



Notification Number: 2010/691/E

Draft Royal Decree amending Royal Decree 121/2004 of 23 January on the identification of live, fresh, refrigerated and cooked fishery, aquaculture and shellfish products.

Date received : 21/10/2010
End of Standstill : Closed
Issue of comments by : France
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2010) D/52580
Directive 98/34/EC
Translation of the message 001
Notification: 2010/0691/E

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201002580.EN)

1. Structured Information Line

MSG 002 IND 2010 0691 E EN 21-10-2010 E NOTIF

2. Member State

E

3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Asuntos Generales y de Coordinación de Políticas del Tratado de Funcionamiento de la Unión Europea.

Secretaría de Estado para la Unión Europea.

Ministerio de Asuntos Exteriores y de Cooperación.

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3. Originating Department

Ministerio de Medio Ambiente, y Medio Rural y Marino
Dirección General de Ordenación Pesquera
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28071 Madrid

4. Notification Number

2010/0691/E - C10A

5. Title

Draft Royal Decree amending Royal Decree 121/2004 of 23 January on the identification of live, fresh, refrigerated and cooked fishery, aquaculture and shellfish products.

6. Products Concerned

Live, fresh, refrigerated and cooked fishery, aquaculture and shellfish products

7. Notification Under Another Act

- Directive 2000/13/EC relating to the labelling, presentation and advertising of foodstuffs

8. Main Content

Article 8 of Regulation (EC) No 2065/2001 of 22 October 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products, requires fishery products to be traceable at each stage of marketing, which can be facilitated by providing exact information on the flag under which the vessel was operating and the catch area.

Furthermore, Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, specifies that "As the world's largest market for, and importer of fishery products, the Community has a specific responsibility in making sure that fishery products imported into its territory do not originate from IUU fishing. A new regime should therefore be introduced to ensure a proper control of the supply chain for fishery products imported into the Community".

At this time, the omission of the flag under which the vessel that caught the fishery product being sold was operating may mislead consumers.

Indicating the flag under which the fishing vessel is operating improves the information for the consumer and does not contravene Community law.

This is intended to inform consumers not only of the fishing grounds where the product was caught, but also of the nationality of the fishing vessel.

9. Brief Statement of Grounds



Article 4 of Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products gives priority to the fact that the consumer should have adequate information on the product to be consumed, something which is further developed in Commission Regulation (EC) No 2065/2001 as regards informing consumers about fishery and aquaculture products.

With regards to national legislation, Royal Decree 121/2004 sets out standards for identifying live, fresh, refrigerated and cooked fishery, aquaculture and shellfish products.

In order to improve the competitiveness of producers and provide consumers with adequate information, it has been deemed necessary to strengthen the identification of fishery products by indicating the national flag under which the fishing vessel was operating.

It is probable that the fishing methods used by boats from EU Member States and the on-board conservation and handling techniques are in many cases traditional, which helps to minimise the deterioration of fishery products throughout the process, thereby improving their quality. The Community fishing fleet is subject to the EU legislation arising from the Common Fisheries Policy.

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10. Reference Documents - Basic Texts

References to basic texts: Royal Decree 121/2004 of 23 January on the identification of live, fresh, refrigerated and cooked fishery, aquaculture and shellfish products (Official State Gazette (BOE) No 31 of 5 February 2004, pages 4864-4868)

This Royal Decree has been sent to the Commission pursuant to Article 19 of Directive 2000/13/EC.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT aspect:



No - The draft will have no noticeable effect on international trade.

SPS aspect:

No - The draft will have no noticeable effect on international trade.

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Représentation Permanente du Royaume-Uni
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GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

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