

# Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 12/09/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 620 votes to 27 with 27 abstentions a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products.

Parliament adopted its position on first reading following the ordinary legislative procedure. The main amendments are as follows:

**Strengthen producer organisations (POs):** Parliament considers that it is necessary to strengthen these organisations, and to provide the necessary financial support to allow them to play a more meaningful role in the day-to-day management of fisheries, acting within a framework defined by the CFP objectives. Setting up **transnational producer organisations** or associations of these organisations at trans-regional level should be encouraged. They should be based, where appropriate, on biogeographical regions, and at transnational level. Such organisations should be intended to be partnerships that aim to produce common and binding rules, and to provide a level-playing field for all stakeholders that are engaged in the fishery. In setting up such organisations, it is necessary to ensure that they remain subject to competition rules and to respect the need to maintain the link between individual coastal communities and the fisheries and waters that they have historically exploited.

Measures should be taken to ensure that the participation of small-scale fisheries in producer organisations is appropriate and representative.

The **European Maritime and Fisheries Fund** may financially contribute towards the establishment and/or development of associations of producer organisations. The Commission shall be empowered to adopt delegated acts laying down detailed rules concerning such financial support.

Financial support should also be provided to producer organisations to create electronic nationwide databases/markets to better coordinate information between market operators and processors.

POs should encourage contributing to food supply and maintaining and creating jobs in coastal and rural areas, including vocational training and cooperation programmes to encourage **young people** to enter the sector and ensuring a fair standard of living for those engaged in fisheries. The Parliament added that funding for the instruments referred to in the CMO, including the Collective Fund, shall be established under the European Maritime and Fisheries Fund, without prejudice to the co-financing rates set.

**Fighting discards and illegal fishing:** Parliament clarifies the role of producer organisations in any future strategy to reduce discards. POs should:

- avoid, minimise and make the best use of unwanted catches of commercial stocks without creating a substantial market for such catches;
- contribute towards the elimination of IUU fishing practices by applying such internal controls on members as may be necessary;
- reduce the environmental impact of fishing, including by implementing measures to improve the selectivity of fishing gears, to control effort and to avoid unwanted and unauthorised catches.

**Landed by-catches:** Parliament stated that POs should make the best use of and assist their members to avoid and minimise unwanted catches of commercial stocks. It deleted reference in the Commission proposal to distributing landed products free of charge to philanthropic or charitable purposes.

**Labelling:** previously frozen products placed on sale as fresh goods will have to have words "**defrosted products**" on their labelling.

For products that are to be sold fresh, Parliament wants to see the **date of landing** (rather than date of catch) on fishery products labelling. Marketing and labelling information will also include **specific fish stock** and the **area where the product was caught or farmed**, and the **production method**, including, for capture fisheries, the **gear type used**, as defined in Annex XI to Commission Implementing Regulation (EU) No 404/2011.

Indication of the catch or production area will include, in the case of fishery products caught at sea, details of the flag State of the vessel that caught the products.

**Eco-labelling:** the Commission shall, by 1st January 2015, submit a report for the establishment of a Union wide eco-label scheme for fisheries products, and examine potential minimum requirements for obtaining approval for the use of such eco-label.

**Use of technology:** in order to safeguard European consumers, Member State authorities responsible for monitoring and enforcing the fulfilment of the obligations laid down in the Regulation should make full use of available technology, including DNA-testing, in order to deter operators from falsely labelling catches. In addition, Members state that [aquaculture producer organisations should use information communications technology \(ICT\) to ensure that the best possible price for products is achieved](#).

**Market intelligence:** Members added that the Commission shall:

- undertake to devise a **Union-wide campaign** in order to ensure that consumers are aware of the huge variety of fish species landed in European ports, and to inform citizens of the Union of the different periods when certain species are in season, together with promotional campaigns concerning the new labelling measures being introduced;
- undertake to ensure that in **primary and second level schools** across the Union, **information campaigns** are carried out so that younger citizens and their teachers are aware of the benefits of consuming fish, and of the huge variety of species of fish which are available for consumption.

**Health and hygiene standards:** a new clause states that in order to avoid unfair competition in the Union market, **imported products shall meet exactly the same health and hygiene standards required of Union products and shall be subject to the same controls, including total traceability**. The rigorousness of controls carried out both at the borders and at points of origin shall be such as to guarantee proper compliance with these requirements.

**Transitional measures:** Parliament states that fishery and aquaculture products, and their packaging, marked or labelled prior to the date of entry into force of the Regulation may be marketed and sold until such stocks have been exhausted.

**Delegated acts:** the Commission shall be empowered to adopt delegated acts laying down rules which concern the internal functioning of producer organisations or inter-branch organisations, their rules of association, financial and budgetary provisions, obligations for their members and enforcement of the application of the rules including penalties.

**Annex I and Annex II:** new entries are added to both Annexes.

**Date of application:** the legislation shall apply from 1 January 2014, rather than 2013 and that the Commission should present its report on the Regulation's application before the end of 2019 (rather than end 2022). The consumer information provisions shall apply in accordance with the date of entry into force set out in Regulation (EU) No 1169/2011.