

FISHERIES SERVICES

FRANCE

In order to provide more detailed responses, the table below, provided by the French authorities, is based on the same categories of services as those used in Annex I of AGF/FI(2006)22. The table gives details of service provision by both the public and private sectors, giving the names of the authorities concerned or examples of private-sector providers.

1. Please provide information on the extent to which services to the fishing industry are provided by the public or private sector. If the service is provided by public authorities, please state whether there is a cost recovery scheme in place, or how the service is paid for.

Some 80% of fisheries services are provided by the public sector. Funding comes from three sources, namely the national budget, Community funds and a tax levied on the industry and allocated to the inter-professional body OFIMER (*Office interprofessionnel des produits de la mer et de l'aquaculture*). With regard to the national budget, the most relevant programmes are those of the Ministry of Agriculture and Fisheries, the Ministry of Transport, Infrastructure, Tourism and the Sea, the Ministry of Ecology and Sustainable Development, and the Ministry of Economic Affairs, Finance and Industry.

The Community funds used for fisheries services are:

- The EFF (European Fisheries Fund) which replaced the FIFG on 1 January 2007,
- Community funds for fisheries control,
- The EAGF (European Agricultural Guarantee Fund), in particular market support for fisheries products and products from the outermost regions of the EU.

As requested by the Secretariat, the French authorities have selected some typical services to illustrate their responses to the questionnaire, namely research services, veterinary services and control/ inspection services.

2. Is the provision of services regulated? If the provision of the service is restricted – on what grounds? (e.g. environment, management, conservation, security). Are regulations and restrictions published? Are domestic and foreign users treated equally?

The fisheries research services provided by the statutory body known as IFREMER (*Institut français de recherche pour l'exploitation de la mer*) are regulated to ensure sustainable marine harvesting.

Decree No 84-428 of 5 June 1984, for instance, lays down IFREMER's mandate, which is to "conduct and promote basic and applied research, expertise-related initiatives and initiatives based on technological and industrial development with a view to:

1. Understanding, assessing and developing ocean resources and fostering their sustainable development;
2. Improving methods of surveillance, forecasting, protection and development in respect of the marine and coastal environment;

3. Promoting the social and economic development of the marine environment”.

There is no difference in the treatment of domestic and foreign users. In fact IFREMER has authority “to collect, publish and develop national and international data”, to “participate in European research, particularly the programmes of the European Community, and in the work of international R&D institutions focusing on the marine and coastal environment and resources” and “to sign international co-operation agreements to promote development with other bodies carrying out similar work”.

IFREMER’s research work may, in some fields such as development, be supplemented with the work of private service-providers and their technical centres such as CEVPM (*Centre d’expérimentation et de valorisation des produits de la mer*) or ID MER (*Institut technique de développement des produits de la mer*). We should point out that these centres, established as non-profit making associations (under the 1901 Act) receive substantial funds from central and local government to help with their operating budgets.

French veterinary service provision is based on Community regulations. In force since 1 January 2006, the regulations are predicated on the notion of “food safety” and underpin a traceability policy that had already undergone substantial improvements following the feed-related crises in the food sector (Bovine Spongiform Encephalopathy in 1996 and dioxins in poultry in 1999). Products are monitored and inspected right down through the food chain “from net to plate” and consumers must be informed of their status and origin. The new regulations denote a shift in monitoring towards second-level control in an industry fully aware of its responsibility to provide quality produce.

The main regulatory instruments are as follows:

- **Regulation (EC) No 178/2002** of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;
- **Regulation (EC) No 852/2004** of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs;
- **Regulation (EC) No 853/2004** of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin;
- **Regulation (EC) No 854/2004** of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption;
- **Regulation (EC) No 882/2004** of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;
- **Commission Regulation (EC) No 2074/2005** of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulations (EC) No 854/2004 of the European Parliament and of the Council and (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004;

- **Commission Regulation (EC) No 2076/2005** of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, 854/2004 and 882/2004 and amending Regulations (EC) No 853/2004 and 854/2004.

As these Community regulations are of immediate and direct effect, France is currently “tidying up” its domestic regulations to incorporate the new provisions and ensure that the rules applicable in France comply with EU requirements and are in no way redundant or in conflict with them.

With regard to the treatment of foreign users, the measures mentioned above apply to all concerned throughout the country and are supplemented, with regard to imported products, by Article 11 of Regulation (EC) No 178-2002 (see above) which provides that “food and feed imported into the Community for placing on the market within the Community shall comply with the relevant requirements of food law or conditions recognised by the Community to be at least equivalent thereto or, where a specific agreement exists between the Community and the exporting country, with requirements contained therein.”

The control and inspection procedures adopted by France are measures that implement the following conventions and similar instruments:

- United Nations Convention on the Law of the Sea (UNCLOS) ;
- Treaties instituting the European Communities and the European Union, in particular as part of the Common Fisheries Policy;
- The recommendations made by Regional Fisheries Organisations;
- Domestic arrangements.

3. Is the service provided as a regulatory obligation?

IFREMER’s mandate for research is laid down in the abovementioned decree, and is therefore a regulatory obligation. As a statutory body, IFREMER is, for instance, obliged to make its research findings available to the public.

The mandate of the veterinary services stems from the abovementioned regulatory obligations, including Regulations (EC) No 882/2004 and 854/2004.

Implementation of the control system applicable to the Common Fisheries Policy is an absolute obligation on Member States under the following Community instruments:

- **Council Regulation (EC) No 2371/2002** of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, in particular Articles 1 and 22;
- **Council Regulation (EC) No 2847/1993** of 12 October 1993, as amended, establishing a control system applicable to the Common Fisheries Policy.

ANNEX

Examples of Services Provided to the Fisheries Value Chain

Value chain element	Services provided by (fisheries) administrations		Relevant Administration	Privately provided services		Examples
1. Services provided to all value chain elements	Infrastructure	x	- Ministry of Transport, Infrastructure, Tourism and the Sea	Infrastructure	No	
	Research	x	- IFREMER	Research	x	Technical centres
	Veterinary services	x	- Ministry of Agriculture and Fisheries, Directorate-General for Food	Veterinary services	No	
	Re-training	x	- Ministry of Agriculture and Fisheries, - Ministry of Transport, Infrastructure, Tourism and the Sea	Re-training/re-skilling	No	
	Export promotion	x	- Ministry of Agriculture and Fisheries - OFIMER - Ministry of Economic Affairs, Finance and Industry (worldwide embassy network of "missions économiques") - UBIFRANCE	Data provision	No	
	Storage facilities	No		Storage	x	Enterprises
	Transportation	x	- Ministry of Transport, Infrastructure, Tourism and the Sea	Transportation	x	Transport enterprises
				Fuel services	x	Fuel distributors
				Repair	x	Shipyards
				Data collection	No	
				Lobbying	x	Trade representatives, producer organisations

2. Harvesting	Auctions	No		Auctions	x	Fish markets
	Rescue at sea	x	- Prime Minister, <i>Préfets maritimes</i> - Ministry of Transport, Infrastructure, Tourism and the Sea, CROSS (regional rescue services)	Rescue at sea	No	
	Research	x	- IFREMER	Research	No	
	Training	x	-Ministry of Agriculture and Fisheries, Directorate for Sea Fisheries and Aquaculture, - Ministry of Transport, Infrastructure, Tourism and the Sea, Directorate for Maritime Affairs	Training	x	Training centres
	Harbour and port services	x	- Chambers of Commerce and Industry	Harbour and port services	No	
	TAC and quota administration	x	- Ministry of Agriculture and Fisheries, Directorate for Sea Fisheries and Aquaculture	TAC and quota administration	x	Producer organisations
	Medical assistance	x	- Ministry of Transport, Infrastructure, Tourism and the Sea	Medical assistance	No	
	Port access	x	- Ministry of Transport, Infrastructure, Tourism and the Sea	Data provision	x	Fish markets
	Enforcement	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries and Aquaculture, Directorate-General for Food, - <u>Ministry of Transport, Infrastructure, Tourism and the Sea</u> , Directorate for Maritime Affairs, - <u>Ministry of Defence</u> , Navy Staff Headquarter, Directorate-General for the	Financial management	x	Enterprises

			<i>Gendarmerie nationale</i> , - <u>Ministry of Economic Affairs, Finance and Industry</u> , Directorate-general for Customs and Excise, Directorate-General for Competition, Consumer Affairs and Product Safety/Quality			
	Satellite monitoring	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries and Aquaculture - <u>Ministry of Transport, Infrastructure, Tourism and the Sea</u> , Directorate for Maritime Affairs	Risk management	x	<i>Institut maritime de prevention (IMP)</i>
	Data collection	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries and Aquaculture - OFIMER - <u>Ministry of Transport, Infrastructure, Tourism and the Sea</u> , Directorate for Maritime Affairs	Certification of stocks	No	
	Observer programmes	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries and Aquaculture	Boat repair services	x	Shipyards
	Surveillance	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries and Aquaculture - <u>Ministry of Transport, Infrastructure, Tourism and the Sea</u> , Directorate for Maritime Affairs	Repair of equipment	x	Shipyards
	Licences	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries and Aquaculture	Bunkering	No	
	Re-training/re-skilling	x	- <u>Ministry of Agriculture and Fisheries</u> , Directorate for Sea Fisheries, - <u>Ministry of Transport, Infrastructure, Tourism and the Sea</u>	Weighing of fish	x	Fish markets
				Traffic control	No	

3. Aquaculture	Veterinary services	x	- Ministry of Agriculture and Fisheries, Directorate-General for Food	Veterinary services	No	
	Research	x	- IFREMER	Research	No	
	Quotas for fish used in fishmeal		Not applicable	Farm management	x	Enterprises
	Environmental Impact Assessment	x	- Ministry of Ecology and Sustainable Development - Ministry of Agriculture and Fisheries-Directorate for Sea Fisheries and Aquaculture	Infrastructure	x	Enterprises
	Site locations		- Ministry of Agriculture and Fisheries-Directorate for Sea Fisheries and Aquaculture	Cleaning	x	Enterprises
	Legislation	x	Ministry of Ecology and Sustainable Development - Ministry of Agriculture and Fisheries - Directorate for Sea Fisheries and Aquaculture	Environmental monitoring	No	- Ministry of Ecology and Sustainable Development -IFREMER
	Infrastructure	No		Labour	x	
	Water regulation	x	Ministry of Ecology and Sustainable Development -Ministry of Agriculture and Fisheries - Directorate for Sea Fisheries and Aquaculture	Electricity provision	No	EDF
	Electricity provision	x	EDF (French electricity)	Fresh water provision	No	Public service delegations

4.Processing and Traders	Hygiene specifications and inspections	x	- Ministry of Agriculture and Fisheries, Directorate-General for Food	Infrastructure	x	Enterprises
	Safety specifications and inspections	x	- Ministry of Employment, Social Cohesion and Housing,	Repair	x	Enterprises
	Waste specifications and inspections	x	- Ministry of Ecology and Sustainable Development, - Ministry of Agriculture and Fisheries,	Research	x	Technical centres
	Location specifications and inspections	x	- Ministry of Employment, Social Cohesion and Housing - Ministry of Agriculture and Fisheries, Directorate-General for Food	Labour	x	
	Labour specifications and inspections	x	- Ministry of Employment, Social Cohesion and Housing	Training	x	Training enterprises
	Environmental/pollution specifications and inspections	x	- Ministry of Ecology and Sustainable Development -Ministry of Agriculture and Fisheries,	Workplace assessments	No	
	Infrastructure	No		Water	No	
	Electricity and water	x	Public service delegations	Electricity	No	
				Storage	x	
				Cleaning	x	
				Freezing	x	
				Waste inspection	No	
				Safety inspection	No	
				Hygiene inspection	No	
				Labour inspection	No	
5. Distribution	Infrastructure services	No		Storage facilities	x	
	Public transportation facilities (train)	x	SNCF (French railways)	Transportation	x	
	Pollution specifications	x	Ministry of Ecology and Sustainable Development	Fuel services	x	
	Noise requirements	x	Ministry of Ecology and Sustainable Development,			

6. Retailers and Consumers	Guidelines for voluntary eco-labelling standards		- Not applicable as yet -	Eco-labelling standards	x	-private enterprises
	Enforcement/administration of official eco-label standards		- Not applicable as yet -	Monitoring of eco-label standards		-private enterprises
	Rules on packaging and waste	x	- Ministry of Economic Affairs, Finance and Industry, Directorate-General for Competition, Consumer Affairs and Product Safety/Quality - Ministry of Agriculture and Fisheries	Infrastructure	x	
	Workplace standards	x	- Ministry of Employment, Social Cohesion and Housing	Advertising	x	
	Industry statistics	x	- OFIMER	Marketing	x	
	Competition regulations	x	- Ministry of Economic Affairs, Finance and Industry, Directorate-General for Competition, Consumer Affairs and Product Safety/Quality	Training	x	
	Consumer information	x	- Ministry of Economic Affairs, Finance and Industry, Directorate-General for Competition, Consumer Affairs and Product Safety/Quality	Representation/lobbying	x	Trade organisations, trade unions
	Defence of consumer interests	x	- Ministry of Economic Affairs, Finance and Industry, Directorate-General for Competition, Consumer Affairs and Product Safety/Quality	Risk management	No	
				Certification bodies	x	E.g.: Bureau Veritas
				Labour	x	