

Influence of IUU Fishing regulations for Logistic of Sea Food as one of Non-Tariff-Measures/Issues affecting International Trade



IUU Fishing - main regulations related:

- COMMISSION REGULATION (EC) No **1005/2008** of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing
- COMMISSION REGULATION (EC) No **1010/2009** of 22 October 2009
- Handbook on the practical application of Council Regulation (EC) no 1005/2008 of 29 September 2008

DEFINITIONS :

Fishing vessel – any vessel of any size used or intended for use for the purposes of commercial exploitation of fishery resources, including support ships, fish processing vessels, vessels engaged in transshipment and carrier vessels equipped for the transportation of fishery products, **EXCEPT CONTAINER VESSELS**

(**Why Reefer Vessels are excluded ??????**)

Transshipment – means the unloading of all or any fishery products on board a fishing vessel to another fishing vessel

Transit – no definition describing frozen fish shipped by Reefer Vessels (Fishing vessels acc to the definition based on rule 1005/2008) in transit via many EU ports for the discharging outside the EU or in EU port.



EC 1005/2008 CHAPTER 2, ART. 6

1. Masters of third country fishing vessels or their representatives shall notify the competent authorities of the Member State whose designated port or landing facilities they wish to use at least three working days before the estimated time of arrival at the port, of the following information:

- (a) vessel identification;
- (b) name of the designated port of destination and the purposes of the call, landing, transshipment or access to services;
- (c) fishing authorisation or, where appropriate, authorisation to support fishing operations or to tranship fishery products;
- (d) dates of the fishing trip;
- (e) estimated date and time of arrival at port;
- (f) the quantities of each species retained on board or, where appropriate, a negative report;
- (g) the zone or zones where the catch was made or where transshipment took place, whether in Community waters, in zones under the jurisdiction or sovereignty of a third country or on the high seas;
- (h) the quantities for each species to be landed or transhipped.

Masters of third country fishing vessels or their representatives shall be exempted from notifying information contained in points (c), (d), (g) and (h), where a catch certificate has been validated in accordance with Chapter III for the full catch to be landed or transhipped in the territory of the Community.



The notification set out in paragraph 1 shall be accompanied by a catch certificate validated in accordance with Chapter III if the third country fishing vessel carries on board fishery products. The provisions laid down in ►C1 Article 13 ◀ on the recognition of catch documents or port State control forms which are part of catch documentation or port State control schemes adopted by regional fisheries management organisations shall apply mutatis mutandis.

The Commission, in accordance with the procedure referred to in Article 54(2), may exempt certain categories of third country fishing vessels from the obligation stipulated in paragraph 1 for a limited and renewable period, or make provision for another notification period taking into account, inter alia, the type of fishery product, the distance between the fishing grounds, landing places and ports where the vessels in question are registered or listed.

These Articles apply without prejudice to special provisions set forth in fisheries agreements concluded between the Community and third countries.

ART. 7..... The fishery products shall only be released to be sold, taken over or transported once the information set out in article (L) has been received or the checking or verification process is completed. If this is not completed within 14 days of the landing, the port Member State may confiscate and dispose of the fishery products in accordance with national rules. The cost of storage shall be borne by the **operators**

Where the problems occur ?

Shipments between Iceland, Norway, Faroe Islands and EU countries – mainly Baltic States.

Main reasons ?

Operational lack of possibility to fulfill 3 working days notice

Why ?

Reefer vessels are loading for several days along the coast of Norway, between different loading ports in Iceland and Faroe Islands. Frequently one vessel is loading Frozen fish for two or three discharging ports and final destination is not known in many cases only after departure. Loading operations are mainly completed by Friday evening Saturday/Sunday.

Steaming time varies from 36 to 96 hours depending if loading took place in Norway or Iceland.....



CONSEQUENCES :

Reefer Vessel (**Fishing vessel by EC 1005/2008**) will be not allowed to enter discharging port due to improper notification
3 working days notice will be/should be requested

TM are consuming the time which is the key factor in present bussines realities.

EXPECTED ACTION :

Change of EU law – particularly EC 1005/2008 in the area of deffinitions (fishing vessel) or Chapter 2 Article 6 (prior notice for Reefer Vessels)



MSC..... AND OTHER CERTIFICATIONS

Are they more helping or creating difficulties and chalanges for seafood trade ?????

What will happend if North Sea Herring will not be MSC certfyied since January 2018 ?????



What are the real expectations of the business entities involved in
the **TRADE of SEAFOOD** ????

Efficient and no time consuming Logistic Operations being not
affected by **unresponsible** interpretation of the law or bureaucracy
etc, etc...!!!

Top secret - Time is money.....

Why not to make EU law interpretation common among all EU
countries ??? How to achieve it ????

