

Aquaculture Advisory Council

Executive Committee

Minutes

Brussels, 10th July 2019 (13:00-17:00)

Attendants: **Javier Ojeda** (Chair), **Cynthia Benites** (Observer), **Phil Brooke** (CIWF), **Marc-Philip Buckhout** (Seas at Risk), **Pascale Colson** (DG MARE) **Paul Denekamp** (Stichting Vissenbescherming), **Ole Christensen** (FEFAC), **Cécile Fouquet** (Secretariat), **Bernhard Friess** (DG MARE), **Bruno Guillaumie** (EMPA), **Philippe Le Gal** (Observer), **Szilvia Mihálffy** (FEAP), **Erik Bjorn Olsen** (Danish Society for a living sea), **Anne-Laure Prego-Cauchet** (CNC), **Giuseppe Prioli** (AMA), **Julia Rubeck** (DG MARE), **Farid Safi** (Secretariat), **Pier Antonio Salvador** (COPA), **Kathryn Stack** (FEAP), **Margreet van Vilsteren** (Good Fish Foundation), **Wouter van Zandbrink** (PO Mosselcultuur), **Douglas Waley** (Eurogroup for Animals)

Excused: **Bruna Campos** (BirdLife), **Angeles Longa Portabales** (Regulatory Council of the Galician Mussel), **Bernhard Feneis** (COGECA), **David Sandison** (Scottish Salmon Producers)

Delegation of votes: **Bruna Campos** (BirdLife) to **Marc-Philip Buckhout** (Seas at Risk)

Abbreviations: **ACs** (Advisory Councils); **AIPCE** (European Fish Processors Association); **EC** (European Commission); **FG** (Focus Group); **GA** (General Assembly); **MAC** (Market Advisory Council); **OMC** (Open Method of Coordination); **RoP** (Rules of Procedure)

1. Adoption of the agenda and approval of the last ExCom minutes (March 27th 2018)

The Chair welcomed the Executive Committee members as well as Mr. Bernhard Friess (DG MARE). The Chair told that the recent enlargement of DG MARE's aquaculture Unit was a step in the right direction.

Mr. Friess expressed the EC's commitment to work with the AAC since the earliest decision-making stages. He also said the EC will present a draft of the next strategic guidelines on Aquaculture in September that will be discussed with the AAC. The final guidelines should be published by mid-2020. **Mr. Friess** said that the Commission and the AAC have a greater chance to do the right thing if they do things together.

The Chair proposed to amend the agenda as follows:

- Addition of point 2b « Applications received for new AAC members ».
- Point 3 renamed « Ongoing works of the AAC ».

The agenda was approved with the changes.

The minutes of last Excom meeting were approved with the following modifications: « 2019 » replaced by « 2020 » under point « Labelling of Caviar: update and next



steps ».

2. AAC Work programme for 2019-2020

Bruno Guillaumie (EMPA) considered the proposed work programme as an explanatory memorandum rather than a real work programme. For him, the deliverables should be precise, clearly attributed to the different working groups with deadlines.

The Chair took note of Bruno's comment for next work programmes.

The work programme was approved and will be submitted to the GA for final approval. The list of priorities is an internal agenda that will not be part of the official Work Programme. The draft work programme will be sent to Pascale Colson (DG MARE) for comments.

2b. Received applications for AAC membership

The Chair informed about the application of 2 candidates for AAC membership:

- The Croatian Aquaculture Association: all documents were provided.
- The International Association for Women in the Seafood Industry (WSI-Asso): the endorsement from France is still missing.

The Excom approved the submission of both applications to the GA (for WSI-Asso, provided that the endorsement letter is sent to the Secretariat before the GA).

The Chair asked DG MARE to define more precisely the distinction between members considered as operators (60% of ACs composition) and non-operators (40% of ACs composition).

Pascale Colson (DG MARE) answered that it is up to ACs to determine who belongs to each group. The EC will not provide further explanation because there is already a Delegated Regulation (2015/242) laying down rules on the functioning of ACs and because ACs have a better knowledge of the organisation of their own sector.

The Chair disagreed. According to him, the current rules are not clear and a better definition is needed.

As soon as WSI obtains the endorsement from France, a written procedure will be conducted for approval of the application by the Excom and submission to the GA. The Secretariat will request more information about WSI's membership so that the Excom is able to determine whether it should belong to the sector's group or other interest's groups.

3. Ongoing works of the AAC

- Focus Group on next Aquaculture Strategic Guidelines:

The Chair insisted on the importance to deliver a good and timely advice on the future guidelines for the development of a sustainable aquaculture.

A joint meeting between the AAC and the MS will be organised by the EC in October. Tentative date: 17th October. It would be useful to have an AAC input by then.

- Proposal for the creation of a Focus Group on “Collaboration to improve the dialogue with public authorities (national and regional)” for the best implementation of the Strategic Guidelines for the sustainable development of EU aquaculture”

On top of this, **the Chair** explained that he has offered to DG MARE that the AAC produces a work on the mapping of the aquaculture non-directly competent authorities. If you ask aquaculture producers where they face the main bottlenecks in their development, most of them will mention the regional level. Many administrative authorities that deal with other fields must take decisions on aquaculture activities: these are the ones we wish to map. Indeed, these actors don't know about the guidelines on sustainable aquaculture, the guidelines on Natura 2000, etc...

The Secretariat will reach to all AAC members with a request of information to make this mapping exercise.

In this line, Julia Rubeck (**DG MARE**) said that the Commission is trying to publish the guidelines in time for the definition of the EMFF operational programmes.

- Framework Programme for Research and Innovation in Europe (Horizon2020)

The Chair encouraged all individual organisations to respond to the online consultation and suggested to address the Horizon2020 issue during the next WG3 meeting.

- Participation in ASC Marine Litter focus group

The Chair considered that the AAC should not be part of this technical group due to the difficulty to represent the AAC view in a technical focus group.

4. Calendar for AAC meetings 2019-2020

The Chair explained that an analysis of how the other ACs organise their meetings was done. It turns out that it's more cost-efficient to organise the WG meetings and the Excom together.

The following AAC meeting dates were approved by the ExCom for 2020:

28-29 January: Working Groups

30 January: Executive Committee

9-10 June: Working Groups (with WG2 on the 10)

11 June: Executive Committee

10 September: General Assembly

7-8 October: Working Groups

9 October: Executive Committee

All 2020 meetings will take place in Brussels.

5. Information on the calendar of upcoming elections

The Chair reminded that the AAC Chair, Vice-Chairs and Excom members will be elected during the next GA on September 10th.

There will be no election of Chairs and Vice-chairs of WGs during the GA as the current Statutes provide that they must be elected by the WGs.

Nevertheless, in the proposed new statutes and RoP (point 8 below), WG chairs and vice-chairs would be elected at the same time as AAC Chair, Vice-Chairs and Excom members.

Deadline for the submission of nominations (AAC Chair & Vice-Chairs and Excom members): **13 August 2019, noon**

6. AAC Budget

- Update of AAC ongoing budget

The Chair informed that he will not claim to be paid by the AAC for his work.

Cécile Fouquet (**Secretariat**) gave an update on the progress budget.

She explained the necessary movements of amounts between different budgeted categories in order to fit in with the foreseen expenses. The income has varied compared to the initial annual budget planned as the AAC has lost 2 members but has received more contributions from the Member States than expected.

This will be communicated to the Commission via an amendment to the annual grant.

- Approval of budget for 2019-2020

Cécile Fouquet (**Secretariat**) presented the draft budget for 2019-2020.

Bruno Guillaumie (EMPA) suggested to reduce the estimated total contributions from Member States for next year knowing that the UK had contributed this year.

The draft 2019-2020 budget was adopted with the reduction of the amount under the item « Financial contribution: Member States ».

- Characteristics of Contracts with Rapporteurs & Experts

The Chair explained that he had an exchange of emails with Mrs. Martine Aussems (DG MARE) on this issue. The Commission clearly explained that contracts should specify the specific works to be done. Mrs. Aussems raised a concern concerning the possible confidentiality breach in case of making a contract with an organisation that is a member of the AAC.

Therefore, in the case of the contract of the rapporteur of WG2, a framework contract must be signed between the AAC and the organisation of the Rapporteur of WG2 (EMPA). This framework contract will specify the general agreement. Any specific mission must be defined by a contract signed under this umbrella, precising: the subject, timing and price in accordance with the wish of the EC.

The Excom agreed to this and decided that the AAC will continue doing contracts even with AAC members but that the contracts should be including a confidentiality clause.

7. AAC recommendations: texts approved by the Working Groups tabled for adoption by ExCom

- Fish slaughter

Paul Denekamp (Stichting Vissenbescherming) criticised the use of the term « good practice » in the following sentence: « *Good practice is used in the carp sector, and with other species including kingfish, sea bass and sea bream* ».

The recommendation was approved with a spelling correction.

- FIFO/FFDR

The recommendation was approved.

- Making fish vaccines eligible for EMFF aid

The recommendation was approved.

- On import of subsidized farmed fish from Turkey

The recommendation was approved, although FEAP abstained.

- For discussion :

- Situation of the Recommendation on Sustainable Aquaculture

The Chair suggested that the EC proposes a definition of sustainable aquaculture as the AAC was unable to reach an agreement over the definition. The AAC paper on "sustainable aquaculture" is a working document that will remain internal.

8. Legal Affairs Focus Group

- Proposals of Revision of the Statutes and Rules of Procedure: debate

The Chair presented the proposals, which must be as simple as possible and allow a certain degree of flexibility and interpretation.

On the issue of weighting votes to compensate imbalances between operators (60%) and non-operators (40%), **the Chair** would prefer a blocking minority mechanism, although he would like that the difference between the 60% and 40% groups becomes irrelevant. He reminded that this debate only concerns the GA decisions.

Bruno Guillaumie (EMPA) said Statutes should foresee all situations. For instance, it is not foreseen that a proposal adopted consensually by the Excom may not be adopted by the GA. This eventuality should be provided for.

Kathryn Stack (FEAP) made several points based on the working document:

- **Art. 4 § 1 RoP (on membership)**: The “open door” policy is not very clear. And in case of increased membership, would the EC increase AAC’s budget?
- **Art. 5 § 12 RoP**: she disagreed with the pre-allotment of seats in the Excom as it doesn’t apply to the other interest groups (the 40%).
- **Art. 5 § 3 Statutes** : If the GA decides amendments to the RoP, who decides of the Statutes ? Do you by “decide” mean “approve” or “propose”? According to her, this issue should remain a competence of the GA.
The Chair replied that what is meant is that documents have to be approved by the Excom before being sent to the GA.
- **Art. 5 § 9 Statutes** : she disagreed with the blocking minority idea because the majority of 60% given to operators is legitimate since they implement the policies.
Pascale Colson (DG MARE) reminded that the 60-40 ratio should only be strictly applied at the Excom level.
- **Art. 8 § 8 Statutes** : Does this article not contradict the proposal to open GA meetings to the “public as observers with no voice nor vote” (Art. 3 § 10 RoP) as their presence is not “necessarily deemed to be beneficial”.
Bruno Guillaumie (EMPA) considered that adding the term « active » helps to distinguish between a person who comes to speak and a person who only comes to listen. The text may be improved by only stating that an active observer has the right to speak.
- **Art. 10 § 2 Statutes** : Could active observers also come from non-EU MS ?
The Chair answered that non-EU organisations could also be invited as active observers.

Bruno Guillaumie (EMPA) criticised the absence of a penalty system in case of inappropriate behaviours (e.g. insults, scuffles).

Marc-Philip Buckhout (Seas at Risk) pointed out that it is a good practice to that the Chair be from one group (either operator or non-operator) and the first Vice-Chair from the other group.

The Chair said that the proposed amendments of Statutes and RoP will still be discussed but those who do not find consensus will be abandoned. If no better arrangements were found on some key points by the approval of these changes, the previous system will be kept.

The Chair proposed to erase the provision of pre-allotment seats in the Excom. **The Excom accepted to delete this in the draft revision.**

The Secretariat will re-do the draft, circulate a new version to the Excom. The draft will be discussed at next GA. The Chair would like the Excom to approve the new Statutes and RoP before the end of 2020.

9. Update on the relation with the Market Advisory Council

The Chair gave an update on the relation of the AAC with the MAC. The AAC representatives had an exchange of views on the AAC relations with the MAC with DG MARE. **The Chair** also had a conversation with the MAC’s Chair, who took note of the difficulty of the AAC to collaborate with the MAC.

The AAC Chair also told that the participation of AAC member organisations in the MAC should be promoted. The AAC is in favour of making the harvest dates visible



on the products. Some of the MAC members that supported the AAC on the labelling of caviar issue do not want to inform consumers about the origin of the products or the date of harvest for instance. For the AAC, the more information the consumers get, the better it is as long as it is not overwhelming.

Pier Salvador (Copa) explained that the MAC is controlled by actors that work with foreign products and work against EU products.

Bruno Guillaumie (EMPA) said that the importers were not that many in the MAC but that there was a problem with the AIPCE representatives as they defend personal positions rather than their European federation's position. Federations must pay attention to who they send to meetings.

Wouter van Zandbrink (CEP) considered that the MAC and the AAC have all interest in working together and developing advice and recommendations.

10. Management Committee activities and decisions needed by ExCom :

- EATiP invitation to Greece (Copernicus)

Yannis Pelekanakis (FGM) will represent the AAC at this meeting. The AAC presentation will be circulated before the meeting.

- Letter to EC from Nederlandse Mosselcultuur

Wouter van Zandbrink (CEP) explained that there is currently a public consultation on transparency of prices over the value chain but that the seafood sector is not included. That's why *Nederlandse Mosselcultuur* wrote a letter to ask for the support of the AAC and MAC for more transparency and traceability in the price chain of seafood.

The AAC will not provide a response but encourages member organisations to respond to the consultation. This question will be brought to the consideration of WG3 members.

- Cyprus kind offer to host an AAC ExCom

The AAC Secretariat will thank Cyprus for its invitation and will ask whether the meeting could be organised at the Permanent Representation of Cyprus in Brussels for proximity reasons.

In case of refusal by Cyprus, the AAC will hold the next Excom meeting in Cyprus.

- Announcement: Workshop on fisheries and aquaculture product traceability - Brussels, 10-11 October 2019

11. Date and place of the forthcoming meeting

The next meeting is the 30th of October 2019, either in Paris or in Cyprus.

12. AOB

Philippe Le Gal (CNC) informed about a new pathogen that has been discovered in a shellfish hatchery in Bouin (France). The Research Institute for the Exploitation of the Sea (Ifremer) made a declaration at the European level.

Bruno Guillaumie (EMPA) said that this parasite is well-known and is normally not lethal for *cassostreas gigas*. Nevertheless, the oysters died in the hatchery.