



TEXTS ADOPTED

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Implementation of the Common Market Organisation (CMO) Regulation in fisheries and aquaculture - Regulation (EU) No 1379/2013

European Parliament resolution of 18 January 2024 on the implementation of the Common Market Organisation (CMO) Regulation in fisheries and aquaculture - Regulation (EU) No 1379/2013 (2023/2049(INI))

The European Parliament,

- having regard to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 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 104/2000¹ (CMO Regulation), and to the implementation thereof,
- having regard to the Treaty on the Functioning of the European Union (TFEU), and in particular Article 349 thereof,
- having regard to the report from the Commission to the European Parliament and the Council of 21 February 2023 entitled 'Implementation of Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products' (COM(2023)0101),
- having regard to the Commission communication of 20 May 2020 entitled 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system' (COM(2020)0381),
- having regard to its resolution of 20 October 2021 on a farm to fork strategy for a fair, healthy and environmentally-friendly food system²,

¹ OJ L 354, 28.12.2013, p. 1.

² OJ C 184, 5.5.2022, p. 2.

- having regard to its resolution of 19 January 2023 on the small-scale fisheries situation in the EU and future perspectives¹,
 - having regard to the outcome of the negotiations on the Fisheries Control Regulation,
 - having regard to the 2020 report by the Scientific, Technical and Economic Committee for Fisheries (STECF) entitled 'Criteria and indicators to incorporate sustainability aspects for seafood products in the marketing standards under the Common Market Organisation' (STECF-20-05),
 - having regard to the 2021 Special Eurobarometer 515 report entitled 'EU consumer habits regarding fishery and aquaculture products',
 - having regard to the Commission communication of 3 May 2022 entitled 'Putting people first, securing sustainable and inclusive growth, unlocking the potential of the EU's outermost regions' (COM(2022)0198),
 - having regard to Rule 54 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,
 - having regard to the report by the Market Advisory Council (MAC)² of 30 March 2022 on the Commission report entitled 'Implementation of Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products' (COM(2023)0101),
 - having regard to the report by the Market Advisory Council (MAC)³ of 8 May 2023 entitled 'Improving the Labelling Legislation for Plant-Based Imitations of Fisheries and Aquaculture Products',
 - having regard to the report of the Committee on Fisheries (A9-0406/2023),
- A. whereas it stressed, in its resolution on a farm to fork strategy, that good traceability mechanisms, which respond to consumer demand by providing information on where, when, how and what fish has been caught or farmed, including for products imported from outside the EU, are essential for ensuring food safety, guaranteeing transparency for consumers, fighting illegal, unreported and

¹ OJ C 214, 16.6.2023, p. 150.

² Market Advisory Council, '2022 Report on the Functioning of the Common Market Organisation (CMO)', 30 March 2022.

³ Market Advisory Council, 'Improving the Labelling Legislation for Plant-Based Imitations of Fisheries and Aquaculture Products', 8 May 2023.

unregulated (IUU) fisheries and achieving the targets of the Green Deal and the Sustainable Development Goals;

- B. whereas the newly revised Fisheries Control Regulation contains major improvements to traceability rules for all fishery and aquaculture products; whereas these rules will be implemented gradually following a transition period – two years for fresh and frozen products and five years for processed products – and will ensure that consumers receive accurate information; whereas improved labelling will be a tool for and contribute to combating IUU fishing and ensuring fair competition;
- C. whereas more than three-quarters of respondents to the 2021 Special Eurobarometer 515 consider that the date of catch or production should be mentioned on the label for all fishery and aquaculture products;
- D. whereas the implementation of the CMO demonstrates a low uptake related to the creation of fish producer organisations (POs) due to the complex set-up and recognition framework in the Member States and the financial and legal uncertainties regarding the financial support and eligibility of actions; whereas the obstacles for other organisations such as *Cofradías* and *Prud'homie de pêche* should also be addressed;
- E. whereas the conditions of activity in the outermost regions require unique and appropriate solutions to meet the challenges of endogenous development and food self-sufficiency;

Introduction

- 1. Recalls that the common organisation of the markets (CMO) is an integral part of the common fisheries policy (CFP) alongside conservation and financial measures, and is vital for achieving their objectives;
- 2. Highlights the fact that the 2013 revision of the CMO Regulation resulted in a shift from certain types of interventions to an approach more oriented towards the long-term market, with a focus on development and innovation in the sector and without taking sufficient account of the exceptional situation of the regions referred to in Article 349 TFEU;

Professional organisations

- 3. Considers POs and interbranch organisations to be the backbone of the fishery and aquaculture sector, supporting the day-to-day management of the CFP and enabling its collective implementation at producer level, guaranteeing a supply of healthy proteins and preserving the economic activity and cultural heritage of coastal areas;

4. Is of the opinion that POs and interbranch organisations play a key role in helping to achieve the objectives of the CFP, which is why they need to be further supported and strengthened; notes that it is essential to continue to encourage the promotion, set-up and consolidation of POs and interbranch organisations across the EU, including better financial support (which varies from one Member State to another), particularly in Member States where primary production has largely remained fragmented (aquaculture, shellfish gatherers, small-scale fisheries); considers that strong PO presence and that of interbranch organisations is crucial for enhancing the prosperity of coastal and island communities, protecting the marine environment and strengthening the position of fishers and aquaculture producers in the supply chain and the promotion of sustainable fisheries and aquaculture activities, especially in the outermost regions;
5. Welcomes the Commission's recognition that production and marketing plans (PMPs) are key in helping to achieve the objectives assigned to the CMO by Article 35 of the CFP Regulation and that a strong presence of well-functioning POs is a decisive factor; notes, however, that more needs to be done to support the day-to-day work of POs in implementing PMPs and to ensure concrete access to financing for all POs; calls, therefore, on the Commission for updated staff guidance documents in this regard, as well as action to better facilitate market access for all fleet segments;
6. Concludes that properly functioning POs and interbranch organisations generally have successful measures and actions, but observes that there is still a lack of POs and interbranch organisations dedicated to small-scale fishers, shellfish gatherers and aquaculture farmers in particular, especially in the outermost regions; notes that financial impediments in some Member States are creating difficulties, especially for the small-scale segment; notes that the aquaculture POs currently in operation have been particularly successful in their promotion and communication activities;
7. Welcomes the Commission's recognition that the funding and creation of structures to share and organise the financial support of transnational professional organisations is a key issue; notes that this is particularly pertinent to the diverse small-scale coastal fisheries sector, which constitutes the majority of the EU fleet;
8. Urges the Member States to provide the appropriate administrative and financial support to set up and operate new POs, especially for small-scale coastal fisheries, highlighting in particular their social and cultural importance, and to facilitate the provisions for their recognition;

9. Urges the Member States to improve consistency in the support for POs by national authorities and to reduce, to the greatest extent possible, existing gaps and differences across the EU, including for the funding of PMPs in order to secure a more level playing field for POs; asks the Commission to continue its support to Member States in this regard;
10. Considers that there are currently organisations in the Member States that perform tasks and functions falling within the remit of POs and interbranch organisations, but that these organisations cannot qualify as POs under the CMO Regulation, such as the *Prud'homie de pêche* and *Cofradías* fisheries committees; considers that these organisations play a vital role in local resource management, allocating quotas and dealing with issues related to fish stock conservation, promoting and preserving traditional products, especially in certain coastal communities;
11. Believes that these organisations should be given recognition under the CMO Regulation in order to be granted the same rights, including financial support, and responsibilities as POs; calls on the Commission to take action, in this regard, in coordination with the Member States concerned, including by considering adapting the CMO rules accordingly, where necessary, and ensuring that there are proper systems in place to check that the functioning of POs is in line with applicable rules;
12. Notes that the COVID-19 crisis resulted in the sudden closure of most outlets for fresh aquatic food products, including in the outermost regions, making it opportune to restore the option of using storage aid mechanisms and to expand these to cover aquaculture and mussel farming POs;

Common marketing standards

13. Recalls that many of the marketing standards included in the 2013 CMO Regulation date from the 1980s and 1990s; notes that, according to the Commission evaluation, these standards have generally been relevant and efficient and have brought added value;
14. Points out that the Commission evaluation and the underlying consultations identified opportunities for simplifying, streamlining and modernising the standards; notes that it also found a relatively low level of monitoring by national authorities when it comes to ensuring compliance with the standards, thus it is more vital than ever to harmonise the legislation on monitoring and inspections in all Member States;
15. Considers that marketing standards for aquatic food products placed on the EU market, regardless of their origin, should adhere to harmonised environmental and social sustainability standards; calls for these standards to be included in trade agreements and measures

adopted in regional fisheries management organisations (RFMOs) as it is important to ensure that operators have a level playing field and that EU producers are not unduly disadvantaged in the market; believes that it is vital to harness the potential of certification, especially protected designations of origin (PDO) and their benefits in terms of environmental sustainability, in order to promote aquaculture products;

16. Highlights the fact that the Commission evaluation identified shortcomings in the existing framework in terms of its ability to achieve the objectives of the CMO Regulation;
17. Calls on the Commission to step up its efforts to detect instances of non-compliance with the legislation and to ensure that there is a level playing field in all Member States; suggests, specifically, that good practices in terms of implementation of and compliance with legislation on marketing and ecosystem protection should be taken into account;
18. Points out that it is essential that the marketing standards for all products marketed in the EU are aligned and updated in accordance with the requirements and objectives of the CFP in order to enhance fair competition and clarity among all players, being essential to emphasise the integration of social and environmental benchmarks to ensure global sustainability; notes, in this regard, that the specific characteristics of the markets in the regions referred to in Article 349 TFEU shall be taken into account;

Consumer information

19. Agrees that for the CMO to fully achieve its objectives, the competent authorities must ensure that consumers are informed, through promotional, marketing and educational campaigns, of the nutritional, health and sustainability benefits of eating fishery and aquaculture products, the wide variety of species available and the importance of understanding the information on labels, while avoiding misinforming consumers and ensuring alignment with EU food systems; believes that for consumers to be able to make informed choices, they should receive clear and comprehensive information on the products sold on the EU market, and that this information should comply with the same rules, regardless of the products' origin and means of production;
20. Highlights that the STECF proposed to improve consumer information by including more detailed information on the catch area, fishing gear and production methods in the CMO; calls, therefore, on the Commission to consider reinforcing marketing standards in order to include more information on the labels such as the ingredients, geographical fishing area and fishing gear, among other things, without adding unnecessary administrative burdens on

producers and POs; is of the opinion that periodic reviews should be conducted to ensure compliance and to assess the effectiveness of these harmonised standards as it will help in identifying areas of improvement and ensuring that the standards remain relevant and updated;

21. Believes that consumers should clearly be able to identify the origin of products, given that this information is increasingly valued by European consumers and encourages them to consume local foods that are produced or obtained in their area; underlines the need to change the current system of identifying fisheries products by FAO area as it does not indicate their origin clearly or in detail and can create confusion;
22. Calls for the Commission and the Member States to promote and establish new protected quality designations in the light of their known and proven benefits for EU fishery and aquaculture products and calls for better marketing of those products; urges the Commission to facilitate the application of upcoming rules that will significantly benefit these quality structures, reducing, to the extent possible, the time needed to deal with applications;
23. Argues that traceability and related transparency measures are necessary for ensuring compliance with applicable CFP rules; believes that if these measures are supported by a proper labelling system, which should be required for processed, fresh and preserved aquatic food products, they can guarantee that the information provided to consumers is accurate, clear, complete, trustworthy and reliable; highlights the fact that such a labelling system is vital for combating both food fraud, including mislabelling, and IUU fishing; considers that the traceability of products must be strengthened and guaranteed throughout all stages of the value chain in order to provide not only economic and commercial benefits, but also contribute to efforts to protect health; welcomes, in this regard, the introduction of the CATCH certificate for imported products by the new Fisheries Control Regulation;
24. Notes that the Commission received, in its consultations, reports indicating that mandatory consumer information requirements had not been met in some Member States; notes that implementation throughout the EU is considered to be uneven and this is particularly significant in some segments, such as fishmongers and mass caterers; recalls that labelling must provide an accurate description of fishery and non-fishery products, avoiding fraud and misleading advertising that is harmful to consumers and fishers, in particular when mentioning substitute products, as in many cases images are used that make consumers think certain products are fishery products when they are not; is concerned that some products on the market, such as plant-based products, use terms exclusively used by fishery products even though they are not fishery products;

considers that the Commission should further investigate this issue based on the reports received;

25. Considers, therefore, that the trade name 'fish' or 'fish species' should be reserved for fishery or aquaculture products of animal origin on the single market; calls, in this regard, on the Commission to revise the existing legislation on the labelling and presentation of plant-based products that imitate fishery and aquaculture products in order to ensure that consumers are given accurate and precise information that avoids any misunderstandings and maintains equal opportunities in the EU market;

Competition rules

26. Recalls that POs and interbranch organisations may be exempted from the application of competition rules in order to achieve their objectives, subject to certain conditions, including that their activities do not lead to the partitioning of markets, do not exclude competition and do not eliminate competition;
27. Notes that this exemption is essential for allowing some practices used by POs and interbranch organisations, especially in the outermost regions, such as controlling the quantities put on the market by their members in order to stabilise markets and prices, comply with conservation requirements and avoid food waste; concludes that non-recognised collective bodies of producers (e.g. cooperatives, *Cofradías*) may not benefit from the exemption under the current criteria for POs;
28. Underlines that around 70 % of the seafood that is consumed in the EU is imported from non-EU countries, which consequently leads to the EU being dependant on these imports for its consumption; highlights that the fisheries, aquaculture and related sectors must be profitable in order to make the investments needed to operate, while profitability is only possible if the products are competitive with imports from non-EU countries; calls on the Commission and the Council to ensure that EU trade policy allows for a level playing field between EU and imported products, and to promote the consumption of sustainable (environmental, economic and social) EU aquatic food products;
29. Encourages the Commission to initiate a dialogue with POs and other relevant stakeholders on autonomous tariff quotas;

Market intelligence and crisis management

30. Recalls that the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) provides market intelligence to operators in the fishery sector to help them to better understand market trends; notes that a dedicated website and database have been online since April 2013 and have been fully operational since

the entry into force of the revised CMO, benefiting research bodies, stakeholders and the general public by increasing access to market intelligence and data;

31. Recalls that the EUMOFA provides market intelligence based on the existing combined nomenclature of the EU's common customs tariff; considers that the latter should be updated to include new product categories of fish products that are traded in increased volumes in the EU, and to offer more intuitive and comprehensive digital tools; calls on the Commission to explore ways of further improving the market intelligence of fisheries and aquaculture products, specifically improving the market analysis by distinguishing between different parts of Europe with different consumption habits of fish species;
32. Notes that the EUMOFA was used to trigger crisis measures to address the impact of the COVID-19 pandemic;
33. Calls on the Commission, during the next revision of the CMO, to consider the possibility of establishing a crisis reserve or system, including storage aid, as a means of protecting the sector from any exceptional situations that might arise in the EU fisheries and aquaculture sector; recalls that exceptional aid recently had to be provided to tackle the crisis caused by the COVID-19 pandemic; calls on the Commission to set out the criteria for using such aid and ensuring that it can be tailored to the specific market disturbance, taking as a basis the crisis reserve model already in use for other food sectors, and considering other measures that could be beneficial for alleviating severe market disturbances;

Conclusions

34. Welcomes the progress made in implementing the CMO rules; highlights the need for further efforts in ensuring that consumers are properly informed, improving labelling, enhancing market transparency and increasing the traceability of fishery, shellfish and aquaculture products as well as gender and youth inclusive policies; notes that some Member States have governments below state level that have competences for fisheries, shellfish and aquaculture and that this should be respected by the Commission and other concerned institutions for advancing the implementation of the CMO;
35. Believes that the Commission and the Member States need to make more effort to achieve more uniform implementation of the CMO Regulation across sectors, by taking sufficient account of the specific conditions under which markets operate in the outermost regions; is of the opinion that more uniform implementation could help to ensure consumer trust in the aquatic food products placed on the single market, and serve the objectives of endogenous development and food self-sufficiency in the outermost regions;

36. Stresses the importance of involving all stakeholders throughout the entire supply chain; underlines, in this regard, the valuable work of the applicable market advisory council (MAC);
37. Welcomes the Commission's intention to present a proposal for a legislative framework for sustainable food systems with the aim of enhancing transparency and providing consumers with more information; stresses that the proposal should recognise the importance of healthy and sustainable fishery and aquaculture products, enhancing the value of the fisheries sector; highlights the need for this new legislative framework to include the importance of fish consumption in a healthy diet; highlights the need to ensure that this does not create an additional administrative burden and aligns with the sustainability condition set down in EU legislation;
38. Welcomes the outcome of the negotiations on the revision of the Fisheries Control Regulation, in particular the rules aiming to strengthen traceability provisions for all fishery, shellfish and aquaculture products, including products imported from non-EU countries; is of the opinion that this traceability information will be very important for European consumers both on the continent and overseas; calls on the Commission to propose further action with the same requirements for all products, regardless of the extent to which they have been processed, the category of food or the Member State in which the company is based, to ensure that the information provided is accurate, clear, complete and harmonised in all Member States and territories, with competence for fisheries, and in all product categories, so that it reaches final consumers in a simple, accessible format;
39. Believes that the Member States should make greater use of the EUMOFA, especially in areas where the EUMOFA is used to a lesser extent, as it should further improve the data collected and the market analysis of different parts of Europe with different fish consumption habits, offering more intuitive and comprehensive digital tools through the instrument; is of the opinion that this could make the EUMOFA data more useful for analysing the market, also differentiated by regions, particularly when there are drastic changes, such as those that occurred during the COVID-19 crisis, with a view to activating crisis tools and options to stabilise the market;
40. Is convinced that improving traceability and transparency in the aquatic food sector's supply chain is crucial for fighting IUU fishing;
41. Reiterates its call on all Member States to adapt the criteria for recognising POs and interbranch organisations in order to recognise all the different organisations in the Member States that perform tasks that largely fall within the remit of a PO; highlights, in this

regard, organisations such as *Cofradías* and *Prud'homie de pêche*, as well as those operating in the outermost regions;

42. Calls for the Commission to initiate more effective measures to eliminate barriers for POs to fully deliver on their missions by addressing the difficulties for small-scale coastal and island fishery POs regarding differential treatment by national administrations, be it in terms of PO recognition, day-to-day financing, administrative support or eligibility of measures;
43. Underlines the importance of ensuring the commitment of all stakeholders, throughout the fishery and aquaculture supply chain and civil society, to increase confidence and understanding in applying the CMO provisions, in particular by maintaining and strengthening collaboration with the MAC;

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44. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.