

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

Wednesday, 15 September 2021

09:30 - 13:00 CET

Zoom online meeting

Welcome from the Chair, Benoît Thomassen

Adoption of agenda and minutes last meeting (26.05.21): adopted

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

Action points of the last meeting

- **State of play of the decisions made during the last meeting – information**
- Voluntary Sustainability Claims on Seafood Products:
 - Agreed draft advice to be put forward to the Executive Committee for adoption through written procedure
 - Advice adopted on 15 June 2021
 - Commission's reply on 30 June 2021
- Plant-based imitation seafood:
 - Amended draft advice to be considered through written consultation (2 weeks) by the working group, in order to fully clarify the Annex
 - Once agreement is reached under written consultation, draft to be put forward to the Executive Committee for adoption
 - Advice adopted on 22 July 2021
 - Commission's reply is pending
- Health and Environmental Value of Seafood:
 - Chair and Secretariat to prepare a questionnaire to the members, in order to gather input for future advice, ahead of the next meeting
 - Questionnaire circulated to members: 1 – 15 July 2021
 - Draft advice circulated on 6 September 2021



- AOB:
 - Requested topics to be included on the draft agenda of the next meeting
 - Agenda item on maximum level of sulphite in crustaceans
 - Cadmium of brown crab addressed in WG1

Substantiating Green Claims

- **Presentation of public consultation on Product Environmental Footprint Category Rules (PEFCR) for unprocessed Marine Fish Products**

The Secretary General recalled that, the previous year, DG ENV launched a public consultation on a potential legislative proposal on substantiating green claims. It covers environmental claims, meaning any explicit environmental information on products or companies. The Product and Organisation Environmental Footprint will be determined through Life Cycle Assessment methods. Environmental performance will be calculated from extraction/growing of resources to the end of life of the product or portfolio. The Joint Research Centre has developed these methods and, on that basis, external stakeholder groups establish category rules for different product categories, including for marine fish. On December 2020, the MAC adopted advice on the public consultation.

The Secretary General explained that the First Open Consultation for the Marine Fish PEFCR was ongoing. Feedback would be possible from 2 August to 4 October 2021. On 26 August, an information meeting was organised by the Aquaculture Advisory Council with experts from DG MARE and DG ENV. The members of the MAC were invited to attend. The Technical Secretariat to develop the Marine Fish PEFCR is composed of representative organisations, research institutes, NGOs, and companies. AIPCE and FEAP are part of the Technical Secretariat. The rules cover both wild catch and farmed fish. Three supporting studies will be carried out to test the PEFCR. After the studies, a second public consultation will take place. A final version will be published, which will be validated by a Technical Advisory Board and Commission experts, including Member States representatives.

Gerd Heinen (DG MARE) clarified the relationship between the initiative on green claims and the work of the Technical Secretariat. While the first is a policy initiative of the Commission, the development of PEFCR is done by outside experts. The policy initiative constitutes the framework for the different product category rules and how they will be operationalised. Therefore, the Technical Secretariat cannot comment on the December 2020 advice.



Erik Skontorp Hognes (PEFCR Technical Secretariat) explained that the document under consultation is a draft on the PEFCR applicable to unprocessed marine fish products. The Footprint Representative Product study is also under consultation. The purpose of the study is to assess the rules in practice. The study also established default values and benchmarks, which can be used in situations where primary data is lacking. The representative study shall represent the consumption of marine fish in the EU market. Excel documents with preliminary results are provided in the consultation's website.

Mr Skontorp Hognes further explained that the PEFCR covers 1kg of edible fish and the whole lifecycle. In the case of farmed fish, existing rules for feed are taken into account. It is important that stakeholders consider the data requirements, in order to determine feasibility.

- **Exchange of views & way forward**

Christine Absil (Good Fish) wanted to know if producers in the supply chain are expected to collect the data and perform the PEF. Or, if, otherwise, several studies would be carried out and operators would refer to these. Ms Absil also wanted to know how detailed the rules would be, since, for example, the environmental impact of fishing is even impacted by mesh sizes. On the other hand, the rules could be wider and cover different gear types. She wondered about the relationship between PEFCR and the recent STECF report on incorporating sustainability aspects in the marketing standards framework.

Erik Skontorp Hognes (PEFCR Technical Secretariat) responded that the user of PEFCR is not defined, which could be challenging. The rules should be applicable to both the producer and the fishmonger. As an example, fishers know how their fuel consumption. On the other hand, fishmongers might have difficulty in determining the fuel consumption of the products. Mr Skontorp Hognes explained that the objective is to provide an assessment that is as product specific as possible. A balance is needed between what is possible for the producers to quantify and references to studies, which is why the PEFCR must foresee default values. The PEF profile should reflect the actual production practices.

Henrik Stenwig (PEFCR Technical Secretariat), in relation to the applicability to different operators in the supply chain, mentioned that retailers would likely not know the details of the production. The Commission will establish databases with default values for secondary data. In relation to the STECF report, Mr Stenwig drew attention to section 5.5. on "additional environmental information" in the draft PEFCR for Marine Fish. The lack of standardised way to quantify the information is a challenge. Assessing biodiversity impact is extremely important, but a standardised way to calculate the impact is missing.



Pierre Commère (ADEPALE) highlighted the significant progress in this technical work throughout the previous years. Mr Commère wanted to know how the final deliverable document would look like, particularly if these will be similar to ISO and CEN rules or more like a guidance document from the European Commission. He wanted to know if the rules will be mandatory or voluntary. He emphasised the importance of practical and user-friendly rules for operators.

Carla Valeiras (EuroCommerce) wanted to know more about the relationship between the PEF rules and the STECF report, particularly under which Commission initiative it would be.

Patrick Murphy (IS&WFPO), in relation to the requirements for wild products, highlighted that no mitigation factors seem to be taken into account. For example, the draft rules do not take into account the collection of marine litter by fishing vessels. Regarding the calculation of carbon footprint, Mr Murphy wanted to know if transportation would be covered and how imported products would be considered.

Gerd Heinen (DG MARE) clarified that the PEF methodology can be applied to all product categories. There are 16 environmental impact categories measured by PEF. Biodiversity aspects, such as stock status and impact on the habitat are not part of the 16 impact categories, since they are specific to fisheries production. These specific factors can be covered by “other environmental information” under the PEF methodology. Mr Heinen explained that the PEF method is the basis for the DG ENV initiative on substantiating green claims. The initiative aims to substantiate voluntary environmental claims made by operators across all products. If an operator makes a claim covered by one of the product categories, the claim should be substantiated through the PEF methodology and category rules. In relation to the marketing standards revision, DG MARE identified specific fishing and aquaculture criteria. The two initiatives are different.

Erik Skontorp Hognes (PEFCR Technical Secretariat) stated that there are many important environmental and sustainability factors for marine fish that a PEF study does not cover. PEF methodology covers carbon footprint quite well and in a transparent manner. Stakeholders should provide input on the provision of this data. In his experience, these rules are quite appreciated by operators, since it facilitates the transmission of information on environmental impact. These rules are useful for the development of databases, lowering costs for market operators. The market already requests information on environmental impacts, particularly the carbon footprint, regardless of EU legislation. Mr Skontorp Hognes provided an overview of the types of environmental impact covered by PEF.



Pierre Commère (ADEPALE) recalled his previous question on whether the final document will be legally binding or a voluntary guide. Mr Commère emphasised the importance of user-friendly for market operators.

Erik Skontorp Hognes (PEFCR Technical Secretariat) exemplified that, in the case of the Feed PEFCR, farming companies ask feed producers to provide this environmental information.

Henrik Stenwig (PEFCR Technical Secretariat) recognised that it can be quite difficult to read PEF documents. The aim of the supporting studies is to determine feasibility in practice for companies. This will take place after the first consultation. Companies will test the rules without assistance from the Technical Secretariat. Afterwards, a review panel will review the feedback from the companies. Once the rules are approved, the Commission will likely develop guidance tools. There are already tools for other PEFCR, which helps operators know the primary data requirements.

Gerd Heinen (DG MARE) in relation to Mr Commère's question, explained that the applicability of the PEF rules will depend on the outcomes of the Substantiating Green Claims proposal. The policy proposal will build on the PEF methodology in the market to substantiate green claims. The legal obligations will depend on the final proposal. DG ENV is currently finalising the impact assessment. The aim is to adopt the initiative by December 2021. Once a proposal is tabled, it will be clearer what the instrument and scope will be.

Jennifer Reeves (MSC) wanted to know how carbon emissions can be calculated if the habitat being fished is not accurately mapped.

Erik Skontorp Hognes (PEFCR Technical Secretariat) responded that default data is provided. Carbon emissions are linked to the type of gear used, plus whether it is coastal or high seas. If no information is available, then it will not be possible to substantiate the claim. Mr Skontorp Hognes recognised that the use of default data can be quite imprecise.

Jennifer Reeves (MSC) stated that the aim should be verifiable and comparable data. Ms Reeves wondered how different trawlers would be able to achieve this in a substantiated and verifiable manner. The proposal seems rather vague.

Erik Skontorp Hognes (PEFCR Technical Secretariat) emphasised that this type of systems already exists. The requirements on data precision and completeness increases the closer it is to the commercial claim. A very specific claim would likely not be able to rely on default data. A balance is needed between the feasible use by producers and maintaining true environmental information.



Henrik Stenwig (PEFCR Technical Secretariat) explained that the PEF method already foresees the use of high-quality primary data for comparisons with the average competitor in the same product category.

The Secretary General invited members to discuss the way forward. Under the Work Programme for Year 6, the initiative on substantiating green claims is a priority. In 2020, advice was adopted on the potential legislative proposal. The ongoing public consultation covers technical and scientific rules. The Secretary General outlined several options: replying to the first public consultation, leaving it to the individual members to reply directly, wait for the second public consultation or wait for the actual legislative proposal.

Henrik Stenwig (PEFCR Technical Secretariat) did not want to comment on the way forward by the MAC, but encouraged the members to provide comments under the first public consultation.

Gerd Heinen (DG MARE) argued that waiting for the legislative proposal would be a missed opportunity. The overall proposal will be quite general and not specifically refer to fisheries and aquaculture products. The consultations are an opportunity to contribute to the more specific and technical elements of the category rules for fisheries and aquaculture products.

Sean O'Donoghue (KFO) stated that the MAC should be involved in such an important topic. Nevertheless, it would be unrealistic to submit comments under the first consultation's deadline. Mr O'Donoghue encouraged individual members to provide contributions. The working group should return to the topic in January, following some background work.

Bruno Guillaumie (EMPA) highlighted that shellfish products are not covered. Mr Guillaumie explained that he attended early meetings of this project, but was dissatisfied that English was the only work language, which is especially problematic for small producers.

Jennifer Reeves (MSC) expressed support for a joint submission, but added that this would likely be difficult due to the time constraints. Ms Reeves informed that her organisation would be submitting an individual submission to the first consultation. She agreed that the MAC should work on the topic, in order to be prepared for the second consultation. The MSC remains available to provide data to the Technical Secretariat.

Christine Absil (Good Fish) expressed support for a joint response. Ms Absil expressed interest in knowing which members would be providing individual submissions, since the consultation is quite technical.

Yobana Bermúdez (CONXEMAR) expressed support for a joint submission by the MAC.



The Secretary General summarised that there was support for a joint submission, but that there was insufficient time to contribute to the first consultation. The Secretary General suggested the establishment of a focus group to analyse the draft documents in advance of the second consultation. Participating members would need technical knowledge on the subject.

Henrik Stenwig (PEFCR Technical Secretariat) informed that, following the first consultation, the draft will be improved thanks to the comments received. Supporting studies will follow. The Technical Secretariat will need to analyse the feedback from the participating companies. The second consultation will take place in February/March 2022.

The Secretary General encouraged members that will submit individual submissions to also circulate their submissions to the Secretariat, so that these can serve as a basis.

Empowering the Consumer for the Green Transition

- **Presentation of the initiative**

The Secretary General explained that DG JUST has an initiative on empowering the consumer for the green transition under the Circular Economy Action Plan. The main aim is to strengthen the role of consumers in the green transition. There are three main actions: 1) reliable and useful information on products, 2) prevent overstated environmental information (“greenwashing”) and sale of products with a covertly shortened lifespan, and 3) set minimum requirements for sustainability logos and labels. In terms of timeline, there was a Roadmap from 23 June to 1 September 2020 and a Public Consultation from 30 June to 6 October 2020. The Commission’s legislative proposal was scheduled to be adopted in the second quarter of 2021.

The Secretary General recalled that the MAC did not approve advice specifically focused on this initiative, but had adopted advice on voluntary sustainability claims, which did touch on the topic of setting minimum requirements for sustainability logos and labels. This initiative will affect sustainability logos and labels used in the market of fishery and aquaculture products. The DG JUST initiative is a priority under the Work Programme for Year 6.

Gerd Heinen (DG MARE) explained that the originally scheduled timeline for the adoption of the Commission’ proposal would not be met. The intention is that this initiative will complement DG ENV’s initiative on substantiating green claims. One of the general objectives of this initiative is to avoid “greenwashing”. The DG JUST initiative is broader, since it covers issues of product durability and reparability, which are not applicable to fishery and aquaculture products. The initiative also considers minimum requirements for environmental claims and sustainability labels, which will be applicable to the market of fishery and aquaculture products. In terms of



timeline, the legislative proposals on substantiating green claims and empowering the consumer are expected to be published together in December 2021. Mr Heinen encouraged the MAC to follow the legislative developments, including through the invitation of DG JUST representatives to a meeting, following the publication of the legislative proposal.

- **Exchange of views & way forward**

The Secretary General emphasised that the aim of the agenda point was to ensure that members were aware that this policy initiative is ongoing. The Secretary General wanted to know if any members were interested in providing advice at that stage or if members preferred to wait for the publication of the Commission's legislative proposal.

Bruno Guillaumie (EMPA), in relation to the circulation economy, highlighted that the consumer has two important roles: as a contaminator of the sea and at recognising added value in fisheries and aquaculture products. As an example, in the case of shellfish production, the consumer could recognise value in shells, avoiding waste.

Jennifer Reeves (MSC) expressed doubt that it would be relevant to produce advice at that stage. Ms Reeves informed that her organisation provided some input with DG JUST. She suggested waiting for the publication of the Commission's proposal.

Gerd Heinen (DG MARE) informed that the process is quite advanced in DG JUST, so it would be more relevant to wait for the legislative proposal. Mr Heinen offered to facilitate contact between the MAC and DG JUST in the future.

María Luisa Álvarez Blanco (FEDEPESCA) stated that the policy initiative was very relevant, but it was better to wait, taking into account the timeline.

The Chair proposed to wait for the Commission's legislative proposal, so that the MAC can prepare advice on the topic then.

Caviar Labelling

- **Exchange of views on MAC Advice on the AAC's Recommendation on Labelling of Caviar**

The Chair recalled that, on 14 April 2021, the MAC adopted advice on the basis of the Aquaculture Advisory Council's Recommendation on Labelling of Caviar. In May 2021, there was a letter of reply from the European Commission. In relation to the division of CN categories implying a revision of the CMO Regulation, the Commission does not foresee such a revision. Concerning the Commission Implementing Regulation 2018/775 on the indication of origin/provenance of



the primary ingredient of a food, the Commission believes that it will contribute positively to transparency in caviar products. As for a common marketing standard, the Commission stated that it requires uniform trade characteristics. The EU standard must be complementary, coherent, and add value. DG MARE invited the MAC to elaborate on why an EU marketing standard on caviar would be needed.

The Chair commented that, from FEAP's perspective, Regulation 2018/775 does not contribute to increased transparency, since "EU / Non-EU" designation is sufficient under that legislation. From their perspective, a marketing standard would also not be an option. Caviar producers seek greater consumer information, not uniform trade characteristics.

The Chair stated, in terms of a way forward, that the MAC could wait for new initiatives from the Aquaculture Advisory Council. Recent AAC advice recommended the inclusion of caviar representatives in CITES meetings. In his view, the mandatory CITES code could serve as a way to inform consumers on origin. The Chair encouraged members to provide their views on a way forward, for example wait for new initiatives from the AAC or proceed with new advice justifying different labelling requirements under the CMO Regulation or elaboration on why an EU marketing standard would be needed.

Frangiscos Nikolian (DG MARE) clarified that the mandatory CITES code requirements on endangered species are implemented through EU legislation, even though it is not mandatory information under the CMO Regulation. Mr Nikolian highlighted that the caviar sector can provide additional voluntary information under Article 35 and 39 of the CMO Regulation.

The Chair highlighted that the use of voluntary information did not solve the problems connected to Chinese imports that are repacked in the EU.

Frangiscos Nikolian (DG MARE) drew attention to the application of Regulation 2018/775 to those cases, since the consumer must be informed on the origin of the primary ingredient.

The Chair responded that, in order to avoid writing "China" on the label, repackers merely indicate "EU & Non-EU" provenance in the package.

Javier Ojeda (APROMAR) emphasised that EU caviar producers have a problem. Caviar may seem like a luxury product, but that caviar producers are farmers like of any other product. EU producers are in a continuously difficult situation due to competition from China. If the EU legislation cannot provide tangible results, then the CITES approach needs to be explored, which is why caviar producers should participate in CITES meetings. Traceability and consumer information are different matters. The CITES code provides environmental traceability, but can



help consumers make more informed choices. Mr Ojeda provided the example of traceability information on eggs, which helps consumers know the production methods.

Frangiscos Nikolian (DG MARE) stressed that any information on the package must be compliant with the mandatory and voluntary information rules under the CMO Regulation. There are no plans for the CMO Regulation to be revised in the near future. Nevertheless, the MAC can provide advice and make the case on the need for this information to be mandatory, in order to be taken into account in an eventual revision of the CMO Regulation.

Christine Absil (Good Fish) wanted to know what kind of information consumers are able to find.

Frangiscos Nikolian (DG MARE) explained that, under Regulation 2018/775, there is an obligation to provide information on the origin/provenance of the primary ingredient of the product.

Laurène Jolly (DG MARE) recognised that it was possible to indicate “EU & Non-EU” when the raw material comes from different origins. Ms Jolly encouraged members, in the case of suspicions of fraud and mislabelling, to refer to the competent national authorities. If there are cases of fraud, then it would be easier to justify a change to the CMO Regulation.

The Chair wondered about the proportions under the Regulation 2018/775. For example, if 2% of raw material from EU was used, would it be sufficient to label as “EU & Non-EU”.

María Luisa Álvarez Blanco (FEDEPESCA) agreed with Mr Ojeda that EU caviar producers face a significant problem. The problem also affects consumers, since consumer should be able to know the origin of the primary ingredient.

Laurène Jolly (DG MARE) highlighted that the Commission is not against the traceability of processed products. In 2013, the Commission’s initial legislative proposal on the CMO Regulation covered processed products, so caviar products would have been covered by consumer information requirements. The Commission maintains this view in the revision of the Fisheries Control Regulation. The Commission seeks full traceability for fresh and processed products.

Frangiscos Nikolian (DG MARE), in relation to the Fisheries Control Regulation, emphasised that traceability is a different issue from consumer information. Mr Nikolian argued for increased traceability requirements for processed products under the Fisheries Control Regulation. Increased traceability requirements can assist in the provision of consumer information as well as in the development of the sustainability aspects under the marketing standards framework. The proposed sustainability criteria will be based on publicly available information.



Pierre Commère (ADEPALE) underscored that traceability information and consumer information are separate issues. Mr Commère argued that there is traceability for processed products and it works perfectly to prevent food safety problems. Consumer information requirements is a separate issue, which needs to be discussed in the context of the CMO Regulation. In his view, if there are specific practical issues, then the sector should develop a tangible proposal for a marketing standard. It would not make sense to review the CMO Regulation only for caviar products, since it is a small part of the market.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) agreed with Mr Commère's intervention. Processed products can be traced.

Frangiscos Nikolian (DG MARE) highlighted that there are ongoing interinstitutional negotiations ongoing on the revision of the Fisheries Control Regulation. Several Member States wish to exclude processed products from the proposed increased traceability requirements. Mr Nikolian agreed that traceability requirements should not be confused with consumer information. Nevertheless, good consumer information requires traceability.

The Chair recalled that the MAC advice did not call for a full revision of the CMO Regulation, but merely to change the categorisation of caviar products from processed products to fresh products, as is the case for other eggs mixed with salt.

María Luisa Álvarez Blanco (FEDEPESCA) emphasised that members are aware of the difference between traceability requirements and consumer information rules. Nevertheless, without appropriate traceability, it is not possible to provide good consumer information. It is important to continue discussing this issue.

- **Way forward**

The Chair proposed to wait for new developments in the Aquaculture Advisory Council.

EU School Fruit, Vegetables and Milk Scheme

- **Presentation of the review**

The Secretary General explained that the EU School Scheme is a programme of DG AGRI that supports the supply of fruit, vegetable, milk and certain mil products to children together with educational activities about agriculture and healthy eating habits. The Commission is undertaking a revision of the scheme and the measures providing EU aid. The overall aim of the review is to contribute to promote sustainable food consumption, in line with the Farm to Fork Strategy. The Roadmap was under consultation from 29 June to 27 July 2021. A public consultation is expected



in the first quarter of 2022. The adoption of the legislative proposal is expected in the fourth quarter of 2023.

- **Way forward**

The Secretary General recalled that, in previous opportunities, some members wondered why seafood was not covered by this programme. The Secretary General encouraged members to share their experience with efforts to expand coverage to seafood products at national and EU level. The draft advice on health and environmental value of seafood includes a recommendation to the Commission to assess the relevance of extending the EU School Scheme to healthy fisheries and aquaculture products.

Jennifer Reeves (MSC) explained that her organisation worked with some national governments on public procurement criteria for sourcing of seafood products in schools.

Bruno Guillaumie (EMPA) highlighted that, combined with vegetables, fruits and dairy products, molluscs and algae can reduce global climate impact by 70%. There are several studies that demonstrate the importance of consuming seafood products. Therefore, the specific nutritional characteristics of seafood products should be recognised.

Sergio López García (OPP Lugo) argued that seafood products should not be excluded from these initiatives. There are nutritional studies that demonstrate that seafood products are associated with a healthy diet. His organisation promotes the inclusion of seafood products in diets through several actions directed at children, elderly people, and others. Therefore, Mr López García believed that seafood products should be covered by the EU School Scheme.

Sean O'Donoghue (KFO) agreed with the previous speakers on the importance of seafood consumption. Mr O'Donoghue recognised that not all members were aware that there was this specific EU funding for agricultural products. He agreed with the inclusion of a recommendation under the draft advice on health and environmental value of seafood.

Santiago Folgar Gutiérrez (AVOCANO) express full agreement with Mr López and Mr O'Donoghue's interventions. Mr Folgar highlighted the importance of working with the representative of regional governments and with the European Parliament to promote the consumption of seafood products in schools.



Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) agreed with the inclusion of seafood products under the EU School Scheme, but recalled that, under the EU Promotion Programme for Agricultural and Food Products, seafood products could only participate together with agricultural products. Under that programme, there were so many restrictions, that it is practically impossible to receive funding to promote seafood products. Therefore, it is important to avoid the same restrictions under the EU School Scheme.

The Chair proposed to maintain the recommendation on the EU School Scheme under the draft advice on health and environmental value of seafood.

Health and Environmental Value of Seafood

- **Consideration of draft advice**

The Chair recalled that a questionnaire was circulated to members from 1 to 15 July 2021. There were answers from CONXEMAR and FEAP. The draft advice was circulated on 6 September, which took into account the answers as well as the presentations from the previous meeting.

The Working Group proceeded to analyse the draft advice.

Sean O'Donoghue (KFO), in relation to draft recommendation d), stated that it was important to mention a purpose for the study. Mr O'Donoghue suggested changing the word "study" to "assess".

Emiel Brouckaert (EAPO), in relation to draft recommendation e), suggested reformulating the sentence to mention "potential overfishing".

Pierre Commère (ADEPALE) suggested the inclusion of an additional recommendation on recognising the specific value of fish products in simplified front-of-pack nutritional labelling schemes.

Sean O'Donoghue (KFO), in relation to draft recommendation h), argued that fishery and aquaculture products should be under a 0% VAT rate. Therefore, the wording in the recommendation should be stronger.

The Secretary General explained that the original wording on the draft text aimed at achieving consensus, since, at the previous meeting, some members expressed concerns about the suggestion of a low VAT rate for fishery and aquaculture products.



Pierre Commère (ADEPALE), in relation to footnote 9, stated that there is a general practice to avoid references to specific non-seafood products, so he suggested to delete the reference to “potato chips”.

Christine Absil (Good Fish), in relation to draft recommendation h), stated that the environmental NGOs could not provide a blank support for the promotion of consumption of fishery and aquaculture products. The NGOs recognise that these are healthy products, but these should be sustainable products. Therefore, in her view, Mr O’Donoghue’s proposal could go too far.

Sean O’Donoghue (KFO) expressed his understanding for Ms Absil’s intervention, but added that it would be possible to connect the VAT rate reduction to sustainably sourced products.

Christine Absil (Good Fish) stated that she could agree with the draft recommendation, if there was the inclusion of the reference to “sustainably sourced”.

Sean O’Donoghue (KFO), in relation to draft recommendation i), suggested the use of more proactive language, instead of merely recommending an assessment.

María Luisa Álvarez Blanco (FEDEPESCA) suggested the inclusion, in the introduction, of additional references to health benefits of seafood consumption, in line with an EFSA study.

The Working Group agreed on the draft advice as amended.

- **Way forward**

The Chair proposed to put forward the draft advice for consideration and adoption by the Executive Committee through written procedure for two weeks.

Sanitary & Hygiene Rules

- **Exchange of views on maximum level of sulphite in crustaceans**

The Secretary General explained that the agenda item was a request from ADEPALE. In the past, AIPCE-CEP sent a letter to the European Commission on the matter of the maximum level of sulphite in crustaceans, but did not receive a reply.

Pierre Commère (ADEPALE) explained that, for many years, there is an established practice of treating shellfish with sulphite to prevent the blackening (melanose). Melanosis is a very unfavourable



criterion when commercialising shellfish. Following tests carried out by a French research institute, a treatment method was developed. This is regulated by Regulation (EC) No 1333/2008 on food additives. At present, the regulatory threshold for Lobsters and for Norway Lobsters is very different, 150 mg/kg and 50 mg/kg, respectively. When the legislation was developed, there was the perception that the sulphite would be absorbed by the shells. Recent studies demonstrate that the cooking process does not lead to a decrease in the sulphite content. A raw and compliant product can therefore become non-compliant after cooking.

Mr Commère called for a harmonisation of the regulatory thresholds for raw and cooked lobster. In the view of ADEPALE, it is very difficult for operators to have different threshold according to the size and according to raw/cooked. He drew attention to the work of EFSA on this matter. He would like for the MAC to work on the matter, so that DG SANTE and DG MARE are encouraged to rethink this matter and the impact on operators.

- **Way forward**

The Chair, in terms of a way forward, exemplified that advice could be developed on the basis of Mr Commère's technical note or send a written question to DG MARE.

Sean O'Donoghue (KFO) stated that the subject is very technical. Mr O'Donoghue wondered about the impact for raw material, if a standardised system is adopted, particularly whether it would be achievable under the methods currently used by fishers. He suggested holding a detailed discussion at the next Working Group meeting.

The Chair proposed to include the topic as an agenda item for the next meeting, but also to circulate Mr Commère's technical note and supporting studies.

AOB

None.



Summary of action points

- Substantiating Green Claims:
 - Focus Group to be established to analyse the draft documents in advance of the Second Open Consultation for the Marine Fish PEFCR
- Empowering the Consumer for the Green Transition
 - Wait for the publication of the Commission's legislative proposal, before the potential development of advice on the topic
- Caviar Labelling
 - Wait for potential further developments in the Aquaculture Advisory Council
- EU School Fruit, Vegetables and Milk Scheme
 - Specific recommendation to be included in the draft advice on health and environmental value of seafood
- Health and Environmental Value of Seafood
 - Agreed draft advice to be put forward to the Executive Committee for consideration and potential adoption through two weeks written procedure
- Sanitary & Hygiene Rules
 - Agenda item on the maximum level of sulphite in crustaceans to be included in the draft agenda of the next meeting
 - Technical note prepared by ADEPALE to be circulated via email



List of attendees

Representative	Organisation
Agnieszka Korbel	WWF
Aitana López	Spain
Anna Boulova	FRUCOM
Aurora de Blas	Spain
Benoît Guerin	BG Sea Consulting
Benoît Thomassen (Chair)	FEAP
Bruno Guillaumie	EMPA
Carla Valeiras	EuroCommerce
Catherine Pons	FEAP
Christine Absil	Good Fish Foundation
Daniel Voces	Europêche
Daniel Weber	European Fishmeal
Emiel Brouckaert	EAPO
Erik Skontorp Hognes	PEFCR Technical Secretariat
Frangiscos Nikolian	European Commission
Georg Werner	Environmental Justice Foundation
Gerd Heinen	European Commission
Guus Pastoor	Visfederatie
Henrik Stenwig	PEFCR Technical Secretariat
Javier Ojeda	APROMAR
Jean-Marie Robert	Les Pêcheurs de Bretagne
Jennifer Reeves	Marine Stewardship Council
Jens Mathiesen	Danish Seafood Association
José Basilio Otero Rodríguez	Federación Nacional de Cofradías de Pescadores (FNCP)



Representative	Organisation
Juan Manuel Trujillo Castillo	ETF
Katarina Sipic	AIPCE-CEP
Laurène Jolly	European Commission
María Luisa Álvarez Blanco	FEDEPESCA
Massimo Bellavista	COPA COGECA
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.
Monika Kolodziejczyk	Poland
Nicolás Fernandez Muñoz	OPP72
Paloma Colmenarejo	ClientEarth
Patrick Murphy	IS&WFPO
Pierre Commère	ADEPALE
Pedro Reis Santos	Market Advisory Council
Purificación Fernández	OPPC-3
Roberto Carlos Alonso Baptista de Sousa	ANFACO-CECOPECA
Rosalie Tukker	Europêche
Santiago Folgar Gutiérrez	AVOCANO
Sean O'Donoghue	Killybegs Fishermen's Organisation Ltd (KFO)
Sergio López García	OPP Lugo
Solene Chambard	ADEPALE
Stavroula Kremmydiotou	Market Advisory Council
Stylios Filopoulos	Aquaculture Advisory Council
Yannis Pelekanakis	FEAP
Yobana Bermúdez	CONXEMAR

