

European Commission,  
Directorate-General for Competition,  
Unit H.6,  
1049 Bruxelles /Brussel,  
Belgique /België,  
Ref.: HT.5822.

Cc: [cab-sinkevicius-contact@ec.europa.eu](mailto:cab-sinkevicius-contact@ec.europa.eu) & [minister@agriculture.gov.ie](mailto:minister@agriculture.gov.ie)

10<sup>th</sup> March 2022

**RE: Public consultation on revised State aid rules for the fishery and aquaculture sector & the EMFAF 2021-2027.**

Dear Sir/Madam,

In reference to the public consultation on revised State aid rules for the fishery and aquaculture sector Ref.: HT.5822 & furthermore in reference to Regulation (EU) 2021/1139 of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund.

We make this submission on behalf of our family business Woodstown Bay Shellfish Ltd. Our family own and operate one of Europe's largest oyster farms (aquaculture) and export our products both to other European members States but also to markets in Asia.

Our family business has been devastated by the unprecedented market destruction caused by the ongoing COVID-19 pandemic. At the beginning of 2020 we exported 100% of our live oysters to China and Hong Kong, needless to say we lost 100% of our export market overnight when China banned the importation of live shellfish into its capital Beijing as a result of COVID-19 (which still remains closed today). Since the beginning of 2020 our business has been under extreme financial pressure. Just prior to COVID we invested heavily (with the assistance of the earlier EMFF 2014-2020 and through borrowing under the SBCI Future Growth loan Scheme which benefited from a guarantee from the European Union under the European Fund for Strategic Investments (EFSI). This investment was made into expanding our production capacity at our certified sustainable oyster farm on the South East Coast of Ireland in an effort to increase our value added oyster exports to Asia. Very sadly this investment was made in vain as COVID-19 market closures and logistical issues have resulted in losses of millions of Euros for our family business over the last two years of the pandemic.

We welcome the priorities of the new EMFAF 2021-2027, and more specifically its priorities in relation to ***"fostering sustainable aquaculture activities, and processing and marketing of fishery and aquaculture products, thus contributing to food security in the Union;"***. At this moment we are still going through the very real and lasting impacts of the COVID-19 pandemic, with several international



export markets still closed, logistical backlogs ongoing and now most recently with Russia's invasion of Ukraine. At crisis times like this food security within the European Union must be prioritised.


As detailed earlier we are one of the EU'S largest producers of certified sustainable award winning oysters. Which we export live (for direct human consumption) all over the world. We have experienced unprecedented losses as a direct result of the COVID-19 pandemic and currently have losses of millions of Euros which continue to mount each day. Without compensation for income foregone as a result of COVID-19 together with compensation for the additional costs associated with storing these aquatic animals for the last two years during the pandemic, together with the losses of stock as a result of this prolonged storage, family businesses like ours which have taken generations to build will be sadly lost forever.

While we welcome the specific objectives as set out in article 26 (2) of the EMFAF 2021-2027 in relation to its confirmation that supports may cover ***compensation to operators of the fishery and aquaculture sector for their income foregone or additional costs; in case of "exceptional events" causing a significant disruption of markets.*** It's imperative that the Commission establishes, by means of an implementing decision, the occurrence of an "exceptional event" in relation to the global COVID-19 pandemic. International export markets were affected since the beginning of 2020 and therefore the duration of the implementing decision in relation to COVID-19, must cover losses as a direct result of the COVID-19 pandemic since the beginning of 2020. The EU's PECH Committee on the impacts of the COVID-19 pandemic on EU fisheries and aquaculture published its report in July 2021 and highlighted inequalities in support provided to the fisheries and aquaculture sector throughout the pandemic. The report also states, ***"the impacts on those fishers and farmers that used to sell high value species such as oysters to HoReCa was extremely harsh"***. An important finding of the PECH report and one which is often overlooked states ***"while a fisher can decide to fish less when demand is low, aquaculture farmers must keep their product alive. Hence, it is believed that those farmers who could not find an alternative market for their products ended up bearing even high losses."***

As we produce certified sustainable award winning oysters, our main markets prior to COVID were within the HoReCa sector and therefore demand and sales were severely impacted as a result of COVID lockdowns. We urgently require intervention in the form of compensation for income foregone and additional costs, as a result of COVID-19 to allow aquaculture farms recover from these unprecedented losses. The operational period of the new EMFAF being over the next five years, is a crucial time to rebuild production capacity and ensure food security at these aquaculture farms within the Union. Without this intervention aquaculture production capacity will be lost, together with the loss of important environmental benefits which these shellfish farms provide, such as carbon sequestration, improved water quality, habitats for invertebrates and juvenile fish together with vital employment in small coastal communities.

We request that the Commission establishes, by means of an implementing decision, the occurrence of an "exceptional event" in relation to the global COVID-19 pandemic and urgently makes all necessary provisions and/or amendments for such compensation to be provided to aquaculture farmers from the new EMFAF 2021-2027 Regulation (EU) 2021/1139 as a matter of extreme urgency.

Yours Sincerely,



Naomi Barlow