



Ministry of Enterprise and Innovation
Department for Business, Competition and
Agriculture, Division for Fisheries, Game
Management and Reindeer Husbandry

Member States consultation on Articles 57, 69 and 70 of the EU fisheries control system, written comments from Sweden

1. Common marketing standards (Article 57)

Sweden agrees with the European Commission that Article 57 of regulation (EU) no 1224/2009 needs to be clarified and aligned with regulation (EU) no 1379/2013. However, Sweden suggest a different wording in Articles 57.1 and 57.2.

Article 57.1

European Commission draft proposal:

"1. Member States shall carry out checks to ensure that the products to which common marketing standards apply are displayed for first sale, offered for first sale, imported, sold or otherwise marketed only if they comply with these standards.
~~Member States shall undertake checks to ensure compliance.~~"

Sweden's response: today marketing standards apply to imported, as well as domestic products and as we see it, they should also be checked when displayed or offered for first sale. Thus, the wording "imported" could be deleted without changing the meaning of the article. However, if it is considered necessary to clarify that marketing standards apply to imported products we propose the following:

"Member States shall *carry out checks* to ensure that the products to which common marketing standards apply are displayed for first sale, offered for first sale, *imported*, sold or otherwise marketed only if they comply with these

standards. ~~Member States shall undertake checks to ensure compliance.~~

Article 57.2

European Commission draft proposal:

~~“2. The Checks may take place at all marketing stages and during transport. In the case of products to which common marketing standards apply only at first sale level, checks carried out at further marketing stages can be of a documentary nature.~~

~~2. Products withdrawn from the market in accordance with Regulation (EC) No 104/2000 shall respect common marketing standards, in particular freshness categories.”~~

The purpose of the marketing standards is to facilitate marketing based on fair competition by determining and indicating uniform trade characteristics that ensures that buyers and sellers have access to equivalent information about the products.

Marketing standards shall be controlled at all stages. However, when products have been processed it might be difficult to control standards after first sale. Therefore, we propose that when standards are not relevant after first sale subsequent checks of documents shall not be compulsory. Sweden is therefore of the opinion that the amended last sentence of point 57.2 should be deleted and we propose the following:

~~“The Checks may take place at all marketing stages and during transport. ***In the case of products to which common marketing standards apply only at first sale level, checks carried out at further marketing stages can be of a documentary nature.***”~~

Article 57.3

European Commission draft proposal:

~~“Operators at all stages of the supply chain responsible for purchasing, selling, importing, stocking or transporting lots of fisheryies and aquaculture products shall be able to prove that the products comply with the minimum marketing standards at all stages.”~~

As mentioned in our comments on Article 57.1 we do not see the added value of the wording "imported". However, if the Commission chooses to add the wording, Sweden can accept it.

2. Monitoring of producer organisations

Article 69

The European Commission suggests deletion of that article, as it repeats what is already included in Article 18 of Regulation (EU) no 1379/2013.

Sweden's general view is that double regulation should be avoided. We could accept deletion of Article 69 but we are interested in knowing how it will be ensured that the control regulation will contain all control rules if Article 69 is deleted.

According to recital 2 of regulation (EU) no 1224/2009 the control regulation seeks to establish a Community system for control, inspection and enforcement so as to ensure compliance with the rules of the CFP, covering all aspect of this policy.

We are therefore hesitant as to how the compliance with the rules of the CFP, which the CMO is a part of, will be effectively secured if Article 69 is deleted. The reason for our question is that according to the CMO producer organisations are a key to achieving the objectives of the CFP and the CMO.

3. Monitoring of price and intervention arrangements

Article 70

The European Commission suggests deletion of that article, as no intervention mechanisms will be in place any longer at the time of adoption of the new Regulation.

Sweden agrees with the proposed deletion of Article 70.

