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INFORMATION NOTE

from: General Secretariat
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 - Outcome of the European Parliament's first reading (Strasbourg, 10 to 13 September 2012)

I. INTRODUCTION

The Rapporteur, Mr Struan STEVENSON (ECR - UK), presented a report consisting of 150 amendments to the proposal for a Regulation on behalf of the Committee on Fisheries. In addition:

- the S&D political group tabled four amendments (amendments 151-154);
- the EUL/NGL political group tabled ten amendments (amendments 155-164);
- the EPP political group tabled two amendments (amendments 165-166); and
- the Greens/EFA political group tabled two amendments (amendments 167-168).

II. DEBATE

The debate, which took place on 11 September 2012, was a joint debate which covered two Ordinary Legislative Procedure proposals:

- 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 [2011/0194 (COD) / Rapporteur: Mr Struan Stevenson (ECR - UK)] - *see section III below for the voting results*; and
- the proposal for a Regulation of the European Parliament and of the Council on certain measures in relation to countries allowing non-sustainable fishing for the purpose of the conservation of fish stocks [2011/0434 (COD) / Rapporteur: Mr Pat the Cope GALLAGHER (ALDE - IE)] - *see doc. 13615/12 for the voting results*.

The joint debate also covered two items which are not subject to the Ordinary Legislative Procedure:

- an Own Initiative Report of the Parliament on reporting obligations under Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy [Rapporteur: Mr Carl HAGLUND (ALDE - FI)]; and
- an Own Initiative Report of the Parliament on the reform of the Common Fisheries Policy - Overarching Communication [Rapporteur: Mr Nikolaos SALAVRAKOS (EFD – GR)].

Mr Pat the Cope GALLAGHER (ALDE - IE):

- welcomed the achievement of a first-reading agreement on the Regulation on certain measures in relation to countries allowing non-sustainable fishing for the purpose of the conservation of fish stocks. The trilogue had succeeded because all institutions had entered into talks determined to reach a compromise. This success shows that codecision can work in the fisheries area and can result in better legislation. It is also a positive sign ahead of the talks on the reform of the Common Fisheries Policy, despite the lack of progress to date on several long-term management plans;

- recalled that the Commission had submitted its proposal in direct response to the overfishing of mackerel by Iceland and the Faroe Islands. The compromise text will allow the Union to take measures against countries or territories that blatantly disregard the UN Convention on the Law of the Sea and the UN Fish Stocks Agreement. Whilst the situation in the north-east Atlantic is the causing the most immediate concern, the Regulation can be used against any third countries;
- noted that Iceland had unilaterally increased its mackerel catch from 363 tonnes in 2005 to 147,000 tonnes in 2012. The Faroese quota in mackerel had risen from 28,000 tonnes in 2009 to 149,000 tonnes in 2012;
- expressed his disappointment at the failure of the coastal states to reach an agreement in London on 3 September 2012; and
- drew attention to several important amendments at the Committee level to the Commission's proposal on the Common Market Organisation, including the principles of minimisation and avoidance in the first instance and the landing of discarded fish. The Committee had also backed clear and understandable labelling on fisheries products.

Mr Nils TORVALDS (ALDE - FI):

- called on the Commission to provide a clear definition of over-capacity in order to permit a clear debate on overfishing;
- stressed the economic costs of over-fishing;
- emphasised the need for the fishing sector to become economically viable once again;
- stated that too many Member States provide insufficient information on their fishing capacity and that there is too much overfishing in contravention of CFP rules; and
- pointed to Australia as an example of a successful fisheries management programme.

Mr Struan STEVENSON (ECR - UK):

- called for an end to micro-management from Brussels and for its replacement with meaningful regionalisation. Under such a system the Commission would set the framework for the CFO and devolve day-to-day management to the stakeholders;

- emphasised the need for an enhanced role for producer organisations (POs) which are best placed to assist with the day-to-day organisation of effort limitation, quota management, by-catch avoidance and dealing with fish landed under the discards ban. Such an enhanced role for POs would also require clear criteria for their establishment as regards the minimum number of participants. Transnational POs and associations of POs could provide useful partnerships to ensure a level playing field in respect of common and binding rules;
- recalled that the Committee had also adopted several amendments on labelling, including the need for clear information for consumers on origin, method and data production. Furthermore, the area in which the fish had been caught should be expressed in terms that are familiar to consumers. The date of landing should be mandatory, but the date of catch should be voluntary. The Committee also wanted to provide for the voluntary use of an EU eco-label;
- noted that the Committee's amendments also encouraged Member States to make full use of modern technology, using funds from the European Maritime and Fisheries Fund to combine information that is already available through electronic logbooks, VMS and CCTV to increase market intelligence and increase profitability for all stakeholders; and
- recalled, with regard to the issue of discards, that the Committee had decided against distributing fish free to charities, hospitals and schools because this would undermine the market. The Committee had placed all of the emphasis on by-catch avoidance, but had suggested that fish landed under any discard ban should be used for pet food, fish meal, fish oil or bait. Mature commercial species landed under the discard ban should be sold in the normal way, with PO members receiving a small reimbursement to cover the cost of landing the fishes and the remainder of the proceeds going to a conservation fund. He emphasised the need to avoid reimbursement being set at a level that might encourage the targeting of juvenile fish.

Mr Nikolaos SALAVRAKOS (EFD – GR):

- recalled the fact that, whilst the EU is the fourth biggest fisheries producer in the world, it is also a major importer. Poor management of European fisheries is extremely costly. Fisheries must become environmentally and socially sustainable;

- stated that maximum sustainable yields (MSYs) are essential but also controversial. Key data is still lacking in certain important areas. Funding should be made available to ensure reliable and comprehensive scientific data; and
- argued that the current level of discards is not acceptable. It is clearly a waste of resources and does damage to the environment.

Speaking on behalf of the Council, Mr Andreas MAVROYIANNIS:

- recalled that the Council had launched its debate on CFP reform in July 2011. The Council had focused on the common market organisation and the Regulation on the CFP, reaching a General Approach in June 2012. The Council had also agreed on conclusions for the external fisheries policy in March 2012;
- recalled that the Council's position on the common market organisation enlarges the role and responsibility of producer organisations towards promoting more sustainable fishing activities, taking on tasks related to fisheries management and on handling unwanted catches that fishermen will have to land after the implementation of the discard ban;
- stated that the Council agreed with the Commission that public market interventions should be scaled down. Storage aid should be the only remaining intervention. Member States are not yet in agreement on whether these should be completely phased out over time;
- stated that the Council agreed with the Commission that product labels should state whether or not the fish had been defrosted before marketing, but that the Council disagreed with the Commission's proposal that the date of catch should also be mandatory;
- summarised the Council's position on the reform in general as follows:
 - management of fish stocks should achieve maximum sustainable yield by 2015, where possible, and by 2020 at the latest;
 - new multiannual plans should better reflect the interdependence of fish stocks and fisheries, and apply the maximum sustainable yield policy to all stocks which are significant in the area of the multiannual plan; and
 - discard reductions should be at the forefront of fisheries reform, accompanied by a landing obligation which will be phased in according to a timetable;

- welcomed the Parliament's support for a more regionalised CFP with greater involvement of stakeholders and reinforced advisory councils;
- noted that many Member States are unsure whether transferable fishing concessions are effective in addressing over-capacity and are concerned that they may have unintended consequences. The Council's General Approach therefore provides for the introduction of transferable fishing concessions on a voluntary basis, whilst improving the existing mechanism to report on over-capacity. The Council would examine the link between fleet capacity and the European Maritime and Fisheries Fund (EMFF) later in the month, preparing for a partial General Approach at the October Council;
- stated that the EMFF's role in the reform would now be the focus of the Council's discussions, in particular its importance for growth, boosting aquaculture, job creation and helping to implement the new CFP;
- noted that the new Council conclusions on the external dimension had set a more detailed framework for bilateral fisheries agreements, based on sustainability, and had given policy directions for the Union's work in regional and multilateral fisheries organisations;
- welcomed the first-reading agreement reached on the trade measures Regulation; and
- regretted the failure to reach a compromise on north-east Atlantic mackerel in London. The Council wishes to reach a reasonable settlement, but not at any price. The new legislation will provide an additional instrument to use against non-sustainable fisheries management practices.

Commissioner DAMANAKI:

- welcomed the Parliament's call for fish stocks to be restored to and maintained above the maximum sustainable yield;
- called for a clear and binding solution for discards;
- agreed on the need for long-term management plans. Uncertainty is damaging. Short-term micromanagement is not effective. She therefore regretted the deadlock which had set in between the Council and the Parliament. The Commission is ready to facilitate discussions, but this is an issue for the Council and the Parliament to discuss and resolve between them. This issue needs to be resolved and that requires compromise by both institutions. For the time being, the issue of long-term management plans is blocking a solution to the urgent question of discards;

- stressed the need to protect consumers as well as fishermen. Consumers have the right to clear and very comprehensive information. In particular:
 - the date of catch is absolutely essential for consumers and for fishermen in small-scale fisheries and in coastal areas. She urged the Council to reconsider its position in this respect; and
 - prepared and preserved products should show the fish name, origin and production method.
- acknowledged the strong support in Parliament for eco-labelling. The Commission would therefore report back on this point by 1 January 2015 and submit proposals;
- congratulated Mr Gallagher on his work to ensure that the trade instrument can be put in place as soon as possible. Time is of the essence. It will greatly help to create a level playing field between EU and non-EU fishermen fishing in the same stocks; and
- expressed the Commission's disappointment at the failure to reach an agreement with other coastal areas on mackerel.

Speaking on behalf of the Committee on Development, Mr Philippe BOULLAND (EPP - FR) stressed the need to ensure that fisheries policies are consistent with development policy.

Also speaking on behalf of the Committee on Development, Mrs Isabella LÖVIN (Greens/EFA - SE):

- expressed her opposition to paragraph 58 in the Salavrakos report which calls for fleet renewal. The EU ended subsidies for the construction of new fishing vessels in the last reform in 2002. The EU's fishing fleet is still suffering from enormous over-capacity. It would be completely irresponsible to reintroduce such subsidies now, in the middle of the economic crisis, when the lesson should have already been learnt that the best way to allow the fishing industry to become economically prosperous is to rebuild fish stocks to a level above maximum sustainable yield. Fishermen should, like all other economic entrepreneurs, ensure that their activity is economically viable. They should invest in the renewal of their own fishing vessels. That should not be left to European taxpayers;

- opposed an amendment to the Salavrakos report which would delete the word ‘above’ in ‘above MSY’. Repeated studies have shown that if stocks are maintained above MSY level, the industry would enjoy greater stability and earn more money. Investments would be much safer. The pelagic RAC stated this to the Committee on Fisheries. It would create a better marine environment and is consistent with a precautionary approach; and
- supported the mandatory provision of information to consumers on the date of catch and the gear type that has been used. The same should also apply for processed products.

Speaking on behalf of the Committee on the Environment, Public Health and Food Safety, Mr João FERREIRA (EUL/NGL - PT) called for enhanced market intervention and opposed attempts to reduce it.

Speaking on behalf of the Committee on Regional Development, Mr Nuno TEIXEIRA (EPP - PT):

- stressed the need to take into account the special needs of peripheral regions; and
- emphasised the importance of regional management.

Speaking on behalf of the EPP political group, Mrs Carmen FRAGA ESTÉVEZ (EPP - ES) argued that some of the proposed labelling requirements would be of little use to the consumer but would be administratively burdensome for the producer. Such labelling should be voluntary.

Speaking on behalf of the S&D political group, Mr Ole CHRISTENSEN (S&D - DK) stressed the importance of sustainability.

Speaking on behalf of the ALDE political group, Mr Chris DAVIES (ALDE - UK) stressed the need to set levels not at MSY but above MSY. He deplored the support given by 70 EPP MEPs to delete the word ‘above’ and argued that their efforts to support the fishing industry were misplaced and would ultimately prove counter-productive.

Speaking on behalf of the Greens/EFA political group, Mr Raül ROMEVA i RUEDA (Greens/EFA - ES) stated that whilst the EU and Norway had maintained their historic quotas for mackerel in the North-East Atlantic, Iceland and the Faroes had declared large unilateral quotas. The total catches were therefore far in excess of the scientific advice. Under the new trade measures Regulation, if a country fails in its international obligations regarding fisheries management, the EU would be able to threaten an import ban on any fishery product coming from that country that swims in the same ecosystem. This is a significant step towards ensuring that only sustainably caught fish enters the international market. He nevertheless noted that, whilst the EU market is currently very large, there are alternative sources of demand especially in emerging markets such as China and Brazil.

Speaking on behalf of the ECR political group, Mr Marek GRÓBARCZYK (ECR - PL) stressed the need to protect the interests of small-scale fishermen.

Speaking on behalf of the EFD political group, Mr Derek CLARK (EFD - UK) called for national fisheries management and criticised the current discards policy.

Mr Ian HUDGHTON (Greens/EFA- UK):

- condemned the current discards policy. The cod recovery plan and its catch composition rules are directly causing substantial amounts of wastage through discards;
- supported the regionalisation of fisheries management;
- called for a swift resolution of the mackerel dispute; and
- stated that market organisation is very important to aquaculture, as is EU support for development and research – but not control or management.

Mrs Anna ROSBACH (EFD - DK) called for a reduction in European fishing capacity.

Mrs Diane DODDS (NI - UK):

- called for a speedy resolution of the mackerel dispute; and
- deplored the current discards policy.

Mrs Maria do Céu PATRÃO NEVES (EPP - PT) stressed the need to secure and retain the support of all stakeholders for the reform process.

Mr Kriton ARSENIS (S&D - GR):

- expressed his support for amendments to the Haglund report which would call on the Commission to assess the possibility of establishing a network of closed areas in which all fishing activity would be prohibited for a certain period of time in order to increase fish productivity and conserve living aquatic resources and the marine ecosystem; and
- called for labelling to state where and how the fish was caught and which systems were used.

Commissioner DAMANAKI once more took the floor and called for clear answers from the Parliament on questions such as whether labelling should state the date of the catch.

Minister MAVROYIANNIS once more took the floor and stated that the Council believes that the catch date is difficult to establish in the case of fishing trips lasting over several days or weeks. On such trips, the fish is often immediately frozen on board and therefore kept in perfect condition. Mandatory information already exists concerning package date and best-before date. This information should be extended to include qualitative information on whether the product was defrosted before selling. The catch or landing date could be part of the voluntary information whereby the producer or merchant seeks to distinguish one product from another.

Mr GALLAGHER once more took the floor and stated his agreement with Mr Mavroyiannis that the EU should not strike a deal over mackerel at any price. He hoped that the trade measures regulation would strengthen the Commissioner's hand when she resumed negotiations in October. The biggest losers from a continuing failure to reach a settlement would be the stakeholders of the EU, Norway, Iceland and the Faroes.

Mr STEVENSON once more took the floor and:

- argued that multi-annual plans are a vital element of effective CFP reform. They provide fishermen with long-term assurance;
- supported the Council Presidency's positions on TFCs being voluntary, on boosting aquaculture, on the need to set a deadline for MSY and on the discards ban; and
- argued that date of catch labelling could mislead the consumer. Date of catch labelling should be voluntary - but date of landing labelling should be mandatory.

III. VOTE

When it voted on 12 September 2012, the plenary adopted 146 amendments to the proposal for a Regulation (amendments 1-9, 11-39, 41-44, 46-49, 52-85, 87-114, 116-151, 165 and 167).

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto ¹.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

Common organisation of the markets in fishery and aquaculture products *I**

European Parliament legislative resolution of 12 September 2012 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 (COM(2011)0416 – C7-0197/2011 – 2011/0194(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0416),
 - having regard to Article 294(2) and Article 42 and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0197/2011),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 28 March 2012¹,
 - having regard to the opinion of the Committee of the Regions of 4 May 2012²,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinion of the Committee on the Environment, Public Health and Food Safety (A7-0217/2012),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 181, 21.6.2012, p. 183.

² OJ C 225, 27.7.2012, p. 20.

Amendment 1

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Fishing plays a particularly important role in the economies of the Union's coastal regions, including the outermost regions (ORs). Given that it provides fishermen in those regions with their livelihood, steps should be taken to foster market stability and a better correspondence between supply and demand.

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) The provisions of the Common Market Organisation should be implemented in compliance with the Union international commitments, in particular with regard to the provisions of the World Trade Organisation.

(3) The provisions of the Common Market Organisation should be implemented in compliance with the Union international commitments, in particular with regard to the provisions of the World Trade Organisation. ***Fish and shellfish are a common good. Since fishing is therefore not like other industries, it should, in particular, be regulated by measures that satisfy environmental and ecosystemic criteria, irrespective of market requirements.***

Amendment 3

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Since the WTO trading provisions that currently apply are working in a satisfactory way, any new proposal should seek to maintain the status quo whenever possible. However, the Commission should ensure that fisheries and

aquaculture products imported from third countries fully respect sustainable fishing practices and the provisions of Union law, in order to ensure that Union and imported products compete on a level playing field.

Amendment 4

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) In view of the large volumes of fishery and aquaculture products that are imported into the Union and the substantial proportion of overall Union consumption for which they account, it is essential for the common market organisation to form part of a commercial and customs policy geared to regulating imports and mitigating their effects on the first-sale prices paid to Union producers and the profitability of their activities.

Amendment 5

Proposal for a regulation Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) The greatest possible degree of consistency needs to be achieved between the common fisheries policy and the common commercial policy, with the latter policy being used systematically to further the objectives of the former, both in WTO multilateral negotiations and in connection with bilateral and regional trade agreements.

Amendment 6

Proposal for a regulation Recital 5 c (new)

(5c) All national agencies with responsibility for customs and health checks on fishery and aquaculture products imported into the Union should be given the human and financial resources and tools they require to do their job properly.

Amendment 7

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In order for the Common Market Organisation to be a success, it is essential that consumers are informed, through marketing and educational campaigns, about the value of eating fish and the wide variety of species available, and told of the importance of being able to understand the information contained on labels;

Amendment 8

Proposal for a regulation Recital 7

Text proposed by the Commission

Amendment

(7) Producer organisations are the key actors for the appropriate application of the Common Fisheries Policy and the Common Market Organisation. It is therefore necessary to strengthen their objectives to ensure that their members carry out fishing and aquaculture activities in a sustainable manner, improve the placing on the market of products, and collect economic information on aquaculture. When realising these objectives, producer organisations should take account the different conditions of the fishery and aquaculture sectors prevailing in the Union, in particular the specificities

(7) Producer organisations are the key actors for the appropriate application of the Common Fisheries Policy and the Common Market Organisation. It is therefore necessary to strengthen their objectives ***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.*** ***It is also necessary*** to ensure that their members carry out fishing and aquaculture activities in a sustainable manner, improve the placing on the market of products, ***see an improvement in their income*** and collect information on aquaculture. When

of small-scale fisheries.

realising these objectives, producer organisations should take account *of* the different conditions of the fishery and aquaculture sectors prevailing in the Union, *especially as regards the outermost regions*, in particular the specificities of small-scale fisheries *and extensive aquaculture*. *It should be possible for Member States and regional governments to take responsibility for the implementation of those objectives, working closely with producer organisations on management issues, including, where appropriate, the allocation of quotas and the management of fishing effort, according to the needs of each particular fishery.*

Amendment 9

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) In order to strengthen the competitiveness and viability of producer organisations, appropriate criteria for their establishment should be clearly defined, particularly those concerning the minimum number of members and their formal recognition.

Amendment 165

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The landing of all incidental catches and by-catches and the reduction of discards are two of the objectives of the current reform of the common fisheries policy. In order to attain those objectives, more widespread use needs to be made of selective fishing gear that will prevent under-size fish from being caught.

Amendment 11

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In view of the remoteness and geographical isolation of ORs, a special action programme that takes account of the specific features of such regions is possible under Article 349 of the Treaty.

Amendment 12

Proposal for a regulation Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) The Commission should lay down supportive measures to foster the participation of women in aquaculture producer organisations.

Amendment 13

Proposal for a regulation Recital 12

Text proposed by the Commission

Amendment

(12) Producer organisations ***may create a collective fund*** to finance the production and marketing plans and the storage mechanism.

(12) Producer organisations ***should be allocated Union financial assistance under the European Maritime and Fisheries Fund*** to finance the production and marketing plans and the storage mechanism.

Amendment 14

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) As fish stocks are shared resources, their sustainable and efficient exploitation can, in certain instances, be better achieved

(14) As fish stocks are shared resources, their sustainable and efficient exploitation can, in certain instances, be better achieved

by organisations composed of members from different Member States. Therefore it is necessary *to foresee* also the possibility *for the setting up of* transnational producer organisations *and associations of producer organisations, which* remain subject to competition rules as foreseen in the present regulation.

by organisations composed of members from different Member States *and different regions*. Therefore it is necessary also *to encourage* the possibility *to* set up transnational producer organisations and associations of producer organisations *at transregional level, 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 as foreseen in the present regulation *and that the need is respected to maintain the link between individual coastal communities and the fisheries and waters that they have historically exploited*.

Amendment 15

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) The widening variety of fishery and aquaculture products makes it essential to provide consumers with a minimum amount of mandatory information on the main characteristics of products. In order to promote differentiation of products, it is also necessary to take account of additional information that may be indicated on a voluntary basis.

Amendment

(16) It is necessary for consumers to be provided with clear and comprehensive information on, inter alia, the origin, method and date of production of the products in order to enable them to make informed choices.

Amendment 16

Proposal for a regulation

Recital 16 a (new)

Text proposed by the Commission

(16a) The use of an eco-label for fisheries products, originating from both inside and outside the Union offers the possibility of providing clear information on the ecological sustainability of

fisheries products. It is therefore necessary for the Commission to examine the possibility of developing and establishing minimum criteria for the development of a Union-wide ecolabel for fisheries products.

Amendment 17

Proposal for a regulation Recital 16 b (new)

Text proposed by the Commission

Amendment

(16b) In order to safeguard European consumers, Member State authorities responsible for monitoring and enforcing the fulfilment of the obligations laid down in this Regulation should make full use of available technology, including DNA-testing, in order to deter operators from falsely labelling catches.

Amendment 18

Proposal for a regulation Recital 16 c (new)

Text proposed by the Commission

Amendment

(16c) In view of the importance that consumers attach to origin and provenance, in the broad sense of those terms, when choosing between the fishery and aquaculture products available on the market, special care should be taken to ensure that the information they are given in that respect is as accurate, clear and comprehensive as possible.

Amendment 19

Proposal for a regulation Recital 16 d (new)

Text proposed by the Commission

Amendment

(16d) With a view to ensuring consistency between the common fisheries policy – with particular reference to its common market organisation and consumer

information provisions – and the common commercial policy, care should be taken to avoid excessively broad definitions of the preferential origin of fishery and aquaculture products, as well as any exceptions to the standard definitions that would undermine product traceability and cause confusion as to where and how a given product has been sourced.

Amendment 20

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) It is necessary to ensure that imported products entering the Union market comply with the same requirements and marketing standards as Union producers have to meet.

Amendment 21

Proposal for a regulation

Recital 18

Text proposed by the Commission

Amendment

(18) It is appropriate to lay down competition rules applicable to the production and marketing of fishery and aquaculture products, taking into account the specific features of the fishery and aquaculture sector, including fragmentation of the sector, the fact that fish is a shared resource and the large extent of imports. For the sake of simplification, the relevant provisions of Regulation (EC) No 1184/2006 of 24 July 2006 applying certain rules of competition to the production of and trade in certain agricultural products should be incorporated into *the present regulation*. Regulation (EC) No 1184/2006 should therefore no longer apply to fishery and aquaculture products.

(18) It is appropriate to lay down competition rules applicable to the production and marketing of fishery and aquaculture products, taking into account the specific features of the fishery and aquaculture sector, including fragmentation of the sector, the fact that fish is a shared resource and the large extent of imports, ***which should be governed by the same rules as Union fishery and aquaculture products***. For the sake of simplification, the relevant provisions of Regulation (EC) No 1184/2006 of 24 July 2006 applying certain rules of competition to the production of and trade in certain agricultural products should be incorporated into *this Regulation*. Regulation (EC) No 1184/2006 should therefore no longer apply to fishery and aquaculture products.

Amendment 22

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) In order to be able to **supplement or amend the conditions and requirements for recognition of producers organisations, supplement or amend the content of the production and marketing plan, define and amend the common marketing standards, supplement or amend mandatory information and set minimum criteria for information voluntarily provided by operators to the consumers,** the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of **Articles 24, 33, 41 and 46.**

Amendment

(20) In order to be able to **establish rules that concern the internal functioning of producer organisations,** the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of **Article 24.**

Amendment 23

Proposal for a regulation

Article 1 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) the external dimension.

Amendment 24

Proposal for a regulation

Article 2

Text proposed by the Commission

The Common Market Organisation shall apply to the fishery and aquaculture products listed in Annex I to this Regulation, which are marketed in the Union.

Amendment

The Common Market Organisation shall apply to the fishery and aquaculture products listed in Annex I to this Regulation, which are **produced or** marketed in the Union.

Amendment 25

Proposal for a regulation

Article 3

Text proposed by the Commission

The Common Market Organisation shall contribute to the achievement of the objectives laid down in **Articles 2 and 3 of the Regulation on the Common Fisheries Policy**.

Amendment

The Common Market Organisation shall contribute to the achievement of the objectives laid down in the Regulation on the Common Fisheries Policy **and, in particular, provide market incentives to support more sustainable production practices, improve the market position of Union products, devise production strategies with a view to adapting the policy to structural market changes and short-term fluctuations, and enhance the market potential of Union products.**

Amendment 26

**Proposal for a regulation
Article 4**

Text proposed by the Commission

The Common Market Organisation shall be guided by the principles of good governance **laid down in Article 4 of the Regulation on the Common Fisheries Policy**.

Amendment

The Common Market Organisation shall be guided by the principles of good governance **which it shall achieve by means of a clear definition of responsibilities at Union, national, regional and local levels, a long-term perspective, the broad involvement of operators, the responsibility of the flag State, and consistency with integrated maritime, trade and other Union policies.**

Amendment 27

**Proposal for a regulation
Article 5 – introductory part**

Text proposed by the Commission

For the purposes of this Regulation, the definitions referred to in Article 3 of the Regulation on the Common Fisheries Policy shall apply. The following definitions shall also apply:

Amendment

For the purposes of this Regulation, the definitions referred to in Article 3 of the Regulation on the Common Fisheries Policy **and those referred to in Council Regulation (EC) No 1224/2009 and Commission Implementing Regulation (EU) No 404/2011** shall apply. The following definitions shall also apply:

Amendment 28

Proposal for a regulation Article 5 – point d a (new)

Text proposed by the Commission

Amendment

(da) ‘unwanted catches’, as defined in the Regulation on the Common Fisheries Policy.

Amendment 29

Proposal for a regulation Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

When setting up fishery producer organisations, the specific situation of small-scale inshore fishery and non-industrial fishery producers shall be taken into account, and, in particular, those producers should benefit from positive discrimination as regards access to aid for the establishment of producer organisations.

Amendment 30

Proposal for a regulation Article 7 – point a

Text proposed by the Commission

Amendment

(a) promoting viable fishing activities of their members in full compliance with the conservation policy laid down in the Regulation on the Common Fisheries Policy and environmental legislation;

(a) promoting viable **and sustainable** fishing activities of their members in full compliance with the conservation, **management and exploitation** policy laid down in the Regulation on the Common Fisheries Policy and **in** environmental legislation;

Amendment 31

Proposal for a regulation Article 7 – point a a (new)

Text proposed by the Commission

Amendment

(aa) planning the production of their members and advising Member States and regional authorities concerning fisheries management issues as well as sharing the best practices developed by EU vessels.

Amendment 32

Proposal for a regulation Article 7 – point a b (new)

Text proposed by the Commission

Amendment

(ab) 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.

Amendment 33

Proposal for a regulation Article 7 – point b

Text proposed by the Commission

Amendment

(b) ***handling*** unwanted catches of commercial stocks;

(b) ***avoiding, minimising and making the best use of*** unwanted catches of commercial stocks ***without creating a substantial market for such catches.***

Amendment 34

Proposal for a regulation Article 7 – point b a (new)

Text proposed by the Commission

Amendment

(ba) contributing towards the elimination of IUU fishing practices by applying such internal controls on members as may be

necessary.

Amendment 35

Proposal for a regulation Article 7 – point b b (new)

Text proposed by the Commission

Amendment

(bb) reducing 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.

Amendment 36

Proposal for a regulation Article 7 – point b c (new)

Text proposed by the Commission

Amendment

(bc) managing the resource access rights assigned to their members in accordance with the provisions of Chapter IV of the Regulation on the Common Fisheries Policy;

Amendment 37

Proposal for a regulation Article 7 – point e

Text proposed by the Commission

Amendment

(e) improving ***producer's*** profitability.

(e) improving ***producers'*** profitability ***and improving the income of fishing operators;***

Amendment 38

Proposal for a regulation Article 7 – point e a (new)

Text proposed by the Commission

Amendment

(ea) ensuring the traceability of fishery products and improving the access to clear and comprehensive information for consumers in order to help enhance the

understanding of the conservation status of marine ecosystems and fishery resources, as well as educating consumers as to the wide variety of species available for consumption.

Amendment 39

Proposal for a regulation Article 7 – point e b (new)

Text proposed by the Commission

Amendment

(eb) promoting the use of Information Communications Technology to ensure improved marketing and higher prices for fisheries products

Amendment 41

Proposal for a regulation Article 8 – introductory part

Text proposed by the Commission

Amendment

Fishery producer organisations **may make use** of the following measures to achieve the objectives set out in Article 7:

Fishery producer organisations **make use, inter alia**, of the following measures to achieve the objectives set out in Article 7:

Amendment 42

Proposal for a regulation Article 8 – point a

Text proposed by the Commission

Amendment

(a) planning the fishing activities of their members;

(a) planning **the management of** the fishing activities of their members, **including developing and implementing measures to improve the selectivity of fishing activities and advising the Member States and regional authorities of the aforementioned management plans.**

Amendments 43 and 44

Proposal for a regulation

Article 8 – point b

Text proposed by the Commission

(b) making the best use of unwanted catches of commercial stocks *by*:

- disposing of landed products which do not conform to the minimum marketing sizes referred to in Article 39 (2)(a) for uses other than human consumption;

- placing on the market of landed products which conform to the minimum marketing sizes referred to in Article 39 (2)(a);

- distributing landed products free of charge to philanthropic or charitable purposes.

Amendment

(b) making the best use of ***and assisting their members to avoid and minimise*** unwanted catches of commercial stocks.

Amendment 46

Proposal for a regulation

Article 8 – point f a (new)

Text proposed by the Commission

Amendment

(fa) improving quality, knowledge and transparency of production and the market; conducting studies to improve planning and management activities and supporting professional programmes to promote sustainable fisheries products;

Amendment 47

Proposal for a regulation

Article 8 – point f b (new)

Text proposed by the Commission

Amendment

(fb) sending information voluntarily to the competent Member State authorities on the conservation status of marine ecosystems and fishery resources at such intervals, and by such means, as are considered to be appropriate;

Amendment 48

Proposal for a regulation Article 8 – point f c (new)

Text proposed by the Commission

Amendment

(fc) managing their members' fishing opportunities on a collective basis;

Amendment 49

Proposal for a regulation Article 8 – point f d (new)

Text proposed by the Commission

Amendment

(fd) promoting consumer access to clear and comprehensive information on fisheries products;

Amendment 151

Proposal for a regulation Article 10 – point a

Text proposed by the Commission

Amendment

(a) promoting sustainable aquaculture activities of their members by providing opportunities for their development;

(a) promoting ***viable and economically, socially and environmentally*** sustainable aquaculture activities of their members, ***and the benefits of organic aquaculture,*** by providing opportunities for their development; ***in close cooperation with the Member States and regional authorities and in accordance with Directive 2008/56/EC and Council Directive 92/43/EEC, within the legal framework established within each Member State, or part thereof;***

Amendment 52

Proposal for a regulation Article 10 – point a a (new)

Text proposed by the Commission

Amendment

(aa) ensuring that aquaculture feed products of fishery origin come from

fisheries that are sustainably managed;

Amendment 53

Proposal for a regulation Article 10 – point b

Text proposed by the Commission

(b) contributing to food supply and employment in coastal and rural areas;

Amendment

(b) contributing to food supply, ***observing high food quality and safety standards, whilst contributing to*** employment in coastal and rural areas;

Amendment 54

Proposal for a regulation Article 10 – point d a (new)

Text proposed by the Commission

(da) stabilising the markets;

Amendment

Amendment 55

Proposal for a regulation Article 10 – point e

Text proposed by the Commission

(e) improving *producer's* profitability.

Amendment

(e) improving *producers'* profitability ***and the income of workers in the sector while improving their working conditions;***

Amendment 56

Proposal for a regulation Article 10 – point e a (new)

Text proposed by the Commission

(ea) undertaking programmes to promote the continuous improvement of environmental and sustainable aquaculture products and activities, as well as professional and vocational training and actions to ensure a fair standard of living for those engaged in aquaculture activities and to reduce and minimise harmful impacts over the entire

Amendment

production chain;

Amendment 57

Proposal for a regulation Article 10 – point e b (new)

Text proposed by the Commission

Amendment

(eb) promoting any other activities that are in the interests of members of the producer organisation and developing or improving the operation of the sector to allow producer organisations to pursue objectives not specified in this Article.

Amendment 58

Proposal for a regulation Article 10 – point e c (new)

Text proposed by the Commission

Amendment

(ec) facilitating consumer access to information on aquaculture products;

Amendment 59

Proposal for a regulation Article 10 – point e d (new)

Text proposed by the Commission

Amendment

(ed) using, where possible, Information Communications Technology (ICT) to ensure that the best possible price for products is achieved;

Amendment 60

Proposal for a regulation Article 11 – introductory part

Text proposed by the Commission

Amendment

Aquaculture producer organisations make use of the following measures to achieve the objectives referred to in Article 10:

Aquaculture producer organisations *may* make use, *inter alia*, of the following measures to achieve the objectives referred to in Article 10:

Amendment 61

Proposal for a regulation

Article 11 – point a

Text proposed by the Commission

(a) promotion of responsible and sustainable aquaculture, notably in terms of environment protection, animal health and animal welfare;

Amendment

(a) promotion of responsible, ***extensive*** and sustainable aquaculture, notably in terms of environment protection, animal health and animal welfare;

Amendment 62

Proposal for a regulation

Article 11 – point a a (new)

Text proposed by the Commission

Amendment

(aa) planning the management of the aquaculture activities of their members;

Amendment 63

Proposal for a regulation

Article 11 – point c

Text proposed by the Commission

(c) channelling the supply and the marketing of members' products;

Amendment

(c) channelling the supply, ***price stabilisation*** and the marketing of members' products;

Amendment 64

Proposal for a regulation

Article 11 – point c a (new)

Text proposed by the Commission

Amendment

(ca) managing temporary storage for aquaculture products in accordance with Articles 35 and 36;

Amendment 65

Proposal for a regulation

Article 11 – point e

Text proposed by the Commission

(e) collecting information on the marketed products including economic information on first sales, and on production forecasts.

Amendment

(e) collecting ***environmental information and*** information on the marketed products including economic information on first sales, and on production forecasts.

Amendment 66

Proposal for a regulation Article 11 – point e a (new)

Text proposed by the Commission

Amendment

(ea) improving quality, knowledge and transparency of production and the market; conducting studies to improve planning and management activities and supporting professional programmes to promote sustainable aquaculture products;

Amendment 67

Proposal for a regulation Article 11 – point e b (new)

Text proposed by the Commission

Amendment

(eb) promoting consumer access to clear and comprehensive information on aquaculture products;

Amendment 68

Proposal for a regulation Article 11 – point e c (new)

Text proposed by the Commission

Amendment

(ec) promoting aquaculture products by exploiting the potential of certification, in particular of protected designations of origin and sustainability merits.

Amendment 69

Proposal for a regulation Article 13 – point a

Text proposed by the Commission

Amendment

(a) performing in a more efficient manner any of the objectives of the member producer organisations laid down in Articles 7 and 10;

(a) performing, in a more ***sustainable and*** efficient manner, any of the objectives of the member producer organisations laid down in Articles 7 and 10;

Amendment 70

Proposal for a regulation Article 13 – point b

Text proposed by the Commission

Amendment

(b) coordinating and developing activities of common interest for the member producer organisations.

(b) coordinating and developing activities of common interest for the member producer organisations, ***including the improved marketing of products for consumers.***

Amendment 71

Proposal for a regulation Article 13 – point b a (new)

Text proposed by the Commission

Amendment

(ba) complying with all measures aimed at ensuring, for each Member State, relative stability of fishing activities for each fish stock or fishery.

Amendment 72

Proposal for a regulation Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Financing of associations of producer organisations.

1. The European Maritime and Fisheries Fund may financially contribute towards the establishment and/or development of associations of producer organisations.

2. The Commission shall be empowered to adopt delegated acts, in accordance with

Article 50, laying down detailed rules concerning such financial support.

Amendment 73

Proposal for a regulation Article 16 – point b

Text proposed by the Commission

(b) promoting Union fishery and aquaculture products in a non-discriminatory manner by using the potential of certification, in particular designations of origin, quality seals, geographical designations and sustainability merits;

Amendment

(b) promoting Union fishery and aquaculture products in a non-discriminatory manner by using the potential of certification, in particular *of* designations of origin, quality seals, geographical designations and sustainability merits, ***providing for Union products to be clearly identified by comparison with imported products;***

Amendment 74

Proposal for a regulation Article 16 – point d

Text proposed by the Commission

(d) improving quality, knowledge of and the transparency of production and the market;

Amendment

(d) improving quality, knowledge of and the transparency of production and the market, ***as well as providing professional and vocational training programmes to encourage and promote product quality, traceability, food safety and R&D initiatives.***

Amendment 75

Proposal for a regulation Article 16 – point f a (new)

Text proposed by the Commission

Amendment

(fa) promoting, among consumers, species obtained from healthy fish stocks with appreciable nutritional value that are currently not marketable;

Amendment 76

Proposal for a regulation
Article 17 – paragraph 1 – point d

Text proposed by the Commission

(d) they comply with the competition rules laid down in Chapter *VI*;

Amendment

(d) they comply with the competition rules laid down in Chapter *V*;

Amendment 77

Proposal for a regulation
Article 17 – paragraph 1 – point e

Text proposed by the Commission

(e) they may not hold a dominant position on a given market unless necessary in pursuance of the goals of article 39 of the Treaty.

Amendment

deleted

Amendment 78

Proposal for a regulation
Article 17 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) they demonstrate transparency with regard to the details of their membership, governance and sources of funding;

Amendment 79

Proposal for a regulation
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may set additional conditions for the recognition of a producer organisation.

Amendment 80

Proposal for a regulation
Article 17 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Producer organisations recognised under Regulation (EC) No 104/2000 are deemed

to be recognised under this Regulation.

Amendment 81

Proposal for a regulation Article 17 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

Measures should be taken to ensure that the participation of small scale fisheries in producer organisations is appropriate and representative.

Amendment 82

Proposal for a regulation Article 18 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) they represent ***a significant share of at least two of the following activities*** in a given area or areas: production, ***marketing and*** processing of fishery and aquaculture products or products processed from fishery and aquaculture products;

(a) they represent, in a given area, ***a significant share of the*** production, processing ***or marketing*** of fishery and aquaculture products or products processed from fishery and aquaculture products ***that are being fished by Union vessels or aquacultivated within Member States;***

Amendment 83

Proposal for a regulation Article 18 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Existing interbranch organisations that fulfil all of the conditions set out in this Article may also be recognised, even if established by executive act or by operation of law ;

Amendment 84

Proposal for a regulation Article 19

Text proposed by the Commission

Amendment

Member States shall carry out checks at regular intervals to ascertain whether

Member States shall carry out checks at regular intervals to ascertain whether

producer organisations and inter-branch organisations comply with the conditions for recognition laid down in Articles 17 and 18 and shall, where appropriate, withdraw recognition of producer organisations or inter-branch organisations.

producer organisations, ***associations of producer organisations*** and inter-branch organisations comply with the conditions for recognition laid down in Articles 17 and 18 and shall, where appropriate, withdraw recognition of producer organisations, ***associations of producer organisations*** or inter-branch organisations.

Amendment 85

Proposal for a regulation

Article 20

Text proposed by the Commission

Member States whose nationals are members of a producer organisation or inter-branch organisation established in the territory of another Member State and those Member States hosting the official headquarters of an association of producer organisations recognised in different Member States shall set up, in collaboration with the relevant Member States, the administrative cooperation needed to carry out checks on the activities of the organisation or the association concerned.

Amendment

Member States whose nationals are members of a producer organisation, ***association of producer organisations*** or inter-branch organisation established in the territory of another Member State and those Member States hosting the official headquarters of an association of producer organisations recognised in different Member States shall set up, in collaboration with the relevant Member States, the administrative cooperation needed to carry out checks on the activities of the organisation or the association concerned.

Amendment 87

Proposal for a regulation

Article 22 – title

Text proposed by the Commission

Communication to the Commission

Amendment

Communication to the Commission ***and publication of the list of producer organisations***

Amendment 88

Proposal for a regulation

Article 22

Text proposed by the Commission

Member States shall communicate to the

Amendment

The Commission ***shall publish at the***

Commission *by electronic means any decision to grant or withdraw the recognition.*

beginning of every year the list of the producer organisations recognised in the preceding year and of the organisations whose recognition was withdrawn during that year.

Amendment 89

Proposal for a regulation Article 23

Text proposed by the Commission

In order to ensure that the conditions for recognition of producer organisations or inter-branch organisations laid down in Articles 17 and 18 are complied with, the Commission may carry out checks and **may**, where appropriate, request that Member States withdraw the recognition of producer organisations or inter-branch organisations.

Amendment

In order to ensure that the conditions for recognition of producer organisations or inter-branch organisations laid down in Articles 17 and 18 are complied with, the Commission may carry out checks and **shall**, where appropriate, request that Member States withdraw the recognition of producer organisations or inter-branch organisations.

Amendments 90, 91 and 92

Proposal for a regulation Article 24

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 50 **to**

(a) amend or supplement the conditions for the recognition referred to in Articles 17 and 18. Those rules may concern the internal functioning of producer organisation or inter-branch organisations, their rules of association,

Amendment

Article 24

Delegated acts

The Commission shall be empowered to adopt delegated acts, in accordance with Article 50, ***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;***

financial and budgetary provisions, obligations for their members and enforcement of the application of their rules including penalties;

(b) lay down rules concerning the frequency, content and practical methods of the checks to be carried out by the Member States in accordance with Article 20 and 21.

Amendment 93

Proposal for a regulation Article 25 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the laying down of rules on the frequency, content and practical methods of the checks to be carried out by the Member States in accordance with Article 20.

Amendment 94

Proposal for a regulation Article 26 – title

Text proposed by the Commission

Amendment

Extension of rules of producer organisations

Extension of rules of producer organisations ***and associations of producer organisations***

Amendment 95

Proposal for a regulation Article 26 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. A Member State may make the rules agreed within a producer organisation binding on producers who are not members of the organisation and who market any of the products within the area in which the producer organisation is representative on condition that:

1. A Member State may make the rules agreed within a producer organisation ***or association of producer organisations*** binding on producers who are not members of the organisation ***or association*** and who market any of the products within the area in which the producer organisation ***or association of producer organisations*** is representative on condition that:

Amendment 96

Proposal for a regulation

Article 26 – paragraph 1 – point a

Text proposed by the Commission

(a) the producer organisation is considered to be representative of production and marketing in one Member State and makes an application to the competent national authorities;

Amendment

(a) the producer organisation **or association of producer organisations** is considered to be representative of production and marketing, **including, where relevant, the small scale and artisanal sector**, in one Member State and makes an application to the competent national authorities;

Amendment 97

Proposal for a regulation

Article 26 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the rules governing free competition between undertakings are upheld.

Amendment 98

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

Amendment

2. For the purposes of paragraph 1(a) a fishery producer organisation is deemed representative where it accounts for at least **65 %** of the quantities marketed of the relevant product during the previous year in the area where it is proposed to extend the rules.

2. For the purposes of paragraph 1(a) a fishery producer organisation is deemed representative where it accounts for at least **30 %** of the quantities marketed of the relevant product during the previous year in the area where it is proposed to extend the rules

Amendment 99

Proposal for a regulation

Article 26 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purposes of paragraph 1(a) an aquaculture producer organisation is considered to be representative where it

deleted

covers at least 40 % of the quantities marketed of the relevant product during the previous year in the area where it is proposed to extend the rules.

Amendment 100

Proposal for a regulation Article 26 – paragraph 4

Text proposed by the Commission

4. The rules to be extended to non-members shall apply for a period between **90** days and 12 months.

Amendment

4. The rules to be extended to non-members shall apply for a period between **30** days and 12 months.

Amendment 101

Proposal for a regulation Article 29 – paragraph 1

Text proposed by the Commission

1. Member States shall notify the Commission of the rules which they *intend* to make binding on all producers or operators in a specific area or in specific areas pursuant to Articles 26 and 27.

Amendment

1. Member States shall notify the Commission of the rules which they *decide* to make binding on all producers or operators in a specific area or in specific areas pursuant to Articles 26 and 27.

Amendment 102

Proposal for a regulation Article 29 – paragraph 3

Text proposed by the Commission

3. Within *two months* of receipt of the notification, the Commission shall take a decision authorising or refusing to authorise the extension of rules and shall inform the Member States. Where the Commission has not taken a decision within the *two-month* period, the extension of rules shall be deemed to have been authorised by the Commission.

Amendment

3. Within *15 days* of receipt of the notification, the Commission shall take a decision authorising or refusing to authorise the extension of rules and shall inform the Member States. Where the Commission has not taken a decision within the *15-day* period, the extension of rules shall be deemed to have been authorised by the Commission.

Amendment 103

Proposal for a regulation Article 32 – paragraph 1

Text proposed by the Commission

1. Each producer organisation shall submit a production and marketing plan to their competent national authorities to fulfil the objectives laid down in Article 3.

Amendment

1. ***In accordance with guidelines received from the Commission***, each producer organisation shall submit a production and marketing plan to their competent national authorities to fulfil the objectives laid down in ***Articles 3, 7 and 10***.

Amendment 104

Proposal for a regulation Article 32 – paragraph 5

Text proposed by the Commission

5. Member States shall carry out checks to ensure that each producer organisation fulfils the obligations provided for in this Article.

Amendment

5. Member States shall carry out checks to ensure that each producer organisation fulfils the obligations provided for in this Article; ***a finding of non-compliance may result in the withdrawal of recognition***.

Amendment 105

Proposal for a regulation Article 35 – introductory part

Text proposed by the Commission

Producer organisations may ***finance*** the storage of fishery products listed in Annex II to this Regulation, provided that:

Amendment

Producer organisations may ***co-finance*** the storage of fishery products listed in Annex II to this Regulation, provided that:

Amendment 106

Proposal for a regulation Article 35 – point d a (new)

Text proposed by the Commission

Amendment

(da) the minimum and maximum period for financing the storage of fishery products listed in Annex II shall be clearly laid down.

Amendment 107

Proposal for a regulation Article 36 – paragraph 1

Text proposed by the Commission

1. Before the beginning of each year, each producer organisation may individually make a proposal for a price triggering the storage mechanism referred to in Article 35 for fishery products listed in Annex II.

Amendment

1. Before the beginning of each year, each producer organisation may individually make a proposal for a price triggering the storage mechanism referred to in Article 35 for fishery products listed in Annex II, **as well as for aquaculture products.**

Amendment 108

Proposal for a regulation Article 38 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The creation, restructuring and implementation of plans to improve the standards of producer organisations and their associations shall be funded from the European Maritime and Fisheries Fund.

Amendment 109

Proposal for a regulation Article 38 – paragraph 1 – introductory part

Text proposed by the Commission

Each producer organisation may create a collective fund, which shall be used only to finance the following measures:

Amendment

1. The European Maritime and Fisheries Fund may be used to finance the following measures:

Amendment 110

Proposal for a regulation Article 38 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. 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.

Amendment 111

Proposal for a regulation Article 39 – paragraph 1

Text proposed by the Commission

1. Common marketing standards may be laid down for the products listed in Annex I intended for human consumption.

Amendment

1. Common marketing standards may be laid down for the products listed in Annex I, ***regardless of their origin (Union or imported)*** intended for human consumption.

Amendment 112

Proposal for a regulation Article 39 – paragraph 2 – point a

Text proposed by the Commission

(a) minimum marketing sizes taking into account the best available scientific advice and in conformity with conservation reference sizes for fishery products as referred to in Article 15(3) of the Regulation on the Common Fisheries Policy;

Amendment

(a) minimum marketing sizes taking into account the best available scientific advice and in conformity with conservation reference sizes for fishery products as referred to in Article 15(2) of the Regulation on the Common Fisheries Policy;

Amendment 113

Proposal for a regulation Article 39 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) classification by quality, size or weight, as well as presentation;

Amendment 114

Proposal for a regulation Article 40 – paragraph 1

Text proposed by the Commission

1. The products for which marketing standards have been laid down may be marketed for human consumption in the Union only in accordance with those

Amendment

1. The products for which marketing standards have been laid down may be marketed for human consumption in the Union only in accordance with those

standards.

standards. *This rule shall also apply to all imported fishery and aquaculture products.*

Amendment 116

Proposal for a regulation

Article 40 a (new)

Text proposed by the Commission

Amendment

Article 40 a

Health and hygiene standards

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.

Amendments 117, 167, 118, 119 and 120

Proposal for a regulation

Article 42 – paragraph 1

Text proposed by the Commission

Amendment

1. Fishery and aquaculture products referred to in points (a), (b), (c) and (e) of Annex I which are marketed within the Union, irrespective of their origin, may only be offered for retail to the final consumer where appropriate marking or labelling *indicates*:

- (a) the commercial designation of the species;
- (b) the production method, in

1. Fishery and aquaculture products referred to in points (a), (b), (c) and (e) of Annex I which are marketed within the Union, irrespective of their **geographical** origin, may only be offered for retail to the final consumer where *the* appropriate marking or labelling *includes the mandatory food information specified in Chapter IV of Regulation (EU) No 1169/2011 of 25 October 2011, on the provision of food information to consumers.*

1a. The marking or labelling shall also indicate the following:

- (a) the commercial designation of the species;
- (b) the production method, in *particular* by

particulare by the following words
"...caught..." or "...caught in freshwater ..." or "... farmed...";

- (c) the area where the product was caught or farmed;
- (d) the date of catch of fishery products or harvest of aquaculture products;
- (e) ***whether the product is fresh or has been defrosted;***

the following words ‘...caught...’ or ‘...caught in freshwater ...’ or ‘...farmed...’,
including, for capture fisheries, the gear type used, as defined in Annex XI to Commission Implementing Regulation (EU) No 404/2011;

- (c) ***specific fish stock and*** the area where the product was caught or farmed ;
- (d) ***for products which are to be sold fresh,*** the date of ***landing*** of fishery products or harvest of aquaculture products;
- (e) ***the words 'defrosted product' for frozen products directly placed on sale as fresh goods, as attested by a quality control grading, without prejudice to Annexes V and VI to Regulation (EU) No 1169/2011 and Article 68(3) and (4) of Implementing Regulation (EU) No 404/2011;***

Amendment 121

Proposal for a regulation Article 42 – paragraph 2

Text proposed by the Commission

Amendment

2. Fishery and aquaculture products referred to in parts (h) and (i) of Annex I, which are marketed within the Union, irrespective of their origin, may only be offered for retail to the final consumer where appropriate marking or labelling indicates::

deleted

- (a) the commercial designation of the species;***
- (b) the production method, in particular by the following words ‘...caught...’ or ‘...caught in freshwater ...’ or ‘... farmed...’;***
- (c) the area where the product was caught or farmed;***

Amendment 122

Proposal for a regulation
Article 42 – paragraph 4 – point c a (new)

Text proposed by the Commission

Amendment

(ca) Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

Amendment 123

Proposal for a regulation
Article 42 a (new)

Text proposed by the Commission

Amendment

Article 42a

Eco-labelling reporting

After consulting stakeholders, the Commission shall, by 1st January 2015, submit to the European Parliament and to the Council a report, accompanied by a proposal, for the establishment of a Union wide eco-label scheme for fisheries products. The report shall examine potential minimum requirements for obtaining approval for the use of such eco-label.

Amendment 124

Proposal for a regulation
Article 43 – point a

Text proposed by the Commission

Amendment

(a) the scientific name for each species according to the FishBase Information System;

(a) the scientific name for each species;

Amendment 125

Proposal for a regulation
Article 43 – point c

Text proposed by the Commission

Amendment

(c) where applicable, any other name or

(c) where applicable, in addition to those

names accepted or permitted locally or regionally.

referred to in points (a) and (b), any other name or names **that are** accepted or permitted locally or regionally.

Amendment 126

Proposal for a regulation

Article 44 – title

Text proposed by the Commission

Amendment

Indication of the catch or **production** area

Indication of the catch, **rearing** or **cultivation** area

Amendment 127

Proposal for a regulation

Article 44 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The indication of **the catch or production area** in accordance with *Article 42*, paragraphs 1(c) and 2(c) shall consist of the following:

1. The indication of **the provenance of the product, namely where it was caught or reared**, in accordance with paragraphs 1)(c) and 2)(c) of *Article 42* shall consist of the following:

Amendment 128

Proposal for a regulation

Article 44 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) in the case of fishery products caught at sea, the name of one of the areas, subareas or divisions listed in the FAO Fishing Areas;

(a) in the case of fishery products caught at sea, the name of one of the areas, subareas or divisions listed in the FAO Fishing Areas, **including its coastal and geographical denomination, expressed in terms understandable to consumers**;

Amendment 129

Proposal for a regulation

Article 44 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(aa) in the case of fishery products caught at sea, details of whether the products were caught inside or outside Union

waters;

Amendment 130

Proposal for a regulation

Article 44 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(ab) in the case of fishery products caught at sea, details of the flag State of the vessel that caught the products;

Amendment 131

Proposal for a regulation

Article 44 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) in the case of fishery products caught in freshwater, a reference to the Member State or third country of provenance of the product;

(b) in the case of fishery products caught in freshwater, a reference to the **body of water of origin in the** Member State or third country of provenance of the product;

Amendment 132

Proposal for a regulation

Article 44 – paragraph 2

Text proposed by the Commission

Amendment

2. In addition to the information referred to in paragraph 1, operators may indicate a more precise catch or production area.

2. In addition to the information referred to in paragraph 1, operators may indicate a more precise catch or production area, **without prejudice to Regulation (EC) No 510/2006.**

Amendment 133

Proposal for a regulation

Article 45 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. In addition to the mandatory information required pursuant to Article 42, the following information may be provided on a voluntary basis:

1. In addition to the mandatory information required pursuant to Article 42, the following information may be provided on a voluntary basis, **on condition that it is clear and unambiguous :**

Amendment 134

Proposal for a regulation

Article 45 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) the date of catch of fishery products or date of harvest of aquaculture products;

Amendment 135

Proposal for a regulation

Article 45 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) information on the port at which the product was landed.

Amendment 136

Proposal for a regulation

Article 45 – paragraph 1 – point e b (new)

Text proposed by the Commission

Amendment

(eb) the date of catch of fishery products or harvest of aquaculture products which are not required to display this information pursuant to Article 42;

Amendment 137

Proposal for a regulation

Article 45 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. No voluntary information shall be included that cannot be verified.

Amendment 138

Proposal for a regulation

Article 46

Text proposed by the Commission

Amendment

Article 46

deleted

Delegated acts

The Commission shall be empowered to adopt delegated acts in accordance with Article 50, in order to

(a) supplement or amend the mandatory information requirements referred to in Article 42(1), Article 42(2), Article 43 and Article 44, while ensuring that the mandatory information is performed in an accurate and transparent manner;

(b) set minimum criteria for information voluntarily provided by operators referred to in Article 45(1), while ensuring that the conditions for displaying voluntary information are accurate, transparent and non-discriminatory.

Amendment 139

Proposal for a regulation

Article 49 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) gather, analyse and disseminate economic knowledge and understanding of the Union market for fishery and aquaculture products along the supply chain, taking into account the international context;

(a) provide financial and practical support to producer organisations to create electronic nationwide databases/markets to better coordinate information between market operators and processors.

Amendment 140

Proposal for a regulation

Article 49 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) survey prices regularly along the Union supply chain for fishery and aquaculture products **and** conduct analyses on market trends;

(b) survey prices regularly along the Union supply chain for fishery and aquaculture products, conduct analyses on market trends **and make the findings of those surveys and analyses public;**

Amendment 141

Proposal for a regulation
Article 49 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) 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;

Amendment 142

Proposal for a regulation
Article 49 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(cb) undertakes 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;

Amendment 143

Proposal for a regulation
Article 49 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) make market information available to *the adequate level to* stakeholders.

(b) make *adequate* market information available to *all* stakeholders, *including making such information available to consumers in an accessible and understandable manner.*

Amendment 144

Proposal for a regulation
Article 52 a (new)

Text proposed by the Commission

Amendment

Article 52a

Transitional measures

Without prejudice to Chapter IV, fishery and aquaculture products, and their packaging, marked or labelled prior to the date of entry into force of this Regulation may be marketed and sold until such stocks have been exhausted.

Amendment 145

**Proposal for a regulation
Article 54**

Text proposed by the Commission

Amendment

The Commission shall report to the European Parliament and the Council on the results of the application of this Regulation before the end of **2022**.

The Commission shall report to the European Parliament and the Council on the results of the application of this Regulation before the end of **2019**.

Amendment 146

**Proposal for a regulation
Article 55 – paragraph 2**

Text proposed by the Commission

Amendment

It shall apply from **1 January 2013** with the *exception* of **Articles 32, 35 and 36, which shall apply from 1 January 2014**.

It shall apply from **1 January 2014**. **The consumer information provided for in Article 42 shall apply in accordance with the date of entry into force set out in Regulation (EU) No 1169/2011**

Amendment 147

**Proposal for a regulation
Annex I – New entries to be inserted/added**

Text proposed by the Commission

Amendment

***fishmeal,
tuna intended for processing,
aquaculture species listed in Annex V of Regulation 104/2000,***

*the species **Sprattus sprattus** and
Coryphaena hippurus, listed in Annex IV
of Regulation 104/2000*

Amendment 148

**Proposal for a regulation
Annex II – New entries to be inserted/added**

Text proposed by the Commission

Amendment

**03026999 Skate (*Raja* spp, *Amblyraja* spp
and *Leucoraja* spp)**

**03028410 European seabass
(*Dicentrarchus labrax*)**

Amendment 149

**Proposal for a regulation
Annex II – New entries to be inserted/added**

Text proposed by the Commission

Amendment

Boarfish (*Caproidae*)

Sprat (*Sprattus Sprattus*)

Turbot (*Psetta Maxima*)

Sea Bass (*Dicentrarchus Labrax*)

Argentines (*Argentina Silus*)

Spider Crab (*Maja Brachydactela*)

Lobster (*Homarus Gammarus*)

Amendment 150

**Proposal for a regulation
Annex II – New entries to be added/inserted**

Text proposed by the Commission

Amendment

**0307 31 10 European mussel (*Mytilus*
spp.)**