



Pelagic Freezer-trawler Association



Ms Clara Aguilera
Member of the European Parliament
60 rue Wiertz
B-1047, Brussels

Brussels, 19 November 2020

Dear Ms Clara Aguilera,

We are writing to you on your capacity as rapporteur on the revision of the Fisheries Control Regulation. The European fishing industry represented by the signatory organisations of this letter sincerely appreciate your time and dedication to modernise and simplify the current fisheries control system. Our fleets would like to recall their commitment to an effective control policy, which guarantees the proper implementation of EU legislation and the achievement of the common objectives of the CFP. However, the current provisions relating to the margin of tolerance are penalising our ship owners, particularly the tuna industry, who are facing extreme sanctions, the allocation of points and even risking losing their licenses due to the impossibility to comply with a rule that is unworkable for the industry in its customary and current form.

In this context, given the technical nature and the importance of the EU's control policy as one of the main pillars of the CFP, due attention should be given by EU policy-makers to facilitate the implementation of the system that should not hinder fishing operations nor unfairly punish fishermen.

Given the operational specificities of these fleets that struggle to accurately estimate the catch composition when the catch is hauled on-board, we consider that a different formulation of the provisions on the margin of tolerance would enable adequate reporting, monitoring and control of catches while ensuring the regular activity of our vessels. For this purpose, we truly appreciate the steps taken by the Parliament to address this issue. Nevertheless, attached to this letter, we would like to suggest a simplified formulation to the latest version of the compromise amendment circulated that would work for all the fleets affected.

The main idea is that for catches which are landed unsorted for the tropical tuna, small pelagic and industrial fisheries, the permitted margin of tolerance in estimates recorded in the fishing logbook or landing/transshipment declaration of the quantities in kilograms of fish retained on board should be 10 % of the total quantity retained on board, without restrictions per species.

This rule would not come as a novelty since it is already enshrined and in force in EU Law, as laid down by Art. 13 of the multiannual management plan for the Baltic¹, that reads as follows:

“By way of derogation from Article 14(3) of Regulation (EC) No 1224/2009, for catches which are landed unsorted the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % of the total quantity retained on board.”

In this line, the Pelagic Advisory Council in 2018 recommended² the extension of this rule to all fisheries in the EU given the difficulty to implement the margin of tolerance provisions for catches landed unsorted.

The links to the videos below duly explain the problem at hand:

<https://fiskeriforening.dk/english-version/control-regulation/>

[https://www.dropbox.com/s/y8jcabj7pbxoc1h/Dificultad Escandallo .mp4?dl=0](https://www.dropbox.com/s/y8jcabj7pbxoc1h/Dificultad%20Escandallo.mp4?dl=0)

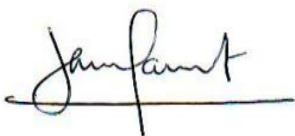
Furthermore, the two Member States with tuna purse-seine fleets - France and Spain -, recognized in the 2015 and 2011 respectively (see letters enclosed), the impossibility to apply the 10% margin of tolerance for each species. Both governments communicated this to the operators, interpreting article 14.3 of Regulation 1224/2009, as it reads, the margin of tolerance *“...of 10% for all species”* (i.e. the total quantity of fish retained on board).

This was supported by strong technical evidences (see enclosed IEO-AZTI-IRD-IFREMER scientific study) that clearly state the impossibility of species' estimates with a 10% accuracy in tropical tuna purse-seining.

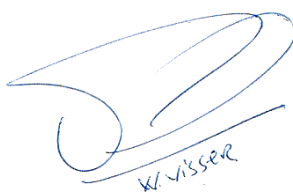
Against this background, we consider that the highest priority should be given by the European Parliament to overcome the difficulties originated from this rule.

Thank you very much for your consideration and support.

Yours sincerely,



Javier Garat
President of Europêche



Pim Visser
President of EAPO

CC: Mr Francisco José Millán, Ms Izaskun Bilbao, Ms Rosanna Conte, Ms Grace O'Sullivan, Mr Bert-Jan Ruissen, Mr João Ferreira (European Parliament, shadow rapporteurs)

Mr Pierre Karleskind (European Parliament, Chair of the Committee on Fisheries)

¹ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32016R1139>

² [Advice 1718/PAC 102](#) (page 9)