

Seafish Regulation Alert Monitor 29/01/16 - 05/02/2016

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Radionuclides

Changes to Fukushima safeguards

The European requirements for the importation of food and feed from Japan changed on 9 January 2016.

Safeguards have been in place since the nuclear accident at Fukushima in March 2011 in order to protect consumers from food that may be contaminated with excessive levels of radiation. These requirements have been revised by Commission Implementing Regulation 2016/6. The list of products and the list of controlled prefectures have been amended to take into account of recent radioactivity data. A new declaration with a new format has been introduced for affected consignments. The new model declaration is in Annex III of the Implementing Regulation.

Commission Implementing Regulation (EU) 2016/6 of 5 January 2016 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) No 322/2014 is available here: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1452685392647&uri=CELEX:32016R0006>

A new Regulation to protect the consumer from contaminated food after a nuclear accident

The European Union has legislation in place that requires, once a nuclear accident has taken place, that legislative steps are taken to impose restrictive measures on potentially contaminated food. The latest Regulation dealing with this is Council Regulation (Euratom) 2016/52. The Regulation sets out an updated definition of the 'foodstuffs' covered by the Regulation and brings up to date the administrative processes for the issuing of a Regulation setting the emergency limits on radionuclides in foods. The maximum permitted levels of radioactive contamination remain unchanged from the previous Regulation.

Council Regulation (Euratom) 2016/52 of 15 January 2016 laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Regulation (Euratom) No 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No 770/90 is available here: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1454336420908&uri=CELEX:32016R0052>

More information on radionuclides in food is available from Seafish [here](#).

IUU

Thailand given time to implement anti-IUU fishing measures

According to reports from Thailand, the European Commission intend to extend Thailand's yellow card by another 6 months. Thailand had received the warning in April 2015 and was given until December 2015 to comply with EU requirements to tackle illegal, unreported and unregulated (IUU) fishing. The Commission has not yet confirmed the extension.

Report in the Thai press here: <http://englishnews.thaipbs.or.th/content/148649>

EU illegal fishing legislation - source - [Oceana](#)

Tough EU illegal fishing legislation needs stronger implementation to reach full potential, say NGOs

The European Union's regulation to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing has made an impact, but implementation must be more robust to ensure that no illegal fish enter the European market, according to an analysis published today by the Environmental Justice Foundation, Oceana, The Pew Charitable Trusts and WWF.

The analysis finds that the 2010 regulation has proved to be a powerful tool in preventing illegally caught fish from entering the EU. Implementation has also driven positive change in fisheries management in third countries, where more than 60 percent of the fish products consumed in the EU originate.

However, some member states must do more to fully apply the law to prevent illicit operators from gaining access to the EU market, the nongovernmental organisations concluded. The analysis suggests that EU members be more consistent and effective in checks of catch documentation (catch certificates) and consignments (in particular from countries judged as high risk) to ensure that fish have been caught legally.

Unfair Trading

EuroCommerce commends balanced Commission report on unfair trading practices – source - [Eurocommerce](#)

EuroCommerce believes that the Commission's report issued on 29 January on unfair trading practices in the food supply chain strikes a fair balance. The Commission's assessment recognised that regulatory schemes in place across Europe differ, but that they seek to achieve similar outcomes. It did not find evidence of the need to take action at EU level at this stage.

As a founder of the Supply Chain Initiative (SCI), EuroCommerce is particularly pleased that the Commission report acknowledged the value of the SCI in promoting both good practice and mechanisms to address issues in a way that facilitates continued business relationships. Launched 2 years ago, the SCI has delivered, in terms of company registrations (379 groups registered, controlling 1,206 national operating companies), the number of SMEs who have decided to participate (now two-thirds of the companies registered), the number of people trained (over 20.000

across Europe) and the national initiatives inspired by or implementing SCI provisions on good practice and fair treatment throughout the supply chain.

Third Country Trade

EU-Vietnam Free Trade Agreement Now Available Online – Source – [DG TRADE](#)

Commission publishes full text of the agreement and dedicated analysis on human rights and sustainable development. The text of the free trade agreement (FTA) between the EU and Vietnam , following the conclusion of the negotiating process in December 2015.

In line with its transparency commitments, the Commission makes the text of trade agreements available to the public as soon as the talks are finalised. This will allow all interested stakeholders to become familiar with its content well in advance of the debate in the EU Council and the Parliament. According to the usual procedure, the text will now be subject to a legal review to verify consistency and legal rigour.

DG TRADE - What is EU trade policy doing for your seafood? – Source – [DG TRADE](#)

DG Trade has published a report on its policies on seafood trading.

Ethical Fishing

Ratification of ILO Work in Fishing Convention in Bulgaria – source - [Europêche](#)

EU Social Partners promote ratification of ILO Work in Fishing Convention C188 in Bulgaria

During a meeting held on 28 January in Sofia, Bulgaria, the European Social Partners in Fisheries, the ETF and Europêche, promoted together with the ILO the swift ratification of the ILO Work in Fishing Convention C188. The event was also attended by high-level representatives of the Bulgarian Ministries of Labour, Transport and Agriculture, who share competence over the ratification of the Convention.

The Convention, applicable to all types of fishing vessels, regardless of their size, aims to provide minimum standards to protect fishers in all aspects of their work. Its transposition into EU legislation would help improve working and living conditions on board fishing vessels not only in EU waters but on a global level.

Food safety and consumer protection

Question for written answer on wrapping and packaging of fishery products – source - EP register

The interpretation of DG SANCO and FVO of Regulation (EC) No 853/2004 on hygiene rules for foodstuffs of animal origin (Section VIII, Chapter VI - 'Wrapping and packaging of fishery products') is proving extremely problematic as it considers transporting fish in wooden containers to be against EU rules, regardless of how hygienic they are.

In May 2015, the Spanish Agency for Consumer Affairs, Food Safety and Nutrition (AECOSAN) asked DG SANCO to reconsider its position on the basis of research conducted by Dr José Juan Rodríguez Jerez of the Autonomous University of Barcelona, an expert in microbiological analysis of surfaces and evaluation of biofilms, who found that wood affects neither the quality nor safety of fish, and demonstrates antimicrobial properties.

Given that the Commission's current position is seriously damaging to free competition between wood and other materials used for packaging fish, and that – as shown in Mr Dalli's answer of 30 March 2011 on behalf of the Commission to written question E-000434/2011 – it has failed to provide any scientific evidence or statistical analysis of official controls, can the Commission say how far advanced its departments' evaluation is?

Answer given by Mr Andriukaitis on behalf of the Commission can be viewed [here](#)

EFSA - ENP Workshop: Cooperation in times of food and feed crisis – source - [EFSA](#)

Food safety is an important issue in the cooperation with the European Neighbourhood partner countries. In recognising this, EFSA works closely with EU neighbouring countries to address key issues such as crisis preparedness and scientific cooperation. A workshop was organised under the EFSA European Neighbourhood Programme 2014-2016 and was held in Parma on 24 November 2015. The objective was to provide a forum for exchange of experiences and best practices on risk assessment and risk communication during a food and feed crisis.

Question for written answer to the Commission on mislabelling of fish in restaurants –Source EP register

On 3 November 2015 the Oceana Association published a study with the Catholic University of Leuven which showed that 30% of the fish on sale in the restaurants tested in Brussels, including the institutions' canteens, were mislabelled as more expensive fish species.

While the falsification of Bluefin Tuna was the most prevalent, the use of Pangasius (or catfish) was also very worrying, as it was used to replace multiple other types of fish on the menus.

Pangasius is most often raised on unregulated aquafarms based in south-east Asia and sold at below cost around the world, including in Europe, which incentivises traders and restaurant owners to mislead consumers and businesses.

While the results of the study are bothering to Brussels' residents, such misleading labelling is likely to be a common problem throughout Europe, especially in cities far from the sea.

Could the Commission inform Parliament what it is doing to make sure that Member States follow up on this issue?

Does it have any data as to how widespread this issue is?

What actions does it intend to take with its own providers in its canteens?

The answer given by Mr Andriukaitis on behalf of the Commission can be viewed [here](#) .

CFP and Landing Obligation

Question for written answer on Member State responsibilities in the management of non-marketable catches landed at ports and docks – Source – EP register

Answer within 6 weeks

Point 11(2) of Regulation (EU) No 2015/812 of 20 May 2015 on the landing obligation states that 'where catches as referred to in paragraph 1 have been landed, Member States shall have in place measures to facilitate their storage or for finding outlets for them, such as support for investment in the construction and adaptation of landing sites and shelters, or support for investments to add value to fishery products.'

In negotiations with the Council, I argued, as rapporteur for this issue, that this paragraph should be interpreted in such a way that Member States are responsible for the management of non-marketable catches that have been landed by fishermen in line with their responsibilities under the landing obligation. In certain parts of the EU, the result of the landing obligation has been that non-marketable catches are dumped on ports and docks without Member States doing anything to find outlets for them.

1. In the Commission's view, are Member States responsible for the management of non-marketable catches landed at ports and docks?
2. If not, who is responsible for managing these catches and, in particular, making sure that they are turned into fodder or oil?

EU advocates for shared efforts towards transparency in fisheries – Source - [DG MARE](#)

Together with international stakeholders, the European Commission participated in the 1st International Conference on the Fisheries Transparency Initiative (FITI) held in Nouakchott, Mauritania, under the auspices of President Abdel Aziz. Transparency is a key principle of the EU's approach to European and international fisheries policy.

The EU observes with interest the establishment of the FITI initiative, an encouraging contribution to the shared goal of making national and international fisheries more transparent. Mauritania, Indonesia and the Seychelles are among the first countries that have expressed the intention to establish a national transparency reporting mechanism.

Fisheries transparency aims at providing relevant stakeholders and the public with data on resources management, and at increasing resource sustainability.

Transparency is at the core of the EU's reformed Common Fisheries Policy and is incorporated as a requirement in the Sustainable Fisheries Partnership Agreements concluded between the EU and non-EU countries. SFPAs create a partnership to promote sustainable fisheries, based on the best available scientific advice, with the objective of allowing EU vessels to fish only surplus resources in the fishing zones of partner countries.

The European Commission also recently proposed new rules to improve the transparency and monitoring of the EU fleet operations outside EU waters.

Karmenu Vella - International Conference on Economic Advice in Fisheries Management

Karmenu Vella gave the opening speech at the International Conference on Economic Advice in Fisheries Management. Please contact f_wright@seafish.co.uk for details of the speech.

Social and Environmental Standards, Human Rights and CSR: EP Draft Report Available – Source – [European Parliament](#)

The text of the own-initiative draft Report on the implementation of the 2010 recommendations of Parliament on social and environmental standards, human rights and corporate responsibility has been made available.

The draft Report was prepared by the Rapporteur Eleonora Forenza (GUE/NGL, Italy) and is scheduled to be discussed at the European Parliament's International Trade (INTA) Committee on 16 February 2016.

Concerning Corporate Social Responsibility (CSR) in international trade agreements, the Rapporteur, among other:

- (a) asks the Commission to step up its efforts towards achieving compliance by companies, throughout their supply chains, and full respect internationally recognised CSR standards;
- (b) believes that increased access to information on the conduct of enterprises is essential and in this respect, she considers it fundamental to introduce a mandatory reporting system and due diligence for EU companies that outsource their production to third countries;
- (c) calls on the EU and the Member States to promote binding measures to ensure that companies pay taxes where economic activities take place and value is created, and to promote compulsory country-by-country reporting by the private sector and
- (d) calls for the EU and the Member States to engage actively in the work of the UN's Human Rights Council and of the UN Environment Programme (UNEP) on an international treaty to hold transnational corporations accountable for HR abuses and violations of environmental standards.

Concerning human rights, social and environmental standards in international trade agreements, she calls on the Commission and the Council to propose a new model for a set of binding human rights (HR) clauses, in particular through:

- (a) trade safeguard provisions to protect HR domestically and to preserve each party's capacity to meet its HR obligations in the areas in which it is primarily responsible,
- (b) introduction of mechanisms for mandatory periodic HR impact assessments, including through the establishment of an interinstitutional committee,
- (c) a civil society monitoring mechanism that is dedicated to dealing with the HR impact of the agreement,
- (d) the possibility of introducing direct domestic complaint mechanisms enabling individuals and communities whose HR are affected by trade and investments to address the EU.

The European Parliament is expected to adopt an own-initiative Resolution on the implementation of the 2010 recommendations of Parliament on social and environmental standards, human rights and corporate responsibility. In its own-initiative Resolution adopted in 2010, the European Parliament:

(a) Supports the practice of including legally binding human rights clauses in the EU's international agreements, but points out that major challenges persist with regard to monitoring and implementing these clauses;

(b) Calls on the Commission to include systematically in all free trade agreements negotiated with non-EU countries a series of social and environmental standards that include:

(i) a list of minimum standards that must be respected by all the EU's trading partners;

(ii) a list of other conventions that should be implemented gradually and flexibly, taking account of developments in the economic, social and environmental situation of the partner concerned;

(c) Demands that all future trade agreements provide for a ban on the exploitation of child labour, in particular in the extraction and processing of natural stone.

The European Parliament calls for EU trade agreements effectively to provide for the highest levels of transparency, stringent public procurement standards and country-by-country reporting by businesses in both developed and developing countries.

Integrating economic advice into EU fisheries management – Source – [DG MARE](#)

To manage our EU fisheries well, we need sound data, analysis and advice, both biological and economic. How do we make sure that the data on which we build our fisheries policies and management decisions are timely, accurate and indeed relevant? A European Commission conference, underway in Malta today and tomorrow, is addressing this question by looking into the issues surrounding economic advice in fisheries management.

When it comes to economic advice, the European Commission is facing several challenges, as set out by Karmenu Vella, Commissioner for Environment, Maritime Affairs and Fisheries, in his opening speech .

First, we need economic advice to support our policy proposals. Legislators, fishermen, and NGOs are rightly pressing the Commission to back up proposals with sound data and to evaluate the economic impact of the measures it takes.

Second, we need new tools that will help us improve the quality of our analyses and advice. This means adopting state-of-the-art tools to process the data we receive. But it also means improving the quality of the data that we use as input for these tools.

Third, the fisheries sector is changing. Seafood markets are becoming more integrated and more globalised. Economic advice needs to take this into account.

The European Commission already has reporting tools in place, including for instance its Annual Economic Reports on the state of the fleets, on EU aquaculture and on the processing sector.

Moreover, the new European Maritime and Fisheries Fund sets aside a certain amount of EU money specifically to finance data collection.

But more remains to be done, for instance to improve data quality, measure fishing capacity more accurately, find out which market failures public funding should focus on, and support fisheries-dependent communities more effectively. This week's conference brings us another step closer to fisheries management that is rooted in sound biological and economic advice.

Research for the PECH Committee on the Social and Economic Impact of the Penalty Point System.

– Source – [European Parliament](#)

This research study focuses on the social and economic impact of the penalty point system for serious fisheries infringements. Overall this study has identified challenges in relation to the penalty point system and its implementation. Stakeholders highlight concerns relating lack of transparency, problems of accountability, and lack of participation. Further, this report flags concerns that different implementation of the system on the national level negatively impacts smaller vessels and those fishing species with tight quotas or higher risk of bycatch.

Miscellaneous

DG SANTE organisation chart

An updated chart can be viewed [here](#)