



COMMISSION OF THE EUROPEAN COMMUNITIES

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COM(95) 394 final

95/0231 (CNS)

Proposal for a  
COUNCIL REGULATION (EC)  
**on the submission by Member States of statistics on  
aquaculture production.**

(presented by the Commission)



## EXPLANATORY MEMORANDUM

Aquaculture is a fast developing sector of the fishing industry that requires particular attention for a variety of reasons:

- a) it provides the possibility of alternative employment in regions of the EU where restructuring of the fishing industry could have severe social consequences,
- b) under-developed regions of the EU often offer the best potential for the development of aquaculture,
- c) aquaculture makes a major contribution to the total production of certain fish species. (for example, 97% of marketed salmon are produced by aquaculture enterprises),
- d) many aquaculture enterprises employ intensive culture techniques which involve considerable investment for which support is sought from central authorities,
- e) the production and trade in aquacultural products has to be monitored in order to maintain equitable marketing conditions,
- f) aquaculture is very demanding in its environmental requirements and may conflict with other uses of aquatic resources,
- g) the intensive rearing of endemic species and the introduction of exotic species may have adverse effects on native wild stocks (due to the introduction of parasites and diseases, the effect of escapees on the biotope, and competition for food and breeding sites with native stocks).

The interest in aquaculture has generated a strong demand for statistics. This demand has been recognised at the national level in many countries and internationally by such organisations as FAO. The EU has a particular requirement for statistics for the implementation of the structural element of the Common Fisheries Policy.

Discussions at the technical level with the national fishery statisticians in the Working Group "Fishery Statistics" have demonstrated an interest in some Member States in developing the statistics in this sector. However, because aquaculture is a relatively new development in most Member States, few national authorities have established routine surveys to collect statistics on aquaculture production. Agreement of the technical aspects of the current proposal (which is based on a subset of the data requested in FAO's questionnaire on the subject) was achieved by permitting the national authorities to employ sample surveys and other estimation techniques and by the inclusion of a transitional period and the possibility of derogations. Most Member States already have available the data requested in the current proposal for EU legislation. The major aim of the proposed legislation is to formalise the submission of the data to the Commission using harmonised definitions.

The volume of data is such that there will be no budgetary implications for the Commission's services. National authorities already compile such data for national purposes or to meet international obligations (eg submission of data to FAO) and thus the current proposal will not have budgetary consequences for these services.

The proposed legislation does not require the national authorities to conduct additional surveys of aquacultural enterprises and thus it will have no effect on competitiveness nor on employment.

## ANNEX

### **Subsidiarity**

While the Commission stresses that the availability of data on the production of aquacultural products in a harmonised form is essential for the development and administration of measures for the aquacultural sector at the level of the EU, it recognises that the collection of the statistics and the necessary infra-structure to process and monitor the reliability of these statistics is first and foremost the responsibility of the Member States. The coordination of the work of the national statistical services will require close collaboration between the Commission and the Member States and it is foreseen that the Standing Committee for Agricultural Statistics should be the forum for such collaboration.

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**THE COUNCIL OF THE EUROPEAN UNION**

Having regard to the Treaty establishing the European Community, and, in particular, Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas aquaculture is a rapidly developing sector of the fishing industry with a potential for supplementing the limited supplies from traditional capture fisheries,

Whereas the production from aquaculture has to be monitored and, where necessary, controlled so as to ensure satisfactory marketing conditions,

Whereas the impact of aquaculture on regional development and on the environment results in an increasing demand for statistics to monitor the development of this sector,

Whereas the implementation of the Community's structural policy for fisheries also requires statistics on the production in the aquacultural sector,

Whereas the objectives of the proposed action can only be achieved on the basis of a Community legal act which will permit the Commission to coordinate the necessary harmonisation of the statistical information at Community level while the collection of aquaculture production statistics and the necessary infra-structure to process and monitor the reliability of these statistics is first and foremost the responsibility of the Member States,

Whereas the specific method of drawing up the relevant community statistics on aquaculture production, which is based on the national statistical systems, requires particularly close cooperation between the Commission and the Member States, in particular within the Standing Committee for Agricultural Statistics set up in Decision 72/279/EEC<sup>1)</sup>.

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1) OJ No. L 179, 7.8.1972, p. 1.

HAS ADOPTED THIS REGULATION

*Article 1*

**General provision**

Each Member State shall submit annually to the Commission statistics on the aquaculture production in all waters of that Member State.

*Article 2*

**Submission of data**

Member States shall forward the data referred to in Article 1, in the form described in Annex 1 to this legal act within nine months of the end of the calendar year to which they refer. This obligation includes data declared confidential by the Member States pursuant to domestic legislation or practice concerning statistical confidentiality, in accordance with the provisions of Council Regulation (Euratom, EEC) no. 1588/90<sup>2)</sup> on the transmission of data subject to statistical confidentiality to the Commission (Eurostat<sup>3)</sup>).

The data may be submitted on magnetic medium, the format of such submissions being agreed between the Member State and the Commission (Eurostat).

*Article 3*

**Definitions**

The definitions to be used in submission of the data are shown in Annex 2. Where national practices or administrative procedures do not permit the strict application of these definitions the Member State shall inform the Commission (Eurostat) of the definitions in use.

*Article 4*

**Data compilation**

The Member State may use sample surveys or other relevant sources to produce data on the major components of the aquaculture production: the remaining components may be estimated.

A Member State having a total annual production of less than 1000 tonnes may submit estimates for the total production.

The Member State shall individually identify the species listed in Annex 3. However, the production of species not exceeding 1000 tonnes in weight and not contributing individually more than 10% by weight to the total production may be estimated and aggregated.

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2) OJ No. L 151, 15.6.1990, p.1

3) Statistical Office of the European Communities

## **Article 5**

### **Transitional period and derogations**

1. If a Member State is not able to meet the requirements of this Regulation, the Commission may fix a transitional period up to maximum of three years from the date of entry into force of this Regulation, during which the full implementation of the Regulation is to be achieved. During this transitional period, temporary derogations exempting a Member State from provisions of this Regulation may be accorded. The Commission shall inform all Member States of the details of such derogations.
2. In cases where the inclusion of a particular sector of the aquaculture industry would cause difficulties to the national authorities incommensurate with the importance of the sector in the Member State concerned, a derogation may be granted, in accordance with the procedure laid down in Article 7, permitting that Member State to exclude data for that sector from the national data submitted.
3. The derogations granted pursuant to paragraph 2 shall be for a maximum of three years but may be extended by further three-year periods. In submitting a request for an extension, the Member State shall forward to the Commission the results of a sample survey showing the problems encountered in the application of the Regulation. The request shall then be subject to the procedure laid down in Article 7.

## **Article 6**

### **Committee**

The arrangements for implementing the present Regulation including the amendments to the format of data transmissions in Annex 1, the definitions in Annex 2 and the list of species in Annex 3 shall be laid down by the Commission following consultation of the Standing Committee for Agricultural Statistics in accordance with the procedure specified in Article 7.

## **Article 7**

### **Procedure**

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Standing Committee on Agricultural Statistics (hereinafter referred to as "the Committee"), either on his own initiative or at the request of the representative of a Member State.
2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on that draft, within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that topic. The Chairman shall not vote.



3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event:
- The Commission shall defer application of the measures which it has decided for a period to be laid down in each act adopted by the Council, but which may in no case exceed three months from the date of communication.
  - The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous indent.

*Article 8*

**Final provisions**

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Communities.

This Regulation shall apply from 1 January 1996.

It shall be binding in its entirety and directly applicable in all Member States.

**Annex 1:**

**Quantity of fish, crustaceans, molluscs and sea-weeds produced by aquaculture  
(tonnes live weight).**

Species <sup>2)</sup>	Freshwaters <sup>1)</sup>	Other waters			Total <sup>1)</sup>
		Brackish waters <sup>3)</sup>	Marine waters <sup>3)</sup>	Total <sup>1)</sup>	
Fish					
Crustaceans					
Molluscs					
Sea-weeds <sup>4)</sup>					

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- 1) Obligatory submission of data
  - 2) Subject to the provisions of Article 4, the species are to be individually identified. Annex 3 is a indicative list of species subject to aquaculture.
  - 3) Facultative submission of data
  - 4) Wet weight equivalent.

## Annex 2

### Definitions

The following definitions are those which, in principle, should be applied by Member States when implementing this regulation.

**Aquaculture** is the farming of aquatic organisms including fish, molluscs, crustaceans and aquatic plants. Farming implies some form of intervention in the rearing process to enhance production, such as regular stocking, feeding and protection from predators. Farming also implies individual or corporate ownership of the stock being cultivated. For statistical purposes, aquatic organisms which are harvested by an individual or corporate body which has owned them throughout their rearing period contribute to aquaculture, while aquatic organisms which are exploited by the public as a common property resource, with or without appropriate licences, are the harvest of fisheries.

**Freshwaters** are the waters of rivers, streams, lakes, ponds and tanks and other enclosures where the water has a constantly negligible salinity.

**Other waters** are waters where the salinity is not negligible throughout the year. The salinity may be constantly high (for example, sea water) or may be subject to periodic variation (for example, due to tidal or seasonal influences).

**Sea water** is water where the salinity is high and not subject to significant variation.

**Brackish water** is water where the salinity is appreciable but not at a constant high level. The salinity may be subject to considerable variation due to the influx of fresh or sea waters.

**Aquaculture production** is the output for final consumption and includes the production of aquatic plants for industrial purposes. Hatchery output or products which will continue to be subject to aquaculture practices are excluded. It shall be recorded in tonnes live weight equivalent for animal products and in wet weight for aquatic plants.

Annex 3

List of species for which aquaculture production data are requested

English name	Scientific name	3-alpha identifier
<b>FISH</b>		
Grass carp (White amur)	<i>Ctenopharyngodon idella</i>	FCG
Common carp	<i>Cyprinus carpio</i>	FCP
Northern pike	<i>Esox lucius</i>	FPI
Bighead carp	<i>Hypophthalmichthys nobilis</i>	BIC
Silver carp	<i>Hypophthalmichthys molitrix</i>	SVC
Freshwater fishes nei	<i>Osteichthyes</i>	FRF
Roaches	<i>Rutilus spp.</i>	FRX
Tench	<i>Tinca tinca</i>	FTE
Tilapias nei	<i>Oreochromis spp</i>	TLP
North African catfish	<i>Clarius gariepinus</i>	CLZ
Black bullhead	<i>Ictalurus melas</i>	ITM
Wels (Som) catfish	<i>Siluris glanis</i>	SOM
Sturgeons nei	<i>Acipenseridae</i>	STU
European eel	<i>Anguilla anguilla</i>	ELE
Whitefishes nei	<i>Coregonus nei</i>	WHF
Coho (=Silver salmon)	<i>Oncorhynchus kisutch</i>	COH
Rainbow trout	<i>Oncorhynchus mykiss</i>	TRR
Pacific salmon nei	<i>Oncorhynchus spp.</i>	ORC
Atlantic salmon	<i>Salmo salar</i>	SAL
Trouts nei	<i>Salmo spp.</i>	TRO
Sea trout	<i>Salmo trutta</i>	TRS
Arctic char	<i>Salvelinus alpinus</i>	ACH
Brook trout	<i>Salvelinus fontinalis</i>	SVF
Chars nei	<i>Salvelinus spp.</i>	CHR
Turbot	<i>Psetta maxima</i>	TUR

English name	Scientific name	3-alpha identifier
Common sole	<i>Solea vulgaris</i>	SOL
Atlantic cod	<i>Gadus morhua</i>	COD
Seabass	<i>Dicentrarchus labrax</i>	BSS
Porgies, seabreams nei	<i>Sparidae</i>	SBX
Gilthead seabream	<i>Sparus auratus</i>	SBG
Flathead grey mullet	<i>Mugil cephalus</i>	MUF
Mulletts nei	<i>Mugilidae</i>	MUL
Greater amberjack	<i>Seriola dumerili</i>	AMB
Northern bluefin tuna	<i>Thunnus thynnus</i>	BFT
<b>CRUSTACEA</b>		
Crayfishes	<i>Astacus spp., Cambarus spp</i>	AYS
Giant river prawn	<i>Macrobrachium rosenbergii</i>	PRF
Kuruma prawn	<i>Penaeus japonicus</i>	KUP
Red swamp crawfish	<i>Procambarus clarkii</i>	RCW
Spinous spider crab	<i>Maja squinado</i>	SCR
Palinurid spiny lobsters nei	<i>Palinurus spp.</i>	CRW
Common prawn	<i>Palaemon serratus</i>	CPR
Glant tiger prawn	<i>Penaeus monodon</i>	GIT
Signal crayfish	<i>Pacifastacus leninsculus</i>	PCL
<b>MOLLUSCS</b>		
Pacific cupped oyster	<i>Crassostrea gigas</i>	OYG
Cupped oyster	<i>Crassostrea spp.</i>	OYC
European flat oyster	<i>Ostrea edulis</i>	OYF
Blue mussel	<i>Mytilus edulis</i>	MUS
Mediterranean mussel	<i>Mytilus galloprovincialis</i>	MSM
Queen scallop	<i>Chlamys opercularis</i>	QSC
Common scallop	<i>Pecten maximus</i>	SCE
Common cockle	<i>Cardium edule</i>	COC

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English name	Scientific name	3-alpha identifier
Grooved carpet shell	<i>Ruditapes decussatus</i>	CTG
Japanese (Manilla) clam	<i>Ruditapes philippinarum</i>	CLJ
Carpet shells nei	<i>Tapes spp</i>	TPS
Venus clams	<i>Veneridae</i>	CLV
Common cuttlefish	<i>Sepia officinalis</i>	CTC
Hard clam	<i>Mercenaria mercenaria</i>	CLH
<b>SEA-WEEDS</b>		
Wakame nei	<i>Undaria spp.</i>	UDS

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