

## FISHERIES AND AQUACULTURE NEWSLETTER

OCTOBER 2014



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October has come to an end and we say goodbye to the Barroso II Commission as the set of Commissioners take office as from the 3<sup>rd</sup> November, after being approved as a whole by the European Parliament in October plenary.

October was marked by some important issues for the fisheries sector, such as discussions on whether certain third countries, showing signs of Illegal, Unreported and Unregulated (IUU) fishing, should be allowed entry in the new Generalised Scheme of Preference (GSP+), which will enter into force start of next year. Additionally, you can read about the information seminar organised by the European Commission on the labelling provisions for seafood that will be mandatory from December, and the concerns raised from stakeholders. Lastly, you can read about the situation regarding the development of the four new Advisory Councils that have to be set up, as envisaged in the new Common Fisheries Policy; Market, Aquaculture, Outermost Regions and Black Sea.

Enjoy the reading,



*Despina Symons*  
Director, EBCD

## **IUU/General Scheme of Preferences+: Conflicting policies?**



October was marked by important developments regarding the fight against illegal, unreported and unregulated (IUU) fishing. Following the EU Regulation to prevent, deter and eliminate IUU fishing, the European Commission has issued now new red cards, green cards and an extension of the deadline to comply with their obligations to several countries.

### **Sri Lanka: Identified.**

On the 14th of this month, the European Commission proposed to ban imports of fisheries products coming from Sri Lanka after four years of dialogue with this country. Though Sri Lanka had been warned with a yellow card in November 2012 (yellow cards do not entail any measures affecting trade), this country has not done enough, according to the European Commission, to address IUU activities, especially when it comes to control measures, compliance with international and regional rules and deterrent sanctions for fleets fishing in high seas. Therefore, starting mid-January, all fishery imports from Sri Lanka-flagged vessels into the EU will be banned, three months after the decision is published in the EU's

Official Journal. More sanctions will follow if and when the Commission's decision is approved by the European Council, such as prohibit any EU vessel from fishing in Sri Lanka waters or reflagging of vessels to Sri Lanka. Environmental groups welcomed the decision since it shows that the EU's legislation is successful in preventing illegally caught fish from reaching its market.

**South Korea, Ghana and Curacao** were given yellow cards in November 2013 and though these countries have made some progress, the European Commission stated that it will re-evaluate their situation in the near future and will prolong its cooperation with these countries until January 2015.

### **Belize: Unlisted**

The same day Commission identified Sri Lanka, it also confirmed that Belize, Fiji, Vanuatu and Togo, which received warnings in November 2012, have made progresses in tackling IUU fishing. Therefore, Belize was proposed to be removed from the list of non-cooperating countries (hence, trade bans imposed in March 2014 will be lifted if and when the Council takes a positive decision on this issue, as it the sole body in charge of imposing or lifting trade sanctions.

The Commission also announced the termination of inspections against **Fiji, Panama, Togo and Vanuatu**, since they have taken concrete measures in addressing illegal fishing. In this respect on the 27th October 2014, a briefing on "Fighting against Illegal, Unreported and Unregulated fishing (IUU): Successes from ACP countries" was organised in Brussels. Representatives from African, Caribbean and Pacific states (Vanuatu, Fiji and Belize) gathered

to share their positive experiences in tackling this issue.

### **IUU and GSP+: Incoherent policies?**

Recently some members of the Parliament and stakeholders expressed their concerns to the Commission on the possible incoherence of Philippines being allowed to benefit from the GSP+ while at the same time having been issued with a warning for violating the law on illegal fishing (yellow card).

The EU's Generalised Scheme of Preferences (GSP) is an instrument to help developing countries to export their products to the European Union in order to impulse their economic development. This is done in the form of reduced or non-existent tariffs for their goods when entering the EU market. To get this preferential status third countries have to ratify, among others, international conventions relating to human and labour rights.

On the one hand, the Commission has warned the Philippines and Papua New Guinea of its intention to include them in its list of non-cooperating countries in June 2014, which could lead to a ban on the import of fisheries products in this context, and pursuant to the rules on IUU fishing. On the other hand, Philippines requested its admission to the Generalised System of Preferences, a request the Commission is right now processing.

Concerns were expressed by some stakeholders and MEPs on the incompatibility of the benefits under the GSP+ and the infringement of the regulation on IUU fishing. Nevertheless, the Commission has stated that a potential import prohibition due the infringement of the IUU regulation would be independent from and

separate to any preferential market access provided by the EU to any country under the GSP scheme. The situation in terms of IUU fishing is not among the entry criteria into that scheme and therefore cannot be taken into consideration by the Commission when evaluating any GSP+ application.

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### **New rules for labelling**

On the 13<sup>th</sup> December 2014 the new regulation on the Common Organisation of the Markets in Fishery and Aquaculture Products (which complements the one on Food Information for Consumers (FIC)) is coming into force on its *Chapter VI: Consumer Information*. This regulation, which is already in force from 1 January 2014 in its other provisions, improves consumer information requirements on labels to help consumers make informed choices.



### **New requirements**

The main objective of this chapter is to inform consumers on the sustainable use of marine resources and the responsible aquaculture. This regulation sets out rules on the mandatory and voluntary information to be provided for prepacked and non-prepacked fishery and aquaculture products, and applies to very few processed products.

This information has to be put in a label on all products if they are pre-packed. For non pre-packed products, it can be provided in different forms (labels, billboards, posters).

As for fish caught in either of the FAO areas *Northeast Atlantic and Mediterranean and Black Sea* the name and a map or pictogram must be provided. For fish caught anywhere else in the world only the name area is needed.

Mandatory information
o Commercial designation and scientific names
o Production method
o Catch area/ Country and body of water/ Country of production
o Fishing gear
o Defrosted
o "Best before" date or "Use by" date

Voluntary information
This information must not be displayed to the detriment of the mandatory information and has to be clear, unambiguous and verifiable. It can include date of catch/harvest, date of landing, port of landing or fishery products, more detailed fishing gear, vessel's flag state, environmental, ethical or social information, production techniques and practices, nutritional content, others.

Additional mandatory requirements for prepacked products
o List of ingredients
o Allergens
o Quantity of ingredients
o Net quantity
o Conditions of storage and use
o Name or business name and address
o Country of origin or place of provenance
o Instructions for use
o Nutrition declaration (from 13 December 2016)
o Packaged in a protective atmosphere
o Formed fish
o Identification mark
o Date of packaging
o Date of freezing (or first freezing)
o Volatile products
o Added water

### Stakeholders' view

On the 15<sup>th</sup> October 2014, the European Commission (Directorate-General for Maritime Affairs and Fisheries and Directorate-General for Health and Consumers) organized a conference in Brussels, "**New labels for consumers: new opportunities for the industry**", where stakeholders had the opportunity to express their concerns and views.

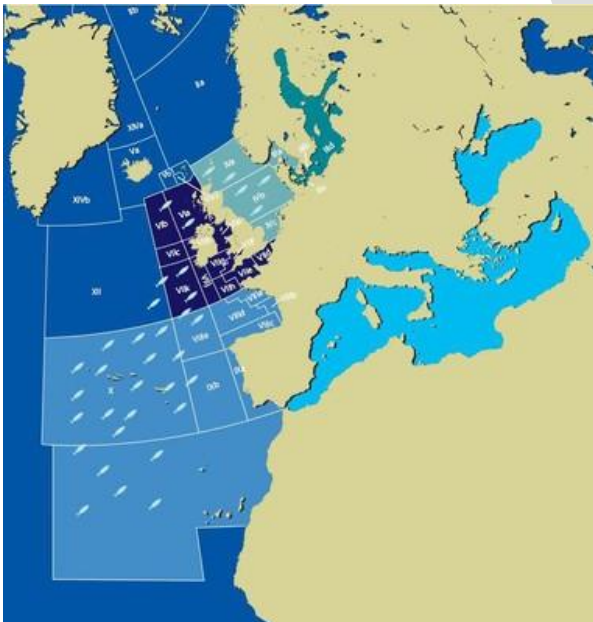
The main concerns expressed were about the usefulness of this information for the consumers, since according to them, the most essential piece of information is the price, quality and local origin of the product; nevertheless, even though the majority of the consumers do not understand or care for this information, they appreciate the possibility of having it on the package. It was also stressed that authorities will need to enforce their

control measures to make sure fraud does not occur. Some complaints were made that there is not enough time to adapt to the various labels and the plethora of information asked for, thus becoming an extra economic burden on the industry, especially before the Christmas period.

**A *Pocket Guide*** will be made available to the general public to help consumers analyze the information provided in the new labels, before the regulation comes into force.

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## New Advisory Councils around the corner



The new Common Fisheries Policy (CFP), which entered into force the start of this year, establishes four new Advisory Councils (ACs), in addition to the already existing seven ACs (previously named Regional Advisory Councils-RACs). Those would be the Advisory Council for Market (MAC),

Aquaculture (AAC), Outermost Regions (divided into three sea basins: West Atlantic, East Atlantic, Indian Ocean) and Black Sea.

## Aquaculture Advisory Council

Following the request from the European Commission for a proposal for the establishment of the AAC and after several stakeholder meetings amongst the industry, NGOs and other interest groups, it was decided on the 27th May 2014, to set up an “Interim” Executive Committee (ExCom) to pave the way forward. Hence, a group of 10 members was appointed, tasked with drafting a statement of objectives, operating principles, rules of procedure, and a list of the sector organisations and other interest groups<sup>1</sup> to be forwarded to the European Commission and the Member States involved (which in the case of the AAC would be all 28 Member States).

This “interim” ExCom has since then met twice (25th September and 22nd October), where a general consensus was reached on a draft version of the statutes and the rules of procedures of this new AC. During these meetings,, it was decided that Brussels, Belgium would be the base of this AC. Also, all members noted that the budget will pose a problem, since the financial attribution from the European Commission (250.000 Euros for AC operating costs) will not suffice for such a wide range AC, and therefore other means of finance might have to be sought out (e.g. high membership fees; one for ExCom and one for General Assembly, Member States contribution, etc). Another issue that is expected to create problems

<sup>1</sup> As detailed in Commission delegated regulation of 09.10.2014, laying down detailed rules on the functioning of the Advisory Councils under the Common Fisheries Policy

is whether it would be better to have either regional/national or European organisations as members of the ExCom of the AAC, as this might cause the AC to be overfilled with small organisations or organisations with limited territorial interest; NGOs opposed this proposal. One or two meetings are scheduled before sending the first set of documents to the Commission so the AC can become operational.

### **Market Advisory Council**

This AC held its first major stakeholders' meeting on the 9<sup>th</sup> October 2014, where it was decided that it is too soon to follow in the AAC's steps and therefore it would be best to postpone the creation of an "interim" ExCom for a later date. Nevertheless, a group of seven organisations was established, whose purpose would be to draft a statement of objectives, operation principles, rules of procedure, and a list of the sector organisations and other interest groups. These organizations are:

- EBCD
- CFFA
- AIPCE-CEP
- EAPO
- ETF
- Europêche
- COPA-COGECA

This group was given a deadline of the 11<sup>th</sup> November, where it would then have to present these draft documents to the wider stakeholder group; a scheduled meeting for the 24<sup>th</sup> November and with a deadline for comments until the 5<sup>th</sup> December, after which they will be forwarded to the European Commission and the Member States involved (again, like the AAC, all 28 Member States). Once this has been finalized, an "interim"

ExCom will be established (following the 60%-40% distribution, as stated in the CFP) which will deal with issues like the budget, establishment of Working Groups (an initial number of 3 WGs has been proposed; organisation of the sector, market supply and EU regulatory and consumer affairs).

### **Outermost regions and Black Sea Advisory Council**

Work on these two ACs is stagnant. Two meetings were scheduled for October but due to unknown reasons the meetings were cancelled and so far, it is not known when discussions will pick up again.

# Upcoming EVENTS

November 2014			
05-06 Nov	EP	<a href="#">Fisheries Committee</a>	Brussels, Belgium
06 Nov	SWWAC	<a href="#">Ad-Hoc Meeting on discards</a>	Paris, France
10-11 Nov	EU Council	<a href="#">Agriculture and Fisheries Ministers' Council</a>	Brussels, Belgium
10-14 Nov	NEAFC	<a href="#">Annual Meeting</a>	London, United Kingdom
10-17 Nov	ICCAT	<a href="#">19th Special Meeting of the commission</a>	Genova, Italia
12-13 Nov	European Parliament	<a href="#">Plenary</a>	Brussels, Belgium
12-19 Nov	IUCN	<a href="#">IUCN World Parks Congress</a>	Sydney, Australia
13-15 Nov	University of Thessaly, Panhellenic Society of Technologists Ichthyologists (PASTI)	<a href="#">HydroMedit 2014</a>	Volos, Greece
14 Nov	NWWAC	<a href="#">Executive Committee Meeting</a>	Paris, France
17-21 Nov		<a href="#">2nd International Ocean Research Conference</a>	Barcelona, Spain
18 Nov	CNC	<a href="#">Oystermen European Championship 2014</a>	Brussels, Belgium
10 Nov	ACMED	<a href="#">Executive Committee</a>	Rome, Italy
21 Nov	DG Research and Innovation	<a href="#">Horizon 2020 Societal Challenge 2 calls for proposals 2015</a>	Brussels, Belgium

24-27 Nov	European Parliament	<a href="#">Plenary</a>	Strasbourg, France
26 Nov	LDAC	<a href="#">Executive Committee Meeting</a>	Madrid, Spain
27 Nov	DG Research and Innovation	<a href="#">The Ocean of Tomorrow projects: what results so far?</a>	Brussels, Belgium