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E-004691/2025

Answer given by Mr Kadis
on behalf of the European Commission
(13.1.2026)

Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products¹ ('fisheries CMO Regulation') already provides for an exclusion from the application of competition rules (i.e. from Art. 101 of the Treaty on the Functioning of the European Union (TFEU)) for producer organisations (POs) under certain conditions in its Art. 41(1). This exclusion covers some of the situations included in Art. 21(a) of Regulation (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products² ('agriculture CMO Regulation') concerning environmental sustainability. However, there are differences. Art. 41(1) of the fisheries CMO Regulation requires that agreements do not imply any obligation to charge identical prices and covers only 'horizontal' agreements adopted within a PO by its members; the agriculture CMO Regulation allows agreements on prices and with other operators in the supply chain if they are indispensable to achieve the sustainability standards. Also, Art. 41(1) of the fisheries CMO Regulation only concerns the objectives set out in Art. 39 TFEU, whereas Art. 210a of the agriculture CMO Regulation considers a wider array of sustainability objectives (e.g. climate change).

As part of the ongoing evaluation of the Common Fisheries Policy (CFP) Regulation, the Commission is assessing market provisions to identify areas for improvement, including on the functioning of POs. A recent dedicated study³ will inform this evaluation. It examined, *inter alia*, the implementation of existing rules on POs. While the outcome of the evaluation cannot be prejudged, the Commission remains committed to ensuring that the legal framework is fit for purpose, including helping the sector to engage fully in sustainability-oriented initiatives.

¹ <https://eur-lex.europa.eu/eli/reg/2013/1379/oj/eng>.

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02013R1308-20241108>.

³ <https://op.europa.eu/en/publication-detail/-/publication/b8deded9-a010-11f0-97c8-01aa75ed71a1>.