

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 18/10/2013 - Council position

The text of the Council position fully **reflects the compromise reached between the European Parliament and of the European Parliament.**

The compromise reflected in the Council position at first reading contains the following key elements:

External dimension: a reference to the regulations that shall supplement the common organisation (CMO) of the markets in fishery and aquaculture products as regards external aspects was included.

Producer Organisations (POs):

- **Objectives and measures:** the objectives of Pos have been enlarged as compared to the Commission proposal. As regards Fishery POs, the following elements were included:

- the promotion of sustainable fishing;
- the compliance with environmental law while respecting social policy;
- how unwanted catches should be dealt with;
- traceability;
- the contribution against IUU practices.

- **Recognition:** detailed rules on the functioning of POs and interbranch organisations were introduced.

- **Production and marketing plans:** the contents of production and marketing plans have been specified and the proposal's empowerment to the Commission to adopt delegated acts has been deleted. Changes to the format and structure of the production and marketing plans shall be adopted by the Commission via implementing acts.

- **Storage mechanism:** the storage mechanism proposed by the Commission, which was intended to replace the whole system of withdrawal prices and interventions, remained practically unchanged.

- **Collective fund:** the proposal's rules on the POs collective funds were deleted.

Marketing standards:

marketing standards may refer to quality, size or weight, packing, presentation and labelling of the products and, in particular, to minimum marketing sizes in accordance with minimum conservation reference sizes, where relevant;

fishery products landed which do not comply with marketing standards may be used for purposes other than human consumption (this is intended to avoid creating markets for "unwanted catches" such as juvenile fish);

the proposal's empowerment to the Commission to adopt delegated acts has been deleted.

Consumer information: the inclusion of the date of catch or date of landing and the gear used were highly contentious points.

- **Date of landing:** Parliament supported the inclusion of the date of landing among the mandatory data, as compared to the date of catch proposed by the Commission. Against this view, Council finally accepted to include the date of minimum durability, while the date of catch could still be included among the voluntary information under the Regulation.

- **Gear category:** in addition to a more detailed indication of the area where the product was caught or farmed, Parliament wanted the inclusion of the gear category used. As a compromise, both sides agreed on the inclusion of a simplified list of seven groups of gears as specified in Annex III.

Eco-labelling: the EP and the Council agreed that the Commission shall submit by 1 January 2015 a feasibility report on options for an eco-label scheme and on setting minimum requirements.

Additional voluntary information: this may include inter alia the date of catch, the date of landing or the port at which the products were landed, the type of fishing gear in more detail or the flag state of the vessel that caught the products.

It will be possible to use "Quick Response (QR) codes" to outline the mandatory information.

Voluntary information shall not be displayed to the detriment of the space available for mandatory information, and no voluntary information shall be included that cannot be verified.

Delegated acts: the proposal's empowerment to the Commission to adopt delegated acts has been deleted.

Procedural and Final provisions: Regulation (EC) No 1224/2009 is amended to establish that Member States shall undertake compliance checks, and to align the provisions on information to consumers.

Lastly, current marketing standards for certain products shall continue to apply.

In a letter addressed to the Chairman of the Permanent Representatives Committee, the Chair of the European Parliament's Committee on Fisheries, recommended to the members of the PECH Committee, and subsequently to the plenary, to **accept the Council's position at first reading without amendments at Parliament's second reading.**