

## European Association of Fish Producers Organisations

## Association Européenne des Organisations de Producteurs dans le secteur de la pêche



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### Letter by e-mail attachment to:

DG MARE Unit B3: Mr. Pawel Szatkowski ([Pawel.SZATKOWSKI@ec.europa.eu](mailto:Pawel.SZATKOWSKI@ec.europa.eu))

### CC:

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EAPO23-40

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### **Subject: EU autonomous tariff quotas for certain fishery products for the period 2024-2025**

Dear Mr. Szatkowski,

I am contacting you on behalf of the European Association of fish Producers Organisations, following the Commission's letter to Member States, the Market Advisory Council and stakeholder representatives to ask for their position on the EU autonomous tariff quotas for certain fishery products for the period 2024-2025.

This letter invited them to provide suggestions and proposals on the changing of the current tariff quotas (in terms of quota volume, level of duty, conditionality, etc.), which should be properly justified and documented. EAPO as a Producer Organisations representative has been providing relevant data and views at every Commission preparation of an autonomous tariff quotas proposal to the Council in the past and herewith takes the initiative to provide input, albeit not having been invited to do so contrary to other stakeholders.

EAPO wishes to reiterate that a tariff-free environment should be accompanied by an emphasis on maximizing internal procurement to achieve a balance between imports **and EU production in order to avoid harming EU production capacities**. Three reasons come to mind as to why internal procurement should be maximized:

- To begin with, a tariff-free environment leads to a greater reliance on imports within the EU. Certain species such as cod, herring, and haddock that receive tariff benefits are obtained from nations with whom the EU negotiates quota distribution. This dependency on imported goods results in an uneven bargaining position during negotiations, as the Commission is reluctant to restrict access to the EU market due to the impacts on the processing sector. Consequently, we are left with unilateral TACs set above MSY that are imported without any duty fees.
- Furthermore, the European fishing industry is currently experiencing challenging times due to various factors, such as the ongoing impact of Covid, Brexit, and the recent fuel crisis. Additionally, the sector must shift away from relying on fossil fuels and focus on promoting generational renewal. Addressing the repercussions of these recent crises and supporting the industry in meeting future challenges cannot be hindered by unfair competition from tariff-free products.
- Last, promoting the sustainability of food products is a crucial aspect of the new Farm to Fork Strategy under the Green Deal. Many requirements and initiatives are being introduced in the EU which will increase the costs of fishing without these requirements being applied to imported fish. The competitive position of the EU's own producers is thus undermined. Imports from third countries that benefit from ATQs not only generate greenhouse gas emissions during transportation but may also not adhere to the same rigorous social and environmental sustainability standards as local EU products. Additionally, ATQs should consider the disparities between EU fishers who operate within one of the world's most regulated fisheries, boosting high socio-economic and environmental standards, and those in third countries. This is a critical point to ensure fair competition and a truly level playing field.

Prioritising the European fishing sector in Autonomous Tariff Quotas discussions will strengthen the sector's economic resilience. The recent crises have shown the need to have a profitable fishing sector for it to transition away from fossil fuels and to build new vessels. Ensuring that the right price is paid for European fish products and that imported fish products are not unfair competition is essential for European seafood security.

It is EAPO's view that EU regulation 2020/1706 - *Opening and management of autonomous Union tariff quotas for certain fishery products for the 2021-2023 period* - worsened the situation. It increased ATQs tonnages and introduced new ATQs that are of direct competition for EU products.

Among the 2021-2023 ATQs, the following comes to the attention of EAPO:

- **A flat fish ATQ** (frozen for processing) of **7 500t** is added to the 10 000t of frozen fillet already on the proposal. The majority of the flatfish stocks targeted by the EU fishing fleet are in a sustainable state and such EU production should be prioritised over imports.
- **For Alaska pollack**, with an ATQ of **340 000 tonnes** (instead of 250 000 proposed by EAPO), there is the risk that this product is used as substitute for EU products.
- **For tuna loins** the ATQ is **35 000t** (instead of 0 proposed by EAPO) while there is no shortage of this product caught by the EU fleet.
- **For shrimps and prawns** (*Pleoticus muelleri*) there is an ATQ of **8000t** (instead of 0 proposed by EAPO), while the EU market situation is in a depressed state.
- **For hake and north pacific hake** the ATQ should not be kept at the current level as it is already hampering EU producers marketing opportunities.
- **For cod** European fishers are landing important amounts which should be prioritized over imports.

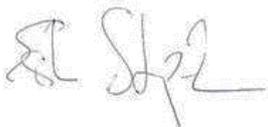
- **For haddock**, since 2021, duties have been set to 0 %, in order not to compete with European haddock, EAPO recommends setting tariffs back to 2.6%
- EU fished **dogfish** (*Squalus acanthias*) already faces low prices, and the quantities of unsold catches is rising, there is no reason for importing additional dogfish from outside the EU.
- **Herring spiced and/or vinegar cured or in brine, for processing**: EAPO is of the opinion that these quotas should be reduced and replaced progressively by quotas that will stimulate landings of herring in EU ports, even by third country flag vessels, instead of importing semi-processed herring under autonomous tariff quotas. This would help the EU to keep and build up its own fishing ports and processing capacity. A maintained or expanded landing and processing capacity is crucial to guarantee the EU food security, an issue that has drawn attention and gained great political importance because of the Corona crises and the war in Ukraine.

EAPO recommends that for the period 2024-2025, reductions should be applied when the imported products risk harming EU producers marketing opportunities (either because they are similar products or products used as alternatives).

Recapitulating, EAPO understands the need for the processing industry to have tariff-free environments. Taking into account that imports also play a role in the good functioning of the EU fishing ports and services, ATQs are indeed important for a healthy processing industry in the EU and to assist in meeting the demand for seafood products in Europe. But at all times self-supply through EU's own production must be prioritised and it should be considered to take them into account in the negotiations with third countries when aiming at optimum production possibilities for EU fisheries.

EAPO stands ready to meet and further elaborate its position at a day and time of your choosing.

Best regards,



Esben Sverdrup-Jensen

President

*P.S. In annex, EAPO input suggestions on ATQs in relation with the annual amount for the period 2021-2023, in preparation of EU autonomous tariff quotas for certain fishery products for the period 2024-2025*

**Annex 1: EAPO input suggestion on ATQ in relation with the annual amount for the period 2021-2023, in preparation of EU autonomous tariff quotas for certain fishery products for the period 2024-2025<sup>1</sup>**

Order No	CN code	TARIC code	Description	Annual amount of quota (t) 2021-2023	Quota duty	Quota period	Import 2022	Import 2021	EAPO input	
							Amount (tonnes & percentage)	Amount (tonnes & percentage)	Quota recommendation for period 2024-2025	Reasoning / comments
92.759	ex 0302 51 10	20	Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> ) and fish of the species <i>Boreogadus saida</i> , excluding livers and roes, fresh, chilled or frozen, for processing	110 000	0%	1.1.2021–31.12.2023	69 158 (63%)	74 273 (68%)	80 000 tonnes	Underutilisation (less than 80% of ATQs used in 2021-2022) & European vessels fish Cod and should be prioritized
	ex 0302 51 90	10								
	ex 0302 59 10	10								
	ex 0303 63 10	10								
	ex 0303 63 30	10								
	ex 0303 63 90	10								
92.760	ex 0303 66 11	10	Hake ( <i>Merluccius</i> spp. excluding <i>Merluccius merluccius</i> , <i>Urophycis</i> spp.), and pink cusk-eel ( <i>Genypterus blacodes</i> and <i>Genypterus capensis</i> ), frozen, for processing	10 000	0%	1.1.2021–31.12.2023	3 385 (34%)	3 927 (39%)	4 000 tonnes	Underutilisation of ATQs (less than 39% in 2021, and 34% in 2022) and because marketing opportunities for EU producers should not be hampered by alternatives such as this one.
	ex 0303 66 12	10								
	ex 0303 66 13	10								
	ex 0303 66 19	11								
		91								
	ex 0303 89 70	10								
92.774	ex 0304 74 15	10	North Pacific hake ( <i>Merluccius productus</i> ) and Argentine hake (Southwest Atlantic hake) ( <i>Merluccius hubbsi</i> ), frozen fillets and other meat, for processing	40 000	0%	1.1.2021–31.12.2023	35 507 (89%)	36 562 (91%)	37 000 tonnes	Marketing opportunities for EU producers should not be hampered by alternatives such as this one.
	ex 0304 74 19	10								
	ex 0304 95 50	10								
		20								

<sup>1</sup> Data used in the annex is data from the Commission, downloadable by clicking on this link.

92.776	ex 0304 71 10	10	Cod ( <i>Gadus morhua</i> , <i>Gadus macrocephalus</i> ), frozen fillets and frozen meat, for processing	50 000	0%	1.1.2021– 31.12.2023	24 733 (49%)	25 720 (51%)	26 000 tonnes	Underutilisation of ATQs (around 50% in 2021 & 2022) and because marketing opportunities for EU producers should not be hampered by alternatives such as this one.
	ex 0304 71 90	10								
	ex 0304 95 21	10								
	ex 0304 95 25	10								
92.777	ex 0303 67 00	10	Alaska pollack ( <i>Theragra chalcogramma</i> ), frozen, frozen fillets and other frozen meat, for processing	340 000 320 0	0%	1.1.2021– 31.12.2023	267 973 (79%)	263 607 (78%)	250 000 tonnes	Underutilisation (around 80% in 2021 & 2022) and because used as substitute for EU products.
	ex 0304 75 00	10								
	ex 0304 94 90	10								
92.778	ex 0304 83 90	21	Flatfish, frozen fillets and other fish meat ( <i>Limanda aspera</i> , <i>Lepidopsetta bilineata</i> , <i>Pleuronectes quadrituberculatus</i> , <i>Limanda ferruginea</i> , <i>Lepidopsetta polyxystra</i> ), for processing	10 000	0%	1.1.2021– 31.12.2023	10 000 (100%)	10 000 (100%)	0 tonne	No shortage of raw EU material. Plaice, stock in the North Sea is categorized to be in a very good state. TAC increases are restricted to consider the risk of overproduction. Tariff free imports of substitute products for this and other flatfish species are therefore counterproductive to the EU objectives.
	ex 0304 99 99	65								
92.790	ex 1604 14 26	10	Fillets known as 'loins' of tunas and skipjack, for processing	35 000	0%	1.1.2021– 31.12.2023	35 000 (100%)	35 000 (100%)	0 tonne	This benefits to countries such as Thailand, China, Indonesia and Vietnam, criticised for their level of standards regarding sustainability of the resource. There is no shortage of such products caught by the EU fleet and therefore no reason to import 20% of tuna loins through such scheme. Moreover, such imports translate in job losses in the canning industry (cleaning and gutting).
	ex 1604 14 36	10								
	ex 1604 14 46	11								
		21								
		92								
		94								

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92.826	ex 0306 17 99	10	Shrimps and prawns of the species <i>Pleoticus muelleri</i> , whether in shell or not, fresh, chilled or frozen, for processing	8 000	0%	1.1.2021–31.12.2023	8 000 (100%)	8000 (100%)	0	EU market is depressed, and import should not replace EU production
	ex 0306 36 90	20								
92.2823	ex 0303 81 15 ex 0304 88 11 ex 0304 96 10	10 10 10	Piked dogfish ( <i>Squalus acanthias</i> ), whole, fillet and other fish meat, frozen, for processing	2 000	0%	1.1.2021–31.12.2023	0 (0%)	0 (0%)	0	The EU fished dogfish already faces low prices, and the quantities of unsold catches is rising, there is no reason for importing additional dogfish from outside the EU
92.503	ex 0303 39 85	80	Flatfish ( <i>Limanda aspera</i> , <i>Lepidopsetta bilineata</i> , <i>Pleuronectes quadrituberculatus</i> , <i>Limanda ferruginea</i> , <i>Lepidopsetta polyxystra</i> ), frozen, for processing	7 500	0%	1.1.2021–31.12.2023	5 231 (70%)	715 (10%)	0	No shortage of raw EU material. Plaice, stock in the North Sea is categorized to be in a very good state. TAC increases are restricted to take into account the risk of overproduction. Tariff free imports of substitute products for this and other flatfish species are therefore counterproductive to the EU objectives.
92.792	ex 1604 12 99	16	Herrings, spiced and/or vinegar-cured, in brine, preserved in barrels of at least 70 kg net drained weight, for processing	5 000	10 %	1.1.2021–31.12.2023	0 (0%)	25 (1%)	0	We are of the opinion that these quotas should be reduced and replaced progressively by quotas that will stimulate landings of herring by third countries in EU ports instead of importing semi-processed herring under autonomous tariff quotas.