

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

Draft Minutes

Tuesday, 3 September 2019

09:00-12:40

Avenue de Cortenbergh 168,
1000 Brussels

Welcome from the Chair, Georg Werner

Adoption of draft agenda and minutes of last meeting (17.05.19): adopted

Plastics

- **Terms of Reference and dates for the Workshop – discussion**

The Chair informed that the date for the Workshop was Thursday, 7 November 2019. The next day, an Inter-AC meeting will be taking place in Brussels, which will allow more people to be present. The NWWAC will be co-organising the Workshop with the MAC. Other ACs will also be contacted to assess their interest.

Concerning the venue, the optimal solution would be in Brussels. The ground floor meeting room at DG MARE has been offered as a venue for the workshop, which could fit 50 to 60 people. The Chair expressed his satisfaction with the Commission's willingness to contribute to the workshop and providing a venue. Still, there were concerns that the meeting room would not be large enough, taking into account the membership of both the MAC and the NWWAC. Alternatives in Brussels are being analysed. There was an offer to host the event for free at UGent Campus Ostend, which would include a shuttle bus, but this would not be the most convenient option in terms of location.

VisNed expressed the view that DG MARE's ground floor meeting room would not be the best venue to hold the workshop, taking into account the size of the venue.

The Chair informed that the NWWAC had expressed willingness to contribute to the budget of the workshop. On the organisational details, the objective was to have a large representation of different stakeholders. There is clear interest from DG MARE, particularly Unit A.1. There is also interest in contacting DG ENV to set the scene on the legislative context. The Chair provided an overview of potential speakers, including MEPs, EFSA, OSPAR, SAPEA, BIM, OceanWise project, and academics.

The draft Terms of Reference have been amended to reflect changes to the agenda. The agenda would start with "setting the scene" by an MEP, DG ENV, and DG MARE. Then, there would be a section about projects at sea. In the afternoon, there would be a section about packaging and processing. In the end, there could be a panel discussion to seek out recommendations and



lessons learned from the workshop.

The Chair invited the members of the WG to provide suggestions of speakers.

Killybegs Fishermen's Organisation thanked the Chair and the Secretariat for the work that has been done on the workshop. They highlighted that there has been a lot of effort on the speakers and timing, but emphasised the importance of the follow-up report and the timescale to produce it, particularly if there will be specific rapporteurs throughout the day and output. Once there is an output, the information should be disseminated widely. Factual information on plastics, microplastics, and nanoplastics, from a marketing point-of-view, is very important.

The Chair replied that the outcomes of the workshop will be collected, in order to produce a document to show the lessons learned and the way forward, including potentially also recommendations and best practices with a focus on MAC stakeholders.

Visfederatie expressed support for the setup and the programme. What concerns the MAC, there must be a connection to the market and there should be some thought on the questions to be asked. There should be a speaker from the retail sector, i.e. at the end of the chain, in order to see if they are shaping any strategy that could affect the value chain. Someone from a sustainability department could be a good option. It is important to produce an output to be used as continuing work or by spreading information with value added to the participants and those who expect advice from the MAC.

The Chair proposed EuroCommere as a contact for a retail speaker.

Good Fish Foundation highlighted that, since the seafood industry relies considerably on plastics for hygiene reasons, it would be quite relevant to have an overview of best practices. There could be a reference base for organisations and Member States.

OPP-07-LUGO underscored the importance of plastic for the whole value chain. With some advertising among other ACs, there could be a wider audience. They expressed their satisfaction with the programme.

The Chair agreed that a larger venue should be considered to host a wider audience.

The AAC Secretariat expressed support for the programme and expressed willingness to suggest speakers on the topic of aquaculture.

The Chair recognised the importance of the aquaculture sector, so their best practices should be taken into account as well.

EMPA expressed the interest of the aquaculture sector on the topic. There is the issue of microplastics in connection to mussels. There are a number of initiatives, developed in the past twenty years, to deal with the collection of waste and putting in place biodegradable products. There have been developments with starch bags, which have a lifespan of around six months.



This can be difficult for professional use, since, if you do not use the bags in that period of time, the product disintegrates, since they are biodegradable. Therefore, there are examples that illustrate the use of alternative products for collection, packaging, and distribution.

The Chair took note of the request.

ANFACO underlined the importance of discussing the state-of-play on microplastics on the value chain with the European Commission. One of the major problems of the production of plastics is not in Europe, but with third countries. They proposed postponing the workshop to the beginning of 2020, in order to include panels on the situation in Asia, in Africa, and in America. It should be supplemented by scientific studies. These can provide an added-value for the Commission when negotiating agreements with third countries. The scope should be expanded to include concrete measures for the new European Commission.

The Chair responded that scientific studies likely go beyond the scope of the MAC and the workshop at hand and require a lot of time. A lot of times, plastic waste from third countries actually originates in industrialised countries. He acknowledged that there should be, perhaps, a speaker on that topic, however. It would be better to have speakers that can provide recommendations on the MAC's contributions. The Chair took note of the point that pollution is often a problem that lies elsewhere.

Good Fish Foundation agreed that it is a global problem. Still, it could be better to have a discussion on the global issues at a further meeting.

EMPA suggested to invite people from a water technological platform. Besides the development of methods to extract microplastics from the water, the use of a physical or chemical treatment in water treatment centrals is also a solution. They stressed that land-based pollution is responsible for 80% of marine pollution. Therefore, it is necessary to explore how these centrals are working.

The Chair took note of the request.

VisNed highlighted that there are discussions in a scientific context, but that social media can have a very detrimental effect regarding communication. For example, if microplastics are found in fish at scientifically safe levels, the latter part is not communicated. They underscored the importance of preparing the communication for before and after the workshop. The detrimental effects on the perception of fish as healthy products from the sea could be considerable.

The Chair agreed on the importance of communicating that the MAC and its members are not the primary cause of plastics pollution.

VisNed underscored that it is a matter of marketing. Therefore, communication should be properly considered.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. stated that it is



known that there are some impacts coming from the seafood sector. It is important to determine if there is an answer to those. For example, there are issues of ghost nets, package material, recyclability. It is necessary to find more intelligent packaging and to make it easier to recycle and reuse material. Scientists are still discussing the definition of microplastics. There should be a focus on good practices and initiatives.

The Chair agreed that it is important to focus on what the actors do, highlighting good initiatives and innovations.

VisNed highlighted several examples, including the development of biodegradable fishnets and the use of cardboard packaging.

The Chair stated that the outcome document can be a chance to collect that type of information based on the expertise from the MAC. Members should be invited to raise those examples.

ETF commented that there are large international organisations with large budgets working on this type. There are also large international conferences, such as the OurOcean conference taking place in October. The MAC should focus on the commitments that it can take to save the oceans. There can be a commitment to work on the mechanisms to help this situation and to avoid using plastics, replacing it for biodegradable materials.

The Chair was unsure about the possibility for the MAC to make commitments, but added that the MAC should highlight existing solutions concerning plastics.

EAPQ, concerning outcomes, drew attention to the directive on the reduction of the impact of certain plastic products on the environment. The Commission has developed an implementation plan to accompany the directive. One of the outcomes would be how the ACs could be involved in the implementation of the relevant directives.

FEAP stated that the role of the MAC should be to provide the connection between the European legislation and improvements in recyclability. They exemplified that, in the aquaculture sector, there have been developments in the bags used for fishmeal, in order to achieve reuse, but that this is blocked by the legislation.

The Chair thanked the members for their contributions to the topic. Since there will be no further meetings until the workshop, there will be updates via email.

Focus Group on Consumer Information

- **Update on the second meeting (19.06.19) – presentation**

The Chair explained that the Focus Group worked through a google document where everyone could provide their input. Focus Groups should be for gathering and collecting information without a final decision. At the second meeting, the members discussed the contents of the google document. Then there was a one month period for further comments on the draft. In the



beginning, there was expectation that a draft text would be ready for discussion at the WG meeting. However, there was decision to hold another FG meeting, taking into account the number of comments and since several questions remained unresolved. It would be beneficial for the members of the FG to meet in person one more time and resolve these pending issues.

- **Way forward – discussion**

Good Fish Foundation commented that, continuously, FGs are developing documents with the agreement of all the members. If the outcome is an agreed document, then the WG simply needs to “rubberstamp”. Even if a document is not finalised, issues without an agreement should remain in the draft and be discussed among the WG. Otherwise, the dossier remains too long in the FG’s level.

The Chair responded that, in general, he agreed with the Good Fish Foundation’s comments. The intention is for the third meeting of the FG to be the final one. There will definitely be questions for the WG to solve. In the current draft, there are issues that can be solved by having a meeting in person. A FG is not the instance to decide on contradictory positions.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. stated that there is a text with structure prepared by the FG, but that there is also plenty of text that does not fit the structure. They would appreciate another FG meeting, in order to achieve more structure and to have a true draft advice.

The Chair recalled that it has been agreed in the MAC that FGs should be to collect all the available information. FGs do not have to reach a final text. The text has been consolidated, but it includes the pending issues. The new version of the text will be circulated with the FG members in the following days.

Visfederatie agreed with the Chair’s proposal, but also expressed agreement with Good Fish Foundation’s comments. They asked the FG members to consider two more points: new veggie products which imitate fish products and nutritional labelling. Under the Nutri-score, it is possible for healthy fish with a high fat content to receive a red score, since there is no distinctions between good and bad fats. Additionally, smoked fish receives a red score due to the high level of salt.

The Chair agreed that those two points could be considered by the FG members.

Marine Stewardship Council expressed his understanding that the FG requires another meeting to work on the text. Taking into account the agreement on the Guidelines on the Functioning of the Focus Group, he wanted to know if there had been terms of reference prepared for the FG on Consumer Information.

The Chair explained that, since the FG on Consumer Information had been set up before the Guidelines were developed, terms of reference had not been developed, but he took note of the request to draft terms of reference for the FG.



Marine Stewardship Council highlighted the importance of the terms of reference, taking into account Visfederatie's request to add two additional topics to the FG.

The Chair stated that the members of the FG will be informed in advance via email of the request to add two additional topics, so that they can attend the meeting prepared. Once terms of reference are prepared, these will be shared with the WG.

On the document, the Chair explained that the overall structure has not been changed. The document starts with an overview of the applicable legislation. The first substantial section includes a review of different available studies on consumer information. The text discusses different types of labelling. The text also touches upon the issue of the level playing field, in line also with the decision by WG 2 not to address consumer information in the WG 2 Level Playing Field advice. The text also includes examples of good practices and innovative solutions. In the second meeting, however it became clear that it can be difficult to list new solutions, since the market is continuously changing and it is hardly possible to list all of them. Given the vast number of different systems which can directly or indirectly be used to provide information to consumers, in practice this means that interoperability becomes a problem. More time will also be required to make proposals for recommendations.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. underlined the importance of focusing the discussion on the main topic. There are discrepancies between scientific studies and the reality in the market that should be considered. Market statistics should be included in the advice.

Europêche argued that the FG members are already being quite disciplined in their work. Members have been providing scientific information. If there is information from the traders to disprove the empirical data collected thus far, this information is more than welcome.

The EMPA wishes to know if the issue of conflicts between different legislations will be taken into account. There are in particular problems concerning phytosanitary quality obligations. According to European legislation, the logo and the name of PDO, PGI and STG, on the one hand, and the logo of the appellation BIO, on the other hand, should appear in the largest letters / sizes on the label, which is incompatible between a PDO and the BIO or an STG and the BIO for example when the same product is approved under each of the regulations. They have already informed the Commission of these problems and propose to prioritize the symbols and the information, with no response yet.

The Chair took note of EMPA's point to discuss with the FG members.

Visned stated that, on the topic of consumer information, the issue seems to be becoming extremely complex, in a way that consumers do not expect. They urged the FG to advise the Commission to be as simple as possible. The more discussions take place at the MAC, the more complex they become, and a solution would be farther away.



The Chair expressed his confidence that, with another personal exchange between FG members, a number of open points will be resolved. If there is no consensus among the FG, the topics will move forward to the WG and ultimately the ExCom, as the procedure foresees.

ANFACO proposed to include in the text the conflict between the Protected Designation of Origin, alongside with the future mandatory information on place of origin/production for the labelling of seafood products, because there are some cases where it is against the consumer information rights, despite the fact that a clear traceability exists.

The Chair took note of the request. The Chair expressed confidence that the third meeting of the FG will be able to move forward with the draft advice.

Horizon Europe Co-design 2021-2024

- **Exchange of views on the MAC's response to the online consultation**

The Chair explained that the consultation consists of an online questionnaire, which has been sent to all MAC members. The Commission sent the consultation via email to Advisory Councils, inviting them to participate. The Horizon Europe project is about Europe's research and innovation priorities. The Commission is inviting everyone around the world to provide ideas on different aspects to be targeted by EU-funded research. The programme is to run from 2021 to 2027, and the consultation is only for the first phase. There is a proposed budget of 100 billion €. The process will shape EU research and innovation investments in the upcoming years.

The Chair outlined that the public consultation includes a vast number of topics. Many of them are far removed from the MAC's remit. One of the items that the MAC could provide input for is "food, bioeconomy, natural resources, agriculture, and the environment" under Section D. There is an accompanying document, which demonstrates that the MAC could provide a list of issues for the Commission to consider to research and investigate.

Good Fish Foundation expressed the view that researchers tend to work in silos. Nowadays, researchers must involve stakeholders and there is a gradual improvement, but there is not a good integration of the market and societal player. The MAC should ask for an improvement of the structure, so that science works more closely with society.

EMPA explained that they have worked with previous research projects funded by the EU. In 2002, the Commission asked them to work on projects to unlock the potential of aquaculture to which they contributed. In 2009, the Commission proposed a new action on aquaculture, since the situation had stagnated. In 2013, the Commission prepared new documents on aquaculture, which mentioned that the potential for aquaculture was blocked. The European Parliament also stated aquaculture was blocked. The Commission provided funding for research, but it was 'pure' research, so it did not fully take into account commercial enterprises. In a recent research project on aquaculture, they informed the European Commission that the terms of reference were not being respected and decided to leave it. In the end, only very small enterprises, which are not representative of the sector, participated in exchange for funding. The researchers were



just issuing the same research over and over again. Research programmes should provide practical results and transfer innovation.

ANFACO argued that Horizon Europe should include commercial enterprises. The reality of the fisheries sector is quite different from other sectors, since other sectors involve much larger companies and stronger lobbies. The seafood sector often receives requests to participate in research projects that are not adapted to its commercial reality. Horizon Europe should focus on smaller projects. The MAC should ask for smaller projects with less participants, in order to focus on specific topics. The EMFF should also allow smaller projects adapted to the problems of the seafood sector. Horizon Europe is too focused on larger consortiums.

The Chair took note of the need of adaptation to the reality of the fisheries sector.

Visfederatie, based on the interventions, wondered if the MAC should answer to the online consultation. They suggested that it should be for the members to submit their individual contributions. If there are strong ideas on priorities, the other option would be to send a letter to the European Commission.

The Chair agreed with Visfederatie's proposal.

CEP argued that it would be valid for the MAC to submit a general point. Looking at future climate change and resource scarcity, land-based food production will be under much greater pressure and face larger challenges. Capture fisheries are a renewable natural resource with relatively low impact. At the macro-level, high level scientific questions are worth addressing to protect this renewable resource, to address issues such as ocean acidification and displacement of spawning stocks due to changing ocean temperatures. After providing an overall position, then there could be more detailed input with itemized projects.

The Chair highlighted that the deadline for the online consultation was 7 September.

FEAP expressed agreement with the comments by EMPA concerning research investments. They highlighted that, in October, a meeting of aquaculture researchers will take place, which will include 1,600 people. They explained that the European Aquaculture Technology and Innovation Platform has produced a white paper about the needs of the sector in relation to research. They proposed the use of the white paper as a basis for the MAC's contribution.

The Chair drew attention to the difficulty in including all topics mentioned in the MAC's contribution, but highlighted that the members could submit individual contributions.

Good Fish Foundation expressed support for a high level letter by the MAC and individual contributions by the members.

Killybegs Fishermen's Organisation agreed that the MAC's view would have to be high level. The issues mentioned by other members are quite important, but it is important to keep in mind the MAC's remit. They expressed support for CEP's suggestion. From the market's perspective, there



should be research and development, but the MAC should not go into other stakeholders' remit. The response should be that the MAC is interested in research and development.

The Chair concluded that there was support for a high level letter, as proposed by CEP. The Chair invited CEP to draft the letter in collaboration with the Secretariat. The text could be submitted to the online consultation and included in a letter to DG MARE, in order to demonstrate that the MAC discussed and provided a response to the online consultation.

Scientific Denominations Changes: *Sebastes Marinus*, *Theragra Chalcogramma*, and *Uroteuthis Chinensis*

- **Update**

The Chair informed that this topic was requested by Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.. Before the meeting, the Commission was invited to provide an update on this topic. The Commission was unable to send a representative, but expressed their interest in knowing the industry's views.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. underscored the importance of scientific denominations. In packaging to consumers, it is necessary to refer to the scientific denomination of the species. Each Member State has its own list of scientific denominations and trade denominations. Therefore, if the scientific community is proceeding with changes to scientific denominations, it is necessary to analyse the implications to the market. According to information previously provided by the Commission, operators should continue using the "old" scientific denominations as long as the changes have not been reported to the World Customs Organisation, which would lead to a change in the tariff code system. Therefore, they would like to know if the European Commission has proceeded with this request to the World Customs Organisation. They would like to know if there is a deadline for the Commission to request changes to the denominations. They exemplified that, when exporting squid to third countries, European producers have been obliged to use the new scientific denominations. They have told their members to continue using the old scientific denominations as long as the tariff codes are not changed. In this context, it would be important to receive clarification from the Commission.

Visfederatie emphasised that the situation is problematic for EU operators. Some third countries use different denominations, which leads to problems when importing into the EU. The situation can have tariff implications, due to the different tariffs applicable to the various group species. They proposed for the MAC to write a letter to the European Commission with the questions referred by the previous speaker. In order for the industry to have an opinion, there should be an answer from the Commission on the changes and timeline.

Killybegs Fishermen's Organisation expressed full agreement with the previous speaker's proposal. They wanted to know the justification for the scientific denominations changes, plus if these changes have gone through the required scientific bodies.



Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. explained that some scientific societies have found that, for example, *Theragra Chalcogramma* is closer to *Gadus*, which lead to a change of the name. The USA is already using the new denomination for *Theragra Chalcogramma* in their daily reporting and custom duties. The authorities of certain third countries are obliging operators to use the new denominations, while the Commission advises to continue using the previous denominations.

ETF expressed support for Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.'s concerns and Visfederatie's proposed course of action.

The Chair noted the agreement among members to write a letter to the Commission. The first draft wording will be proposed by Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V..

Contaminants

- **Implications for fish, fishery products and fishmeal of lowering the limits for PCBs and dioxins – presentation by Commission Representative (DG SANTE and DG MARE)**

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

The Chair recalled that, at the end of 2018, EFSA published its first comprehensive risk assessment of dioxins and dioxins-like PCBs in food and feed. The outcome of the study was a sevenfold reduction by the experts of the tolerable weekly intake (TWI) based on the new data. The reduction of the TWI would mean that the threshold would be exceeded across the EU population. The application of this reduction to seafood product could have dramatic effects on operators and the supply chain. Despite this health concern, EFSA has also communicated that the toxicity of some of the PCBs may have been overestimated. Therefore, a scientific panel expressed support for a review of some of the values underpinning the toxicity of the PCBs.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. highlighted that, at the moment, some companies producing fish oil made from aquaculture species have to examine their products with respect to dioxins. The companies are showing that, with over 300 examples, the dioxin in raw material coming from aquaculture is so low that it becomes a waste of money and time to analyse fish oil generated from aquaculture species to test for dioxins. They expressed their hope of a change of this legal requirement in relation to fish oil produced from raw material from aquaculture species. The dioxin is a sum of different products, so the industry depends on scientists to determine the algorithm of toxicity. Since there is less pollution and quite an investment to clean smoke, among other factors, there should be less dioxin than 20 years ago.

Good Fish Foundation stated that the concern is that several PCBs and dioxins are persistent. Even if these are not being emitted at such a large scale as before, they remain in the environment, because they do not degrade.



EMPA stated that the French sanitary authority has transmitted, for two years, plenty of data to DG SANTE which justifies a twofold reduction of PCBs and dioxins. There were thousands of analyses transmitted. EMPA discussed this with a representative of the French sanitary authority. According to the representative, there was no feedback from DG SANTE regarding this data.

Killybegs Fishermen's Organisation emphasised that the MAC found out about this EFSA assessment by chance. When there are proposals related to heavy metals, PCBs, or other products, the Commission should inform the MAC of these studies. It should be a practice as common as informing the other advisory councils on fishing opportunities. They would like to see the actual toxicology results. A flaw in the assessment can change the whole result, meaning that the limits become meaningless. They would also like to know about cadmium in connection to seafood, particularly the EU and Chinese standards.

Good Fish Foundation outlined that, previously, toxicity was only analysed from the death risk. However, it has been discovered that many substances are hormone disruptors. Many of the substances require more in-depth research.

Regarding the methodology, the EMPA insisted that the toxicological data used by EFSA come from old databases on the consumption of different types of food by the European population. Risk calculations are based on data from the 1980s. There are huge variations between data from different countries. There are mainly problems with the data on shellfish consumption. The MAC should suggest to DG SANTE to renew the database that is too old, in order to ensure the representativeness of today of the new consumption patterns from one European country to another.

The European Commission (DG MARE) informed the members concerning DG MARE's contact point for sanitary matters.

The European Commission (DG SANTE) outlined that the EFSA opinion from November 2018 determined that the TWI for dioxins and dioxins-like PCBs was reduced from 14 pg TEQ/kg bw/week to 2. The exposure assessments show that the European population was generally below the previous guidance value of 14, while they are largely above the new TWI. There have been discussions on these values and there have been comments by Member State authorities. On 14 November, there was a specific hearing with the Member States where they had the opportunity to express comments. Overall, EFSA has provided a full report of the outcome of this hearing, including the individual contributions of the Member States, on their website.

As for a follow-up, the Commission has highlighted the issue, but has not discussed the matter in detail. One of the recommendations of the EFSA's opinion is to look into the toxic equivalent matters. The current levels were based on the factors from the year 2005. There are indications that some of toxic equivalent matters are overestimated. There is a significant uncertainty. The Commission has contacted the WHO, in order to promote a review of the values based on the EFSA's findings. The WHO has informally committed to undertake a review,



which will take place early next year. If the WHO does not proceed with this review, then the Commission will analyse how to proceed with EFSA. It would be difficult to set values with so much uncertainty. Within the general exposure, fisheries products contribute significantly. On the other hand, the benefits of consuming fish are known. From a risk management point-of-view, EFSA has started working on developing a new risk-benefit analysis. This analysis will only be completed when the new toxic equivalency matters are available.

EFSA has an extensive database on dioxins and dioxins-like PCBs. The Commission has asked EFSA to convert the values in the database, once WHO provides the new information. Before finalising the review on the maximum levels, the new values should be available, in order to reduce the uncertainties. Therefore, it will not take place before the second half of next year. The discussions and data assessment have started. Under the current legislation, there is a general level for fish and fishery products. It is important to discuss if there should be different levels.

The Commission will also work on a new recommendation for fish from the Baltic region concerning how to manage the high presence of dioxins and dioxins-like PCBs, which is connected to certain national derogations. It is not possible to analyse every lot for PCBs. According to this recommendation, certain fish from the Baltic region are assumed to be compliant to trade in the rest of the EU, while other types are not. The Commission is also assessing what can be done as remediation for contamination, particularly in situations of contamination of the seas and aquaculture.

The review of the maximum levels is based on the current data from EFSA's database. The overview of the data is publicly available as a supplement to the EFSA opinion. From these data, there is a possibility to, in certain instances, lower the maximum levels. However, it is necessary to take into account other factors. There is a widely used screening technology to check compliance. When lowering levels, there should still be the possibility to use rapid screen tests. The Commission has asked for assistance from the European Union Reference Laboratories (EURL) on this matter.

The European Commission (DG MARE) wanted confirmation if the current situation is of risk analysis by EFSA. In order to reach risk management, the Commission is gathering information and discussing the matter with stakeholders and experts. There will be a management decision after the second half of 2020.

The European Commission (DG SANTE) confirmed that was the case. Several issues need to be discussed, for example differences between conventional and organic eggs. There is a general level for fish and fishery products, but it is important to assess if there should be differentiation in the products.

Visned asked for more information concerning the Baltic region situation.

The European Commission (DG SANTE) explained that, overall, in the Baltic region, fish contains higher levels of dioxins PCBs. The maximum levels are also applicable to fish in the Baltic



regions. The Commission has granted a derogation to Sweden, Finland and Latvia, so that these Member States can place on their domestic market fish that is not compliant with the EU's legislation for local consumption, which must have accompanying measures on consumption advice.

Not all fish from the Baltic region is non-compliant with the EU's legislation. The recommendation identifies that certain species with specific sizes from some areas can be placed in the market without the need to check individual batches for the presence of PCBs. When there is a suspicion of presence of PCBs, the other countries can do a test to verify compliance before putting the products in the market. The Commission has asked the countries neighbouring the Baltic region to provide data to EFSA, in order to update the recommendation with new data.

Visned wanted to know if the changes in the threshold are not affecting the situation in the Baltic region at present.

The European Commission (DG SANTE) highlighted that several species from the Baltic region are compliant with the maximum level of 14. If the level is changed to 2, then a review will be required.

Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V. explained that members from their association are processing oil from aquaculture raw material, mainly salmon and trout. The members analyse each lot and found PCBs which are six times lower than the limit. The possibility of products above the limit is very unlikely. They wanted to know if it was possible to grant an exemption for processing of oil originating from aquaculture species in relation to analysis for dioxins. Otherwise, processors are simply wasting money.

The European Commission (DG SANTE) took note of the request. First, the processors need to send the data and make their case. With this, the Commission can bring up this request to the Member States to get first reactions. Based on that, there can be a formal request. If there is a request for the exemption and the necessary data, then the Commission can consider it.

Killybegs Fishermen's Organisation, in relation to the toxicology results, wanted to know if the Commission will reassess the situation for heavy metals. They highlighted a continuous problem concerning EU and Chinese requirements for cadmium levels in crustaceans, particularly in crab. The methodologies are different. They wanted to know if a review of the cadmium would take place, plus if there will be an attempt to bring together the EU and Chinese standards.

The European Commission (DG SANTE) explained that currently the cadmium levels for all foodstuffs are under review. The problem with the cadmium levels in crustaceans is that the EU has imposed strict levels on the white meat, while some crabs are eaten with the brown meat. The brown meat contains the higher levels. A few years ago, there was a discussion on setting a high level including the brown meat, but that was not successful. If the brown meat is largely consumed, it is necessary to see how to regulate it. The Commission took note of the concerns expressed. As for the different standards, the Commission stated that there is a possibility for a



discussion on the scientific grounds between the EU and China. There is no automatism to align standards.

Killybegs Fishermen's Organisation emphasised that it is a scientific methodology issue. The limits applied by the Chinese authorities are for the entire crab. The limit is much lower than the EU. They suggested a scientific collaboration concerning the methodology. This is causing a problem for exporters of crab. The exporters comply with the EU's standards, but the European officers cannot certify compliance with Chinese standards.

ADEPALE requested an update on the mercury presence in fish dossier, which was suspended.

The European Commission (DG SANTE) recognised that there had been a discussion on the lowering of levels for certain fish, while having an increase for others. The Commission tried to develop a consumer advice. The dossier has been suspended. There is no concrete perspective to resume the discussions on mercury in fish. If there was a new element to trigger new considerations, then it would be possible to advance.

ANFACO underscored the importance of the discussion on mercury presence in fish. The toxicological risk in relation to mercury in fish is being approached in a simplistic manner with individual transmissions. The control limits are excessive and the security margins have not been properly measured. The interactions between the different elements should be considered, including the relation between selenium and mercury. The intestinal absorption and different processes mean that the absorption levels do not correspond to the legislation. They drew attention to different scientific studies on this topic from several international universities, which can be transmitted to the Commission. All the studies demonstrate that there is a relation between selenium and mercury which must be considered. This situation affects the diets of consumers. Associating mercury to fish consumption is a mistake. Certain groups are promoting this mistake to reduce the consumption of fish. The EU should promote a balanced diet that includes fish.

The European Commission (DG SANTE) stated that every information concerning the interaction between selenium and mercury is welcome. The aim of the Commission is not to reduce the consumption of fish and fishery products. The Commission will need to find the right balance between contamination and the health benefits from the consumption of fish. The discussion on mercury has been difficult, which has not allowed a conclusion.

Caviar Labelling

- **Way forward**

FEAP informed that they had a meeting with DG MARE to discuss the issue of caviar labelling. Taking into account the concerns of the MAC's processing sector and the legal problems raised by DG MARE, they proposed for the AAC to adapt their advice on caviar labelling. The new proposal would be presented to the MAC at the next Working Group 3 meeting.



The Chair took note of the issue for the Working Group 3 meeting taking place in January 2020.

AOB

None.

DRAFT



List of attendees

Representative	Organisation
Christine Absil	Good Fish Foundation
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPESCA
Marco Baldoli	AIPCE-CEP
Cynthia Benites	COPA COGECA
Victor Bouvard	FEDOPA
Emiel Brouckaert	EAPO
Pierre Commère	ADEPALE
Juan Elices	Spain
José Carlos Escalera Aguilar	FECOPESCA
Haydeé Fernández Granja	CONXEMAR
Nicolás Fernández Muñoz	OPP72
Cécile Fouquet	Aquaculture Advisory Council Secretariat
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Andrew Kuyk	CEP
Jovana Lippens	MAC Secretariat
Serio López García	OPP-07-LUGO
Jens Mathiesen	Danish Seafood Association
Eduardo Miguez	Puerto de Celeiro S.A. – OPP77
Dana Miller	Oceana
Sean O'Donoghue	Killybegs Fishermen's Organisation
Erik Bjørn Olsen	Living Sea
Basilio Otero	Federación Provincial Cofradías de Pescadores de Lugo
Guus Pastoor	Visfederatie
Franca Peron	Union Food / ANCIT
Janne Posti	Marine Stewardship Council
Katrin Vilhelm Poulsen	WWF
Paulien Prent	Visfederatie



Representative	Organisation
Pedro Reis Santos	MAC Secretariat
Isabel Sanz	European Commission
Katarina Sipic	CONXEMAR
Juan Manuel Trujillo Castillo	ETF
Rosalie Tukker	Europêche
Franz Verstraete	European Commission
Claudia Vinci	AIPCE-CEP
Pim Visser	VisNed
Daniel Voces	Europêche
Roman Vorss	FRUCOM

