

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

Draft Minutes

Wednesday, 1 July 2020

10:00-16:00 CET

Zoom online meeting

Welcome from the Chair, Benoît Thomassen

Adoption of draft agenda and minutes of last meeting (04.06.20): adopted

Compulsory and voluntary consumer information under the CMO Regulation

- **Presentation by Commission representative**

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

Sabela Pérez Máiz (DG MARE) provided an overview of the consumer information framework applicable to all fishery and aquaculture products markets in the EU, particularly the CMO Regulation and the FIC Regulation. Any product not covered by the CMO Regulation falls under the FIC. For non-packaged products, national legislation determines what information is to be displayed. Since 1 April, there is a compulsory obligation to indicate the origin of the primary ingredient for transformed products. There are detailed FAQs prepared by the Commission, which could be shared with the MAC's Secretariat.

- **Exchange of views**

Hans Nieuwenhuis (MSC) asked the Commission to share those FAQs.

Cristina Fernández (UK) requested information about a potential revision of the CMO Regulation and initiatives foreseen under the Farm to Fork Strategy, particularly the marketing standards framework.

Sabela Pérez Máiz (DG MARE) highlighted that the Commission does not plan to revise the CMO Regulation, but that an implementation report will be provided to the co-legislators at the end of 2021. As for marketing standards, it is too early to know what the Commission will propose.

Frangiskos Nikolian (DG MARE) explained that there are no plans to revise the CMO Regulation, but that there is an obligation to report on its functioning. On the marketing standards, an impact assessment will be carried out, then the Commission will decide on how to proceed and if a sustainability element will be included. It will also analyse if it should be kept as B2B or include a consumer level. Under the Farm to Fork Strategy, there are several initiatives connected with consumer information, sustainability and labelling. These will require impact assessments, in order to assess the added value. If there is a need to complement the CMO Regulation or the consumer



information provisions, the Commission will probably do it. The Commission is analysing this matter and there will be public consultations.

Consumer information

- **Consideration of draft advice**

Hans Nieuwenhuis (MSC) wanted to know the original terms of reference for the draft advice.

The Secretary General explained that the draft advice was prepared by the Focus Group on Consumer Information, which was established before the adoption of the Guidelines on the Functioning of the Focus Groups, so before there was a requirement to approve terms of reference. The decision to develop an advice on consumer information took place under a discussion, around two years ago, at a WG3 meeting, on the AAC's recommendation on caviar labelling. The WG3 decided that the MAC should prepare an advice on consumer information in broad terms.

Pierre Commère (ADEPALE) requested the inclusion of the word "draft" in the document.

Hans Nieuwenhuis (MSC) suggested that there should be a paragraph with the purpose of the advice in the beginning of the document.

Christine Absil (Good Fish Foundation) agreed that there should be a proper introduction on the purpose of the document.

Katarina Sipic (AIPCE-CEP) agreed with the two previous comments.

Christine Absil (Good Fish Foundation) suggested that the supporting information could be moved to the Annex, in order for the advice to be easier to read and more targeted.

Sean O'Donoghue (KFO) expressed full support for the suggestion of the previous speaker. Annexes with supporting material would make the document easier to read. The introduction and recommendations should be short.

Katarina Sipic (AIPCE-CEP) agreed that it would make the document easier to read and clearer.

The Working Group proceeded to analyse the latest draft version.

The Chair explained that, in relation to the paragraph on the Commission's original CMO Regulation proposal, at the previous meeting, AIPCE-CEP had requested a rephrasing, but, afterwards, AIPCE-CEP decided to support the original drafting, so the paragraph was approved.

The Chair proceeded to analyse the additional sentence under the first chapter that highlights that origin is the main emphasis of the advice, but not the only one.

Arnault Chaperon (FEAP) agreed with the sentence, but proposed adding "defrosting date".





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Silvia Gil (FEDEPESCA) stated that “date of catch/harvest” is mentioned in the mentioned sentence and is analysed later in the advice, but that this information is not compulsory. Therefore, it should not be in the sentence.

The Chair explained that the purpose of the advice is to discuss what elements are compulsory or not, for which products, and which should be extended.

Katarina Sipic (AIPCE-CEP) suggested to make clearer what elements are mandatory and the ones that are voluntary.

Hans Nieuwenhuis (MSC) proposed to add “touching upon some, but not all, other elements”.

Miriam Schneider (EuroCommerce) suggested to rephrase as “elements that may be of interest to the consumer”.

The Working Group approved the bibliographical notes under the “Review of studies and surveys on consumer behaviour and interests on labelling information received” chapter.

Hans Nieuwenhuis (MSC), in relation to the paragraph on the GlobeScan consumer survey, proposed a sentence to be added on the 2020 results, which confirm the results described in the draft.

Pierre Commère (ADEPALE) wanted to know the purpose of the reference to “control questions”, which is a cross-cutting issue. If there is a control deficit, it should be highlighted somewhere else.

The Chair agreed with the deletion, since it is not covered by the recommendations. The Chair agreed with the deletion proposed by AIPCE-CEP of the sentence on consumers who finished their education, since the percentage difference in relation to the general average is very small. The Chair also agreed with the listing of the relevant Member States.

Cécile Fouquet (AAC), in relation to the paragraph on increased coordination between Commission services, requested clarification on the meaning of a distinction between fishery and aquaculture products.

Pierre Commère (ADEPALE) explained that there are instances of lack of coordination among different Directorates of the Commission. The suggested drafting aims to provide a more positive wording.

Cécile Fouquet (AAC) supported the request for more coordination between Commission services, but that the reference to a “distinction between fishery and aquaculture products” remained unclear.

Katarina Sipic (AIPCE-CEP) highlighted that the advice includes comparisons between regulations on voluntary and mandatory on labelling indications. There are some different interpretations among Member States. They committed to checking the sentence and coming back with a clearer rewording.



The Chair, in relation to AIPCE-CEP's comment on "specifically with regard to origin labelling", explained the following chapters focused more on origin, but expressed openness to a rewording.

Katarina Sipic (AIPCE-CEP) suggested to make the text more coherent by including the same references as the new paragraph in the first chapter.

Pierre Commère (ADEPALE) highlighted that origin is a very complex matter when it comes to fishery products. It should be "origin" and "geographical provenance".

The Working Group proceeded to analyse the comment by AIPCE-CEP on including scientific names on labels, which proposed to change "crucial" to "useful".

The Chair commented that it was probably more than "useful", since it was noted by 68% of respondents.

Silvia Gil (FEDEPESCA) argued that it is more than "useful". For fresh fish, there is an obligation to include the scientific name. It is really helpful for consumers to include this information. For products with a variety of species, some accommodations might be needed, but that is covered in the text.

Rosalie Tukker (Europêche) suggested "important", instead of "useful".

Roberto Carlos Alonso (ANFACO-CECOPESCA) emphasised that, when the MAC takes decisions, it should take into account all parties. The WG3 members do not correspond to the average consumer, since the members have more experience. Therefore, it was difficult to understand such a strict defence of scientific names as indispensable. The term "important" would be more adequate for very well informed consumers. They exemplified that some people with fish market experience are not able to difference between species with different scientific names but with similar appearance. As such, they disagree with the classification of "crucial". They argued that scientific names are not viable for certain transformed products with a mixture of species. The wide spectrum of market species must be taken into account. In general, consumers only know a limited number of species.

Katrin Poulsen (WWF) recalled that this topic was discussed in detail in the FG and disagreed that it would be only for "well informed consumers". In terms of labelling, the different types of information are mutually reinforcing the understanding of the product. For example, a product named "red fish" in the Northeast Atlantic does not mean much, since there are several species with varying stock status. From a consumer and an environmental perspective, it is important to have that distinction.

Roberto Carlos Alonso (ANFACO-CECOPESCA) stated that the arguments of the previous speaker were more in line with a repeal of the commercial designations. They emphasised that each EU Member State can have its own designations, taking into account their needs and characteristics. This is very different from the scientific names, which would be more confusing for consumers.



The Chair clarified that the point was not to move from commercial designation to scientific name, but to have both for the consumer. The scientific name is a common denomination for the same species in the whole world. There can also be issues connected with selling fish products in another country. des

Roberto Carlos Alonso (ANFACO-CECOPESCA) explained that, when a product is traded, there are national protections and a principle of mutual recognition. When a product is produced in France to be sold in Spain, it must comply with the Spanish legislation. The commercial designations tool was created to protect the consumers taking into account their knowledge and region. Scientific names would make the labels more complex and confusing for consumers.

Vanya Vulperhost (Oceana) argued in favour of including both the commercial designation and the scientific name. They exemplified that, in Belgium, the term “tuna” is allowed for many commercial species, which limits the information to the consumer. This way, consumers can access the information, if they wish to.

Pierre Commère (ADEPALE) exemplified, that, in France, there was negative feedback from consumers who did not understand the scientific names, but that well informed consumers found these to be useful. Therefore, there should be a reference to “well informed consumers” in the text.

Pim Visser (VisNed) argued that it is important that the species in the packet be recognisable by the consumer. There can be substantial discrepancies between species and market prices. The consumer is well informed, so the real scientific name should be mentioned in the package.

Miriam Schneider (EuroCommerce) emphasised that, from a retailer’s perspective, it is very difficult to create an understanding of the large variety of scientific names for consumers. They suggested that the draft text should not be say that scientific names must or must not be included now. The text should be in the direction that scientific names could help support understanding the contents. It should state that the inclusion of such an extension should be analysed further, as it is stated in the recommendation.

Arnault Chaperon (FEAP) argued in favour of maintaining scientific names. It is a safeguard for consumers, particularly in relation to restaurants that do not provide this information in the menus.

Silvia Gil (FEDEPESCA) stated that it is a very complex situation that needs to consider several factors. Traditional fishmongers include the scientific name and there is no negative feedback. The consumers trust what they are buying more. They argued against the inclusion of reference to “well informed consumers”. Everyone can look for the information on their phones and online. It is very important to know the scientific name, in order for the consumer to be certain. There is a distinct commercial value, so it can benefit premium products.

Vanya Vulperhost (Oceana) drew attention to Oceana’s research in Brussels, which included tests in the Commission’s cantina and in restaurants. Different commercial names were used, which could be due to lack of knowledge from the seller or the consumer. There are different species being sold as “Bluefin tuna”. In supermarkets, there was less fraud than in restaurants and cantinas, precisely





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because scientific names are included. Therefore, the scientific name is important to combat fraud.

Juan Manuel Elices (Spain) argued that there should not be a differentiation between consumers. The information in the labels should be for all consumers. More information represents more safeguards for the consumer.

Roberto Carlos Alonso (ANFACO-CECOPESCA), in relation to the example provided by Oceana, emphasised the importance of differentiating between fraud and legislation on consumer information. Fraud implies that the legislation is correct. Regarding consumer information, they emphasised that there is the concept of average consumer. The EU is very large and includes countries with varying knowledge and interests on seafood. If there is interest from consumers in knowing the species and there is confusion about the commercial species, it means that the national legislation on commercial denominations is not correct. As for the argument that additional information cannot be negative, they disagreed, since it can lead to misinformation. For example, in relation to caviar, there have been complaints that the labels are too small to include all the information. This could lead to an excess of information on the labels, to more generic products, and less value. In the end, it will be confusing for consumer.

The Chair highlighted that scientific names are already compulsory for some fresh products. If it is important for those, there is no reason not be important when the product is transformed. A scientific name is the basis of the purchase. The same species can have different commercial designations across Europe. If a consumer buys a product in a different region, they do not know the commercial designation. Since there is only one member that does not agree with the sentence, the Chair suggested to identify the minority view and maintain the sentence.

Nicolas Fernández Muñoz (OPP72) argued that the most important was not the amount of information, but the clarity and the transparency of the information, so that the consumer can really know the purchased product.

The Chair, in relation to the comment by AIPCE-CEP on “products with a mixture of species”, proposed to include a sentence in the text highlighting its importance.

The Working Group proceeded to analyse the comments on “date of catch/harvest”.

The Chair explained that the majority of the MAC believes that “date of catch/harvest” should continue to be voluntary, while FEAP believes it should be mandatory. In relation to the proposed deletion of the sentence on the Commission’s proposal, the Chair disagreed with the deletion, since it is merely stating a fact.

Miriam Schneider (EuroCommerce) noted that EuroCommerce would be part of the group that believes it should continue to be voluntary. Date of catch would complicate the labels, since there are already several dates included. It would be confusing for consumers and add costs in the supply chain.

Vanya Vulperhost (Oceana) recalled that a previous similar comment on the original Commission’s proposal was resolved by Secretariat with AIPCE-CEP, so perhaps the same approach could be taken.



Katarina Sipic (AIPCE-CEP) stated for, the sake of coherence, they would not oppose the maintenance of the sentence.

Pim Visser (VisNed) emphasised that requests must be practical and doable. Vessels do not record the exact date of catch. The date of landing must be recorded and must be traceable. The consumer does not want this level of detail and it is not provided in other food products. Otherwise, the only way to comply with it will be through fraud.

The Chair stated that the sentence would be maintained with the inclusion of the minority view of FEAP. If other organisations agree with FEAP, they could be added.

Arnault Chaperon (FEAP) stated that FEAP does not absolutely want to include the “date of catch/harvest” for aquaculture and other products. If there is an obligation, it should be mandatory for everyone. If someone includes the catch data on a voluntary basis, after a few days, it will be seen by the consumer as the oldest seafood product in the store, particularly when compared to other products that do not include that date.

Sean O’Donoghue (KFO) agreed with VisNed that it should be voluntary. They highlighted that this section of the text is not part of the recommendations and wondered about the relevance of dedicating so much time to the discussion.

Daniel Voces (Europêche) emphasised that, from an operational point-of-view, it would be impossible to provide across the supply chain by fishers. Under the Control Regulation, the date of catch is relevant for the logbook, but for sales notes, transport notes and lots, the only mandatory and available date is the landing date. This would impose a change to the entire system.

The Chair proposed for the Secretary to contact FEAP to develop a sentence with their view.

Katarina Sipic (AIPCE-CEP) proposed to change “manipulation” for “processes”.

The Chair proposed to approve the sentence proposed by AIPCE-CEP on the number of mandatory dates. In relation to the last paragraph on a mandatory date of catch, the Chair provided the opportunity for members, particularly NGO members, to support it. Since no member expressed support, the sentence was deleted.

The Working Group proceeded to analyse the section on “repacking”.

Roberto Carlos Alonso (ANFACO-CECOPESCA) wondered about the connection between the photos and the text and asked those who submitted the photos to explain these.

Daniel Voces (Europêche) explained that they submitted the pictures to demonstrate how commercial designations can be confusing for consumers.

Roberto Carlos Alonso (ANFACO-CECOPESCA) argued that, if the label does not correspond with the



legislation, then it is fraud, so the legislation is correct. They suggest to delete the text.

Daniel Voces (Europêche) suggested to use the text on “figure 1” in the main text, since it more accurate.

Roberto Carlos Alonso (ANFACO-CECOPECA) emphasised that this demonstrated a situation of fraud, so, at most, this could demonstrate a fraud situation in this Member State. Therefore, the message being transmitted by the inclusion of the image was unclear.

Daniel Voces (Europêche) stated that it was not a situation of fraud, but a situation of commercial names and trade names not corresponding. There is a species with a scientific name that is being traded with several commercial names. It was not identified by the FG as food fraud, but as a situation of bad labelling, which is allowed.

Katrin Poulsen (WWF) highlighted that this product is not legally required to describe the scientific name, so it demonstrates the value of adding the scientific name.

Roberto Carlos Alonso (ANFACO-CECOPECA) argued that it is fraud, because it does not comply with the legislation on sardines.

Paulien Prent (Visfederatie) proposed to delete the reference to “mislabelling” and to mention a lack of level playing field in commercial designations among Member States. In Sweden, this product is referred to as “anchovies”.

The Chair argued that the figure demonstrates the importance of the scientific names, since these are the same worldwide.

Roberto Carlos Alonso (ANFACO-CECOPECA) underscored that the product does not comply with the EU legislation. The commercial designations are determined by commissions in each Member States. If authorities find out that producers from third countries are using their own country’s legislation in another country’s market, they can act, since it is fraud. Commercial designations refer to historical practices and cultures in the EU.

Katrin Poulsen (WWF) stated that it was not clear if this “fraud/mislabelling” had been intentional by this company. Nevertheless, what allowed to determine the contents was the multiple sources of information, which are mutually reinforcing.

Pierre Commère (ADEPALE) argued that, if the reference to the sardines regulation was removed, then the comment by AIPCE-CEP could be deleted. The figure does demonstrate that one scientific name can lead to multiple commercial designations.

Arnault Chaperon (FEAP) provided the example of defrosted products that have been partially cooked. Some businesses take advantage of this opening to sell seabass fillets with a slice of lemon and the package will not show that it has been defrosted, because the product is considered “cooked/prepared”. This is misinformation to consumer, even though the legislation is complied



with. They offered to provide pictures.

Roberto Carlos Alonso (ANFACO-CECOPECA) reemphasised that it is not a matter of level playing field, but a matter of control. They offered to provide a written explanation on why this example was not the best.

Katarina Sipic (AIPCE-CEP) proposed to change “Commercial name” to “Product name” in the relation to the third figure.

Daniel Voces (Europêche) asked AIPCE-CEP members to clarify why this situation would no longer be a case of concern with the entry into force of the Commission Implementing Regulation (EU) 2018/775.

Roberto Carlos Alonso (ANFACO-CECOPECA) there are anchovies caught in Moroccan waters and have been transformed in Madrid and then the Cantabrian Sea is mentioned in the package. According to the implementing regulation, a product cannot mention this without clarifying the connection between the primary ingredient and the product. In this label, there would be two frauds: the allusion to the Cantabrian Sea without the product being transformed there.

Poul Melgaard Jensen (Danish Seafood Association), in relation to the first example, explained that it is a Danish product sold in the Danish market. The product in the image does not comply with the Danish list of commercial designations. The CMO Regulation is not applicable, but this product cannot be sold as a herring product. They consider that it is more an issue of control than an issue of level playing field.

Daniel Voces (Europêche) agreed that it could be the case for the Danish market, but the product has the flags of Germany and Sweden, which is why the reference to a level playing field is necessary.

The Chair proposed to accept the comment submitted by AIPCE-CEP on the entry into force of Commission Implementing Regulation (EU) 2018/775.

The Working Group proceeded to analyse the comments on “fishing industry considerations”.

The Chair explained that AIPCE-CEP proposed to change the title of this section to “considerations on consumer information”. There was no opposition expressed.

Pierre Commère (ADEPALE), in relation to the comment on the agreement number of the establishment of last processing, stated that it is a wording issue. Substantial transformation refers to a customs notion. The word “substantial” should be erased, because the sanitary indication and the reference to the number refer to the packaging site. It should be replaced by a word that reflects the reality of the sanitary and health legislation.

The Chair proposed to word it as “establishment of last processing”.





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Vanya Vulperhost (Oceana), in relation to the change proposed by AIPCE-CEP of “wish to adapt”, disagreed with the change and preferred the original wording.

Daniel Voces (Europêche) agreed with the previous speaker that the original text should be maintained.

Pierre Commère (ADEPALE) highlighted the importance of the rewording, since there are several items on labelling under the CMO Regulation. These elements cannot be transposed into processed products. There must be an adaptation. It cannot be a copy of the requirements of fresh products. There must be space for adjustments.

Daniel Voces (Europêche) proposed to draft as “this translates into the need to adapt”.

Vanya Vulperhost (Oceana) proposed to draft as “this translates into the need to include as possibly adapt”.

The Chair proposed to adopt the changes proposed by AIPCE-CEP on paragraph comparing the Commission Implementing Regulation (EU) 2018/755 and the CMO Regulation. There was no opposition.

The Chair, in relation to the AIPCE-CEP’s comment on Recital 32, argued that it is relevant, since it connects to “ingredients that represent more than 50% of a food”.

Daniel Voces (Europêche) stated that, in order to be consistent with previous paragraphs, proposed to change the text to “should be included and subject to adaptation”.

Silvia Gil (FEDEPESCA) argued that Recital 32 adds value to the text, because it demonstrates the different position of fresh products when compared with other seafood products.

Roberto Carlos Alonso (ANFACO-CECOPESCA) stated that members were looking at the legislation from their individual perspective, but they need to look at the food legislation in general. When discussing origin, the origin of a fish product is not the same as for a transformed food product. Origin is connected with the customs code, which is quite complex in relation to food products. This is for products that represent more than 20% of fish. The arguments presented for transformed products are the same for those that represent 50% of processed products, which is of high logistical complexity. This is also connected to the control regulation and the definition of lots. This would lead to a segmentation of lots and create disruptions in food safety. It is not viable to transpose this. There should not be legislation that leads to fraud due to technical impossibility. It can be particularly difficult when dealing with large volumes of frozen products.

The Chair stated that he partially agreed with the last speakers, since for large volumes, it could be complicated. Still, in many other examples, it can be done perfectly.

María Luisa Álvarez Blanco (FEDEPESCA) expressed full agreement with covering products with ingredients that represent more than 50% of a food. When it is a discussing of major ingredient, it is





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not complicated to know the origin based on the catch area. The fresh fish supply chain works much faster and with less automation, it is required to identify origin. Transformed and frozen products that are recognisable, it is possible to know the origin.

Roberto Carlos Alonso (ANFACO-CECOPESCA) argued that one example cannot be the reason to change an entire legislation. The problem is the economy of scale. The EU has many millions of consumers. To provide them with products in a competitive quality and quantity, requires adequate management. The food safety legislation has been very efficient in guaranteeing food safety, while avoiding an overburdening with costs. In relation to lot criteria, they exemplified that a tuna vessel can pass by many different areas. At the entry into a factory, it would be technically impossible without exponentially increasing costs. The landing obligation is the best example that legislation needs to be viable. In regarding the primary ingredient, there was a study on seafood products that demonstrated that it was not feasible from a technical and economic point-of-view. The Commission Implementing Regulation (EU) 2018/755 already prevents fraud.

Daniel Voces (Europêche) recognised that the external long-distance fleet sometimes must cross different EEZs. Still, the logbook must be delivered every day, so there is no problem to ensure the area that the fish is coming from. It might be a problem for fleets for third countries. It is doubtful that fleets from Southeast countries have the same level of transparency and traceability.

The Chair proposed to include both points-of-view in the document.

Roberto Carlos Alonso (ANFACO-CECOPESCA), in relation to Council Regulation 2913/92 emphasised that it is necessary to discern when it is an imported product or not.

Pierre Commère (ADEPALE) explained that it was replaced by Regulation 952/2013, but the provisions are very similar. It relates to origin of customs products. The FIC regulation refers to the Council Regulation 2913/92, but the new regulation has a corresponding article.

Daniel Voces (Europêche), in relation to AIPCE-CEP's drafting suggestions on "origin labelling impact on the fishing industry", agreed with the changes, except with the word "can".

Miriam Schneider (EuroCommerce) explained that the view from EuroCommerce was only to delete the word "mandatory".

Roberto Carlos Alonso (ANFACO-CECOPESCA), in relation to the comments on the paragraph on "country of repacking" and "EUROSTAT statistics", stated that there seemed to be some mix of legislations. Under FIC, food products follow the customs code. The customs code mentions that origin can be, for example, the place of last substantial transformation. Origin of ingredient is a completely different issue, which can or not be fish ingredients. It is necessary to differentiate clearly that food origin is different from ingredient origin. Repackaging can be done in many different countries without impacting origin. For example, tuna caught in Ecuador can be warehoused in Brazil (not now by DG SANTE restrictions) and then sent to Spain, but still considered as tuna from Ecuador, because the origin has not changed. If there is a substantial transformation, then the origin changes. Information to consumer is not the same as traceability. Sanitary labels is





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to indicate the last operator that affected the safety. This has a different objective than information to consumer. They expressed doubts that the consumer needs to know every step behind the product.

Nicolas Fernández Muñoz (OPP72) emphasised that the issue is origin. What the consumers and companies need is full transparency, which is what provides value. There can be many different interpretations of legislation, but transparency and clarity cannot be questioned. It is a responsibility to ensure that origin of the products is known.

Roberto Carlos Alonso (ANFACO-CECOPESCA) underscored that origin of ingredients and origin of transformed products is not the same. There is a reason why the Customs Code was used under the FIC Regulation. These issues are quite complex and are connected with international trade. The supply chains are international and the EU's market is a net importer of seafood products.

Vanya Vulperhost (Oceana) highlighted that the text mentions "the importance of discussing", it does not request anything. Therefore, it is relevant to maintain it, since more members of the MAC want this, while others do not, so a discussion is appropriate.

Miriam Schneider (EuroCommerce) argued that it is confusing for the consumer to have all that information. As compromise, they proposed to rephrase the sentence to "the need to provide and the operational complexities". For example, adding more and more elements to a label on a tuna can would be very confusing.

Christine Absil (Good Fish Foundation) recognised that direct consumer information on a package is limited, but, in the end, everyone should be able to see or to find out the origin and the processing of a product. It is not necessary to put everything on the product, but traceability means that, in some way, for example through a QR Code, the consumer should be able to get the information. This is different from the information that needs to be on the package. Taking into account the Farm to Fork Strategy, it is important for the MAC to discuss how the information is being shared with the consumer.

Daniel Voces (Europêche) stated that, under the current legislative framework, it is possible to say that a product is EU or non-EU, which means nothing. Since it is not mandatory to provide the origin information and the product can be processed in a specific EU country, it gives the idea that it is an EU product, which is sometimes misleading. They argued that this issue does need to be discussed, even while recognising the complexities.

The Chair suggested to maintain the paragraph, but for ANFACO-CECOPESCA to add a dissenting view.

Roberto Carlos Alonso (ANFACO-CECOPESCA) stated that, in his view, the drafting was not correct, since it goes beyond operational complexities.

Katarina Sipic (AIPCE-CEP), in relation to the sentence on EUROSTAT statistics, stated that the paragraph should either be deleted or the statistics should be provided. Otherwise, it would be too difficult for the reader to understand the document.



Daniel Voces (Europêche) agreed that it could be redrafted to be less confusing for the reader. This is connected to a FG discussion on the fish quantities imported from China. China is a large processing country, so the fish can come from other places. The sentence is to highlight that the origin can be lost at some point in the chain.

Roberto Carlos Alonso (ANFACO-CECOPESCA) stated, in relation to the paragraph the European fishing fleet's difficulty to compete with products imported from third countries, that the paragraph was not correctly drafted. The logic behind the legislation is of efficiency and that the EU is a net importer of seafood products. The flag State and catch area is not the origin of a transformed product according to the Customs Code. They disagreed with including the flag State vessel and the catch area.

Daniel Voces (Europêche) suggested that, in order to be legally correct, to refer to "origin of the fish", instead of "origin of the final prepared or preserved product". In relation to the sentence proposed by AIPCE-CEP's on compliance of imported products with "the same highest standards", they disagreed with the broad terms. It would be for "some countries" and "similar standards". The controls on EU fish are not comparable with the controls on vessels from third countries. The EU imposes a direct control on the vessels. They recognised that the Customs Code is complex, but that the discussion does not have to be complex. It is a simple message, which is the importance of knowing who caught the fish and in which area. The information is available for the European fleet.

Vanya Vulperhost (Oceana) expressed concern with adding the sentence by AIPCE-CEP. It is not the case that most imported products meet high standards. In relation to controls, for most products in containers, the control is just looking at the catch certificate. The Commission audits do not happen on a regular basis. Therefore, they would prefer not to include the sentence, because these are not comparable.

Katarina Sipic (AIPCE-CEP) highlighted that, technically, the EU cannot import fisheries products that do not comply with the EU standards. Therefore, these would be "equivalent standards". AIPCE-CEP could agree that controls need to be enhanced.

Daniel Voces (Europêche) wondered where it was written that imported products need to comply with the EU's standards, since that would be against WTO rules. The EU does not impose environmental or social standards. They agreed with Oceana's intervention.

Silvia Gil (FEDEPESCA) agreed with Europêche. Imported products must comply with food safety standards, but it not include social, environmental, and sustainability standards.

Vanya Vulperhost (Oceana) agreed with FEDEPESCA that imported products only need to meet food safety standards. It would be possible to say that these are subject to possible controls at EU borders.

Roberto Carlos Alonso (ANFACO-CECOPESCA) exemplified that, in relation to the TTIP, one of the most talked issues was USA's chlorinated chickens, when this cannot actually be imported. The





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information on catch certificates from third countries are not only about food safety. There are criteria that can be improved, but it is surprising to hear that border controls are only about sanitary issues. Imported products must comply with the EU's legislation. International trade has many objectives. If the EU would impose its views on third countries, it would end isolated. They proposed to draft that "imported products must comply with the applicable legislation".

Andrew Kuyk (CEP) expressed support for the comments by ANFACO-CECOPECA. Imported products must comply with the EU's legislation. There are not 100% checks, which would be impracticable. It is a sample risk-based checking procedure, meaning that exporters do not know if they will be checked or not. This does not mean that non-compliance products are coming in. It is a deterrent effect.

Poul Melgaard Jensen (Danish Seafood Association), in relation to food safety standards, stated that a third country producer must be approved with the EU. Both the country and the individual company must be approved and listed. These companies must comply with all EU hygiene legislation. If there is a serious violation, the companies are delisted and cannot exported to the EU.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) stated that he did not understand the context of this paragraph in a consumer information advice, particularly the benefit. This was addressed in the level playing field. It has no connection to consumer, so they proposed to delete the entire paragraph.

Silvia Gil (FEDEPESCA) explained that it was relevant precisely because there is no obligation to provide information on certain products. The controls on imported products are focused on sanitary matters. The EU legislation on other issues, such as social sustainability, is much stricter than third countries, which makes production in the EU more expensive. Therefore, they believe that it would be too generous to state that products from third countries comply with the EU's standards.

Vanya Vulperhost (Oceana) stated that there are hygiene standards that third countries must meet, but the catch certificate is about the legality of the product. It is not possible for the EU to check everything, but that does not mean that the imported products meet the same standards. It is relevant for consumers, because consumers must be able to make informed decisions. If consumers have information on the origin of the fish, this would allow them to make a more informed decision, as stated by European Parliament's resolution.

María Luisa Álvarez Blanco (FEDEPESCA) highlighted that, under the Commission's foreseen actions, the consumer is expected to have increased decision abilities. The consumer will be free to make a decision. The price of the products supports legal requirements in the producing countries, which must be acknowledged. This allows consumers to determine the society in which they wish to live.

The Chair argued against the deletion of the paragraph, because it provides some economic elements. The Chair asked members to express if they were in favour of the rephrased paragraph.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) disagreed with the reference to "possible", since controls do take place. They disagreed with the





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relevance of including this paragraph in the draft advice. There are equivalent rules for imported products. They asked for the deletion of this section.

Arnault Chaperon (FEAP) was in favour of maintaining the paragraph. Third countries are expected to comply with sanitary measures, but there are no controls on the production. Imported aquaculture products do not comply with the EU's standards.

The Chair stated that the solution could be to split the paragraph and mention who agrees and who disagrees.

Roberto Carlos Alonso (ANFACO-CECOPECA), in relation to the sentence on autonomous tariff quotas, argued that the outlined situations were not certain. It depends on the logistics of each product. Many long-distance fleets sell in third countries. This is not a question of consumer information. They disagreed that the origin is connected with the sustainable way of production. This is connected to other legislation and controls. Competing with prices from third countries happens to the catching sector, but also to the processing sector, since it is a free market economy.

Andrew Kuyk (CEP) stated that this is a debate that has taken place among the MAC in other contexts. In relation to any product, labour conditions, taxation, pay rates, environmental conditions are going to be different in different parts of the world. If that information for all products for consumers was required, trade would effectively cease. If there was a better price in non-EU markets for EU producers, then these products would not be going to the EU market anyway. This is outside of consumer information. Even in the EU, not all fishers are paid the same, the economic conditions are the same, the cost of fuel varies. It is rather utopian to imagine that it is possible to compete with everyone under exact same conditions. The EU and other importing countries set standards for imports to comply with and the WTO allows it. The WTO does not allow non-tariff barriers that are trade distorting. For public health and environmental reasons, the WTO does permit standards. When considering other imported products, besides seafood, it is known that labour rates are lower in other parts of the world. These are legitimate questions, particularly on the labour conditions, but it is not a matter of consumer information.

The Chair suggested that the Executive Committee could decide on the sentences mentioning the autonomous rate quotas.

The Working Group proceeded to analyse the two paragraphs on the majority/minority views in relation to mandatory origin and to scientific names.

Miriam Schneider (EuroCommerce) stated that they do not believe that origin should be mandatory. In relation to scientific names, they would have to confirm internally, but, in principle, would be against mandatory.

The Working Group proceeded to analyse the additional recommendation on origin proposed by FEDEPESCA, as agreed at the previous meeting.

The Secretary General recalled that, at the previous meeting, it was agreed that there would be an



additional recommendation on origin. Therefore, the discussion would have to focus on the wording.

Roberto Carlos Alonso (ANFACO-CECOPECA) stated that, even though they agreed with recommendation a), they disagreed with the reference to more than 50%.

Christine Absil (Good Fish Foundation) highlighted that distance selling of products is increasing. The CMO Regulation does not mention anything on that. It only mentions that the information must be on the product. Many food services are purchasing food online, which does not meet these requirements. This information should be available at the point of purchase.

The Secretary General proposed that the Good Fish Foundation could send draft wording.

Plastics – NWWAC's Draft Advice

- **Presentation by Mo Mathies, Deputy Executive Secretary, NWWAC**

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

Mo Mathies (NWWAC) provided an overview of the NWWAC Advice on the implementation of the Single Use Plastics Directive and Fishing for Litter. The Deputy Executive Secretary invited the members to analyse the document and endorse it. The document primarily covers primary fishery producers, since the NWWAC does not cover aquaculture.

- **Way forward: potential endorsement by the MAC**

The Chair asked the members if they agreed with endorsing the document.

Sean O'Donoghue (KFO) agreed with an endorsement by the MAC. Since the NWWAC's advice does not cover the market remit of the MAC, suggested the inclusion of a sentence saying that the MAC supports the document from a primary producer's perspective and that it is actively looking into the topic of plastics from the market's point-of-view. They drew attention to Article 10 of the regulation, which foresees an awareness campaign. The MAC should be actively involved in getting consumer information on plastics, microplastics and nanoplastics, under the campaign. Since it is a directive, the ACs should be involved the implementation regulations to ensure that these are similar across the Member States.

Mo Mathies (NWWAC) explained that there is a chapter on the joint plastics workshop organised by the MAC and the NWWAC in 2019. They suggested to include a sentence in the cover letter.

The Chair wanted to know the NWWAC's deadline for approval.

Mo Mathies (NWWAC) replied that their Executive Committee would be meeting on 8 July and that approval is expected. Other ACs have put the advice forward for approval by their Executive Committees. The BSAC will get back by the 10 July. It is imperative to adopt the advice soon, since



the implementing acts are currently being developed by DG MARE.

The Chair asked the NWWAC Deputy Executive Secretary's view on the relevance of the MAC adopting an advice later in the year.

Mo Mathies (NWWAC) replied that the decisions being taken by DG MARE are on fishing gear. The MAC would look more into communication to consumers on health aspects. Therefore, it would likely be timely to produce it by the end of 2020.

Nicolas Fernández Muñoz (OPP72) expressed support for the document. The COVID-19 pandemic brings forward new elements with the use of disposable masks and gloves.

Christine Absil (Good Fish Foundation) wanted to know if fishing gear in the draft was also covering aquaculture gear. Beach clean-up efforts have shown litter from aquaculture production.

Mo Mathies (NWWAC) explained that the NWWAC's advice did not include aquaculture production, since it is outside their membership. The legislation does include SUPs from aquaculture.

The Working Group agreed to put forward the draft advice for endorsement by the Executive Committee.

Nutritional Labelling, particularly “nutriscores”

- **First draft text: Presentation by Visfederatie and EuroCommerce**
- **Consideration of advice**

Paulien Prent (Visfederatie) explained that Visfederatie prepared a draft text, but some other members wanted the advice to have a different scope, so they did not submit it. They proposed to postpone the submission of the draft text, which could be circulated in advance of a discussion with the WG3 members.

AOB

None.

Summary of action points

- **Consumer Information:** Organisation of another WG3 meeting to conclude the draft advice.
- **Plastics – NWWAC's Draft Advice:** Put forward the advice to the Executive Committee for endorsement.
- **Nutritional Labelling, particularly “nutriscores”:** Postponement of the topic and later submission of a first draft text by Visfederatie.



List of attendees

Representative	Organisation
Aitana López (observer)	Spain
Andrew Kuyk	AIPCE-CEP
Anna Boulova	FRUCOM
Arnault Chaperon	FEAP
Aurelio Bilbao	Federación de Confradías de Pescadores de Bizkaia
Benoît Thomassen	FEAP
Catherine Pons	FEAP
Cécile Fouquet (observer)	Aquaculture Advisory Council's Secretariat
Christine Absil	Good Fish Foundation
Cristina Fernández (observer)	United Kingdom (Seafish)
Daniel Voces de Onáindi	Europêche
Daniel Weber	European Fishmeal
Els Bedert	EuroCommerce
Emiel Brouckaert	EAPO
Fragkiskos Nikolian	European Commission
Gaël Lavielle	Les Pêcheurs de Bretagne
Georg Werner	Environmental Justice Foundation
Guillaume Carruel	EAPO
Guus Pastoor	Visfederatie
Hans Nieuwenhuis	Marine Stewardship Council
Haydeé Fernández Granja	CONXEMAR
Jens Mathiesen	Danish Seafood Association
José Basilio Otero Rodríguez	Federación Nacional de Cofradías de Pescadores (FNCP)
José Carlos Escalera Aguiar	Federación de Cofradías de Pescadores de Cadiz (FECOPESCA)
Juan Manuel Elices (observer)	Spain
Katarina Sipic	AIPCE-CEP
Katrin Vilhelm Poulsen	WWF
María Luisa Álvarez Blanco	FEDEPESCA





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Representative	Organisation
Massimo Bellavista	COPA COGECA
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Miriam Schneider	EuroCommerce
Mo Matthies (observer)	North Western Waters Advisory Council's Secretariat
Nicolás Fernandez Muñoz	OPP72
Paulien Prent	Visfederatie
Pedro Reis Santos	Market Advisory Council
Sabela Pérez-Maíz	European Commission
Pierre Commère	ADEPALE
Pim Visser	VisNed
Poul Melgaard Jensen	Danish Seafood Association
Quentin Marchais (observer)	ClientEarth
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPESCA
Rosalie Tukker	Europêche
Santiago Folgar Gutiérrez	AVOCANO
Sean O'Donoghue	Killybegs Fishermen's Organisation Ltd (KFO)
Sergio López Garcia	OPP LUGO
Silvia Gil	FEDEPESCA
Stavroula Kremmydiotou	Market Advisory Council
Vanya Vulperhorst	Oceana

