

Minutes

Joint NWWAC/NSAC/MAC Focus Group Brown Crab

Virtual meeting via Teams

18 October 2022 | 09:00 – 10:30 IE | 10:00 – 11:30 CET

Participants

Enda Conneely	IIMRO	NWWAC
Sarah Horsfall	EMPA	MAC
Salomé Khatib	CNPMEM	NWWAC/NSAC
John Lynch	IS&EFPO	NWWAC
Mo Mathies	NWWAC Secretariat	
Geert Meun	VisNed	NWWAC/NSAC
Partick Murphy	IS&WFPO	NWWAC
Aodh O'Donnell	IFPO	NWWAC
Norah Parke	KFO	NWWAC/MAC
Pedro Reis Santos	MAC Secretariat	
Tamara Talevska	NSAC Secretariat	
Pim Visser	VisNed	MAC
Jaroslav Zielinski	Polish Fish Producers Organisation	MAC

1. Welcome and introductions

Mo Mathies welcomed all participants who introduced themselves to the group. The agenda was adopted.

2. Election of Focus Group Chair

Norah Parke was elected Chair of this Focus Group.

She explained the background and reasoning for setting up of this FG. As brown crab is a non-quota species it is difficult to introduce restrictions. Solutions need to be found quickly as more and more effort will be put into crab fishing. She felt it was important to ensure that the group had a full overview of the details of the current effort. While this had been covered before in previous FG work, she felt that this information needs to be collected more aggressively to inform the work of the FG.

Patrick Murphy agreed that when the catches go down the effort increases especially in the inshore brown crab fisheries where critical mass is reached sooner so fishers have to leave the fishery because it no longer is viable. And they cannot move grounds because the boats are only small.

Parke stated that the larger offshore boats are also affected by this especially in the North Sea where there is very little flexibility for moving to different grounds due to other activities.

Pim Visser added that it is very worrying what is happening in the North Sea and that stocks could well be over-exploited already. While there are voluntary restrictions, other boats have come in to catch as much as they can. The national authorities and the EU seem incapable to organise any management or protection of the stock. There are opportunities for coexistence with wind farms and interest exists in creating opportunities for fishing in wind farms which open opportunities for management plans in these areas. The ACs should try and stay away from the Commission intervening as far as possible.

Parke added that the offshore renewable energy could possibly be an opportunity though she was wondering just how willing the operators would be to allow fishing within these areas. Also, there might be a risk involved for fishers in those areas.

Visser stated that there is a different regime in each Member State, but in the North Sea there will be a requirement for coexistence. He felt it was necessary to have a German member in this group.

ACTION: Secretariat to follow up with Peter Breckling who had been a member of the previous joint FG.

Sarah Horsfall stated that in the UK they tried for many years to get co-location. The Government agrees with this, but they refuse to put this requirement into the licence conditions of the wind farm operators. Until this political hurdle is overcome there is no way forward in the UK.

John Lynch agreed with the previous speaker stating that this was similar to what is happening in Ireland at the moment. He felt that there may be some possibility for static gear, but developers are not very cooperative with fishers on the ground. He stated that most of their members were small seasonal operators in the brown crab fishery with some on the South coast of Ireland and some in the Irish Sea.

Aodh O'Donnell mentioned that from a management measure point of view the group should look at measures in other Member States, for example minimum size, and that no moulting and soft crab should be caught, possibly with penalties in place.

The Chair stated that enforcement of restrictions would be problematic. She also added that catching crab for whelk bait is still a problem and adds to the degradation of the stock.

Pedro Reis Santos highlighted that from the MAC point of view the main issues are routes to market, sanitary problems, trade to China and other Asian countries.

Enda Conneely felt that other jurisdiction such as the US and their approaches could be reviewed.

3. Terms of Reference

The Chair started the review of the ToR.

The NWWAC Secretariat was confirmed for facilitation of the Focus Group.

Murphy suggested to expand on the scientific knowledge of the lifecycle of the crab so that temporary measures for avoidance and minimisation could be introduced. He stated that other countries have brought in new gear technology to allow for smaller crab to escape, for example in Maine, US.

The Chair stated that this may not work as easily in Europe due to the way crab are being measured. But prevention of catching smaller crab is vital to avoid it entering the non-human consumption supply chain.

The Terms of Reference were approved.

The Chair commented that members need to contact their national scientific bodies to ask for a current status of crab stocks. She added that in Ireland a whelk bait project is currently ongoing with an update expected this week.

Horsfall explained that there are no current projects on whelk bait and added that softshell crab does not make sense to land as there is so little meat. The bait issue is thorny as when the price falls for the crab, the use as bait becomes a bigger issue. She felt some crab has to go for bait because especially in the EU there is a preference for white meat so the brown meat can be used for bait. But the UK is not looking at a ban regarding using crab as whelk bait.

Mathies mentioned a BIM project carried out in 2019 on the use of Landing Obligation material as whelk bait. She was unsure if the report on this project was publicly available.

ACTION: Mathies to contact BIM regarding this project and circulate any official documents available.

O'Donnell asked if members should send a standard letter to the national scientific institutes.

The Chair felt that members could contact their own national research institutes for an update on the stock status:

Norah Parke – Marine Institute
Salomé Khatib – IFREMER
Geert Meun – Wageningen University
Sarah Horsfall – UK
Jarek Zielidźski – Polish research institute

ACTION: Members to contact the relevant research institutes for an update on the stock status.

Salomé Khatib added that the National Crustacean Committee would meet at the end of November on crab stocks and issues such as a parasite in Brittany which is leading to a lot of fishers having to diversify, for example to catching octopus.

Parke added that it would be useful to have an update on the parasite issue.

Horsfall added that an official Government response had been received on this issue but that that is being challenged as it is felt this response was incorrect. A project is ongoing regarding limitation of fishing and better management so information on stocks should be readily available.

Geert Meun stated that an increase can be seen in the Netherlands of fishers who are trying to make a living with brown crab fishing. He had contacted Wageningen University earlier this year regarding stock information on brown crab, but no information was available at the time. He will contact Wageningen Marine again.

Parke added that the Netherlands was a huge hub for the crab supply chain, however, not very many Dutch fishers are involved directly in the fishery.

Lynch commented that the whelk bait issue has two aspects. On the one hand crab seem to be targeted for bait, but on the other hand for small inshore vessels it is a support fishery for the whelk fishery. The claws are eaten but the bodies are used then as bait, so the fisheries are mutually supportive. He agreed that it was important not to target crab at certain times of the year, for example when they are moulting. He felt that it is easier to fish for crab as it is a non-quota species and warned it was important to not increase the regulation load for smaller fishers.

The Chair wondered if it was useful to have more data regarding the various sizes of operations and if a distinction could be made regarding who can use crab for bait.

Regarding the MPAs, the Chair felt that the main issues would be in the North Sea. She stated that KFO vessels have become quite restricted in their fishery and longer travel to reach fishing grounds is involved. She added that very little access is being granted to offshore wind energy developments. She felt that more data is needed to support this fact. In relation to the reduction of emissions and the effect on the industry she was wondering if there was any information available from members. National agencies such as BIM could be asked to carry out impact assessments on effects and potential mitigation measures. On the point of DG SANTE and DG TRADE she felt there was a lack of input and was wondering who could assist.

Visser stated that through the MAC information was requested and DG SANTE has pointed specifically at the Member States. However, there should be a level playing field for fishers across the EU regarding the Cadmium levels. China seems to be altering the regulations, and this should apply to all EU fishers. Discussing this with the Dutch authorities is fraught with difficulties, and the group should focus on a level playing field for all EU fishers regardless of where they have been fished. The group would need to identify who sets this level playing field.

Horsfall stated that the UK has a lot of experience regarding export to China and authorise are meeting weekly with the Chinese counterparts. She stated that the change in China is not really a change. The previous Director has moved on and the new Director may be interpreting the rules differently. She felt that it is clear that all the brown crab coming from the EU comes from FAO 27, fished by the same vessels in the same region. It is not distinguishable from each other. And just because it is exported via Holland does not make it Dutch crab. She felt that the problem included that China has a big Cadmium problem arising from grain so their Cadmium load in the population is much higher than in the EU. The other problem is that this is being used as a political issue and has nothing to do with the fishery. She added that in regard to the EU authorities, DG SANTE has proposals for introducing levels for inorganic arsenic. From UK experience she states that all EU crab from FAO 27 would fail this. The UK has a robust testing system in place, and this could be potentially used by non-UK producers.

Reis Santos stated that the MAC discussed the export to China with DG MARE repeatedly with regard to the recognition of health certificates. DG MARE responded that this was a matter for DG SANTE who refer the matter back to the Member States. In terms of the relationship with China this is the responsibility of DG Trade. The MAC sent a [letter](#) in July to DG MARE and DG TRADE looking for more information but a reply is still pending.

The Chair added that she has attended some DG Trade Market Access Working Group meetings in the hope to get new information but felt that it as a waste of time as very little interest or knowledge on this seems to exist in DG Trade.

Visser added that it was an intra-EU problem that for example Irish health certificates are not restamped by Dutch authorised who are not willing to approve catches that are not from the North Sea.

The Chair added that China is not willing to deal with an EU wide certificate but prefers to deal directly with Member States only. She added that the permitted Cadmium level has been changed from 0.5mg/Kg to 0.3mg/Kg.

Horsfall stated that this change was not significant enough. The issue was the testing of whole crab and not only the white meat. Up to 8 months ago China was testing white meat only but have gone back to test everything. In the UK only white meat is being tested. The problem is that China seems to think that the UK are somehow contaminating crab with Cadmium and that this comes from pollution in an attempt to poison the Chinese population. It needs to be made clear that these are background levels which are endemic in the seas and the levels are part of the crustaceans' make up.

O'Donnell referred to the inorganic arsenic levels and that this is an important issue.

ACTION: Secretariat to add the issue of inorganic arsenic to the ToR.

Horsfall added that there is an issue with sentients regarding cephalopods and crustaceans which was discussed in the last FG. The legislation has gone through Parliament but has not resulted in any legislative changes, however best practice guides were produced throughout the supply chain on how

live crustacean shellfish need to be treated. She offered that this information could be shared with the group.

The Chari mentioned that this had been taken up in the EU at the time but was not aware of any recent developments.

Reis Santos stated that DG SANTE are reviewing the animal welfare rules which is going to affect several species including certain aquaculture species, but not currently wild fisheries. He added that EFSA is carrying out more studies on animal welfare in aquaculture. An animal welfare label is also being developed.

O'Donnell stated that more emphasis should be placed on the scientific side and the management as the market demand **and price had increased materially anyway and driving people into the industry.**

The Chair opened a discussion on the proposed workshop and it was agreed to amend the timeline in the ToR and hold the workshop at the end of March/beginning of April.

ACTION: Secretariat to amend the ToR to reflect the later workshop date.

Mathies asked members if members preferred to hold the workshop in connection with the site visit or to organise each separately.

Meun explained that he contacted two crab processing companies in Urk to see if a site visit could be arranged for members of the FG. One company has already agreed to facilitate such a visit. If members wish to see the whole supply chain than one of the two ports in the North of the Netherlands would also need to be visited. Arrangements can be made for this.

Members agreed to move the workshop back towards March/April and to invite national scientists for updates on the stock status to the next meeting.

ACTION: Secretariat to invite national experts on stock status to the next FG meeting.

Murphy asked if the UK guidelines could be shared with members already. He recalled the difference regarding treatment between recreational and commercial fishing and both need to be treated the same way.

ACTION: Horsfall will inform the group once the documentation on the guidelines in the UK is finalised.

4. Overview of previous NWWAC, MAC and joint advice and other resources

To be reviewed at next meeting.

5. Next steps

Secretariat and members to follow up on action points.

6. AOB

n/a

7. Summary of actions agreed and decisions adopted by the Chair

1	Secretariat to follow up with Peter Breckling who had been a member of the previous joint FG.
2	Mathies to contact BIM regarding this project and circulate any official documents available.
3	Members to contact the relevant research institutes for an update on the stock status.
4	Secretariat to add the issue of inorganic arsenic to the ToR.
5	Secretariat to amend the ToR to reflect the later workshop date.
6	Secretariat to invite national experts on stock status to the next FG meeting.
7	Horsfall will inform the group once the documentation on the guidelines in the UK is finalised.

Date of Next meeting: 16 November 14:30 CET