Common organisation of the markets in fishery and aquaculture products explained

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Overview of the EU's common organisation of markets in fishery and aquaculture products

Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000

Update

The common organisation of the markets in fishery and aquaculture products (CMO Regulation) strengthens the competitiveness of the EU fishery and aquaculture industry, improves the transparency and stability of markets, balances the distribution of added value along the supply chain, and ensures a level playing field for all such products marketed in the EU. The Regulation also promotes sustainable exploitation of fishery resources. It sets requirements for notification and labelling, giving verifiable and accurate information on the origin of a product and its mode of production for consumers.

Background

The EU adopted the current, reformed Common market organisation (CMO) in fishery and aquaculture products in 2013. The CMO Regulation aims to strengthen the competitiveness of the EU's fishery and aquaculture industry, and to improve the transparency and stability of the markets. It sets objectives for improving the conditions for marketing products, improving economic returns, stabilising markets, contributing to food supply, and promoting high food quality and safety standards. It also aims to incorporate sustainable production practices and improve consumer information.

The Regulation has been thoroughly revised following the latest reform of the Common Fisheries Policy (CFP) in 2013, of which it forms an integral part. Most market intervention mechanisms, such as withdrawal schemes and reference prices, have been removed. As set out in Implementing Regulation 1418/2013, the EU fishing industry now has greater responsibility in managing supply and demand to help regulate the market. Commission Recommendation 2014/117/EU provides guidance and recommendations to producer organisations on how to match their production programme and marketing strategy to market requirements.

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Professional organisations

The Regulation recognises and supports producer organisations if they pursue objectives in line with the CFP and national strategic plans for aquaculture. All recognised producer organisations in the EU are obliged to submit yearly production and marketing plans to their competent authority for approval.

Marketing standards

The CMO Regulation provides for common marketing standards based on fair competition. These standards set uniform characteristics for all fish and fish products intended for human consumption and sold in the EU, regardless of origin. They also apply to fish imported from third countries. The standards are detailed in three Regulations.

- Regulation 2406/96 specifies freshness and size categories for several fresh and chilled species of fish for human consumption. The grading system is applicable to 47 species or genera of fresh products listed in Annex I.
- Regulation 1536/92 provides trade descriptions defining harmonised characteristics for canned tuna and bonito.
- Regulation 2136/89 provides trade descriptions for canned sardines and similar products.

Consumer information

Another goal of the CMO Regulation is to provide consumers with improved labelling and information so that they can make better choices when buying fish. The mandatory requirements for labelling fishery and aquaculture products include the date of maximum durability (use-by or best before date), and whether the product has been defrosted, indication of the catch or production area, the commercial designation of the species, and its universal scientific name. These designations and other useful information can be looked up via the Commission's information system: Commercial designations of fishery and aquaculture products.

These requirements are additional to the general food labelling requirements established in Regulation 1169/2011on the provision of food information to consumers. Information on date of catch or harvest, landing date, flag state of the catching vessel, environmental information and nutritional content may be provided on a voluntary basis (Scholaert 2020).

The labelling provisions in EU legislation do not currently cover information that would enable consumers to contribute to sustainable fisheries. National initiatives and private standards such as those of the Marine Stewardship Council provide information about the conservation status of fish stocks.

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Competition rules

The Treaty on the Functioning of the European Union (Arts. 101–106) prohibits cartels and the abuse of dominant positions on the market. However, an exception to these competition rules applies in relation to production and marketing of fishery and aquaculture products. Art. 101(1) prohibits agreements on fixing selling prices and limiting or controlling production, but does not apply to the production or sale of fishery and aquaculture products, or the use of joint facilities for their storage, treatment or processing. These practices are permitted as long as they serve the objectives of EU agricultural policy (Art. 39) and the CFP, and do not:

- imply any obligation to charge identical or fixed prices
- lead to the partitioning of markets within the EU
- exclude competition or place other trading partners at a competitive disadvantage
- eliminate or restrict competition in respect of a substantial proportion of those products.

Market intelligence

According to the Regulation, the Commission should gather, analyse and disseminate economic knowledge and understanding of the EU market for fishery and aquaculture products along the supply chain. It must make such information, including price surveys and analyses on market trends, available to all stakeholders and to the general public in an accessible and understandable manner. To do so, the Commission has established the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA). The Commission should also provide practical support to better coordinate information between operators and processors. EU Member States must also contribute to these objectives.

Resources

Online resources from the European Commission:

- Commercial designations of fishery and aquaculture products
- Seafood markets

European Market Observatory for Fisheries and Aquaculture

Marine Stewardship Council

Scholaert, F. (2020) Marketing of and trade in fishery and aquaculture products in the EU. Briefing, European Parliamentary Research Service.

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Sources

Regulation (EU) 1380/2013 (Common Fisheries Policy)

Implementing Regulation 1418/2013

Recommendation 2014/117/EU

Regulation 1169/2011 (provision of food information to consumers)

Common marketing standards:

- Regulation 1536/92 (preserved tuna and bonito)
- Regulation 2136/89 (preserved sardines)
- Regulation 2406/96 (certain fishery products)

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