



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for 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 (**first reading**)

- Adoption
- a) of the Council's position at first reading
- b) of the statement of the Council's reasons

= Statements

Statement by the European Parliament and by the Council on control rules in the area of product traceability and consumer information

As a follow-up to the reform of the Regulation on Common Organisation of the Markets for fishery and aquaculture products, the European Parliament and the Council invite the European Commission to submit to them a proposal aiming at amending the Control Regulation (Regulation 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.

The European Parliament and the Council also invite the Commission to 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 1169/2011 on the provision of food information to consumers.

Statements by the Commission

Ad Article 35

paragraph 1 (e)

The Commission does not agree with the change introduced by the lawyer linguists to Article 42(1)(e) of the text of the political agreement reached at the informal trilogue on 8 May 2013 on the Commission's proposal for a regulation on the common organisation of the markets in fishery and aquaculture products (new Article 35(1)(e) of document 12005/13).

The Commission's position is that, as agreed during the informal trilogue on 8 May 2013, appropriate marking or labelling should indicate the date of minimum durability, without any further qualification, for all fishery and aquaculture products referred to in Article 42(1) (new Article 35(1) of document 12005/13) offered for sale to the final consumer. Introducing the words "where appropriate" at the end of Article 42(1)(e) (new Article 35(1)(e) of document 12005/13) will create legal uncertainty and jeopardise reaching the objective of improving transparency for consumers.

Ad Article 35

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 considers that these dates provide essential information for consumers. The indication of dates of catch and harvest clearly benefit the Union's small-scale fishermen and farmers, and promote short distribution channels for fishery and aquaculture products.

The Commission also regrets that the co-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. The Commission believes that these requirements respond to the growing public demand for information about the content of preserved and prepared products. This is also an essential matter for the credibility and value of the Union's production.

The Commission would like to reiterate that the above labelling improvements proposed by the Commission would not impose any disproportionate burden on the fishing industry as they build on the existing traceability requirements.
