



The revised EU Fisheries Control Regulation

Fisheries control and inspections unit

Directorate General for Maritime Affairs and Fisheries

Brussels, 6 February 2024

Communication on the Common Fisheries Policy - 2023



- The CFP was reformed in 2013
- All tools to address the current challenges are available in the existing legislative framework

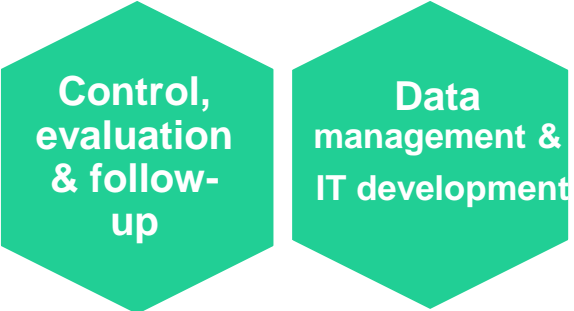
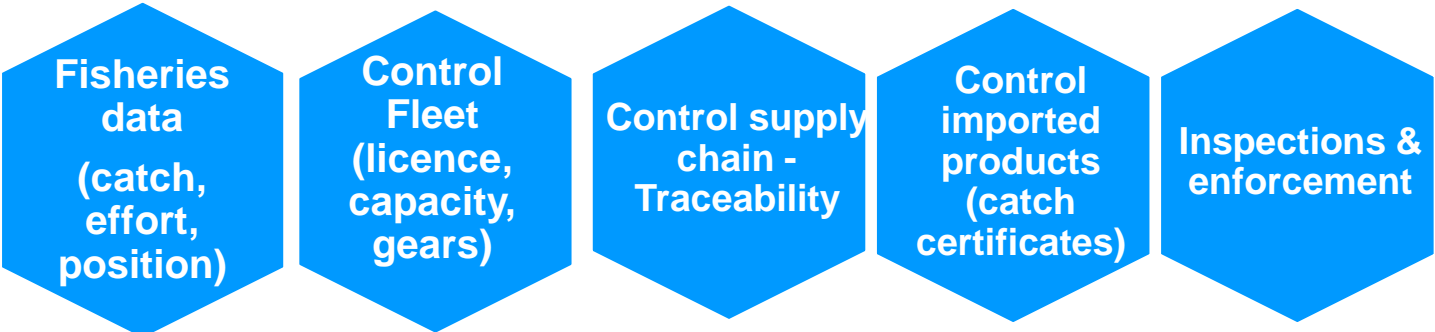
What is needed?

→ A **swifter & better implementation** based on cooperation between all parties



Full **compliance** with the existing rules

Who does what ?



Revision of the EU Fisheries Control System

CFP and **availability of resources** depend on an effective, efficient, modern and transparent system of **control and enforcement**

Why a revision?

- To adapt to the CFP
- To modernise fisheries control rules
- To ensure activities are environmentally sustainable
- To foster fair competition between operators while achieving CFP objectives

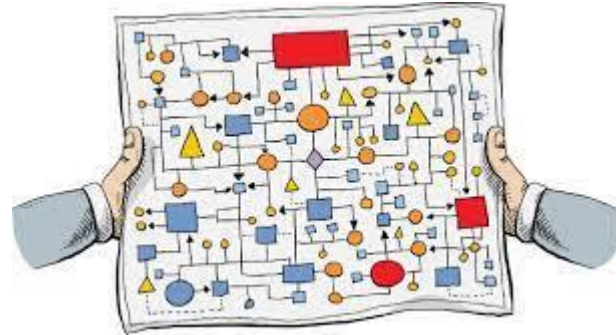
IMPLEMENTATION

J) 2023/2842 entered into force on 9 January 2024

Some provisions immediately, other provisions after 6 months, 2 years, 4 years or in 2029/2030

Revision of the EU Fisheries Control System

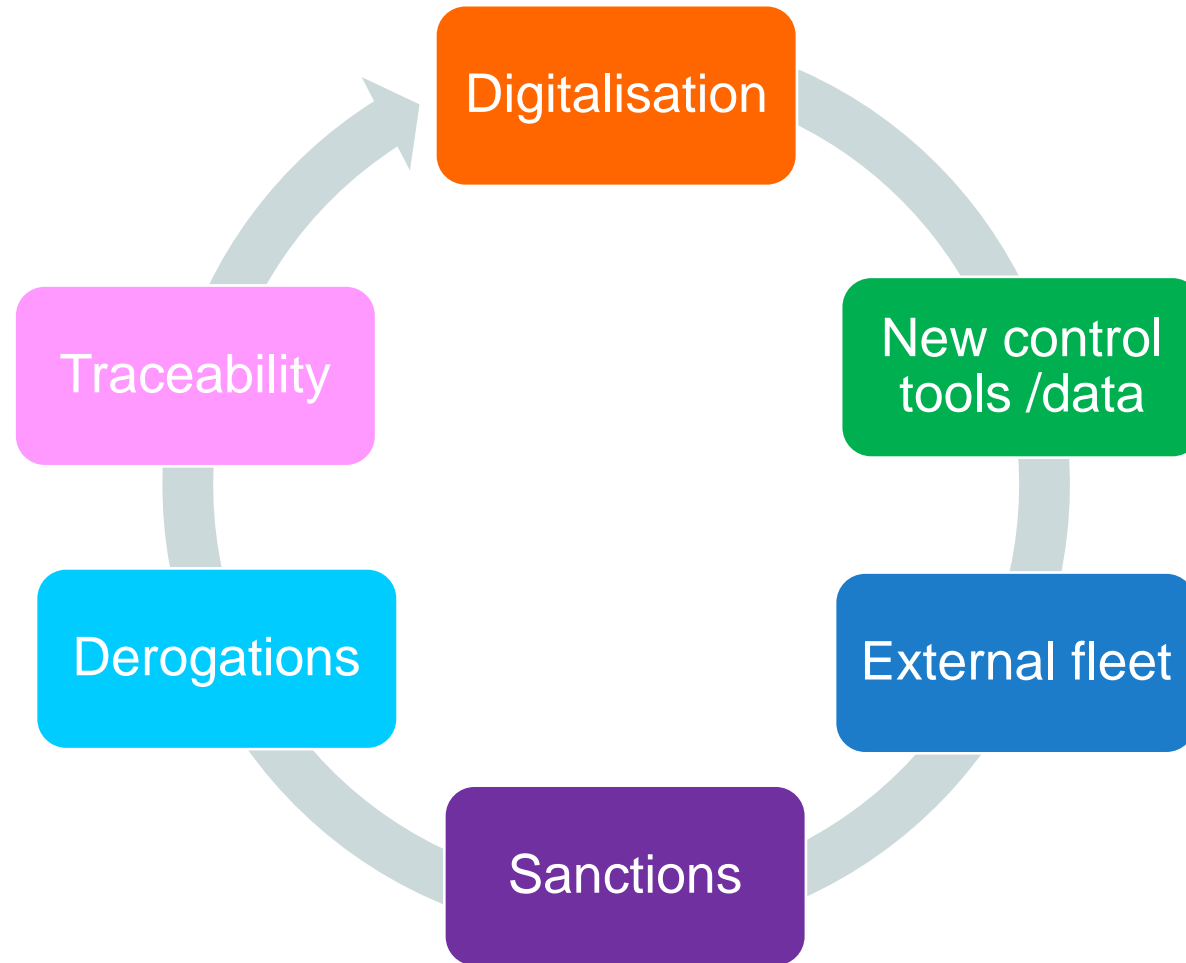
Complex process



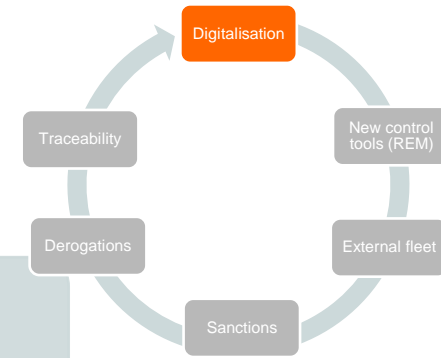
Amending 6 Regulations:

- **Regulation (EC) No 1224/2009 (Fisheries Control)**
- **Regulation (EU) No 2009/473 (EFCA)**
- **Regulation (EC) 1005/2008 (IUU Regulation)**
- **Regulation (EC) No 1967/2006 (Mediterranean Regulation)**
- **Regulation (EU) No 2016/1139 (Baltic Sea MAP)**
- **Regulation (EC) No 2017/2403 (SMEFF)**

What does it change?



Digitalisation: complete and efficient data sets



Small scale fisheries

- After 2 years: geolocalisation + electronic catch reporting (**all vessels 12-15m**)
- After 4 years: geolocalisation + electronic catch reporting (**all vessels < 12m**)

Recreational fisheries

- Electronic catch recording (after 2Y for quotas species) otherwise data collection
- From 2030 electronic catch recording for more species, subject to scientific advice.

No more paper

- Electronic sales notes, transport documents and inspection reports (2Y)

Fishing without a vessel

- Commercial operators engaged in shell gathering, spear fishing, fishing from the shore, ice fishing
- Recording of their catches electronically once a day and submit the data to Member States (4Y).

New control tools/data: Better understand and prevent adverse impacts of fishing activities



REM CCTVs

- **Catching vessels > 18 m at high risk of LO non-compliance**
- By 10 January 2028
- Secondary legislation needed on fleet segments, technical specifications, storage, exchange of and access to the data.

Engine power

- **Continuous monitoring** for certain categories of vessels (ex: engine above 221 KW + towed gears + risk assessment)
- By 10 January 2028

Logbook

- **Unique fishing identification number**
- Reporting of **sensitive species** and lost gears
- For vessels > 12m – reporting haul by haul

Remote Electronic Monitoring with cameras



- **Which vessels?**
 - Catching vessels > 18 m at high/very high risk of non-compliance with LO.
 - Commission to adopt the list of concerned fleet segments.
- **What about data protection ?**
 - It films gears and the parts of the vessels where catches are brought on board, stored, handled.
 - No identification of physical persons.
- **Why?**
 - Control & enforcement of the LO: ensure compliance & registration of catches
 - Catch reporting not part of the revision.
- **Vessels below 18m?**

As per the general principles, Member States still need to adopt the means to **ensure** control & enforcement



Fishing capacity: Continuous monitoring of engine power

Verification of the engine power

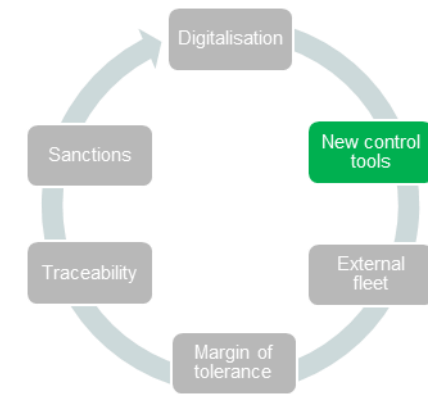
- Obligation of Member States to verify the power of engines remains the same.

Continuous monitoring of engine power *New*

- Member States Determine vessels with risk of non-compliance with the CFP rules based on a risk assessment (by fleet segment → gear, area covered, effort regime, species, power reduction, speed)

These vessels should be equipped with a device to record engine power continuously...this will greatly facilitate control, enforcement & inspection.

Risk assessment jointly done by Member States in cooperation with EFCA



Control of the EU external fleet: **credibility, CFP**



Prior notification
Landings in non-EU Countries

48h prior to landing: notification to the flag Member State (2Y)

Fishing vessels other than catching vessels

Authorisation to operate (EU and non EU waters) + obligation to have VMS (2 Y)

Transhipments outside EU waters and in non-EU ports

Transhipment in EU waters remains banned. Request to the flag Member State: 48h in advance. Authorisation is necessary before transhipment. (2Y)

AIS

If switched off for exceptional circumstances: report the action and reason to the flag Member State and, if relevant, to the coastal State (Immediate EIF)

Sanctions/enforcement: harmonization, rationalization, LPF



Infringements

2 Categories of serious infringements:

- ❖ Serious infringement **per se** (objectively pre-identified as serious);
- ❖ Qualification of seriousness **based on harmonised criteria**

New infringements – e.g.

- ❖ Conducting fishing activities with the use of **forced labour**
- ❖ Illegally disposing of a **fishing gear** at sea

Minimum sanctions

Minimum levels of minimum sanctions or standard rates for serious infringements

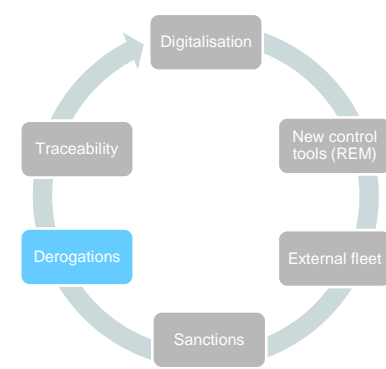
Point system

Harmonised points for serious infringements for the holder of fishing licence and for the master – secondary legislation to follow on registration of masters and on the recording of points assigned to them.



Implementation

Derogations to 10% margin of tolerance (MOT)



Margin of Tolerance (MOT) for quantities retained on board maintained at **10% per each species**.

Derogations

- ❖ **Species < 100 Kg - MOT is 20% per each species**
- ❖ **Unsorted small pelagic, industrial and tropical purse seiner fisheries** – specific rules under **fulfilment of certain conditions** – **Implementing acts** to follow (**6 months from EIF**) on conditions and list of ports fulfilling them.
- ❖ **Baltic** multi-annual plan species:
 - Revocation of the current MOT 10% per total Catch
 - MOT 20% per each species, until end 2028

MOT derogations for small pelagic, industrial and tropical tuna purse seiner fisheries

- **In non-listed ports** => with normal conditions for controls and weighing
- For species representing:
 - ❖ Large amount ($\geq 2\%$ in weight of all species): MOT 10% per each species (Standard MOT)
 - ❖ Small amounts ($<2\%$ in weight of all species) : MOT 200Kg or 20% per each species

In listed ports => with reinforced controls and specific conditions for the weighing and catch registration

For species representing:

- ❖ Large amounts ($\geq 2\%$ in weight of all species): **MOT 10% of TOTAL** of all species, applied per each species
 - ❖ Small amounts ($<2\%$ in weight of all species): MOT 200Kg or **0.5% of TOTAL** of all species applied per each species
- + For the total quantity of species, MOT 10% of the total quantity of all species on board.

Margin of tolerance

Derogations for unsorted fisheries – tropical tuna example

Tropical tuna landing					Current MOT		New MOT (non-listed port)		New MOT (listed port)	
Species	Fishing logbook (Kg live weight equivalent)	Landed (Kg live weight equivalent)	Diff (Kg)	Diff (%)	MOT (%)	MOT (Kg)	MOT (%)	MOT (Kg)	MOT (%)	MOT (Kg)
YFT	239000	257061	-18061	-7.6%	10%	23900	10%	23900	10% total	164500
BET	178000	188378	-10378	-5.8%	10%	17800	10%	17800	10% total	164500
SKJ	1208000	1346940	-138940	-11.5%	10%	120800	10%	120800	10% total	164500
FRI	20000	2940	17060	85.3%	10%	2000	20%	4000	0.5% total	8225
DOL	0	1880	-1880	-	10%	50	20%	200	0.5% total	8225
Total	1645000	1797199							Total logbook	1645000
2% total landed		35944							Total landed	1797199
0.5% total logbook	8225								Diff. (Kg)	-152199
10% total logbook	164500								Diff. (%)	-9%
									New MOT (10%)	164500

Margin of tolerance

Derogations for unsorted fisheries – pelagic landing example

North Sea herring landing					Current MOT		New MOT (non-listed port)		New MOT (listed port)	
Species	Fishing logbook (Kg live weight equivalent)	Landed (Kg live weight equivalent)	Diff (Kg)	Diff (%)	MOT (%)	MOT (Kg)	MOT (%)	MOT (Kg)	MOT (%)	MOT (Kg)
GUG	300	152	148	49.3%	10%	30	20%	200	0.5% total	620
MAC	14800	13437	1363	9.2%	10%	1480	10%	1480	10% total	12402
HER	106200	119434	-13234	-12.5%	10%	10620	10%	10620	10% total	12402
POK	100	0	100	100.0%	10%	10	20%	200	0.5% total	620
COD	20	0	20	-	10%	50	20%	200	0.5% total	620
WHG	300	290	10	3.3%	10%	30	20%	200	0.5% total	620
HAD	2300	3804	-1504	-65.4%	10%	230	10%	230	10% total	12402
POL	0	295	-295	-	10%	50	20%	200	0.5% total	620
NOP	0	14	-14	-	10%	50	20%	200	0.5% total	620
Total	124020	137426							Total logbook	124020
2% total landed		2749							Total landed	137426
0.5% total logbook	620								Diff. (Kg)	-13406
10% total logbook	12402								Diff. (%)	-11%
									New MOT (10%)	12402

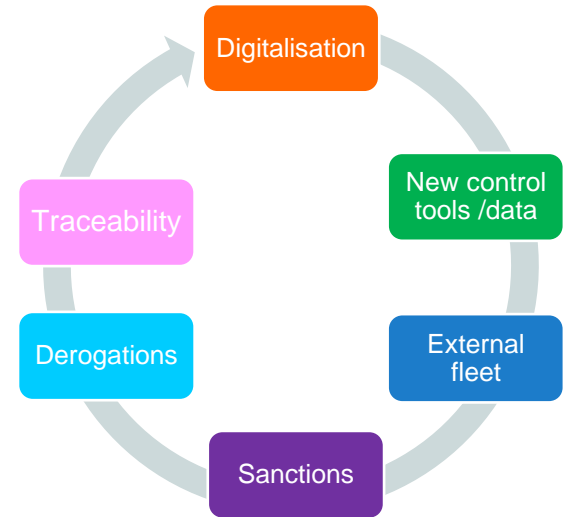
Traceability of fisheries and aquaculture products

What are the new rules?

- ❖ **Operators** must **record** and **make available** traceability information in a **digital way** to the next operator in the supply chain
- ❖ Mixing of lot is authorized after the first sale only if information on composition of the lot & quantities is available

Which products?
When ?

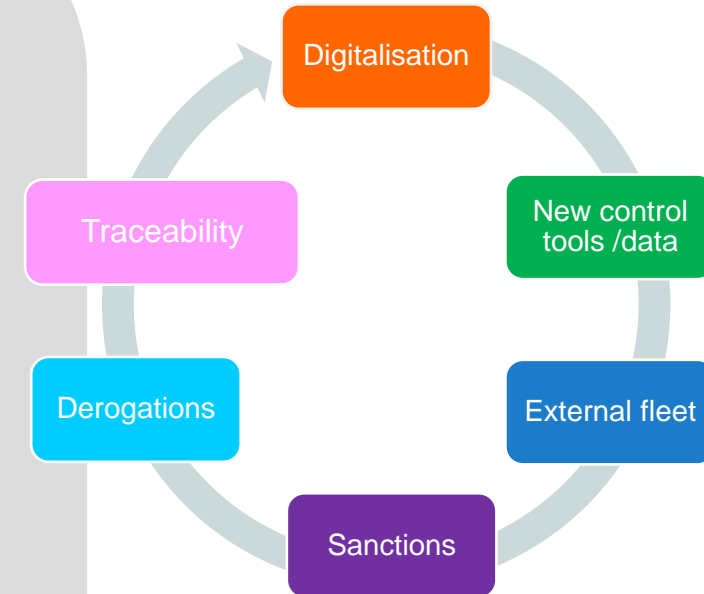
- ❖ For **fresh and frozen fishery and aquaculture products**: **in 2 Years**
- ❖ For **prepared and preserved products** in **5 years** following a feasibility study
- ❖ For **Algae**: in 5 years
- ❖ Imports



Traceability of fisheries and aquaculture products

Which traceability information for fresh and frozen products?

- ❖ Lot identification number
- ❖ **Unique fishing trip identification number**
- ❖ FAO alpha code of the species and scientific name
- ❖ Geographical area(s)/ production area(s),
- ❖ Fishing gear, date(s) catches/ date(s) of harvest & Quantities in Kg live weight or number of individuals
- ❖ IMO number and catch certificate number(s) (IUU regulation) [relevant for **imported** products]



Implementation

How?

Secondary legislation DA, studies, consultations...

Implementation & Enforcement

Who?

Operators, industry, member States, stakeholders, Commission...

Short term

MOT: Conditions for weighing and listed ports
Traceability: Launch a study on the traceability of prepared and preserved products
Develop IT tools for the small scale and recreational fisheries

Medium term

Review the existing CIR and,
Adopt new detailed rules e.g: recreational fisheries, sampling plans, traceability, small scale and recreational fisheries.

Long term

Technical specifications for REM & for the continuous monitoring Engine power device
Detailed rules on minimum traceability information of preserved and prepared fishery and aquaculture products, on algae.
Detailed rules on catch reporting re. fishing without a vessel

CALENDAR

Entry into force →

6 months →

2 years

Entry into force
Jan 2024

+ 6 months
June 2024

2 years' time
Jan 2026

IA

Derogations to MoT:
conditions for the landing
and weighing of catches
(Art 14.4) link to Art. 60

IA

Derogations to MoT: List
of ports (Art 14.4)

IA

Revise Reg 404/2011 (167 Articles+ 37 Annexes) + new rules on:

Fishing authorisations -vessels other than catching vessels (Article 7a).

Marking of fishing gears (return to port of end-of-life f. gear) (Art 8).

Fishing logbook requirements and transmission (Art. 15b).

Including Conversion factors (Art 14) and State of processing and product presentation (Art 20.2.c).

Recreational fisheries: Submission of data (Art. 55).

Sampling plans, control plans, common control programmes and weighing procedures (Art 60 and 60a).

Union inspectors, notification to EFCA and RFMOs (Art 79.7).

DA *New rules on:*

Traceability: Technical requirements for the transmission of traceability information (fresh and frozen products) (Art 58.8).

Weighing pelagics (Art 60a); Point system, register of masters (Art 92)

2 years' time
Jan 2026



4 years



5 years



6 years

4 years' time
Jan 2028

5 years' time
Jan 2029

6 years' time
Jan 2030

DA

New rules

Traceability requirements: prepared & preserved fishery and aquaculture products + algae (Art 58.10).

IA

New rules on:

REM: Fleet segments which pose a high risk of non-compliance with the landing obligation, + technical specifications (Art. 13).

Fishing without a vessel: format and submission of catch declaration, sales notes and transport documents (Art. 54).

Engine power: Rules of continuous monitoring, certification, verification - methodology for sampling plans (art 39a, 40 and 41).

Verification of tonnage (Art 41a)

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New rules

Species for which Recreational Fisheries have a significant impact on mortality (for which electronic catch reporting will be required from January 2030)

Thank you very much for attention ! Questions?



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