

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

Thursday, 30 January 2020

09:00-12:45

Avenue de Cortenbergh 168,
1000 Brussels

Welcome from the Chair, Georg Werner

Adoption of draft agenda and minutes of last meeting (03.09.19): adopted

The Chair clarified that, despite the reference to “Vote on endorsement” under the draft agenda’s item “Caviar Labelling – AAC Advice”, procedurally it would not be a vote. Instead, the Working Group would determine if there was support to move the item to Executive Committee’s level.

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

Plastics

- **Reporting on MAC & NWWAC Workshop on Marine Plastics and the Seafood Supply Chain**

Click [here](#) to access the workshop report.

The Chair provided an overview of the workshop and highlighted that a workshop report, including presentations, is available on the MAC’s website. The Chair also thanked the Secretariats of the MAC and the NWWAC for their work.

- **Way forward**

Killybegs Fishermen’s Organisation stated that the workshop was very well organised and with excellent presentations. It is important to look at how the MAC can further develop this workshop in conjunction with other Advisory Councils. NSAC and PELAC are both very active on this area. They suggested that the MAC should look into particular areas to develop further workshops, since it is a very important issue. Some of the innovations on packaging were surprising. This topic needs to be looked at from the perspectives of the catching sector, the processing sector, among others. The MAC should look into the best approach in conjunction with other ACs and producing recommendations.

FEDEPESCA congratulated the MAC and the Secretariat for the complete and well organised workshop. They argued that it is important to continue advancing on this topic. The MAC needs to



continue compiling new information that may arrive on plastics. This topic is receiving a lot media attention and is creating problems in relation to seafood intake.

AIPCE-CEP agreed with the two previous speakers, congratulating the organising team. The workshop showed clearly the complexity of the issue and the many contributors to the problems. They highlighted the excellent presentation on microplastics and nanoplastics, which helps to put the risks arriving from seafood into perspective. It showed how these plastics are prevalent in land-based food, so there are good grounds to make the case that this is not purely a seafood problem. Even though more research is needed, at the moment, there is no proven evidence of negative effects for human health.

EAPO, on behalf of the NWWAC, congratulated the Secretariats of the NWWAC and the MAC. EAPO emphasised that more work remains to be done, highlighting that the NWWAC, the BSAC, the NSAC, and the PELAC were organising a workshop titled “re-imagining gear in a circular economy”. There will be a series of workshop where the ACs will be addressing single-use plastics (SUPs) and other plastic issues. They welcomed the good cooperation among ACs. It is important to provide advice to the Commission and to show best practices in the seafood sector, while realistically assessing the impact of the seafood sector in the overall pollution problem.

Killybegs Fishermen’s Organisation expressed disappointment that the ACs were not selected to organise a workshop on plastics for the European Maritime Day. Nevertheless, the preparatory work should be used as a basis for a follow-up workshop.

The Chair mentioned that a potential point for a future workshop with the other ACs could be the effects on human life, since seafood does not pose a danger like other sources. Regarding fishing gear, it is a topic that falls more under the remit of other ACs, but that can have an impact on the market, since the “polluter pays” principle could increase costs in the value chain, so the MAC could potentially address this.

VisNed highlighted that the fisheries sector is seen by the general public as a major source of microplastics. Even with proof, this image might be difficult to change. Vised drew attention to the large amounts of netting thrown into the sea by countries outside the EU. They underscored the importance of proper communication on this topic.

EAPO stated that the previous speaker’s point could be covered in an advice to the Commission.

The Chair asked members if the advice should come through an additional workshop putting together input from other ACs.

Killybegs Fishermen’s Organisation argued in favour of both courses of action. The MAC should ask the Commission to make an initiative in terms of consumer information. While there are other areas that should be addressed through a follow-up workshop. Very clear information was provided by the



experts at the workshop, so the MAC should move forward with a major campaign in relation to this. The follow-up workshop should be in conjunction with the other ACs.

Good Fish Foundation called for more work on this topic. They argued against a large campaign, but suggested asking the Commission for a good information website. This would allow national consumer associations and national administrations to access information. Concerning plastics, the risk is probably not coming from the consumption of fish. Therefore, it would be good to have an independent website for information.

Visfederatie suggested collecting more information on the consumer and health perspectives. After that, the MAC could devise an advice.

The Chair stated that the MAC should inform the NWWAC that further work will be done on plastics. The MAC should scope out the initiatives taken by other ACs on plastics. Then, the MAC can follow-up on a joint advice. The WG members agreed.

Certification Schemes

- **Adoption of Terms of Reference of Workshop on Ecolabels and Certification Schemes**

The Chair provided an overview of the draft Terms of Reference.

FEAP drew attention to the importance of agricultural labels applicable to aquaculture. They also warned, in relation to imported products, that it is easier to comply with ecolabel requirements than to comply with the EU's regulations. Therefore, ecolabels should comply with the EU's regulations above all.

The Chair proposed including the mentioned issue under the second section of the workshop.

Killybegs Fishermen's Organisation expressed satisfaction with the scope of the workshop, emphasising the importance of moving ahead. The catching sector is very interested in looking at sustainability claims. At the macro-level, all major headings have been identified. This workshop must result in a set of recommendations on certification and ecolabels, so the agenda should go towards having an outcome.

The Chair stated that, as an outcome, there would be a workshop report, similar to the one produced for the MAC-NWWAC plastics and marine litter workshop, that could be used for further discussions and for an advice with clear recommendations.



VisNed emphasised that invitations for this workshop should go to the Commission, the European Parliament, and the Parliament's research services. The MAC should proactively engage with the interested parties.

The Chair agreed with covering a wider audience.

FEDEPESCA congratulated the Chair on the proposal. They wondered how the financial dimension of sustainability would be included.

The Chair responded that the economic dimension of the market would be covered under the third section, including the issue of costs and market limitations.

FEDEPESCA emphasised that the economic dimension goes beyond those concepts. It is about fair pricing and guaranteeing minimum profits for sustainable economic development.

Visfederatie expressed satisfaction with the document. Many issues will be covered, so choices and priorities will be needed. It is important to take into account the consumer's perspective and what the market is asking. The workshop can work as a "brainstorming session" to later narrow down into an advice. The workshop as is proposed could be too much to narrow down into an advice.

The Chair recognised that there are time limitations, but added that it will also depend on the speakers' availability. The issue of consumer's perspective should be covered.

The Commission recalled that this was discussed the previous year, at the May meetings. There is no willingness from the Commission's side to reopen the discussion on EU ecolabels. This workshop should focus on access to the market and avoid two parallel discussions on sustainability. For the Commission, marketing standards should be the priority. The representative highlighted that the last chapter titled "the future of sustainability" actually reflects the ongoing situation. The Commission will be looking further into the social dimension. The issue of life-cycle assessments was already discussed in a previous meeting, but the sector is still not involved. The last chapter could be very crucial.

ANFACO-CECOPECA expressed satisfaction with this exercise. The debate on labelling started with sustainability criteria. The MAC has tried to answer those questions, but did not reach a conclusion. Sustainability criteria must be included. Depending on the definition, it can affect the market in different way. They underscored the importance of analysing the concept of economic sustainability. There should be a consensus on the definition of sustainability.

EuroCommerce argued that the workshop was very timely, considering the "Farm to Fork" strategy, particularly on the Commission's potential intention of a single sustainability food logo.



It is very important that the discussion takes place in relation to seafood. They called for the inclusion of nutritional sustainability.

Puerto de Celeiro S.A. – OPP77 agreed with ANFACO-CECOPECA. They called to take into consideration the regional specificities in Europe. Some clients are willing to pay more for a product with certification, while others want more information but are not willing to pay more. Seafood is consumed differently in the various countries. For example, in some countries, consumers buy directly from fishmongers, while, in others, they do it in supermarkets. There must be a balance in the concept of sustainability, while allowing visible and viable businesses.

The Chair agreed with covering regional differences, particularly on consumer's interests.

ETF highlighted the efforts by the sector to meet the requirements of ecolabels and certification schemes. There are issues with third parties that introduce products in the EU's market without meeting European standards. This affects the economic sustainability of the European sector. Consumers should know the efforts undertaken for seafood products to reach the market, since prices do not match the efforts.

The Chair agreed with the inclusion of a clear focus on the social dimension.

OPP72 underscored the importance of this work. The MAC needs to hold discussions, in order to reach concrete decisions. It is very important to organise the workshop and to reach results. They underscored the vital importance of economic sustainability.

MSC agreed with the proposed structure. The MAC's advice must be relevant. It could be confusing to cover so many matters in the same workshop. They mentioned that animal welfare is a relevant topic.

Good Fish Foundation suggested limiting the scope of the workshop to ecolabels and environmental sustainability.

Killybegs Fishermen's Organisation emphasised the importance of certification schemes for the catching sector. The workshop should focus on voluntary ecolabels. The workshop should provide results and not just brainstorming.

EMPA recalled that there were debates on sustainability at the AAC and no agreement was reached. They emphasised the difficulty in defining sustainability. They agreed with the previous speaker that the workshop should look at the current certification schemes.

Poland's representative, speaking on behalf of PSPR, stated that the Polish sector is very pleased with this workshop. Representatives of the Polish sector will be present. It is important to look at



the current state of certification schemes. It is necessary to look into the positive and negative aspects of obtaining certification, since there are costs for the producers.

FEAP stressed that the workshop must highlight how the aquaculture sector is more sustainable than all other meat productions even without ecolabels.

Killybegs Fishermen's Organisation argued that, taking into account the "Farm to Fork" strategy, the MAC must look at sustainability in relation to the marketing standards framework. There is some overlap, so it would be beneficial to have a session on the workshop covering this matter.

Visfederatie proposed that a workshop of one day and half or even two days could be envisaged.

The Chair proposed to revise the agenda and proceed with a written consultation.

Scientific Denominations Changes: *Sebastes marinus*, *Theragra chalcogramma* and *Uroteuthis chinensis*

- Exchange of views on the Commission's reply

Click [here](#) to access the letter and [here](#) for the Commission's reply.

The Chair provided an overview of the Commission's reply to the MAC's letter.

Poland's representative informed that the Member States received a consolidated list of species prepared by the Commission. There are still names that are synonyms, so the MAC should consider asking the Commission to look into that matter.

The Chair invited the representative to forward the mentioned list to the MAC's Secretariat, in order to further look into the issue.

Poland's representative exemplified that there are problems in identifying different hake species, due to the confusion in the Latin names.

Contaminants

- Analysis for the presence of dioxins and dioxin-like polychlorinated biphenyls (PCBs) in fish oil batches under Regulation (EC) No 183/2005
- Testing for Cadmium levels in Brown Crab exported to People's Republic of China



Click [here](#) to access the letter on PCBs and [here](#) for the letter on cadmium.

The Chair recalled that the MAC sent two letters on these matters. Both are under consideration by the Commission.

Caviar Labelling – AAC Advice

- **Vote on endorsement**

Click [here](#) to access the AAC's advice and [here](#) for the Commission's reply.

The Chair recalled that the AAC sent an advice to the Commission requesting the inclusion of caviar under Article 35 of the CMO Regulation. The Commission replied that it would be difficult to amend the CMO Regulation for a single product. FEAP has held meetings with DG MARE on the matter, where DG MARE raised legal issues. FEAP had stated that it would come up with a new proposal, but, in the end, requested the MAC's Secretariat to put forward the same advice for consideration.

FEAP called on the MAC to support the advice produced by the AAC. The Commission is opposed to changing the CMO Regulation for caviar. FEAP would very much welcome an approval of the AAC's advice by the MAC. The AAC does not oppose comments from the MAC on certain issues, for example on the location of the labelling.

ADEPALE emphasised that the MAC already looked into this matter. The AAC's advice dates back to 2018 and the Commission's reply is quite straightforward. Therefore, they could not see what the MAC's support could provide. One year ago, they suggested to the aquaculture members to work on a draft recommendation on marketing standards for caviar, in a similar manner to the recommendations on tuna, but the AAC did not carry out this work. Therefore, ADEPALE opposed supporting an advice from 2018 that does not have any new items.

WWF argued in favour of supporting the AAC's advice, since Article 35 is not fit for purpose. WWF would like to review some of the wording, since the CITES labelling needs to seal the tin.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. asked if the aquaculture sector was already providing voluntary labelling with consumer information on their products.

FEAP stated that they expected AIPCE-CEP members not to support the AAC's advice from the beginning. FEAP argued that the MAC should take a position on advices taken by other ACs and that the AAC produced a very good document. They called on the MAC to decide if it wants to



support the advice or not, adding that there is still a lack of information in products coming from China.

ANFACO-CECOPESCA stated that a debate among the MAC is welcomed. There are merely divergent opinions among the members. The Commission's reply was very clear. They highlighted that it is a common procedure for ACs to consider others' advices, but that the MAC should not focus too much time on this. They mentioned that there are other labelling options for caviar and that perhaps consumers want other information.

The AAC Secretariat informed that they held a meeting with DG MARE where the relationship between the MAC and the AAC was discussed, including on caviar. DG MARE told them clearly that they would like the MAC to review the AAC's advices that affect the market.

ADEPALE wanted to know if the Commission expressed willingness to revisit the issue, in case of support by the MAC. If that is not the case, there is no point in validating the AAC's advice as it currently stands. They suggested the development of new proposals by the aquaculture members.

Europêche recalled that they had already supported the letter in 2018. Even if caviar is a very specific issue, the MAC is the representative body for market matters and should support the advice.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. argued that consumers can already make a choice without legislation.

ETF argued in favour of including origin labelling in products.

FEDEPESCA recalled that the MAC's Focus Group on Consumer Information has dedicated time on the development of a draft text. FEDEPESCA underscored the importance of informing consumers on the catch area, even though, currently, when selling processed products with more than 50% of a primary ingredient information on the exact origin is not provided.

FEAP argued that it is a matter of coherence, since eggs are not a processed product. FEAP expressed openness to different solutions and to the development of a general consensus.

The Chair highlighted that it is acceptable to have opposing views and to include majority and minority positions in an advice. The reader can make a decision on which arguments they value more.

The Secretary General recalled that, the previous year, he held a meeting with DG MARE on relevant topics for the MAC. At that meeting, Commission representatives informed him that the AAC's advice was too specific on one product.



Visfederatie argued that this issue was part of the discussion on marketing standards and that DG MARE would not change the CMO Regulation for only one product. They argued in favour of integrating the matter under the advice on Consumer Information. The AAC's advice could be used as an example, which would allow it to be placed in a larger context.

The Chair informed that the AAC's advice is mentioned in the draft text on consumer information.

FEAP called for the MAC to decide specifically if it supports the AAC's advice or not.

Killybegs Fishermen's Organisation called for the referral of the matter to the Executive Committee.

Visfederatie argued that that it is not correct that the MAC must endorse or reject an advice by another AC. Every AC has its own remit. They argued in favour of referring the matter to the Executive Committee.

Good Fish Foundation argued that the MAC could draft a brief response to the AAC summarising the sentiments expressed, including minority views. The points mentioned by WWF could also be included.

The Chair stated that the matter would be moved to the Executive Committee. The Executive Committee will try to find a consensus position, but there might be minority and majority positions. The MAC's reaction can include additional points on how the original advice could be amended.

Fitness Check on the EU legislation on endocrine disruptors

- **Adoption of contribution to the targeted stakeholders survey**

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

The Chair explained that the Commission requested input on the EU's legislation on endocrine disruptors. The Good Fish Foundation analysed if a joint response by the MAC would be possible, but concluded that it would not be possible to reach a consensus.

Good Fish Foundation stated that the questions are very targeted. They encouraged interested members to submit individual contributions. They also provided a brief explanation of the issue.

FEDEPESCA underscored the importance of the topic. There are environmental problems deriving from the accumulation of certain substances. This matter is relevant, not only for producers, but



for citizens in general. In other sectors, such as cosmetics, plenty of information is provided to the consumers.

The Chair encouraged members to submit contributions as stakeholder organisations or as citizens, since it is a relevant topic.

Focus Group on Consumer Information

- **Update on the third (29.10.19) and fourth (09.01.20) meetings - presentation**

The Chair provided an overview of the third and fourth meetings, highlighting that there is a good consensus on the majority of the text. The Chair thanked the Focus Group (FG) members for their work, including all different sectors. A key part was the jointly agreed “recommendations”. The Chair proceeded with an overview of the draft text.

EMPA congratulated the FG on the work done. They requested the inclusion of “aquaculture” under section “3.4 Fishing industry considerations”. Recommendation b), instead of “preserved or prepared fish”, should refer to “seafood” or “products from the sea”.

ADEPALE expressed appreciation for the work done, but added that the consolidated document was quite recent, so it was not possible to provide a consolidated view on the comments. They informed that they would have a number of comments, since many points are still not acceptable for the processors and traders.

Europêche recalled that the processing sector was represented at the FG meetings by an AIPCE-CEP member.

Visfederatie argued that FG’s work on the development of a first text for the WG. It is up to the WG to have a substantial discussion on the document.

The Chair stated that the last FG meeting was quite recent, so there had not been enough time for all members to go through the document. There are probably several members that will have comments on the text. If a written procedure is followed, any changes to the text need to be justified or replaced by proper text. There can be majority and minority opinions. The recommendations have been mutually agreed upon. It is was quite clear from the start that there would be different opinions, which is why there are majority and minority opinions.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. emphasised that the FG meetings had not been easy, since there were many widespread ideas. The FG had a clear look at the legislation. At the last meeting, there was substantial progress and agreement on the draft



text. WG3 should read the pages carefully, in order to be able to present ideas at the next meeting. They argued that probably not many new elements would be added. AIPCE-CEP members still need to discuss among themselves.

The Chair thanked Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. for the intervention and welcomed their role and input when discussing this matter with AIPCE-CEP colleagues.

ADEPALE recognised that it is a first draft that needs to be reviewed. They stated that WG3 will probably need to gather for a full day to go through the entire document.

OPPC-3 highlighted that all different sectors have participated in the FG. They wanted clarification if there was a draft advice or not.

The Chair recognised that the FG had different sectors represented, but that the document under discussion is not the final text, as is procedure. The aim of the FG is to collect information and develop a first text for the WG. The FG on Consumer Information has concluded its work.

EuroCommerce emphasised that the aim of the last FG meetings was to develop a presentable text. It was a very constructive meeting that achieved a good result. It would never be possible to reach a document where WG members could merely state “Yes” or “No”. They suggested that MAC members should be provided with more time to go through the text through a written procedure.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. noted that the FG worked on a situation where no consensus was possible. Potentially, after the WG discussion, it will be necessary to work again in a FG. There must be information and some common agreement. WG members should be provided with time to analyse. It is an excellent document that needs to be assessed by the different associations. They suggested that members should send comments to the Secretariat, in order to prepare a “bible document”.

The Chair emphasised that the document under discussion was only a draft text. The draft text will be recirculated through written procedure for comments.

Labelling of vegetarian and vegan products that imitate seafood products

The agenda item was postponed to the next meeting due to time constraints.



Nutritional Labelling, particularly “nutriscores”

The agenda item was postponed to the next meeting due to time constraints.

AOB

None.

Summary of action points

- **Plastics:** Scope-out initiatives by the other ACs, in order to develop a joint advice.
- **Certification Schemes:** Amend the draft Terms of Reference to reflect the discussions held. Afterwards, proceed with a WG3 consultation through written procedure.
- **Caviar Labelling – AAC Advice:** Item to be put forward to the Executive Committee.
- **Focus Group on Consumer Information:** Recirculate the draft text through written procedure for comments.



List of attendees

Representative	Organisation
Andrea Albertazzi	ETF
Andrew Kuyk	AIPCE-CEP
Ángeles Longa	EMPA
Anna Boulova	FRUCOM
Arnault Chaperon	FEAP
Benoît Thomassen	FEAP
Brian O’Riordan	LIFE
Cécile Fouquet (observer)	Aquaculture Advisory Council’s Secretariat
Christine Absil	Good Fish Foundation
Cristina Fernández (observer)	United Kingdom (Seafish)
Daniel Voces de Onáindi	Europêche
Eduardo Míguez	Puerto de Celeiro S.A. – OPP77
Els Bedert	EuroCommerce
Erik Bjørn Olsen	Danish Society for a Living Sea
Georg Werner	Environmental Justice Foundation
Gerd Heinen	European Commission
Guus Pastoor	Visfederatie
Hans Nieuwenhuis	Marine Stewardship Council
Haydeé Fernández Granja	CONXEMAR
Janne Posti	Marine Stewardship Council
Javier de las Peñas Rivero (observer)	Spain
Jens Mathiesen	Danish Seafood Association
Joanna Żurawska-Łagoda (observer)	Poland
José Basilio Otero Rodríguez	Federación Provincial de Cofradías de Pescadores de Lugo
José Carlos Escalera Aguiar	Federación de Cofradías de Pescadores de Cadiz (FECOPESCA)



Representative	Organisation
Juan Manuel Trujillo Castillo	ETF
Katarina Sipic	CONXEMAR
Kathryn Stack	FEAP
Katrin Vilhelm Poulsen	WWF
Laurène Jolly	European Commission
Marc Eskelund	EUfishmeal
María Luisa Álvarez Blanco	FEDEPESCA
Massimo Bellavista	COPA COGECA
Mathilde Voison	Market Advisory Council
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Miriam Schneider	EuroCommerce
Nicolás Fernandez Muñoz	OPP72
Paulien Prent	Visfederatie
Patrick Murphy	IS&WFPO, CLG
Pedro Reis Santos	Market Advisory Council
Pierre Commère	ADEPALE
Pim Visser	VisNed
Purificación del C. Fernández Alvarez	OPPC-3
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPECA
Rosalie Tukker	Europêche
Sean O'Donoghue	Killybegs Fishermen's Organisation Ltd
Sergio López	OPP LUGO

