



Advice

Transnationality of Fishery and Aquaculture Producer Organisations and of Inter-Branch Organisations

Brussels, 24 May 2022

1. Introduction

Under Regulation (EU) No 1379/2013 on common organisation of the markets in fishery and aquaculture products (CMO Regulation), groupings of fishers or aquaculture farmers can be formally recognised as Producer Organisations (POs), which are expected to play a key role in the day-to-day implementation of the Common Fisheries Policy and its market components.

Even though the EU legislative framework does not foresee specific / explicit provisions related to the definition of transnationality, the CMO Regulation recognises the possibility of transnational POs¹. Transnational POs are recognised and financed by individual Member States. In general, the majority of the members of these POs are from a single Member State, while a few members are from other Member States. The needs and functioning of Transnational POs are very similar to those of National POs.

Transnational Associations of POs, meaning associations of POs from different Member States, are also a possibility. The POs come together to establish a transnational association to face challenges that are beyond the situation in individual Member States or in individual markets.

¹ Preamble 12 of the CMO Regulation reads “(...) it is also necessary to encourage the possibility of setting up producer organisations and associations of producer organisations at national or transnational level based, where appropriate, on biogeographical regions”.



When compared to National POs, Transnational Associations of POs are of a different nature and needs. Still, Associations of POs do not necessarily have more weight in any single Member State.

As outlined in the CMO Regulation, Inter-Branch Organisations (IBOs) consisting of different categories of operators in the fishery and aquaculture sector may be recognised by Member States. These organisations have the potential to help improve the coordination of marketing activities along the supply chain and to develop measures of interest for the whole sector. Transnational IBOs, meaning IBOs of which the members are engaged in production, processing or trade in the products covered by the organisation's activities in more than one Member State are also possible². Transnational IBOs face similar challenges as those described above for Transnational POs and Transnational Associations of POs.

In 2020, the European Commission published the final report of the pilot project of the EU platform for fishery and aquaculture producer organisations³, which recognised that the possibility of transnationality in POs and IBOs has hardly been used and that examined the need and explored ways forward to strengthen the transnationalisation of recognised POs and IBOs under the CMO Regulation in the fishery and aquaculture sector of the EU. It is worth noting that the European Association of fish Producers Organisations (EAPO), a MAC member, asked the Commission to contribute to this report. EAPO, an association of recognised POs that exists since 1980, has not found a basis under the Commission's platform exercise to be recognised and to contribute to the POs' objectives in production and marketing on a transnational level.

² Definitions of Transnational PO, Transnational Association of POs, and Transnational IBOs are foreseen in Article 2 of Commission Delegated Regulation (EU) 2016/232 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to certain aspects of producer cooperation.

³ <https://op.europa.eu/en/publication-detail/-/publication/fe000638-3060-11eb-b27b-01aa75ed71a1>

2. Recommendations

In the context of the transnationality of POs and IBOs, the MAC believes that the European Commission should:

- a) Taking into account the unsuitability of the framework foreseen for POs and Associations of POs in the current CMO Regulation, improve the recognition and financing system of Transnational Associations of POs and Transnational IBOs;
- b) Increase awareness of the possibility of transnational status and its purpose among fishery and aquaculture producers, POs, IBOs and among national authorities;
- c) Develop a clearer legal framework for transnationality, including the definition of the role and specific objectives of Transnational POs and Transnational IBOs, for example through explicit legal provisions in the CMO and CFP Regulations as well as guidelines / guidance documents;
- d) Taking into account the differences between Member States in the way that competent authorities manage POs, which translates into difficulties in the functioning under the current system, develop a more harmonised and centralised approach for Transnational Associations of POs and Transnational IBOs;
- e) Take into account the higher administrative burden of Transnational organisations when compared with National organisations.