

## EU FISHERIES CONTROL COALITION











## Making seafood in the EU traceable

Making seafood products traceable from the point-of-catch to the final point-of-sale is a prerequisite to combating illegal, unreported and unregulated (IUU) fishing, and achieving sustainable fisheries and aquaculture. As the leading market for seafood products in the world, the European Union (EU), which imports over 60% of its seafood, has a tremendous responsibility to require full supply chain traceability of the seafood products sold in its market.

The revision of the EU Fisheries Control system is a unique opportunity to introduce traceability for all seafood products in the EU market which would help advance sustainable fisheries and would help create a level playing field across the seafood sector.

The Commission's proposal for a revised Control Regulation<sup>1</sup> suggests introducing a traceability system where key data elements about the species and origin of a seafood product are passed digitally through the supply chain, and that the same requirements would apply for both fresh and processed products, as well as wild-caught and aquaculture products. This will not only facilitate easy verifications about the provenance of seafood products, it will also create a level playing field across different product categories and different seafood operators in the EU market - meaning EU fishers, seafood importers and processors. This traceability revision is also an opportunity to create the basis for improving product labelling and information to consumers in upcoming legislative revisions.

While EU food safety regulations and best practices already oblige a degree of traceability of food products for health and safety purposes, they do not provide a comprehensive framework for tracking that seafood products come from verifiably legal sources.

While traceability does not equal sustainability, the availability of credible information about the origins of seafood products equips businesses, authorities and citizens to make informed decisions.

### What should be traceable?

It has been suggested by some Member States and Members of the European Parliament that a specific group of seafood products should be made exempt from the traceability system proposed in the revision of the Control Regulation; specifically, products falling under codes 1604 and 1605 of the Combined Nomenclature (CN).<sup>2</sup> In practice, these classifications include many popularly consumed products like canned tuna and fish fingers.

This exemption would mean that many imported products as well as products at high risk of being sourced from IUU fishing would be left untraceable. Today, one out of every six fish imported into the EU belongs to this category, with much of it exported from countries that are yellow-carded by the Commission for their

failure to respond to IUU fishing practices.<sup>3</sup> Moreover, these CN codes also cover products such as caviar and eel, which are CITES-listed<sup>4</sup> as critically endangered. Caviar and eel are known to be connected to organised crime and illicit international trade, and exempting them from traceability in the Control Regulation would mean they would be subject to a lesser standard.<sup>5</sup>

The EU's seafood traceability system should cover all seafood products on the market, without exemptions. Only with complete traceability will the EU be equipped to secure verifiably sustainable and healthy seafood, and ensure that consumers get clear information.

## How should seafood be traceable?

It has been suggested by some Member States and Members of the European Parliament that the traceability system should remain paper-based. Using paper-based systems creates a high risk of inadvertent errors or fraud, as paper systems cannot accommodate the many supply chain permutations and traceability needs that arise in complex supply chains. It is precisely for this reason that ten years after the introduction of the IUU Regulation and the paper-based Catch Certificates, the Commission is introducing digital Catch Certificates, because as former Commissioner Vella noted: *"paper certificates are easier to tamper, increasing the risk of fraud"*.<sup>6</sup>

While it is clear that traceability can be more complicated to secure for processed products (i.e. CN codes 1604 and 1605) because they undergo significant transformation and mixing, this is not a sufficient reason to exclude them from the traceability provisions, as these products constitute a significant portion of the overall EU seafood market. It is noteworthy that, for food safety reasons, there is already a degree of traceability in place for these products, so these systems only require adaptation to provide for lot-based and digitally interoperable traceability.

Paper-based systems cannot deliver true accountability. This is recognised by a growing number of both large-scale retailers and seafood companies in the EU and elsewhere,<sup>7</sup> as well as small-scale producers in developing countries<sup>8</sup> who are embracing digital data-sharing as the foundation for seafood traceability. Furthermore, European fishers are calling for digital traceability systems which provide a level playing field for EU-sourced and imported seafood.<sup>9</sup>

## Isn't the IUU Regulation sufficient?

For seafood imported into the EU, the traceability outlined in Article 58 of the Commission's proposal will bolster the IUU Regulation's Catch Certificate system and provide clear information about the seafood consignment right up to the point of retail.

The Catch Certificates only follow seafood consignments up to their entry into the EU. When adopted, the revised traceability system of the Control Regulation will ensure that seafood, once imported into the EU, is put into lots when it is placed on the market, and key data elements concerning the seafood lot will be passed along the supply chain as it makes its way to the point of retail. This will ensure that the fundamental composition of seafood lots and the accompanying information is maintained once the seafood is placed on the market in the EU.

In addition, the new traceability system will cover two sources of seafood which are not part of the scope of the IUU Regulation: seafood sourced from the EU and aquaculture products, whether sourced from within or outside the EU. This is why the IUU Regulation in itself is not sufficient to secure traceability for the EU seafood market.

## Key recommendations for the revision of the EU fisheries control system:

- Ensure that all seafood products on the EU market are traceable, meaning both fresh products as well as processed products.
- Require that seafood operators have digital traceability in place.
- Ensure stringent measures for product tracking. Fish lots should only be able to be merged with other lots or split into smaller quantities if the traceability information of each lot is maintained, passed along the supply chain and the responsible operator is able to keep track of all traceability information.
- Digitise the Catch Certificates and establish the CATCH database.
- Add further data fields to the Catch Certificate to better verify the source and legality of imported seafood products, and harmonise the requirements for EU operators and imports. Specifically, the Catch Certificate should require the IMO number and the gear-type of the catching vessel, as well as a higher level of precision of the catch area and date of catch.
- Add a clear definition of traceability to avoid any confusion for users on what exactly is meant by traceability from a fisheries control perspective. It should be clearly outlined that traceability requirements in the context of the Control Regulation aim to establish the rules so that sufficient information is collected and passed to the various actors along the supply chain, as well as to EU fisheries control or customs authorities, to verify the legality of the products.
- Ensure policy coherence for seafood sustainability. The IUU Regulation, the Control Regulation and the Regulation for the Common Organisation of the Markets cover successive stages of the seafood supply chain, and they should have coherence so that digitisation and comprehensive scope is the common thread.

## References

- 1 Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control.
- 2 CN code 1604 covers prepared or preserved fish, as well as caviar and caviar substitutes prepared from fish eggs, while CN 1605 covers crustaceans, molluscs and other aquatic invertebrates, both prepared and preserved.
- 3 WWF, 2021. Seafood traceability: Exemptions risk fuelling illegal fishing. [https://wwfeu.awsassets.panda.org/downloads/wwf\\_seafood\\_traceability\\_-\\_exemptions\\_risk\\_fuelling\\_illegal\\_fishing\\_jan\\_2021.pdf](https://wwfeu.awsassets.panda.org/downloads/wwf_seafood_traceability_-_exemptions_risk_fuelling_illegal_fishing_jan_2021.pdf)
- 4 Commission Regulation (EU) 2019/2117 of 29 November 2019 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein.
- 5 [https://d2ouvy59p0dg6k.cloudfront.net/downloads/corruption\\_and\\_caviar\\_final\\_feb2019.pdf](https://d2ouvy59p0dg6k.cloudfront.net/downloads/corruption_and_caviar_final_feb2019.pdf)
- 6 Euractiv, EU bets on digitalisation to fight illegal fishing, 9 May 2019. <https://www.euractiv.com/section/agriculture-food/news/eu-bets-on-digitalisation-to-fight-illegal-fishing/>
- 7 <https://traceability-dialogue.org/gdst-adopters-endorsers/>
- 8 <https://tx.company/projects/tracey/>
- 9 <http://www.iuuwatch.eu/wp-content/uploads/2020/10/Joint-Control-Paper-Update-October-2020-final.pdf>