

IUU REGULATION – WEIGHT IN THE CATCH CERTIFICATE – PART II (AUGUST 2010)

In continuation of the note published by the European Commission on weight in the catch certificate, below is a clarification to a number of the questions raised. Part of the text of the original note can be found at the end of this note.

The EU catch certification scheme was introduced for the importation of fishery products into the EU. The scheme was not introduced in order to trace all landings by all vessels in all flag or port States. This means that the supply chain must sort out the traceability of the products back to landing based on contractual relationships with compliant sources. Otherwise, flag States will validate half completed catch certificates which might or might not be used in part or not at all, at some unspecified point in the future, to as yet unknown exporters and importers, and on unidentified transport. This will result in the flag State losing all control over what uses are made of such documents and the competent authorities in the flag States cannot tell anything about what fish is consigned to the EU.

Consequently, the catch certificate must include details (including weight) of the consignment of fishery products to be exported, **not** the details of the landing (unless the whole landing is to be exported – see the first bullet point below).

It is reminded that the EU catch certificate has been designed as a multipurpose certificate covering all situations of exports to the EU from direct landings to fully processed products. The following bullet points clarify where the weight of the consignment should be introduced in the catch certificate.

- If all the fish from one landing (either in the flag State or another port State) is exported to the EU in one consignment, the weight of the landed fish should be included in the box “Estimated weight to be landed”.
- In all other cases, e.g. when fish is exported live; when only part of the landed catch is exported or when products are processed in the flag State prior to exportation to the EU, the box "Estimated live weight" should be used and only the weight of the product to be exported should be included in the box “Estimated live weight”.
- In either of the above cases, the only validating authority of the flag State should include details of “Verified weight landed” if this is available.

It is important to note that a catch certificate should be requested upon exportation from the flag State either to the EU (direct export) or to another third country (indirect exportation) by the operator responsible for this action.

In cases of **indirect importations** of processed products **Annex IV** of Regulation 1005/2008 must be used and in these cases a catch certificate from other flag States can contain the weight of the full import into the processing country which in most cases will consist of the entire landing.

Finally, the European Commission would like to remind all operators of the use of Section 3 in the catch certificate, more specifically the "Description of Product". This section can also be used if more detailed information is to be given (e.g. for processed products) the fields can be extended or an attachment can be annexed to the certificate. The entire text can be found under point 5.16 of the Handbook (page 38):

http://ec.europa.eu/fisheries/cfp/illegal_fishing/info/handbook_original_en.pdf

FROM ORIGINAL NOTE:

"From 15 August 2010, products accompanied by a catch certificate with an incorrect weight will not be authorised to enter the EU market. Clear instructions have been given to EU Member States on this point as this situation can no longer be accepted. In practical terms, it means that all the catch certificates **validated after this date** should mention the weight of the consignment to be exported and not the total catch. Otherwise importation into the EU of these consignments will not be authorised.

Some catch certificates are also filled in incorrectly with respect to the product code. They indicate only a 4 digit code, while all third countries having notified the implementation of the IUU Regulation are implementing 6 or more digit codes, all based on the 6 digit codes of the Harmonized Commodity Description and Coding System (HS). The use of a 4 digit code does not ensure a sufficient traceability and can facilitate manipulations in order to trade illegal products with certificates validated for legally obtained products. The Commission has requested EU Member States to return all certificates only containing 4 digit codes to flag States in order to determine the exact nature of the products for which they have been validated prior to authorising importation.

This information has been communicated directly to the competent authorities of third countries and EU Member States."