



CONSEIL CONSULTATIF POUR
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Advice

Ceiling for *de minimis* State Aid and Crises Mechanisms for Fisheries and Aquaculture

Brussels, 24 April 2026

1. Background

Article 107 of the Treaty on the Functioning of the European Union determines that aid granted by a Member State which distorts or threatens competition shall be generally incompatible with the internal market. The Treaty foresees a number of policy objectives for which State aid can be considered compatible. EU State aid control requires prior notification of all new aid measures to the European Commission.

The EU legislative framework foresees ceilings of *de minimis* support, meaning small amounts of State aid that are considered too low to distort competition and that are exempt from prior notification to the European Commission.

2. Ceiling of *de minimis* support for primary production of fisheries and aquaculture

In the case of primary production of fisheries and aquaculture, the standard ceiling is €30 000 per single undertaking over any three years period¹. If the Member State has a central national

¹ [Commission Regulation \(EU\) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector](#)



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register to monitor the granting of *de minimis* aid, the ceiling is of €40 000. Following a recent legislative revision, the processing and marketing of fishery and aquaculture products is now covered by the General *de minimis* Regulation.

Following the 2024 revision of the ceilings of *de minimis* support, for primary agricultural production, the maximum ceiling is €50 000 per single undertaking over any three years period, while previously the ceiling was of €20 000. In the case of road freight transport, the ceiling is €300 000, while the previous ceiling was of €100 000². The ceiling that applies to economic sectors in general is €300 000 over three years³, an increase from the previous €200 000 ceiling.

3. Considerations on the primary production of fisheries and aquaculture

The EU fisheries and aquaculture sectors can benefit from higher aid intensities via specific funding schemes, such as the European Maritime, Fisheries and Aquaculture Fund, ensuring more controls and the pursuit of the objectives of the Common Fisheries Policy, including on innovation, sustainability, and resilience.

At the same time, the *de minimis* aid allows national authorities to provide support in a prompt manner and with minimal administrative burden. The current ceiling means that in crises situations, such as natural disasters, disease outbreaks, or market disruptions, when fisheries and aquaculture undertakings face higher operational costs and a reduction in income, the national authorities cannot provide immediate aid and in a sufficient quantity. For such crises, general

² [Commission Regulation \(EU\) 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid](#)

³ [Commission Regulation \(EU\) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector](#)



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State aid might also be available. However, due to the delayed aid, fisheries and aquaculture undertakings may suspend their activities, reducing production capacity, and further delaying their economic recovery.

For the fisheries and aquaculture sector, in practice, the definition of the ceiling “per single undertaking” can be significantly limiting, as the same company can own more than one fishing vessel or aquaculture farm. During a crisis situation, a single undertaking can exhaust the entire ceiling simply addressing the challenges faced by a single fishing vessel or aquaculture farm.

In the case of the aquaculture sector, it can be challenging for operators to find insurance providers willing to insure their production. Furthermore, in certain geographical areas, due to the vulnerability to natural disasters, such as cyclones, insurance providers might not even insure the aquaculture production facilities.

As an example, due to the ongoing conflict in the Middle East, fisheries and aquaculture operators are currently facing a significant and sudden increase in operating costs⁴. In some cases, fishing vessels and aquaculture farms are operating at a loss. The continuation of high operating costs can threaten the economic viability of fishing and aquaculture operations, with serious consequences for employment in coastal communities, and could lead to higher seafood prices for EU consumers. Nevertheless, operators must wait for the implementation of emergency support mechanisms, such as temporary crisis framework to enable flexibility under

⁴ [Reuters, “Half of Dutch fleet idle as European fishing hit by high diesel prices”, 27 March 2026](#)



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State aid rules⁵ and/or the crisis mechanism under Article 26.2 of the European Maritime, Fisheries and Aquaculture Fund Regulation, by the European Commission⁶.

In the view of the subscribing Advisory Councils, in crises situations, the European Commission and the Member States should prioritise the provision of aid in a way that allows fishers and aquaculture farmers to continue their primary production operations, ensuring a continued supply of raw material as well as food security for EU consumers. Therefore, aid schemes should facilitate the continuation of the operations of the entire fisheries and aquaculture value chain, including auctions, processors, traders, and retailers – for which support should also be envisaged in emergency situations –, while avoiding measures like direct sales to final consumers or suspension of fishing trips, as these could contribute to distortions of competition in the market.

Even outside crises situations, there can be cases where essential small-scale investments in fisheries and aquaculture undertakings are delayed or suspended due to the application procedures and eligibility checks necessary for larger sectoral and innovation funds, such as the European Maritime, Fisheries and Aquaculture Fund. As illustrated by the mid-term evaluation of the fund, delivery of the support takes time to materialise and there can be significant variations between Member States⁷. Therefore, in the view of the subscribing Advisory Councils,

⁵ On 13 April 2026, the European Commission [announced the launch of consultations with the Member States for a draft proposal for a State aid Temporary Crisis Framework](#) to support the EU economy in the context of the Middle East crisis to be published by the end of April 2026.

⁶ On 16 April 2026, the European Commission announced the [activation of the crisis mechanism of the European Maritime, Fisheries and Aquaculture Fund Regulation](#) to address the ongoing crisis.

⁷ [Commission Staff Working Document, Executive Summary of the Evaluation, of the European Maritime, Fisheries and Aquaculture Fund mid-term evaluation](#)



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the primary production fisheries and aquaculture sector, which is mainly composed of SMEs, may face slower modernisation and reduced competitiveness.

4. Recommendations

The AAC, the MEDAC, the NSAC, the NWWAC, the MAC, and the SWWAC, consider that, in the context of State aid to fisheries and aquaculture undertakings, the European Commission should:

- a) Take measures to address the specific vulnerabilities of primary production of fisheries and aquaculture in remote geographical areas;
- b) Undertake measures to ensure a swifter activation of the crisis mechanism available under the European Maritime, Fisheries and Aquaculture Fund Regulation;
- c) Monitor, via the European Market Observatory for Fisheries and Aquaculture Products, the potential impact of the ongoing conflict in the Middle East on the prices of fishery and aquaculture products;
- d) If appropriate, activate emergency support mechanisms, such as a temporary crisis framework, to address the significant and sudden increases in operating costs faced by fisheries and aquaculture operators due to the ongoing conflict in the Middle East;
- e) In the monitoring and implementation, including at the Member States' level, of crisis measures, duly take into account the entirety of the fisheries and aquaculture supply chain, including auctions, processors, traders and retailers, including through the prioritisation of the continuation of primary production operations;
- f) Continue promoting the energy transition of the fisheries and aquaculture sectors, to reduce the existing energy vulnerabilities.



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The AAC, the MEDAC, the NSAC, the NWWAC, the majority of the membership of the MAC, and the majority of the membership of the SWWAC, consider that the European Commission should:

- g) Update the maximum ceiling of *de minimis* aid for primary production of fisheries and aquaculture, ensuring appropriate alignment with the support available to other economic sectors;
- h) Adapt the maximum ceiling of *de minimis* aid to the realities of fisheries undertakings with more than one fishing vessel, and aquaculture ones with several farming units.

In the view of ASC, Goodfish, Oceana, Sciaena, and WWF, it would not be appropriate to increase the maximum ceiling of *de minimis* State aid, as the conditionality is not as thorough as for sectoral funds, such as the European Maritime, Fisheries, and Aquaculture Fund.

The subscribing Advisory Councils take the opportunity to welcome the recent activation by the European Commission of the crisis mechanism of the European Maritime, Fisheries and Aquaculture Fund Regulation, allowing Member States to provide financial compensation to fishers, aquaculture producers, processors and retailers whose livelihoods have been disrupted by the consequence of the ongoing conflict in the Middle East.