






Basic information	
<p>2011/0194(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>Common organisation of the markets in fishery and aquaculture products</p> <p>Repealing Regulation (EC) No 104/2000 1999/0047(CNS) Amending Regulation (EC) No 1184/2006 2005/0231(CNS) Amending Regulation (EC) No 1224/2009 2008/0216(CNS) Amended by 2013/0191(COD) Amended by 2013/0436(COD) Amended by 2020/0059(COD) Amended by 2023/0370(COD)</p> <p>Subject</p> <p>3.15.02 Aquaculture 3.15.06 Fishing industry and statistics, fishery products</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries	STEVENSON Struan (ECR)	26/09/2011
	Former committee responsible	Former rapporteur	Appointed
	PECH Fisheries	STEVENSON Struan (ECR)	26/09/2011
	Former committee for opinion	Former rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety	FERREIRA João (GUE /NGL)	03/10/2011
Council of the European Union	Council configuration	Meetings	Date
	Agriculture and Fisheries	3234	2013-04-22
	Agriculture and Fisheries	3237	2013-05-13
	Agriculture and Fisheries	3108	2011-07-19
	Agriculture and Fisheries	3265	2013-10-17
	Agriculture and Fisheries	3216	2013-01-28
	Agriculture and Fisheries	3155	2012-03-19
	Agriculture and Fisheries	3253	2013-07-15







	Agriculture and Fisheries	3174	2012-06-12
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	DAMANAKI Maria	
European Economic and Social Committee			

Key events			
Date	Event	Reference	Summary
13/07/2011	Legislative proposal published	COM(2011)0416 	Summary
19/07/2011	Debate in Council		Summary
13/09/2011	Committee referral announced in Parliament, 1st reading		
19/03/2012	Debate in Council		Summary
12/06/2012	Debate in Council		Summary
20/06/2012	Vote in committee, 1st reading		
27/06/2012	Committee report tabled for plenary, 1st reading	A7-0217/2012	Summary
11/09/2012	Debate in Parliament		
12/09/2012	Decision by Parliament, 1st reading	T7-0333/2012	Summary
12/09/2012	Results of vote in Parliament		
28/01/2013	Debate in Council		
22/04/2013	Debate in Council		Summary
18/10/2013	Council position published	12005/2/2013	Summary
24/10/2013	Committee referral announced in Parliament, 2nd reading		
27/11/2013	Vote in committee, 2nd reading		
28/11/2013	Committee recommendation tabled for plenary, 2nd reading	A7-0413/2013	Summary
09/12/2013	Debate in Parliament		
10/12/2013	Decision by Parliament, 2nd reading	T7-0538/2013	Summary
10/12/2013	Results of vote in Parliament		
11/12/2013	Final act signed		
11/12/2013	End of procedure in Parliament		
28/12/2013	Final act published in Official Journal		

Technical information	
Procedure reference	2011/0194(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 104/2000 1999/0047(CNS) Amending Regulation (EC) No 1184/2006 2005/0231(CNS) Amending Regulation (EC) No 1224/2009 2008/0216(CNS) Amended by 2013/0191(COD) Amended by 2013/0436(COD) Amended by 2020/0059(COD) Amended by 2023/0370(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 042-p1 Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/13276

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE480.741	02/03/2012	
Amendments tabled in committee		PE487.716	13/04/2012	
Committee opinion	ENVI	PE480.761	08/05/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0217/2012	27/06/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0333/2012	12/09/2012	Summary
Committee draft report		PE519.795	24/10/2013	
Amendments tabled in committee		PE522.871	05/11/2013	
Committee recommendation tabled for plenary, 2nd reading		A7-0413/2013	28/11/2013	Summary
Text adopted by Parliament, 2nd reading		T7-0538/2013	10/12/2013	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Council statement on its position	14668/2013	14/10/2013		
Council position	12005/2/2013	18/10/2013	Summary	
Draft final act	00118/2013/LEX	11/12/2013		
European Commission				
Document type	Reference	Date	Summary	
	COM(2011)0416			

Legislative proposal		13/07/2011	Summary
Document attached to the procedure	SEC(2011)0883 	13/07/2011	
Document attached to the procedure	SEC(2011)0884 	13/07/2011	
Commission response to text adopted in plenary	SP(2012)665	11/10/2012	
Commission communication on Council's position	COM(2013)0732 	18/10/2013	Summary
Document attached to the procedure	SWD(2016)0113	01/04/2016	
Follow-up document	COM(2016)0263 	18/05/2016	Summary
Follow-up document	COM(2023)0101 	21/02/2023	

National parliaments

Document type	Parliament/Chamber	Reference	Date	Summary
Contribution	LU_CHAMBER	COM(2011)0416	18/10/2011	
Contribution	PT_PARLIAMENT	COM(2011)0416	08/11/2011	
Contribution	IT_SENATE	COM(2011)0416	11/01/2012	
Contribution	DE_BUNDES RAT	COM(2011)0416	24/02/2012	
Contribution	UK_HOUSE-OF-LORDS	COM(2011)0416	01/03/2012	
Contribution	IT_CHAMBER	COM(2011)0416	20/08/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act

Regulation 2013/1379 OJ L 354 28.12.2013, p. 0001	Summary
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Common organisation of the markets in fishery and aquaculture products

The Council held a public **exchange of views** on Commission proposals for the reform of the common fisheries policy (CFP).

The Member States welcomed the general approach proposed by the Commission in the "package" for the reform of the CFP. However, while praising the proposed objective of **maximum sustainable yield (MSY)**, several Member States stressed the difficulty of reaching the objective by 2015 and would prefer a more gradual approach. While the proposal to introduce a system of transferable fishing concessions was generally considered a good basis for further discussion, many Member States insisted that this system should be managed at national level, with sufficient safeguards and flexibility.

As regards the **ban on discards**, most Member States agreed with the objective of promoting sustainable fishing, but some noted that the deadline proposed in the package could be too tight to implement efficient measures.

The **concept of regionalisation** was positively received in general, although its details will have to be analysed further.

The vast majority of delegations acknowledged the importance given to **aquaculture** in this "package".

Several Member States noted also that EU's **external fishery policy** had been given a specific place in the proposals.

Many delegations felt it necessary to provide for special treatment for **small scale coastal fleet segments**.

Many delegations regretted that the **financial framework for the future CFP** had not been presented with the package. This framework will be presented later by the Commission.

It should be recalled that the Commission presented the "package" consisting of the following proposals and communications:

[Proposal for a regulation](#) on the CFP replacing the basic provisions of the CFP;

Proposal for a regulation on the common organisation of the markets in fishery and aquaculture products, focussing on market policy issues;

[Communication from the Commission](#) on the external dimension of the CFP;

[Report from the Commission](#) on reporting obligations under regulation 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the CFP;

[Communication from the Commission](#) on the reform of the CFP, explaining the organisation of the "package".

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 13/07/2011 - Legislative proposal

PURPOSE: to revise the objectives and instrument of the common organisation of the markets in fishery and aquaculture products.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: a Common Market Organisation (CMO) for fisheries and aquaculture products has been in place since 1970. It is one of the pillars of the Common Fisheries Policy (CFP). Its current legal basis is Regulation 104/2000, adopted in 1999.

Since 2008, the Commission has been carrying out extensive evaluations and consultations to assess the performance of the current legal framework.

Analyses led to identify **five main problem areas** found, which may be summarised as follows:

- (1) EU Common Market Organisation did not sufficiently contribute to sustainable production.
- (2) EU producers are facing limited or decreased production opportunities (fisheries and aquaculture). The production side is fragmented due to the number of species, landing and selling sites, whereas the demand side is strongly concentrated. EU production also lacks competitiveness in an increasingly globalised market.
- (3) EU producers to a large extent do not anticipate market demand in their production planning. This leads to a high volatility of first sale prices.
- (4) Potential is largely untapped.
- (5) The implementation of the Common Market Organisation is being held down by a cumbersome, overly complex framework.

The reform of the Common Fisheries Policy provides an excellent opportunity to review and possibly revise objectives and instruments of the Common Market Organisation for fisheries and aquaculture products.

IMPACT ASSESSMENT: different policy alternatives options for the reform have been considered:

- **continuing the current Common Market Organisation** for fisheries and aquaculture products;
- **revising the current Common Market Organisation** for fisheries and aquaculture products by reducing intervention mechanisms to a single storage aid for fishery products destined for human consumption and making other instruments more simple, appropriate and flexible (marketing standards and information to consumers);

- **enhancing the Common Market Organisation** for fisheries and aquaculture products by empowering Producers Organisations and Inter-Branch Organisations with new objectives and granting them financial support to draw and implement sustainable production and marketing plans;
- **deregulating the current Common Market Organisation** for fisheries and aquaculture products.

The Commission supports enhancing the Common Market Organisation so as to accompany the fisheries and aquaculture sector while it shifts toward sustainable production practices. The impact assessment concluded that, considering the new objectives and instruments of the CFP, a **far-reaching reform** of the Common Market Organisation was necessary: market-oriented instruments should contribute, directly or indirectly, to meeting the main CFP objectives.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the main objective of the reform of the Common Fishery Policy is **promoting the sustainable management of fishery resources** through an economically viable sector, which in turn is to be increasingly empowered with its own management. In this context, the proposal for a reform of the Common Market Organisation focuses on the following objectives:

Upgrading market incentives to support sustainable production practices: EU producers (fisheries and aquaculture) within Producers Organisations are on the coal face of production, day to day resource management and market issues. Their role, responsibility and mandate need to be reviewed in line with the objectives of the reform of the CFP in order to direct production activities towards sustainability. Other operators upstream in the sector should also be targeted so as to become more committed and responsible for sustainability of their sourcing.

Improving the market position of EU production: addressing market imperfections, high information and transaction costs, as well as organisational matters, leads to focus on production activities (grouping supply and better marketing at first sale), increase competitiveness of EU production (quality, innovation and added value), reinforce bargaining power of producers and ensure level playing field conditions for all products marketed in the Union.

Improving the connection between EU production and EU structural market changes and short term fluctuations should be better reflected in producers' strategies: increasing transparency along the marketing chain of markets should facilitate supply meeting demand and enhance policy decision making. The volatility of first sale prices can be reduced by improving conditions for placing POs' products on the market and by ensuring that production is planned and adjusted to demand in terms of quality, quantity and presentation.

Enhancing the market potential of EU products: the comparative advantages of EU production (freshness, local, variety etc.) could be better exploited with more differentiation and merchandising. In addition EU consumers have the right to be informed with more precise and reliable information to reinforce confidence in fishery and aquaculture products.

Supporting better governance, reduction of administrative burden and simplification of the legal framework: the existing provisions and instruments should be reviewed, simplified and clarified. The Common Market Organisation should be supported in the context of a new financial fund to be implemented within the reformed CFP.

To address overfishing and unsustainable practices and move away from production strategies based solely on volume, the new Common Market Organisation will support:

- the empowerment of producers organisations and their co-management of access rights as well as production and marketing activities;
- market measures that increase the bargaining power of producers (in fisheries and aquaculture) improve prediction, prevention and management of market crisis and foster market transparency and efficiency;
- market incentives and premiums for sustainable practices; partnerships for sustainable production, sourcing and consumption; certification (ecolabels), promotion, information to consumers;
- additional market measures on discards.

BUDGETARY IMPLICATION: this proposal has no budgetary implication for the Union budget.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 22/04/2013

The Council held a public **debate on the outcome of the first trilogue discussions** with the European Parliament and the Commission on two proposals within the reform of the common fisheries policy (CFP) and the outstanding issues concerning the reform of the [basic regulation of the CFP](#).

As regards the market regulation, the Council agreed on a general approach for the market regulation on 12 June 2012. Parliament adopted its position at first reading on the proposed regulation on 12 September 2012.

During the two trilogue discussions on market regulation which have taken place since the end of February, the positions of the Council and the European Parliament converged towards compromises on the great majority of political and technical issues. The main outstanding issues concerning market regulation relate to mandatory consumer information and delegated acts.

The Presidency expects to reach agreement on this regulation with the Parliament and the Commission in May 2013.

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 18/10/2013 - Commission communication on Council's position

The Commission **agrees with the Council position**, as the compromise political agreement between the European Parliament and the Council maintains the main lines of the Commission's proposal, namely:

- (1) the simplification of legislation, procedures and reporting obligations, as well as the reduction of administrative burden for operators, national administrations and the Commission,
- (2) the immediate elimination of withdrawal mechanisms of fish from the market and introduction of one single storage aid mechanism for fishery products intended for human consumption,
- (3) the empowerment of the POs to play a greater role in collective planning and management of fishery and aquaculture activities to achieve sustainable fishing and aquaculture policy, including the elimination of discards.

The Commission can accept most of the new provisions introduced by the Council concerning the functioning of POs and inter-branch organisations, the mandatory information and the commercial designation. These changes as these do not alter the main objective of the Commission proposal. However, it **regrets the deletion of 4 articles providing for delegated acts** which would have enabled the Commission to react flexibly to the steadily changing situations on the market and would have allowed the Commission to bring more details of technical nature in the rules to be adopted to provide the sector with more precision about the obligations they have to observe.

In relation to labelling, the Commission regrets that the agreement between the co-legislators has removed from the Commission's proposal the obligation to indicate the "**date of catch**" and the "**date of harvest**" for fishery and aquaculture products, respectively.

The Commission also regrets that the legislators have removed from the Commission's proposal the application of certain labelling requirements to **preserved and prepared products**, i.e. commercial name, production method and provenance.

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.**

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 28/11/2013 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Fisheries adopted the recommendation for a second reading contained in the report by Struan STEVENSON (ECR, UK), and approved the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000.

The committee also approved **the joint statement by Parliament and the Council** annexed to the resolution, according to which the European Parliament and the Council invite the to:

- submit a proposal aiming at amending the Control Regulation (Regulation (EC) No 1224/2009). Such amendment should take into account the need for regulating the provision of gear type information as regards products derived from wild capture fisheries;
- adopt, in due time, the necessary amendments to the Commission Implementing Regulation (EU) No 404/2011 as regards the mandatory information to the consumer in order to take into account the provisions of this Regulation, the Control Regulation, as amended, and Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers.

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 10/12/2013 - Text adopted by Parliament, 2nd reading

The European Parliament adopted, at second reading of the ordinary legislative procedure, the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000.

Following the recommendation for a second reading by the Committee on Fisheries, Parliament approved the Council position without amendment.

Parliament also approved a **statement from the European Parliament and the Council** on control rules in the area of product traceability and consumer information. This statement invited the Commission to:

- submit to them a proposal aiming at amending the Control Regulation (Regulation (EC) No 1224/2009). Such amendment should take into account the need for regulating the provision of gear type information as regards products derived from wild capture fisheries;
- adopt, in due time, the necessary amendments to the Commission Implementing Regulation (EU) No 404/2011 as regards the mandatory information to the consumer in order to take into account the provisions of this Regulation, the Control Regulation, as amended, and Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers.

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 11/12/2013 - Final act

PURPOSE: to revise the objectives and instrument of the common organisation of the markets in fishery and aquaculture products in the context of the reform of the Common Fisheries Policy (CFP).

LEGISLATIVE ACT : Regulation (EU) n° 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000.

CONTENT: the Regulation aims to **establish a common organisation of the markets in fishery and aquaculture products (CMO)** (the products covered by the CMO are listed in Annex I). The CMO will be comprised of the following elements: (i) professional organisations; (b) marketing standards; (c) consumer information; (d) competition rules; (e) market intelligence.

The [basic Regulation on CFP provisions](#) and this Regulation on markets in fishery and aquaculture products are two of the three elements in the legislative package on CFP reform, the third being the [Regulation on the European Maritime and Fisheries Fund \(EMFF\)](#).

Role of producer organisations: the Regulation reforms the role of producer organisations, which will have less administrative market intervention mechanism at hand. Focus is now given to their own marketing strategies expressed in their production and marketing plans, and a close involvement in the general policy direction, e.g. concerning discard avoidance.

Fishery producer organisations shall pursue the **following objectives**:

- promoting sustainable fishing activities in full compliance with environmental law, while respecting social policy;
- avoiding and reducing as far as possible unwanted catches of commercial stocks;
- contributing to the traceability of fishery products and access to clear and comprehensive information for consumers;
- contributing to the elimination of illegal, unreported and unregulated fishing.

Producer organisations may contribute to the following objectives: (i) improving the conditions for the placing on the market of their members' products; (ii) stabilising the markets; (iii) promoting high food quality and safety standards; (iv) reducing the environmental impact of fishing.

Detailed rules on the **functioning** of POs and inter-branch organisations are set out in the text.

Marketing standards: common marketing standards may be laid down for the fishery products regardless of their origin (Union or imported), that are intended for human consumption. The standards may relate to the **quality, size, weight, packing, presentation or labelling of the products**, and to the minimum marketing sizes, taking into account the best available scientific advice.

All fishery products landed, including those that **do not comply with common marketing standards**, may be used for purposes other than direct human consumption, including fish meal, fish oil, pet food, food additives, pharmaceuticals or cosmetics.

Consumer information: compulsory information for consumers regarding labelling must indicate:

- the commercial designation of the species and its scientific name;
- the production method;
- **the area where the product was caught or farmed and the category of fishing gear used;**
- whether the product has been defrosted;
- the date of minimum durability, where appropriate.

In addition to the mandatory information required, certain information may be provided on a **voluntary basis**, including, inter alia, the date of catch, the date of landing or information on the port at which the products were landed, more detailed information on the type of fishing gear, details of the flag State of the vessel that caught those products, environmental information, or information of an ethical or social nature.

Eco-labelling reporting: the Regulation provides that the Commission shall, by 1 January 2015, submit a feasibility report on options for an eco-label scheme for fishery and aquaculture products, and on setting minimum requirements for the use by Member States of a Union eco-label.

The Commission shall report to the European Parliament and the Council on the results of the application of the Regulation by 31 December 2022.

ENTRY INTO FORCE: 29.12.2013. The Regulation is applicable from 01.01.2014, with the exception of provisions on consumer information which apply from 13.12.2014.

Common organisation of the markets in fishery and aquaculture products

In accordance with Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products, the Commission presents a feasibility report on **options for an eco-label scheme for fishery and aquaculture products (FAPs)**.

Purposes of the report: based on a study analysing existing eco-labels and on a public consultation, the report:

- describes the context in which eco-labels have developed in the fishery and aquaculture sector;
- presents relevant public and private initiatives at EU and international level on environmental voluntary claims;
- summarises the situation of the market for eco-labelled products, as are the main issues raised with regard to eco-labels;
- identifies areas of possible action in relation to an eco-label scheme for FAPs and evaluates their respective feasibility.

The market for eco-labels: the report shows that **eco-labels in FAPs have become increasingly important** over the past decade. Volumes of eco-labelled products are now substantial, yet **concentrated in some EU markets and products**. The EU is currently the largest market for eco-labelled FAPs. However, market penetration of eco-labelled products varies significantly across Member States and concentrates on frozen or processed products.

Action at EU level: over the past decade, European Union has taken **several initiatives** to ensure consumer protection and regulate the provision of environmental information. Analysed globally with other sectors, there is no major specificity of eco-labels in fisheries and aquaculture products. **Non-legislative initiatives** have also been developed to provide guidance on voluntary claims. In addition, **at the request the European Parliament**, the Commission will launch in 2016 a pilot project for the assessment of voluntary claims on fisheries and aquaculture products. The project will explore to what extent such claims are present on FAPs and compliant with relevant requirements.

Advantages of eco-labels and problems encountered: the report stresses that today, eco-labels in the fishery and aquaculture sector:

- give assurance to retailers as regards the sustainability of the products they sell. In turn, retailers use this assurance to emphasise sustainability aspects in their consumer information campaigns and to protect their brand;
- inform consumers on the sustainability performance of a product;
- allow differentiating products in the market and may help consumers to make a choice.

However, there are **three major problems** with eco-labelling in the FAB sector, which were stressed in the study and during the consultation. These are: (i) the **credibility** of the claims; (ii) **confusion** related to the perceived proliferation of eco-labels and to the parallel use of other communication tools, as well as to the difference in content and scope of eco-labels; (ii) **costs** linked to certification may be substantial for producers.

Possible action by public authorities: three options for action by the EU were identified in the report and show different results regarding the added value for the EU, the costs, subsidiarity and proportionality:

Option 1: no change: current legislation and effective use of available tools: this would prove effective in addressing the credibility of claims, but would not improve the state of confusion resulting from multiple messages, since consumer information that falls outside existing EU regulations would not be subject to control. However, as regards costs, use of public funds could help reduce the costs of certification for producers.

Option 2: setting of minimum requirements on sustainability and certification process: this would address issues such as potential confusion and credibility. It would imply extensive preparation and adoption of new legislation or a recommendation at EU level. Similar objectives could, alternatively, be reached by supporting international standards that are being developed.

Option 3: the establishment of a self-standing Union-wide eco-label scheme for FAPs: this option may bring positive effects in terms of credibility of eco-labels by creating incentives and an effective public control. The issue of the confusion on the content of environmental claims could also be improved, but it is not clear whether there would be any effect on the provision of other types of environmental information to consumers.

New legislation would need to be adopted to establish such Union-wide scheme. Given the differences in market penetration of eco-labelled products across Member States, and the premature stage of implementation of national schemes, action at EU level could be **contested from a subsidiarity viewpoint**. The costs of this option are also significant compared to the other two options.

The Commission considers that the [common fisheries policy](#) is expected to deliver on sustainability by 2020 at the latest, and will partially reduce the need for a public label as a driver of sustainability.

Common organisation of the markets in fishery and aquaculture products

The Council held a public debate on the three main proposals for regulations in the common fisheries policy (CFP) reform "package":

- [proposal for a regulation on the CFP](#) replacing the basic provisions of the CFP;
- **proposal for a regulation on the common organisation (CMO) of the markets** in fishery and aquaculture products, focusing on market policy issues;

- [proposal for a regulation on the European Maritime and Fisheries Fund \(EMFF\)](#) replacing the existing European Fisheries Fund.

With regard to the common organisation of the markets in fisheries and aquaculture most Member States asserted that the role and the responsibilities of producer organisations should be strengthened, as well as their organisation and access to EU funding.

While better information for consumers was generally considered as a key element of the proposal, many Member States insisted that this should not interfere with horizontal provisions both on food labelling and on fisheries control. Some Member States expressed their support for a voluntary EU label identifying sustainable fisheries.

With regard to market measures, different views were expressed:

- some Member States strongly defended the storage mechanism as the best measure to apply in the event of a crisis, whilst others countries opposed this mechanism which in their view could create distortion;
- the need to maintain a level playing field concerning trade standards and sustainability objectives between imports from third countries and EU products was an important point raised by several delegations.

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 12/06/2012

The Council reached an agreement on a **general approach** on two of the three regulation proposals of the common fisheries policy (CFP) reform "package":

- [proposal for a regulation on the CFP](#) replacing the basic provisions of the CFP;
- **this proposal for a regulation** on the common organisation of the markets (CMO) in fishery and aquaculture products, focussing on market policy issues.

In addition, the Council took note of the Presidency's progress report on a proposal for a regulation on the [European Maritime and Fisheries Fund \(EMFF\)](#) replacing the existing European Fisheries Fund.

This general approach represents the Council's direction towards first reading pending the first reading position of the European Parliament.

On the CMO in fishery and aquaculture products, there is a broad agreement on many issues, in particular the support for fishery and aquaculture producer organisations, whose role was enlarged to contribute to handling landings of unwanted fish. In addition, proposals were established through the general approach.

Storage aid: no major change was made to the Commission proposal concerning the remaining intervention instrument "storage aid". The EMFF, on which a general approach was not foreseen, envisages the phase-out of this instrument over time.

Consumer information: in addition to the horizontal food information regulation, conditions for displaying voluntary information are highlighted. The framework allowing the Commission to develop an EU sustainability label is established.

The **following topics** have to be further scrutinised after the general approach, namely: (i) recitals and definitions; (ii) the choice and formulation of Commission powers to adopt delegated acts or implementing acts (alignment of the text on the Lisbon Treaty).

Common organisation of the markets in fishery and aquaculture products

2011/0194(COD) - 27/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Struan Stevenson (ECR, UK) 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.

The committee recommends that the European Parliament's position in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Strengthen producer organisations: the committee considers that it is necessary to strengthen these organisations, which counterbalance the power of retailers, 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, to produce binding common binding rules that ensure a level playing field for all stakeholders engaged in fisheries activities,

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.

PO's 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.

Fighting discards and illegal fishing: the committee clarifies the role of producer organisations in any future strategy to reduce discards. It should be a priority to reduce unwanted catches of commercial stocks e.g. by promoting selective fishing in order to reduce unwanted catches. Fishermen's organisations should also step up checks on their members' activities in order to avoid unwanted catches and fight illegal fishing.

Landed by-catches: this could be used for bait, as well as for fishmeal, fish oil and pet food. Members state that those landing such products shall be **eligible for the reimbursement** of a proportion of the value of these fishery products. Any profit should go to a national or trans-national fund used for data collection, control, surveillance and scientific research purposes. The value of reimbursements shall be kept at a level so that it will not, in any way, create a new market for juveniles and other by-catch.

Large, commercial edible fish that have to be landed under the discard ban because they are out of quota, will be sold on the market in the normal way with the profits again split between compensation to the vessels and to a conservation fund. This differs from the commission proposal which would have seen unwanted catches being given away free of charge.

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, the committee wants to see the **date of landing (rather than date of catch)** of fishery products labelling. Marketing and labelling information will also include specific fish stock and the area where the product was caught or farmed.

Market intervention reduced to single storage aid: the committee considers that today's market intervention mechanism should be reduced, in line with the Commission proposal, to a single storage aid. The committee rejected amendments seeking the continuation of additional support measures such as fish withdrawals.

Regional Advisory Council for the Outermost Regions: a Regional Advisory Council for the Outermost Regions shall be established with the aim of ensuring an ecosystem-based approach, taking account of the sensitive nature of their specific characteristics.

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.

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.