



Labelling requirements under the CMO Regulation

Results of the Member States survey and follow-up actions

MAC WG3 – 30 November 2023

DG MARE – Unit A4

CMO provisions

- Art 35 (1) of the CMO Regulation sets out which mandatory information has to be provided on a label:
 - the commercial designation of the species and its scientific name;
 - the production method;
 - the area where the product was caught or farmed, and the category of fishing gear used in capture of fisheries;
 - whether the product has been defrosted;
 - the date of minimum durability, where appropriate.

Member States survey

- Survey launched in April 2023.
- Questions referred to:
 - Identification of responsible authority(s);
 - National control / check programme;
 - Data on checks undertaken and cases of non-compliance (in 2021 and 2022);
 - Follow-up actions and sanctions.
- 25 Member States have replied.

Key findings from the responses - 1

- Responsible authorities clearly indicated by all Member States.
 - CMO labelling checks often done jointly with hygiene inspections (and other labelling checks).
 - Strong differences in terms of the priority level assigned to performing checks of the CMO labelling requirements specifically.
- > Comprehensiveness and granularity of the control and inspection data provided by Member States varies widely.

Key findings from the responses - 2

- Strong differences in terms of annual number of inspections, ranging from 0 to 3000 checks per year. Most responses in the range 100-800.
- Checks usually undertaken at all retail points of the supply chain and for both unpacked and pre-packed products.
- **Significant levels of non-compliance in numerous Member States, ranging from 15-20% to more than 50% in some cases.**
- In most cases, not clear from the responses whether compliance gaps relate specifically to missing information on (a) species, (b) catch area or (c) fishing gear, or combinations thereof.

Key findings from the responses - 3

- Submitted survey responses did not show which level of the supply chain had particularly high non-compliance rates.
- Public studies and stakeholder feedback indicate that compliance with CMO labelling requirements seems to be generally higher for pre-packed products (e.g. at supermarkets) than it is for unpacked products, (e.g. at fishmongers).
- Survey responses do not show whether the sanctions (incl. administrative warnings, pecuniary penalties etc.) issued in cases of non-compliance really act as an effective deterrent.

Conclusion

- The survey results confirm that the reasons for the significant non-compliance with the CMO requirements should be further examined.
- Stakeholder feedback in the Commission report on the CMO implementation already pointed to significant non-compliance and other issues (processed products not covered, lack of information on sustainability aspects).
- Against that backdrop, we are considering a targeted evaluation of the labelling provisions.

Thank you for your attention