

## **Working Group 1: EU Production Draft Minutes**

Wednesday 29 January 2020

14:00-17:10

Avenue de Cortenbergh 168,  
1000 Brussels

**Welcome from the Chair, Sean O'Donoghue**

**Adoption of draft agenda and minutes of last meeting (02.09.19): adopted**

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

### **Action points of the last meeting**

- **State of play of the decisions made during the last meeting - information**

The Chair outlined the state of play of the decisions made. On the EMFF, the WG will continue to work on the topic, but the MAC's work programme will depend on the activities of the European Parliament. On marketing standards for processed products, the MAC's advice was submitted on 12 July 2019. The Chair took the opportunity to ask the European Commission if an answer was envisaged.

The European Commission replied that the advice was received. The evaluation on the marketing standards framework was already concluded, so the advice will not be incorporated in the evaluation. Nevertheless, the Commission will analyse it and provide an answer.

The Chair informed that the draft text on EUMOFA had been circulated among the members of the WG. On STEFCF, the Commission and the MAC are on the same page concerning the MAC's attendance of the Annual STECF Fleet Report meeting.

### **EUMOFA**

- **Exchange of views on the Commission's reply**

The European Commission explained that EUMOFA, in relation to the transmission of data, includes tailor-made solutions for each Member State's specificities, which provides good results. After the Commission's reply to the MAC advice was drafted, the EUMOFA experts have consulted with all Member States to develop a state-of-play on the transmission of First Sales Notes data.



For each Member State, specific methodology to improve the transmission of data will be developed.

In relation to aquaculture data, Eurostat is revising the regulation on data collection for fisheries and aquaculture products. This is included in the next EU map on the data collection framework, which will entail some changes on aquaculture data. The Commission is aiming to receiving more data from the Member States, particularly on inland aquaculture.

The Chair drew attention to problems with the quality of the data on consumption and expenditure.

The European Commission informed that the data is collected from an external service provider, which provides a very comprehensive set of data on an yearly basis. Monthly data is not available.

The Chair recognised that the Commission's rejection of the MAC's recommendation for more timely data was fair, since the data is made available as soon as possible. On the MAC's recommendation regarding errors highlighted by users, the Chair considered the Commission's rejection to be fair, since this referred to problems dating back several years and members did not provide evidence. The Chair expressed his hope that the advice was a worthwhile exercise for both the MAC and the Commission.

- **Future Work**

The Chair invited members to identify specific additional price studies, which the MAC could recommend to the Commission. The Chair suggested a two weeks deadline for members to send their proposals.

The European Commission informed that a study on canned sprat would be published mid-February and that a study on organic salmon would be published in April.

FEAP drew attention to the Commission's study on caviar, which they considered very useful for the sector. They asked the Commission to update the study with new figures.

The Chair called on the Commission to advertise EUMOFA's value, since it is the official website with all the data.

The European Commission informed that the issue was discussed recently. There is still some confusion when EUMOFA is presented. It is not always clear that EUMOFA is developed by the European Commission. Therefore, it is necessary to work on the visual identity of EUMOFA.



The Chair highlighted that there was a training session in Ireland, but with few participants. The Chair suggested that, when the Commission is organising training sessions in a Member State, the MAC could contact its members and inform them.

The European Commission offered to provide a training session to the MAC members. In the Commission's experience, when organising sessions in the Member States, there are representatives of the national administrations present, but not many from the sector. The Commission encouraged the MAC to communicate on EUMOFA, and reiterated the offer of a tailor-made session on EUMOFA.

AIPCE recalled that, during the presentation on market trade values that took place at the WG2's meeting, Visfederatie identified gaps in the information. There is a lack of alignment in some of the figures, potentially due to technical factors, such as different conversion rates, different statistical periods, or CEN codes. They argued that a common understanding of the figures is the best way forward.

## STECF

- **The 2019 Annual Economic Report on the EU Fishing Fleet – Presentation by Natacha Carvalho (JRC) STECF Chair of the Report**

Click [here](#) to access the prepared presentation. Ms Carvalho was scheduled to present remotely, but, due to technical difficulties, that was not possible.

- **Advice on price data and aquaculture**

The Chair highlighted that the STECF is using average price data, which can lead to substantial price differentials, for example on the average price of pelagic species. The Chair proposed to follow-up with STECF as well as to contact the report Co-Chairs.

The European Commission informed that the data is provided by the data collection framework and from the Member States.

The Chair stated that part of the problem is lack of access to sales notes data, which is connected to control and GDPR issues.

The European Commission stated that Article 53 of the Control Regulation imposes a limitation on the availability of this data. The Commission is waiting for an opinion of the legal service. If there is a positive reply, from a legal perspective, Member States need to provide consent for the use of this data, since it would become publicly available. The Commission has carried out internal



studies and analyses on the performance of the fleet. There were no significant differences detected. In 2017, there were generally net profits. It is forecasted that it will be the same in 2018 and 2019. Most of the profits are observed in the North Sea and North Atlantic, but problems continue in the Mediterranean. In the Black Sea, the fleet is struggling in relation to the stocks severely overfished. Therefore, there are specific problems within specific sectors.

The Chair argued that the averages used do not take into account the regional variations.

The European Commission informed that the next STECF WG will take place in the Summer. A data call to the Member States has been launched by the JRC. Therefore, if the MAC wants to discuss this, it should proceed in February.

The Chair proposed to contact STECF bilaterally to determine the future course of action.

## EMFF

- **Update on MAC recommendations**

The Chair provided an overview of the state-of-play on the EMFF, including a comparison between the European Parliament's and the Council's positions and the MAC's advice. The Chair proposed, as an action point, to recirculate the MAC advices on the EMFF to the Parliament and the Member States.

ANFACO-CECOPECA asked about the Council's view on grant aid for processing.

The Chair explained that the Council was not fully supportive of grant aid for processing and aquaculture. The Council's text leave it slightly open, but is not as positive as the European Parliament.

ANFACO-CECOPECA suggested highlighting the areas that were not taken on board when recirculating the advice.

The Chair clarified that, when contacting the European Parliament, the MAC only sends the document for information purposes. When addressing the Member States, it would be possible to highlight those.

FEDEPESCA requested more information on the lack of coincidence between the Council's position on the value chain and marketing with the MAC's advice.



The Chair explained that the MAC had very specific recommendations, but the Council's position did not exactly coincide.

The European Commission explained that the purpose of the Commission's proposal was not to detail the measures to be supported. Activities that are not referred can still be supported. It will be up to the Member States to determine what to support. For simplification purposes, the Commission wants to avoid detailing what is possible, but to only determine what is forbidden. The Commission highlighted that the negotiations on the EMFF depend very much on the Common Provision Regulation (CPR) negotiations as well as the MFF. The interinstitutional negotiations on the CPR are ongoing and there is common understanding on the strategic approach, enabling conditions, management, and control. The Commission wants to ensure that Member States are able to start preparing future operational programmes. The MFF discussions started by the elements most needed for programming. The Commission is worried with the risk of introduction of support for vessel construction.

The Commission representative highlighted that the joint ACs advice on EMFF funding for scientific research projects was supposed to be addressed to the Member States, but had actually been sent to the Acting Director-General of DG MARE with the Member States in copy.

The Chair clarified that the intention was to send the advice to the Member States and to inform the Commission.

OPPC-3 thanked the Secretariat and the Chair for the good work done. They wanted to know if the document on the differences on the recommendations could be made available.

The Chair proposed circulating the working document to the members. The PowerPoint presentation would be made available on the website.

COPA COGECA wanted to know if synergies between the EMFF and other funds, such as the Erasmus programme and ESF, were possible.

The European Commission outlined that there is specific funding under the EMFF. The Advisory Councils can answer calls for proposals launched by DG MARE and can participate in the operational programmes. ACs can respond to calls for tenders in the research field under Horizon 2020. The ACs were consulted on the research priorities for Horizon Europe. There will be a long decision-making process on the scientific priorities for which DG RTD is the leading party.

FEDEPESCA supported the circulated of the previously mentioned working document.

The Chair agreed with the circulation.



## Landing Obligation

- **Review Markets Situation**
- **Future Work**

The Chair stated that it was not possible to analyse the effects of the implementation of the landing obligation on the market. The Chair proposed sending a request to the European Commission for 2019 data. Once there is answer, it will be possible to assess the impact of the landing obligation on the sales of fish under minimum sizes. The Chair further proposed to ask for information on a regional basis, in terms of the effect that the landing obligation is having on landing of undersized fish and specific quotas. There was agreement among the members.

- **EC Request & Questionnaire on "Annual report on the implementation of the landing obligation 2019"**

The Chair outlined that questionnaire was quite long, but most questions were outside the MAC's competence. The Chair proposed to inform the Executive Committee that the questionnaire was assessed but deemed outside the MAC's competence, plus to circulate it for individual contributions by the members. There was agreement among the members.

The European Commission expressed satisfaction with the inclusion of the agenda item. The Commission is obliged to report every year on the implementation of the landing obligation. 2019 was a very crucial year, since it was the first full implementation of the landing obligation. In previous years, the Commission asked the Member States on their implementation through a questionnaire. This year, the Commission would like explicit views from the ACs. Concerning the relevance for the MAC, the representative drew attention to the questions on outlets of catches below the minimum conservation reference size of a species subject to the landing obligation as well as to the questions on the socioeconomic impact of the landing obligation. If there are specific views that individual members would like raise, it would be beneficial for these to be streamlined by the ACs. The Commission took note of the request for data on discards. One of the major challenges identified is control and enforcement of the landing obligation, which influences the quality and accuracy of the data. They invited the MAC to proceed with the request.

The Chair argued that the MAC was not in a position to answer the mentioned questions due to the lack of data. The Chair proposed to put forward a letter to the Executive Committee stating that most of the questions are outside the MAC's competence, plus that the MAC was not in a position to reply to the other others. Additionally, the MAC should request data on the implementation of the landing obligation to the European Commission.



The European Commission recognised that quantitative data is very important to assess the success of the landing obligation, but added that potential qualitative data would also be very important. If the ACs have specific concerns, this would be the moment to express them. It might not be feasible to have all the data in the present year.

The Chair emphasised the importance of data to support a reply.

### **DG MARE's Study – Evaluation of the marketing standards framework for fishery and aquaculture products**

- **Presentation by Commission Representative**

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

The European Commission proceeded with a presentation on the evaluation of the EU's marketing standards and the next steps. In terms of way forward, work has been initiated on an inception impact assessment for the revision of the marketing standards. There will be an open public consultation, but also targeted consultations in parallel. The Commission is counting on contributions from the MAC and its members.

- **Exchange of views**

VisNed wanted to know how the MAC's advice fit into the process. They also wanted to know the timeline.

The European Commission explained that the MAC's advice on the evaluation of the current standards was received after the conclusion of the study prepared by the external consultant. The advice was integrated in the Staff Working Document, so it has been taken into account. The Commission will work on the revision of the current marketing standards, incl. a public consultation process, and targeted stakeholder consultations, presumably over the Summer. The gathered information will feed into an impact assessment.

The Chair emphasised that the MAC wants to meet the timelines. The Chair wanted to know if, in the next few months, the Commission will be appointing an external consultant for the impact assessment.

The European Commission explained that the process is still ongoing. There is no final decision on hiring an external consultant. There will be a twelve weeks open consultation period. The MAC can provide an advice at a later stage but the Commission encourages the MAC to organise the work of its focus group in such a way that feedback can be delivered within the 12 weeks. In the public



consultation, contributions are welcomed from everyone and the Commission follows the timetables established by the Better Regulation rules. The MAC will be informed when the public consultation is launched.

- **Future Work**

The Chair asked for information on the key areas covered by the inception impact assessment.

The European Commission explained that these always follow the same structure, including a short description of the context, a description of the problem, general and specific objectives to be defined, and first estimates of the impacts to the various stakeholders.

The Chair underscored the importance of these topics to the MAC, arguing that there should be a collective response. The MAC should aim to contribute before there is a proposal.

MSC expressed support for the Commission's overall agenda as part of the Green Deal and the Farm to Fork strategy, which will allow consumers in the European market to make better choices on sustainability information. They wanted to know how this would play out on the marketing standards, since it is currently a B2B instrument. They emphasised that there are many ways of better informing consumers. The evaluation study refers to these other methods. Therefore, they wanted to know why is there a potential development of marketing standards, instead of other methods.

The European Commission stated that the objectives of the evaluation was to assess if the marketing standards meet the objectives defined in the CMO Regulation. One of the objectives is enabling the market to be supplied with sustainable products. Sustainability in the marketing standards framework should be covered and analysed. At the moment, it is clearly a B2B instrument. The Commission knows that, in the opinion of several MAC members, it should continue as B2B. This will be analysed in the impact assessment. There is a need for more visibility on sustainability when buyers, incl. consumers, and seller make their transactions. However, even the standards should remain limited to B2B relations, the Commission will consider integrating sustainability criteria and dimension.

The inception impact assessment would not show a preference for a specific direction. Which parts of the supply chain to cover is one of the key aspects to assess. The Commission is quite open. The evaluation was initiated under the previous Commission. The new Commission has developed a wider view and strategy under the Green Deal and Farm to Fork strategy. The Farm to Fork strategy will include actions about consumer information and labelling, sustainable food systems, better food for consumers, hygiene, and environment, in a holistic approach.



MSC highlighted that the evaluation study notes that the CMO Regulation does not define sustainability and sustainable products. Therefore, this should be looked at under the CMO Regulation and not under the Marketing Standards framework.

#### **Focus Group on Marketing Standards**

- **Exchange of views on future work**

The Chair outlined that Pim Visser chaired the previous Focus Group on Marketing Standards, which produced advices on both fresh and canned seafood. The Chair invited members to consider on whether to continue this FG or not and which tasks it should develop. FGs aim to facilitate a proper discussion at WG's level, so the WG must assess the Terms of Reference.

The Chair expressed surprise with the conclusions of the external consultant, taking into account the MAC's recommendations on quality standards. Therefore, it is important to assess why the consultant reached a different consultation. It is also important to follow-up on the Commission's Staff Working Document and impact assessment, plus to develop environmental, social, and economic sustainability criteria.

VisNed informed the WG members on a meeting held with the Commission services on December 2019, which included Sean O'Donoghue (WG1 Chair), Pim Visser (VisNed), Katarina Sipic (CONXEMAR) and the Secretary General. They argued that a FG should have a document ready by the time of the next WG1 meeting. The scope will depend on the interaction with the Commission.

The Chair asked members if the draft proposal for the FG was going on the right direction.

ANFACO-CECOPESCA argued that the MAC should wait for the consultation before moving forward.

The Chair argued that the first task of the FG would be to look at the inception impact assessment and suggested a first meeting in March. The Chair asked for views on the draft Terms of Reference.

MSC expressed interest in joining the FG. They stated that the draft ToR were a positive start, but suggested more reflection and the possibility to provide additional elements by email.

The Chair stated that the draft ToR would be circulated to everyone by written procedure with a two weeks deadline for feedback.

Good Fish Foundation wanted to know what kind of economic sustainability criteria was envisaged.

The Chair stated that these had not been defined. The FG would look at that matter as well. The Chair expressed hope that the FG would look at existing practices.



ADEPALE recalled that, when the previous FG concluded its work, the next step would be focused on fresh products. The scope of the products covered by the new FG is not clear and needs to be defined.

The Chair argued that, taking into account the recent actions of the Commission, the FG should no longer be confined to the guidelines on quality standards. Since there will be a revision of both fresh and canned products, both would be covered by the new FG.

VisNed highlighted that one of the major challenges for the FG will be to determine when B2B and B2C elements start and end.

The WG agreed that Pim Visser would be FG Chair and the FG Secretariat would be provided by the MAC's Secretary General. The membership would be the same as the previous FG on Marketing Standards with the inclusion of two Other Interest Group members: MSC and WWF. The draft Terms of Reference would be circulated by written procedure with a two weeks deadline for feedback.

### Summary of action points

- **EUMOFA:**

- Additional price studies – MAC Secretariat to invite members to identify relevant price studies topics to recommend to the European Commission. Deadline: Two weeks after WG1 January's meeting.
- Aquaculture data suggestions – MAC Secretariat to invite aquaculture sector members to suggest relevant data requests to recommend to the European Commission. Deadline: Two weeks after WG1 January's meeting.
- Training – MAC Secretariat to schedule a training session for MAC members on the use of EUMOFA. Deadline: Before May's WG1 meeting.

- **STECF's 2019 Annual Economic Report on the EU Fishing Fleet:**

- Follow-up with STECF – WG1 Chair to discuss bilaterally with Natacha Carvalho (JRC), STECF Chair of the Report. Deadline: Before May's WG1 meeting.
- JRC's Data Call to Member States - WG1 Chair to contact STECF bilaterally to assess possible contributions by the MAC. Deadline: End of February

- **EMFF:**

- Recirculate advice - MAC Secretariat to recirculate MAC's advice to the EP PECH Secretariat and to the observer Member States. Deadline: End of February

- **Landing Obligation:**

- Request data - MAC Secretariat to request DG MARE for the available 2019 data on the implementation of the landing obligation. Deadline: Before May WG1's meeting.





- **Marketing Standards:**

- FG Terms of Reference – MAC Secretariat to circulate draft Terms of Reference through written procedure among WG1 members for comments and approval. Deadline: 14 February
- FG on Marketing Standards – MAC Secretariat to organize first meeting. Deadline: March

**AOB**

None.



## List of attendees

Representative	Organisation
Alonso Abreu Lozano	Asociación de Armadores de Punta del Moral (OPP80)
Andrea Albertazzi	ETF
Andrew Kuyk	AIPCE-CEP
Ángeles Longa	EMPA
Arnault Chaperon	FEAP
Christine Absil	Good Fish Foundation
Cristina Fernández (observer)	United Kingdom (Seafish)
Eduardo Míguez	Puerto de Celeiro S.A. – OPP77
Emiel Brouckaert	EAPO
Erik Bjørn Olsen	Danish Society for a Living Sea
Frangiscos Nikolian	European Commission
Georg Werner	Environmental Justice Foundation
Gerd Heinen	European Commission
Guus Pastoor	Visfederatie
Hans Nieuwenhuis	Marine Stewardship Council
Jacopo Pasquero	Market Advisory Council
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 de Cofradías de Pescadores de Cadiz (FECOPESCA)
Juan Manuel Trujillo Castillo	ETF
Katrin Vilhelm Poulsen	WWF
Laurène Jolly	European Commission
Marc Eskelund	Eufishmeal





Market Advisory Council

Representative	Organisation
María Luisa Álvarez Blanco	FEDEPESCA
Massimo Bellavista	COPA COGECA
Mike Turenhout	Visfederatie
Nicolás Fernandez Muñoz	OPP72
Pascale Colson	European Commission
Patrick Murphy	IS&WFPO, CLG
Pedro Reis Santos	Market Advisory Council
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

