EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
The Director-General

Brussels
MARE/D3-D1/PCO-JB/Ares (2020)

MEDAC
Gian Ludovico Ceccaroni
Coordinator WG1
segreteria@med-ac.eu

Subject: MEDAC letter- Implementation of the recent EMFF amendments

Your ref.:143/2020

Dear Mr Ceccaroni,

Thank you for your letter of 18/06/2020 regarding the implementation of Regulation (EU) 2020/460 and Regulation (EU) 2020/560, adopted in order to mitigate the socio-economic impacts of the COVID-19 outbreak in the fisheries and aquaculture sectors.

Regarding the amounts recoverable from Member States for the accounts submitted in 2020, I can confirm that the Commission has not issued recovery orders for the related amounts. I can also confirm that this covers the accounts submitted by the competent national authorities by 15 February 2020 (relating to the financial period lasting from 1 July 2018 to 30 June 2019). In addition, on 30 March 2020, the Commission launched the 2020 annual pre-financing process for the EMFF in advance and paid the Member States.

These measures will help Member States accelerate investments in response to the COVID19 outbreak (in accordance with Regulation 2020/460 and the EMFF), thus easing the socio-economic burden caused by the crisis in the fisheries and aquaculture sectors.

Regarding Regulation 2020/560, let me inform you that amendments and/or additions to the Production and Marketing Plans (PMPs) or to multiannual plans for 2020 are possible and, as you rightly pointed out, even necessary to tackle the new reality and the needs of the Producer Organizations (POs).

Let me remind you also that according to article 28 of (EC) Reg. 1379/2013 on the Common Market Organization, the presentation of a PMP is an obligation for a recognized PO. In case a PO does not present a PMP, this constitutes a breach to its obligations under the CMO Regulation. The competent national authority should have checked the compliance with the above requirement. However, given the exceptional circumstances of the crisis, the Member States, after having checked the correct functioning of the PO, can accept a retroactive submission of a PMP in line with their

national procedures. At this stage, the Commissions does not intend to update its Recommendations of 3 March 2014.

In general, the EMFF shall support the preparation and implementation of PMPs in accordance with Article 66 of Regulation (EU) No 508/2014. As far as the eligibility of expenditures under the PMPs is concerned, this decision falls under the prerogatives of every national competent authority. The actions you mention in your letter seem to be relevant in order to tackle the current hygienic protocols. It is up to the national competent authority to examine them within this perspective.

For the expenditure related to the actions included in the 2020 PMPs or a multiannual PMP, in order to be supported by the EMFF, the annual report as described in Article 28(5) of Regulation (EU) No 1379/2013 should be submitted in 2021. The same process can be followed in 2021 with a submission of a new PMP including specific actions related to the mitigation of the current crisis.

Finally, the eligibility period and payments by the national authorities for this programming period ends in December 2023. Therefore, the PMPs and their annual reports approved and reimbursed by the national authorities until the end of December 2023 are eligible under the current programming period.

Let me thank you for your commitment and valuable input. Looking forward to our continued cooperation, I invite you to take contact with Ms Pascale Colson, coordinator of the ACs (Pascale.Colson@ec.europa.eu; +32 2 29 56273), should you have any question on this reply.

Yours sincerely,

Charline VITCHEVA

Electronically signed on 24/07/2020 15:31 (UTC+02) in accordance with article 4.2 (Validity of electronic documents) of Commission Decision 2004/563