



Notification Number: 2010/692/E

Draft Royal Decree amending Royal Decree 1380/2002 of 20 December on the identification of frozen and deep-frozen 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/52582
Directive 98/34/EC
Translation of the message 001
Notification: 2010/0692/E

No abre el plazo - Nezaħajuje 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: 201002582.EN)

1. Structured Information Line

MSG 002 IND 2010 0692 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

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Dirección General de Ordenación Pesquera
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28071 Madrid

4. Notification Number

2010/0692/E - C10A

5. Title

Draft Royal Decree amending Royal Decree 1380/2002 of 20 December on the identification of frozen and deep-frozen fishery, aquaculture and shellfish products.

6. Products Concerned

Frozen and deep-frozen 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

Council Regulation (EC) 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 that caught the product on sale was 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.

As a result, it has been deemed necessary to amend Royal Decree 1380/2002 in the manner detailed above.

9. Brief Statement of Grounds

Article 4 of Council Regulation (EC) 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) 2065/2001 as regards informing consumers about fishery and aquaculture 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.

The high level of training and specialisation in catching and handling fish on-board fishing vessels operating under a flag of an EU Member State results in our boats producing fishery products that are particularly appreciated by consumers.

10. Reference Documents - Basic Texts

References to basic texts: Royal Decree 1380/2002 of 20 December on the identification of frozen and deep-frozen fishery, aquaculture and shellfish products (Official State Gazette (BOE) 3 of 3 January 2003, pages 183-185)

Royal Decree 1702/2004 of 16 July amending Royal Decree 1380/2002 (Official State Gazette (BOE) 172 of 17 July 2004, pages 26112-26113)

Erratum Official State Gazette (BOE) 180 of 27 July 2004, page 27175

These texts have 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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Comisión Europea

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