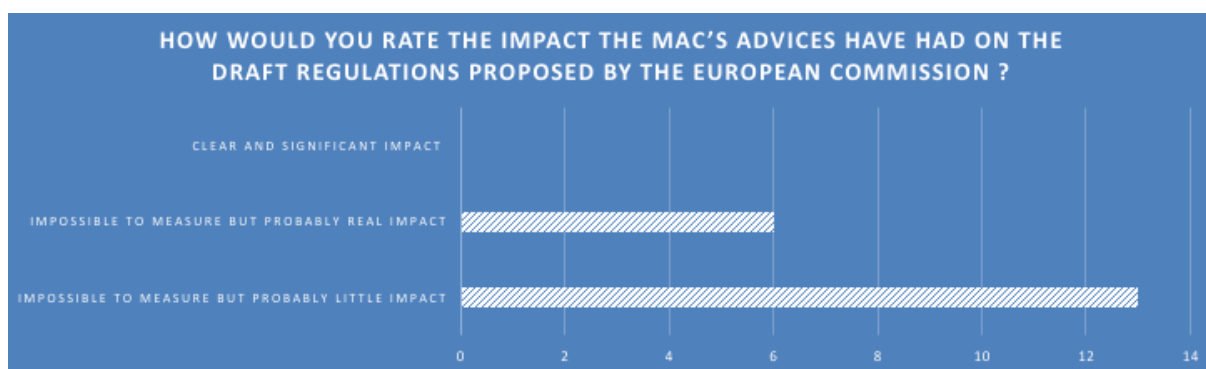


*Do you usually forward MAC's information to your own members?*

Members usually disseminate the information they grasp at the MAC to their own constituencies, though they tend to select only the most relevant. In some cases, they do not forward the information as they are the ones expected to handle the technical matters.

*Return on investment*

Members seemingly answer this question thinking about the evolution or changes in the legislative framework, even though it is not the number one motivation indicated in their answers (and in particular in the answers to the questionnaires). Some indicated very concrete outcomes (as changes to the marketing plans for PO during the COVID crisis, or use of specific article of the EMFF regulation), but the majority considers it is impossible to measure.

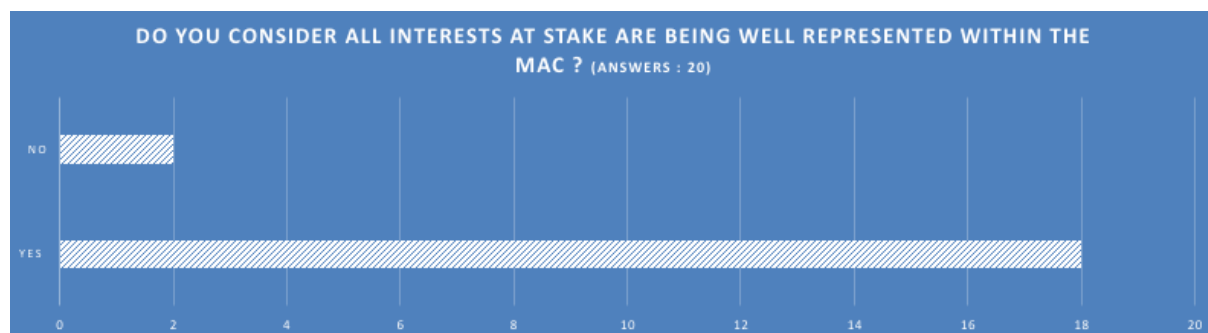


However, members still consider they need to be present and also consider (or their constituencies consider) that it is worthwhile to continue participating.

## Representation of the interests

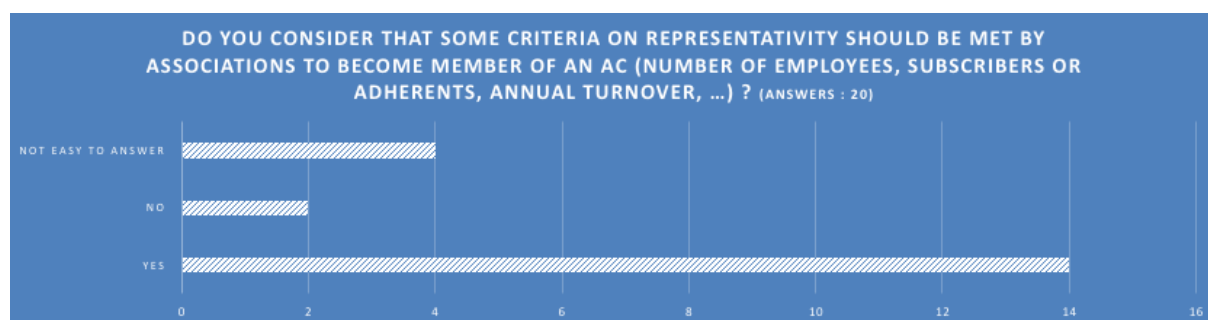
### Do you think that all interests at stake are being well represented? (categories)

There is an overall consideration that all actors of the value chain are being represented within the MAC, with the exception of consumers - despite attempts from the Secretary to find representative organisations. It is also confirmed by the answers from the questionnaire.



Some consideration is however given to the fact that some parts of the supply chain (in particular producers and processors) are more represented in numbers than others, and in particular retailers being only represented by two associations (EUROCOMMERCE for large-size retailers in Europe, FEDEPESCA for small fish retailers in Spain). Some consideration is also given to local association VS European ones.

In the online questionnaire, a specific question was asked on the question of using representativity criteria and it is generally considered as a good solution though it would certainly lead to additional questions on the criteria that should be used<sup>26</sup>.

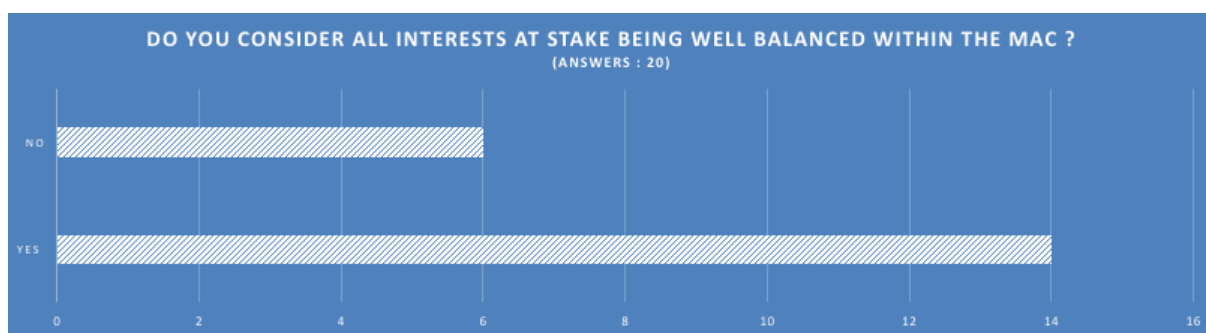


### How do you consider the balance between the different categories of sector organisations (catching, aquaculture, processors, traders, retailers and trade unions), small and large organisations (considering participation, influence, expertise ...)?

There is a general satisfaction about the balance between the different interests though – as for the previous question – producers and processors/traders seem to still occupy the central positions.

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<sup>26</sup> in accordance with the CFP Regulation, it is up to the Member States to decide on the organisations that are members of Advisory Councils.



This predominance is reflected within various works and advices from the MAC which basically opposes these 2 sectors (level-playing field, marketing standards, trade, ...) around the question of EU standards Vs standards applying to import products whereas they fill more than half of the EU seafood market.

#### How do you consider the geographical representation within the MAC?

It has not come as an issue for the majority of the members though some argue that there is an over-representation from southern countries. EU umbrella organisations supposedly represent whole EU interests but their own constituencies would need to be checked. Also, the consideration seems still to fall on the western Europe with less participation and consideration for the eastern part. Small markets seem also to be out of the scope of the MAC.

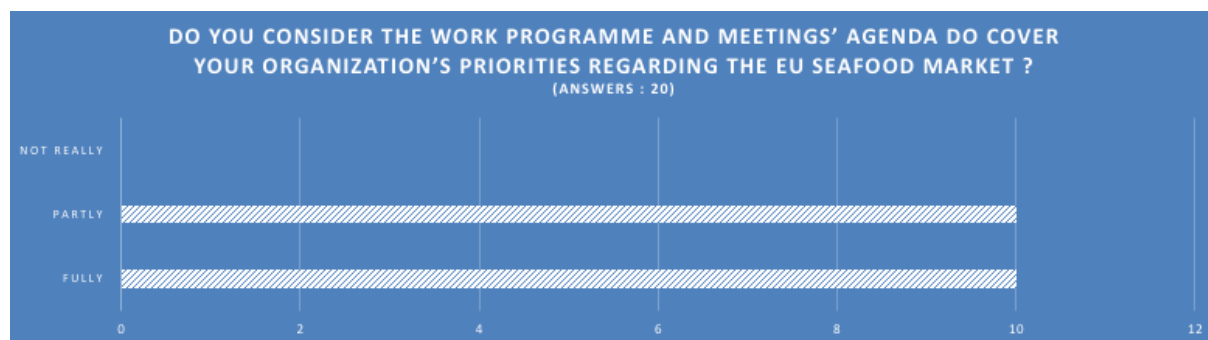
#### Would you like to have more information about the other MAC members?

Not really an issue though some new members have difficulty to understand what interests a member may represent. Obviously less of an issue for people who are used to meet each other.

## Running of the meetings

Do the meetings cover your own priorities? Did you ever propose an issue to the MAC workstream?

Overall, the members consider the MAC Work Programme is covering their own priorities either fully or partly.



A remark was made on the fact the work programme is probably too ambitious. Another remark indicated that some issues should be out of the MAC's remit (level-playing field, IUU, traceability) whereas some key concerns of the market are not being dealt (commercial channels, consumer expectations, ...).

Quality in the preparation of meetings: documents, previous discussion, ...

Unanimous congratulations are given to the work made by the Secretariat because meetings are always well prepared, with adequate documentation, and also clear guidance document to support the Chair during the working group meetings. The majority of the members are silent (information taker) while a minority is active and up to the point.

How do you judge the quality of contributions made during the meeting (bringing evidence)?

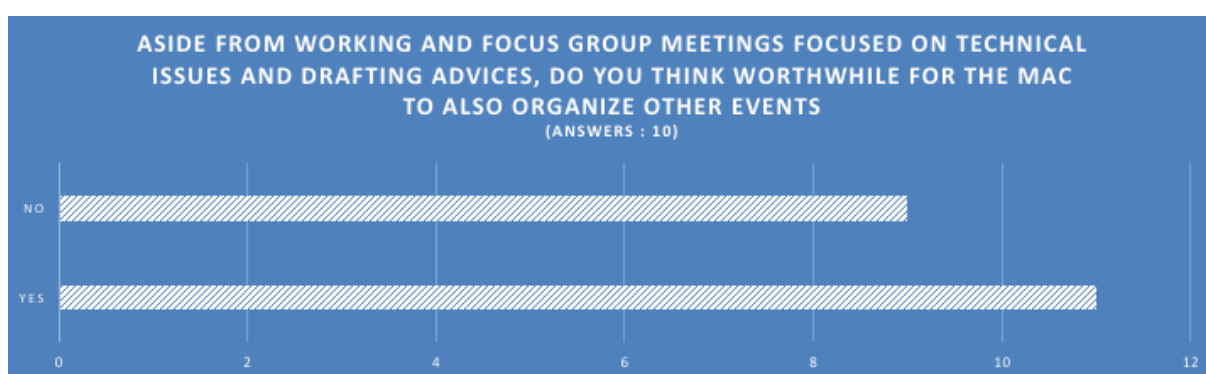
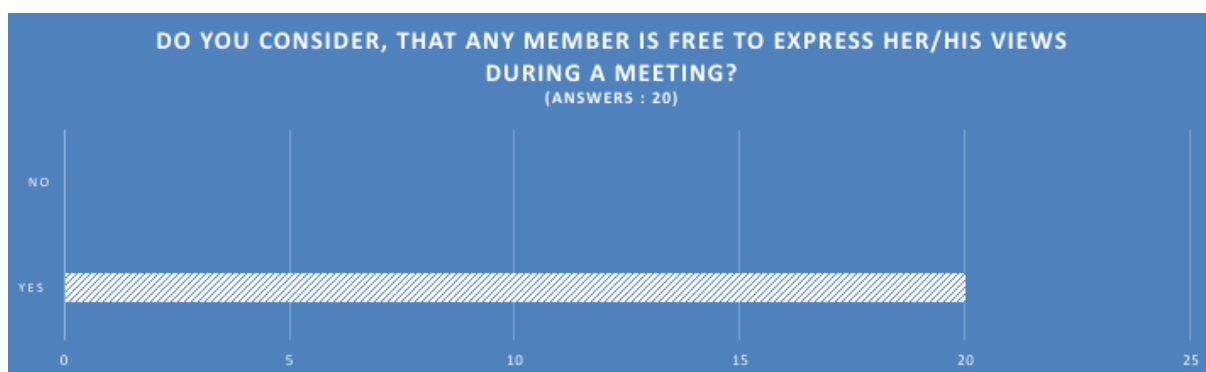
Contributions made during the meeting are generally considered of good quality by the members with representatives usually knowing the files. A significant minority of interviewees, however, underlined that members provide opinions rather than facts when trying to bring arguments to the table.

Some members also indicated that they consider that some issues come repeatedly in the debate (as the three pillars of sustainability) without much progress.

Level of trust among MAC members. Do you consider there is a common identity and sense of ownership?

The general answer is rather negative, especially while focusing around the two main blocks: producers vs traders. The working environment has however improved. From EU associations people know well each other, but that does not automatically create a sense of common identity. Coordination at the MAC level is however ensured by the Management Team.

The COVID-19 context does not ease the situation, since meetings are exclusively virtual since 2020, limiting face to face interactions and discussions.



Examples given:

Meetings or webinars with experts on specific topics, Study trips visiting processing plants, auctions, visit of aquaculture farms, Site visits are always interesting or webinars on the various developments linked to the European Green Deal and Farm to Fork strategy, Technical seminars, study trips, webinars, fish auctions, firms, technological centres, markets from the various countries to better know the reality in each country.

*Have you ever disseminated confidential information during a MAC meeting? Are there some issues of relevance for the MAC you prefer not to deal within ACs' meetings?*

Members do not disseminate confidential information in the meeting. The contentious issue of trade mechanisms is to be dealt through the FG on Trade to try to draw the state of the play, describing regulation and different legal tools. This is the main example of an important issue within the remit of the MAC where opposing interests are difficult to reconcile.

Some consideration is however given by the Management Team to the possibility to bring added value through discussion otherwise the topic is given less time.

*Have there been any specific issues you remember where you have compromised from your organisation genuine interest for the sake of the consensus? (quote example)*

Compromise is mainly done on the writing and searching for wording that accommodates various positions around the table, which may however bring some added value. Members clearly explain they cannot depart from some fundamental position statements they are having internally.

*Are you satisfied with the level of participation from observers (EC, MS, scientists & experts)?*

There is a general recognition that the DG MARE is participating on a regular basis to the meetings, though some participation from other DG (TRADE, SANTE in particular) would be appreciated. The participation of Member States is limited, with the exception of Spain that is actively involved. And as it comes to scientists, members are mainly referring to presentation of reports from the STECF.

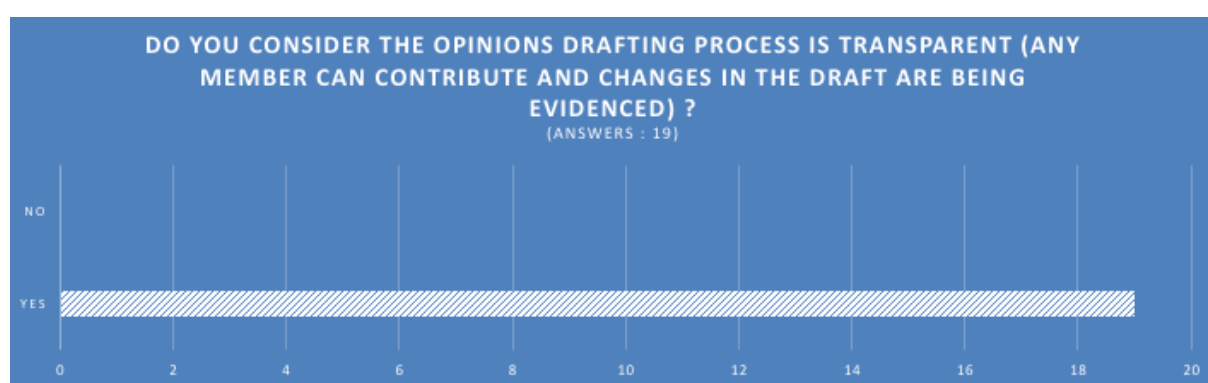
Some interesting proposals were made to develop a “mixed format” of technical meetings inviting participation from MEPs, EC, scientists and the industry.

## Opinions on the drafting process

### How far is the process open to members?

No issue. All members interviewed consider the process is fully open. According to the rules of procedure, besides requests for advice from the EU institutions, members can propose topics for consideration in the relevant Working Group. Proposals are considered in meetings or via written procedure. In practice, in order to collect input, the process usually starts with a questionnaire circulated to all members to a first draft proposed by the Secretariat submitted either to a Focus Group or a Working Group, then forwarded to the Executive Committee for adoption.

From the questionnaire, all respondents indicate they consider the process is transparent (any member can contribute AND changes in the draft are being evidenced).



### Do you consider adequate time is given? Are you happy with the procedure for urgent consultation?

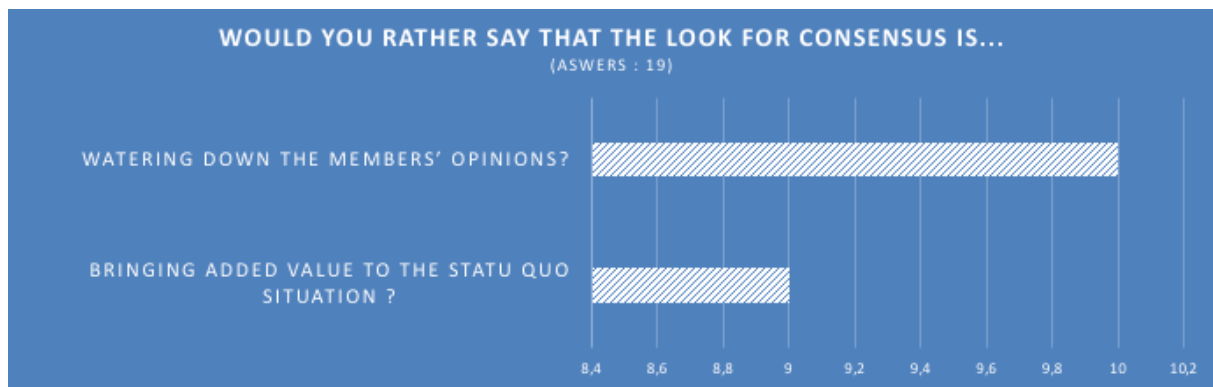
Members recall that MAC's opinions start with a draft and, even before that, with the EC inter-services discussion. To deliver the first draft, some important milestones are needed (see before) and this time is important to come to a consolidated MAC's opinion. Some members consider that urgent consultation procedure should be only used if necessary. 72hours seem a bit short and some would advise to increase it to five working days.

### In the case of diverging opinions, how far do you think members should look for consensus? Would you prefer the advice rather to express diverging views? Are these views (consensus, majority, minority) adequately reported in the advice?

Overall, there is a premium given to the consensus and importance of reaching it. It is especially important since many members consider it is the way the EC will take into account the MAC's advices. Also, it is a method used to encourage members to consider others' interests and evolve from their own and somehow restrictive perspective.

However, from answers to the online questionnaire and face to face interviews, it appears that this ambition is watering down the members' opinions.





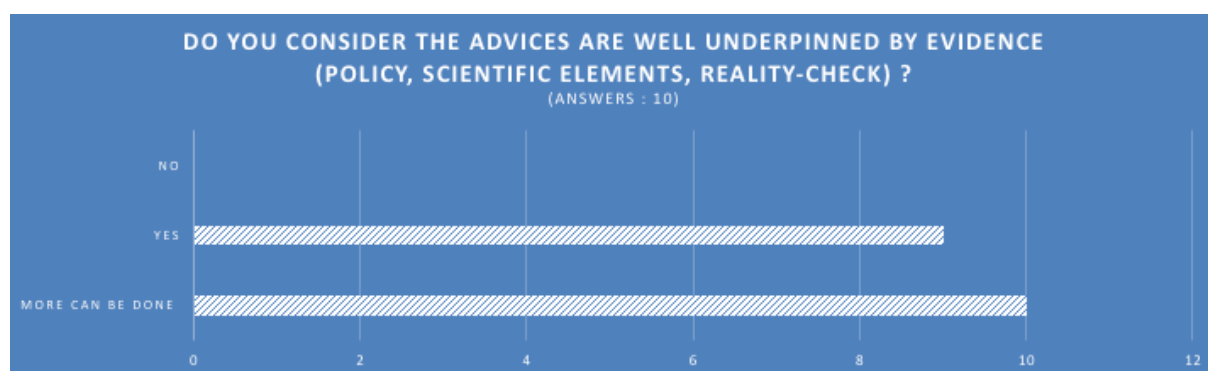
*Do you consider the process is transparent?*

See answer to first question.

## Quality of opinions submitted and relations with European organisations

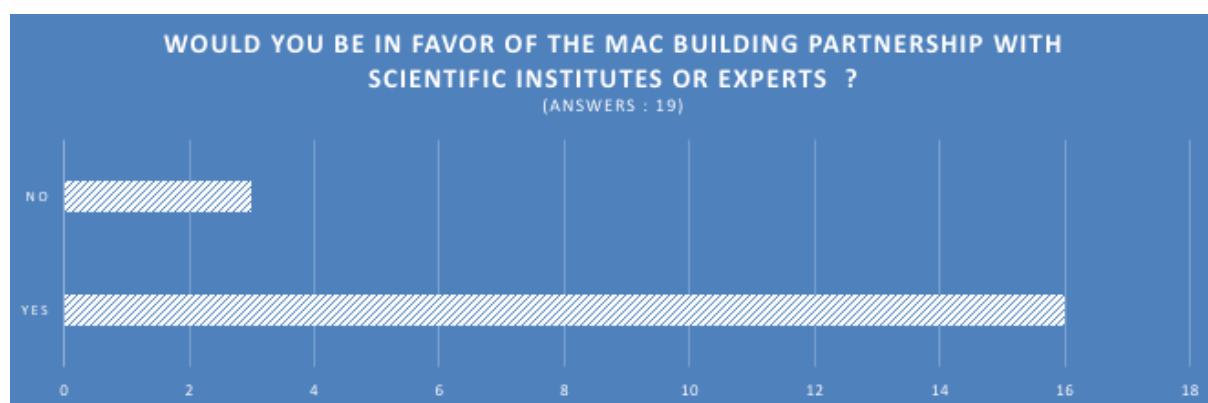
Do you consider the advices are well underpinned by evidence (policy, scientific elements, reality-check)?

There is a general satisfaction with the quality of the opinions submitted by the MAC and members consider that these have improved a lot. Yet, according to the online questionnaire, a vast majority still considers that more can be done.



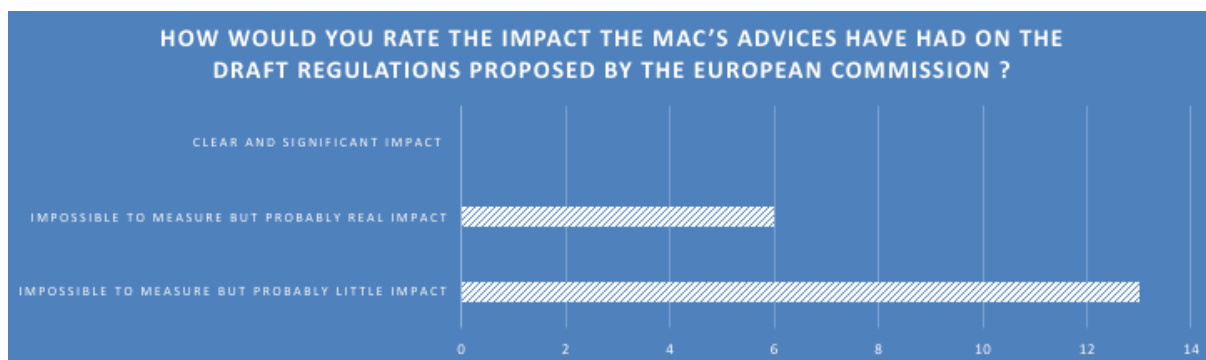
Advices are mainly relying on members' expert opinions rather than facts and figures, though scientific and legal references are regularly quoted.

Some improvement may be found through partnerships with experts within scientific projects on which the MAC could participate, following approval by a majority of the members.

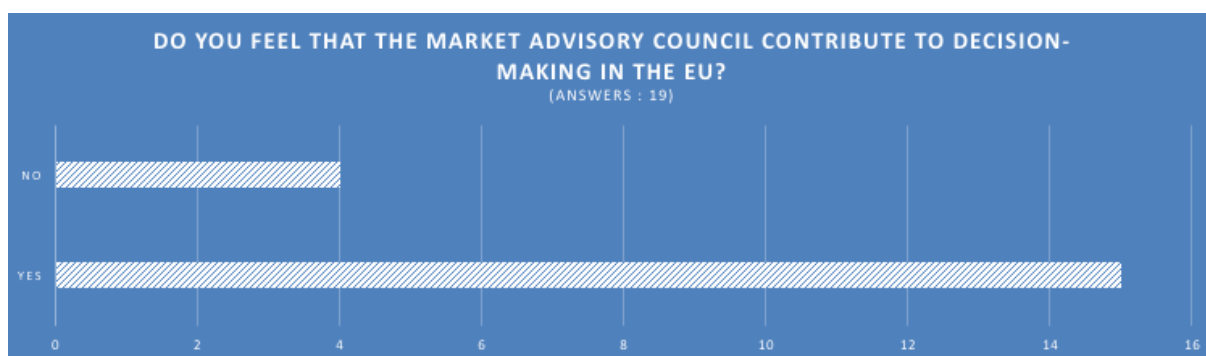


Effectiveness of advices for the evolution of draft regulations?

The answers from the online questionnaire (Q20) differ from the interviews, as a majority of members answers that the advices have probably little impact, whereas from the interviews members think that the MAC's work is having a clear influence - while impossible to properly assess. The absence of a legally binding nature of the AC's advices is being underlined. Also, Q24 clearly indicate that members consider that the MAC's work is contributing to decision-making in the EU.



About the impact of the advice, there is no tracker to clearly identify whether the advices are being taken into account. Some members however underline that the MAC's advice is a starting point also for stakeholders who will further do their own lobbying and use the MAC's advices in the extent it serves their interests. Indeed, it is clear that the MAC's advice does not come at a critical time in the decision-making process and there are other times of the negotiation. Some argue that more influence is being gained outside the AC through contacts with MEPs, for instance.



Some specific issues however are being quoted where the MAC did play an instrumental role, for example during the COVID-19 pandemic (with increase in the % the PO could pay, the art 55 of the EMFF) and the EU Code of Conduct for Responsible Business and Marketing Practices.

(Q18) The score given to the MAC's advice by its members is good but still leaves space for improvement.



*Do you consider the MAC is contributing to long-term environmental sustainability, socio-economic benefits, availability of food supplies?*

Members generally acknowledge these are rather broad and imprecise objectives. Some think MAC's advices are rather focused on sustainability aspects but little has been done on socio-economics benefits and availability of food supplies though it is evolving.

*Do you see other ways the MAC could exercise its influence?*

Answers are diverse to this issue.

Some members indicate that stronger relationships could be built with the EP and some MEPs in particular, though the CFP regulation is clear that ACs should advise the EC and MS.

The MAC could be further included by the EC in the course of a public campaign for seafood consumption (contributing for example to the terms of reference), but also could be identified in call for tenders as recipients of the deliverables or even as a potential partner.

Some survey would be useful to see how the same files are being dealt in other production sector as far as issues as the carbon footprint, green claims or food system are concerning other sectors as well.

The MAC could also raise its public profile, since its work is still very much limited to the formal advices to the EC. It could be valuable to disseminate advices to specialised media, and also to narrow the link between the MAC's work and the real life's businesses.

Also, it has been answered that the MAC should not look for further influence but rather focus on building and conveying collective advices in the best possible manner.

*Aside from sending advices, do you see any other useful features of the MAC for you?*

It was suggested that MAC could also facilitate agreements or synergies within the supply chain, and not limiting itself to a purely advisory role.

*Are you satisfied with the level of participation of the EC services (MARE, TRADE, SANTE, STECF)?*

Members are generally quite satisfied with the level of participation from the EC services though they acknowledged it is mainly channelled by DG MARE, even if it would be interesting to have TRADE and SANTE participating more often. Some more concrete contributions would be expected in some cases from EC services or even contacting the MAC at the very up-stream step of the legislative initiative.

Do you consider Member States should be more involved in the MAC's work?

There is a shared view that MS are not participating in the MAC work, neither responding to their advices. Some explain that, as very EU focused AC, there is not the kind of natural link existing with regional ACs. For others, MS have no time and focus on the downstream part of the process during the trialogue negotiations. Some coordination with the Council Presidency could be a way to bridge with the MS and get further insight on the discussions between the 3 institutions (EC-EP-Council).

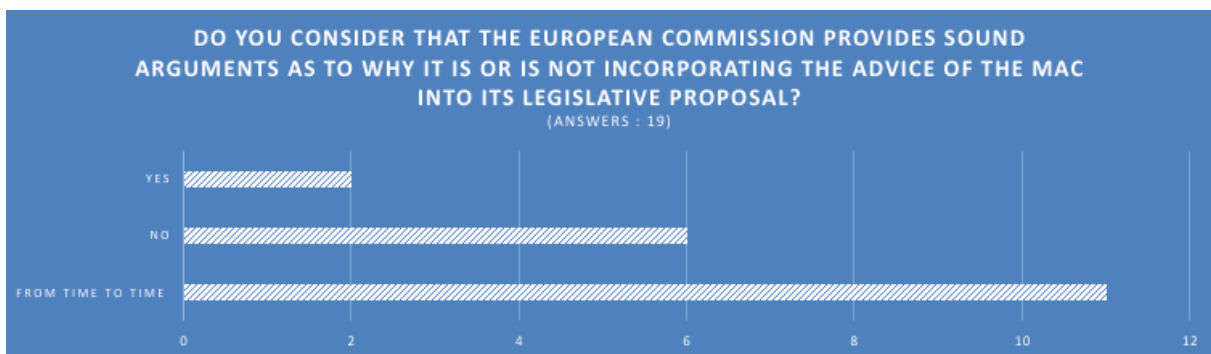
Some consider that MS are however the real partners of the EC and not the industry.

Are you satisfied with replies from the EC? Do you usually receive a rationale why the European Commission incorporate / do not incorporate recommendations / advice from the Advisory Council on a timely basis?

A majority of the members consider replies from the EC are rather formal but not precise or specific enough. Some follow-up would be appreciated either through the MAC answering to the reply or inviting the EC to comment and argue on its reply.

Following some members' opinion, replies vary depending on whether the EC already has clear idea or view about the desired direction or if there is already a strong political direction given. In some other cases, they think there is more room for input. One proposed formulation would be for the EC to clearly point and underline the specific items where additional contribution from the MAC would be useful.

Doubts are being expressed on the fact that EC is working behind closed doors without transparent information about criteria being used (specific reference given to autonomous tariff quotas).



Have you managed to observe any improvements in the running of the MAC?  
Regarding advices submitted?

There is a large recognition that performance have improved. Also, references were made to advices that used to be too long and that have been shortened, focusing primarily on the recommendations and including the considerations and background information in annexes.

## Annex 6 - Common issues and best practices among Advisory Councils (Results from on-line survey)

### Role of the AC

Which of the following reasons, in your own opinion, is the main responsibility of an AC?

Delivering advices to the European Commission (and EU Member States) come first for 8 out of 11 AC's secretaries.

Within your own AC, would you rather say that...

10 out of 12 respondents consider that all interests are being well represented within their own AC.

### FUNCTIONING OF YOUR AC

When it comes to controversial or potentially divisive issues among your members, what do you think is the best way to facilitate a constructive and informed discussion?

Some common features appear, such as the need for expertise to shed light on the issue, the transmission of the various opinions of members in writing, and effective facilitation by the Chair.

Aside from working and focus group meetings focused on technical issues and drafting advices, do you think worthwhile for your AC to also organise other events?

There is general agreement (10 out of 12 respondents) on the interest in organising other types of events: webinars in particular, but also study tours to learn about operations and processes. There is also a specific concern to broaden the 'usual' group of AC stakeholders by inviting experts, administrations, managers and even decision makers in the form of a special event.

### ADVICES DRAFTING PROCESS & IMPACT OF ADVICES

Would you rather say that the look for consensus is...

Half of the respondents consider that consensus is actually bringing added value to the status quo situation. Yet 2 consider this is watering down opinions. One comment expressed that, for topics with diverging interests, it is key to reflect the diverging opinions and allow the EC and managers to get some detailed and technical arguments.

Would you be in favor of your AC building partnership with scientific institutes or experts (through EU funded projects for example) in order to have expertise based on the exchange between stakeholders and experts?

A vast majority (10 out of 11 AC's secretaries) supported this proposal.

How would you rate the impact your AC's advices have had on the draft regulations proposed by the European Commission?

6 out 10 AC's secretaries consider that the impacts of the advices they are sending to the EC is impossible to measure but probably has little impact. 3 think the opposite - e.g., the advices have real impact and it can be underlined that it actually come from the most recent AC.

Do you consider that the European Commission provides sound arguments as to why it is or is not incorporating the advice of your AC into its legislative proposal?

None responded that this was the case, while 5 out of 10 AC secretaries considered it to be the case from time to time, and 5 considered it not to be the case

In your opinion, what are the important points to respect in order for an advice to be taken into account by the European Commission?

Many respondents refer to the importance for an advice to be short, clear and concise. Some refer also to the need for recommendations to be actionable, and realistic considering the existing legislative limits (contribution to the EU regulation). Most respondents also point that consensus is adding weight. However, skepticism is still present in a few but significant responses, pointing out that there is no guarantee that the EC will take their points into account, even if the opinions meet the above criteria.

## INSTITUTIONAL RELATIONSHIPS

### *Do you feel that your Advisory Council contribute to decision-making in the EU?*

6 AC's secretaries out of 10 think it is the case whereas 3 do not have opinion and 1 think it is not the case.

### *Do you have additional expectations regarding cooperation with the European Commission services?*

7 out of 10 AC's secretaries do indeed have further expectations from the EC services. They are looking for more exchanges, collaboration, and some are pointing again the issue of receiving more concrete feedbacks from their advices.

### *Regarding cooperation with Member States do you have regular exchanges?*

8 out of 10 AC's secretaries answered they are having meetings with Member States several times a year.

### *In your opinion, do you think further working relationships should be built with the Council of the European Union?*

2 AC's secretaries answered NO, 5 that they do not have opinion, 3 that they are in favor. However, in the last 3, there is confusion or doubt between Council (as a European institution) and Member States for 2 of them.

### *In your opinion, do you think further working relationships should be built with the European Parliament?*

8 out 10 AC's secretaries answered that further working relationship should be built with the European Parliament. However, some respondents recalled that the mandate of the CC is limited to providing advice to the EC and MS and that cooperation should be undertaken within the framework of the advice adopted.

### *Do you have regular working relationships with ...*

9 AC's secretaries have pointed regular working relationship with Member States, 7 both with the European Fisheries and Control Agency and ICES, 5 both with STECF and the national scientific institutes.

### *In terms of communication, which of the following tools do you use?*

All ACs are maintaining and communicating through their website, 7 out of 10 are also using social networks. 5 do prepare press releases but only two are inviting journalists to their meetings or even maintaining regular exchanges with them. 2 ACs are producing regular newsletter to their members.

### *In terms of communication, how often are you communicating to the wider public?*

2 are hardly ever communicating to the press, once or twice a year, and 4 on a regular basis. One AC secretary specified that regular press releases are being produced on key outputs (i.e., advice) and also the AC participate at international public fora (such as EU expert groups, fora, etc.) to defend views pre-agreed within the AC.