

The National Federation of Provincial Small Business Owners and Retailers of Fish and Frozen Products (FEDEPESCA), was set up in 1978 and includes a collective of business retailers of fish and frozen products. It includes 11,000 of the approximate 14,000 current point of sales outlets.

Our primary objective is to defend the interests and improve the conditions in the sector as well as the promotion of adaptation to new legal obligations and guiding their companies towards business excellence. One of the priorities is to help them reach the highest levels of food safety, quality, and service in an environmental and sustainable manner that the market, consumers and our own sector demands.

In relation to the latest inception impact assessment issued by Common Fisheries Policy (CE).

We go along with the principles of the Common Fishery Policy (CFP), objectives are to ensure that fishing and aquaculture activities are environmentally sustainable in a long term and are managed in a way that is consistent to achieve economic, social and employment benefits. We agree that its success depends very much on the implementation of an effective control and enforcement system.

We are in favor that some of the problems in the implementation of the CFP come from the Complexity of the Legislative framework, The Control Regulation remains complex and a number of provisions require simplification and legal clarification. In addition, as some obligations can be interpreted and thus applied very differently by Member States, the Commission is often requested to provide guidance to avoid diverging interpretations.

Fedepesca has been one of the first organizations in Europe to explain the requirements for traceability and labeling thanks to the Guide developed in 2014 in the framework of the Pescaverde project ([www.pescaverde.org](http://www.pescaverde.org)), as well as the Guide on Common Fisheries Policy and fishing gear, we can ensure that there were many doubts regarding the common fisheries policy and control regulations in the areas of traceability and labeling, although the working groups that developed these guides were made up of highly experienced professionals.

We also agree with the Lack of coherence with the current CFP. We can not understand that the Regulations of Fishing Control allow the following aspects:

Regulation (EC) N° 1224/2009 of Fisheries Control in its art. 58 point 8 says that Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels to consumers, provided that these do not exceed the value of EUR 50 per day.

It is unacceptable that you want to control, to trace the fishing and to allow this exemption when the average per act of purchase of a Spanish consumer is 1.9 kilos (Source Kantar World Panel). If we take into account the average price of kilo of fish in Spain (around € 7 according to MAPAMA) IT IS LESS THAN € 14 PER PERSON IN EVERY PURCHASE.

Probably the amount that corresponds to those 50 € of direct purchase by boat is intended to sell to other catering companies and not to private consumption, leaving a serious hole for traceability and leaving the small specialized trade in clear competitive disadvantage. Neither, we know how member states control this supposed direct sale for private consumption that does not exceed 50 €.

Moreover, Article 59 (3) provides that buyers should not be registered as authorized consumers when their purchases do not exceed of 30 kg for private consumption.

It is hard to believe that 30 kilos can be considered private consumption. Moreover, this figure of 30 kilos, according to data from the Ministry of Agriculture and Fisheries, Food and Environment exceeds the average consumption of fish products per inhabitant and year in Spanish households. In 2016, it was 25.49 kilos for the whole year in our homes, taking into account all categories of products. In the case of fresh fish the average was 11.54 kilos. We are therefore authorizing to buy almost three times the fresh product consumed by an average Spanish (one of the countries with a higher consumption in the EU) without being an authorized buyer.

Without a doubt, 30 kilos of purchase will not be destined for private consumption and we do not know very well how to control that these quantities are not exceeded.

The Control Regulations allow vessels to sell directly to consumers almost three times the average annual consumption per person of fresh fish in Spain without any document supporting the obligatory information to the final consumer, in case the value is less than 50 € and even if this amount is not reached in value, up to 30 kilos without delivery of a note of sale, considering as self-consumption a figure well above the average consumption of one Spanish per year, 25.49 kilos , and a figure that multiplies by 13 the average weight of purchase per consumer in fishmongers. (1,9 kilos)

It will not be possible to ensure the weighing of all fishery products if the sales are taking place in a step prior to its entry into auction or authorized establishments. We are talking about important volumes of fresh fish without control.

The Common Fisheries Policy aims to manage European fleets and conserve fish stocks. The new Common Fisheries Policy in force since January 1, 2014, sets among other objectives the gradual prohibition of discards, unwanted catches returned to the sea, usually because of their small size or because they are other species, represent a quarter of total catches in the European Union. In order to put an end to this practice, the new CFP will require vessels to report at least 93% of catches in 2015 and 2016 and 95% from 2019. It is contradictory to facilitate commercial operations of products without having been declared and without any control over the minimum sizes.

The Fisheries Control Regulations are being reviewed, that's why FEDEPESCA will work to ensure that the articles that go against the fisheries control pursued by these Regulations are modified. It is inadmissible to buy an amount of 30 kilos without being authorized buyers and also it is inadmissible to exonerate some operators and not to exonerate others of fulfill their obligations of traceability.