Traceability and illegal fishing deterrence in the new European fisheries regulations

(IUU Regulation & Implementation Regulation and Control Regulation)

Will the new laws be effective?

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seafood summit

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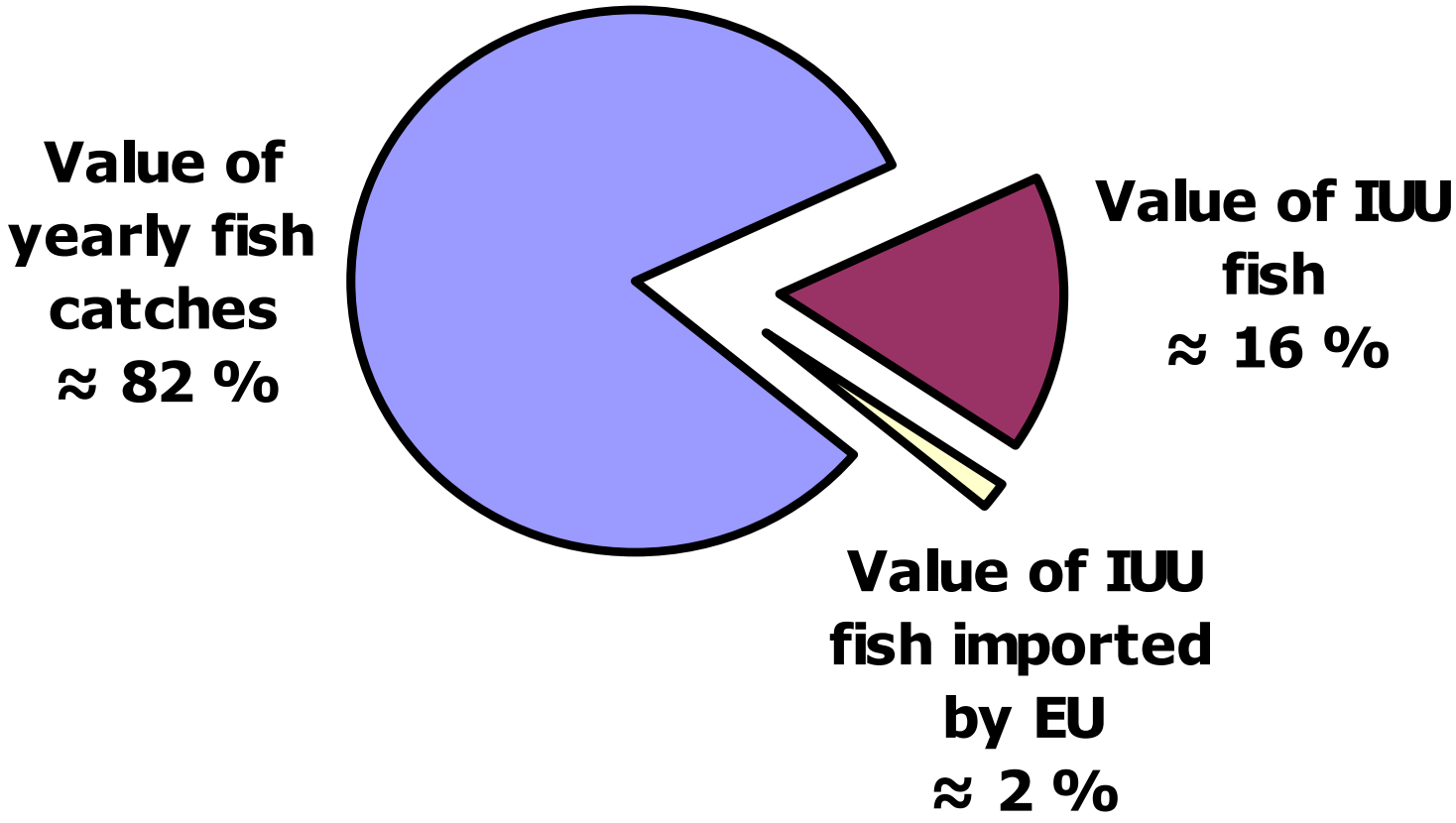
Outline

- IUU fishing
- Traceability - the effective trail system
- Analysis of EU/IUU Regulation & Implementation Regulation and Control Regulation

IUU fishing

(Data from EU, 2009)

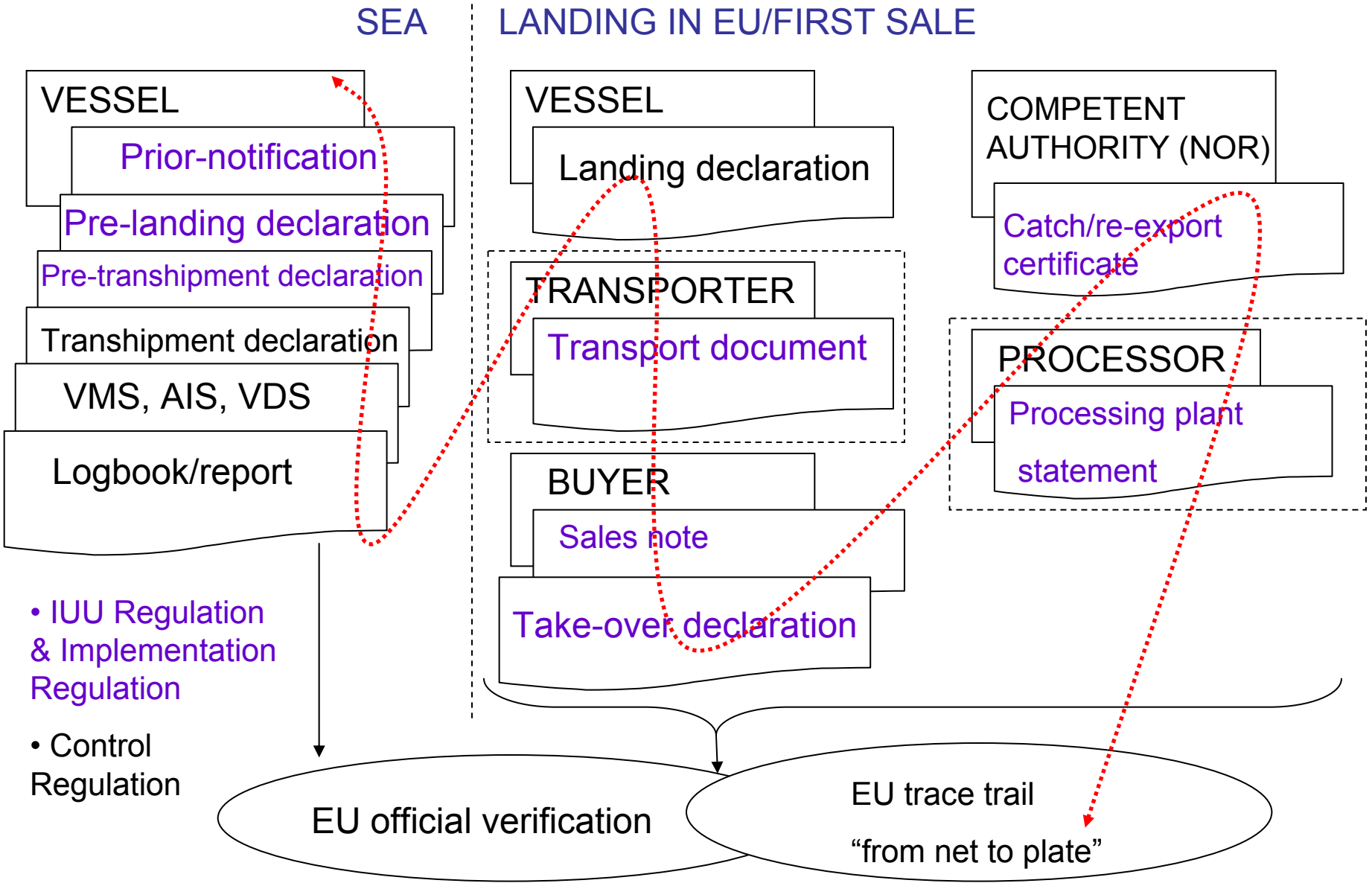


New EU fisheries Regulations from 01.01.2010

- Council Regulation (EC) 1005/2008 (Community system to prevent, deter and eliminate IUU fishing) and its Implementation Regulation 1010/2009 - IUU Regulation.

- Council Regulation (EC) 1224/2009 (Control system for ensuring compliance with the rules of the common fisheries policy) - Control Regulation.

“Full traceability, from net to the plate”

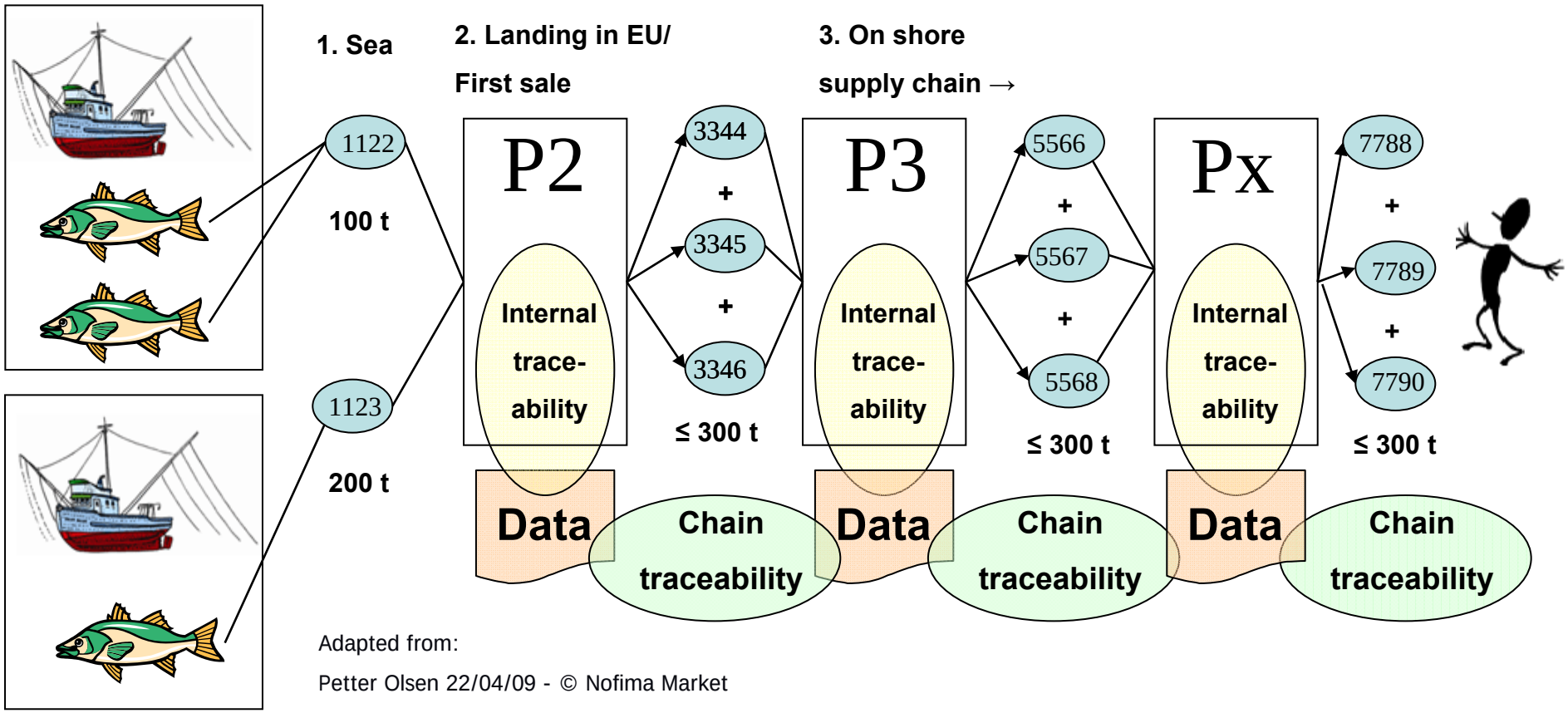


Traceability - Definition

- Council Regulation (EC) 178/2002
  (EU General Food Law)

"The ability to trace and follow a food, feed, food-producing animal or substance intended to be, or expected to be incorporated into a food or feed, through all stages of production, process and distribution".

The functional & efficient traceability system



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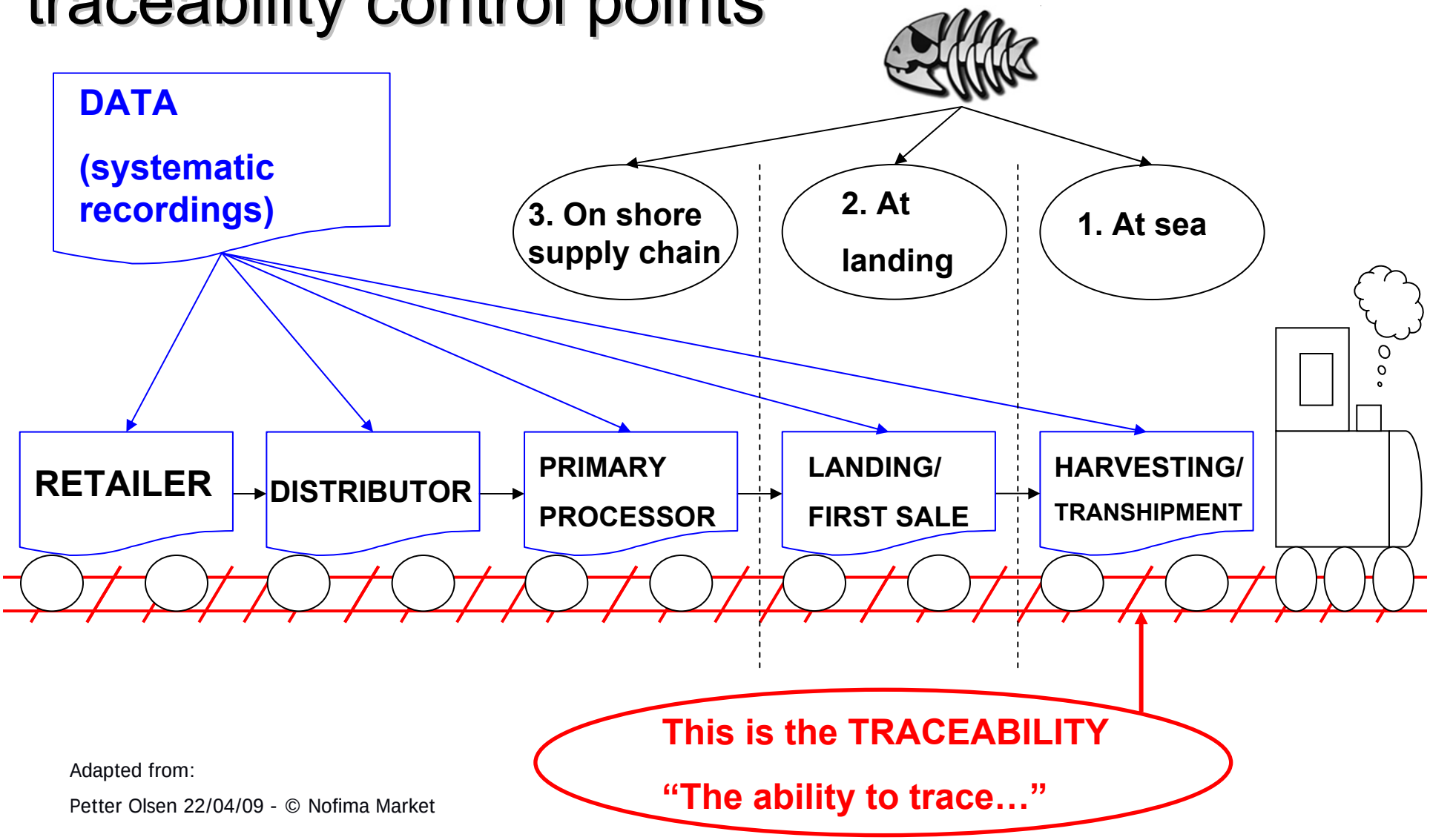
Key elements of the efficient trail system

- Traceable unit = trade unit (TU).
- Each TU has a unique identification number.
- All TU's transformations are always recorded.
- TUs' proprieties are always recorded (according to the driver of the system).
- TUs' mass balance is always calculated.

Critical IUU fish traceability control points



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Analysis 1 - Acquisition of IUU fishing identification data by means of traceability

- Does the train stop or not at each station to attach carriages?
- Are the data relevant for IUU operations identification stored in the carriages or not?
- Are the stored data traceable or not?

Simplified Model 1: IUU operations identifiers		Control Regulation - IUU fish from inside EU						
I. IUU fishing data Descriptor	Parameter	1. at sea Logbook	1. at sea Transhipment declaration	2 Landing declaration	2 Sales note	2. at landing Take-over declaration	2 Transport document	3. On shore distribution chain
		Art. 14	Art. 21	Art. 23	Art. 64	Art. 66	Art. 68	\
1. genuine species/ population identification	1.1 species composition/common name	?	?	?	?	?	?	
	1.2 species composition/scietific name	?	?	?	?	?	?	
5. licenced or not	5.1 licence number							
6. authorised or not	6.1 fishing authorisation number							
	6.2 valid to							
7. appropiate gear	7.2 by-catch avoidance/reduction devices							
	7.3 technical specifications							
11. bad will vessel owner	10.1 registered vessel owner name							
	10.3 name of the license holder							
III. Mass-balance calculated at all stages								
IV. Unique identificatio	1.1 unique lot number							
V. Link to other documents								

* Matrix simplified from Borit, Melania (2009) .

Simplified Model 1: IUU operations identifiers		IUU Regulation and its Implementation Regulation - IUU fish from inside EU						
I. IUU fishing data	Parameter	1. at sea	1. at sea	2	2	2. at landing	2	3. on shore (before entering EU)
Descriptor		Pre-transhipment declaration	Pre-landing declaration	Catch certificate	Re-export certificate	Take-over declaration	Transport document	Processing plant statement
5. licenced or not	5.1 licence number							
6. authorised or not	6.1 fishing authorisation number							
	6. 2 valid to							
7. appropiate gear	7.2 by-catch avoidance/reduction devices							
	7.3 technical specifications							
11. bad will vessel owner	10.1 registered vessel owner name							
	10.3 name of the license holder							
III. Mass-balance calculated at all stages								
IV. Unique identificatio	1.1 unique lot number							
V. Link to other documents								

* Matrix simplified from Borit, Melania (2009) .

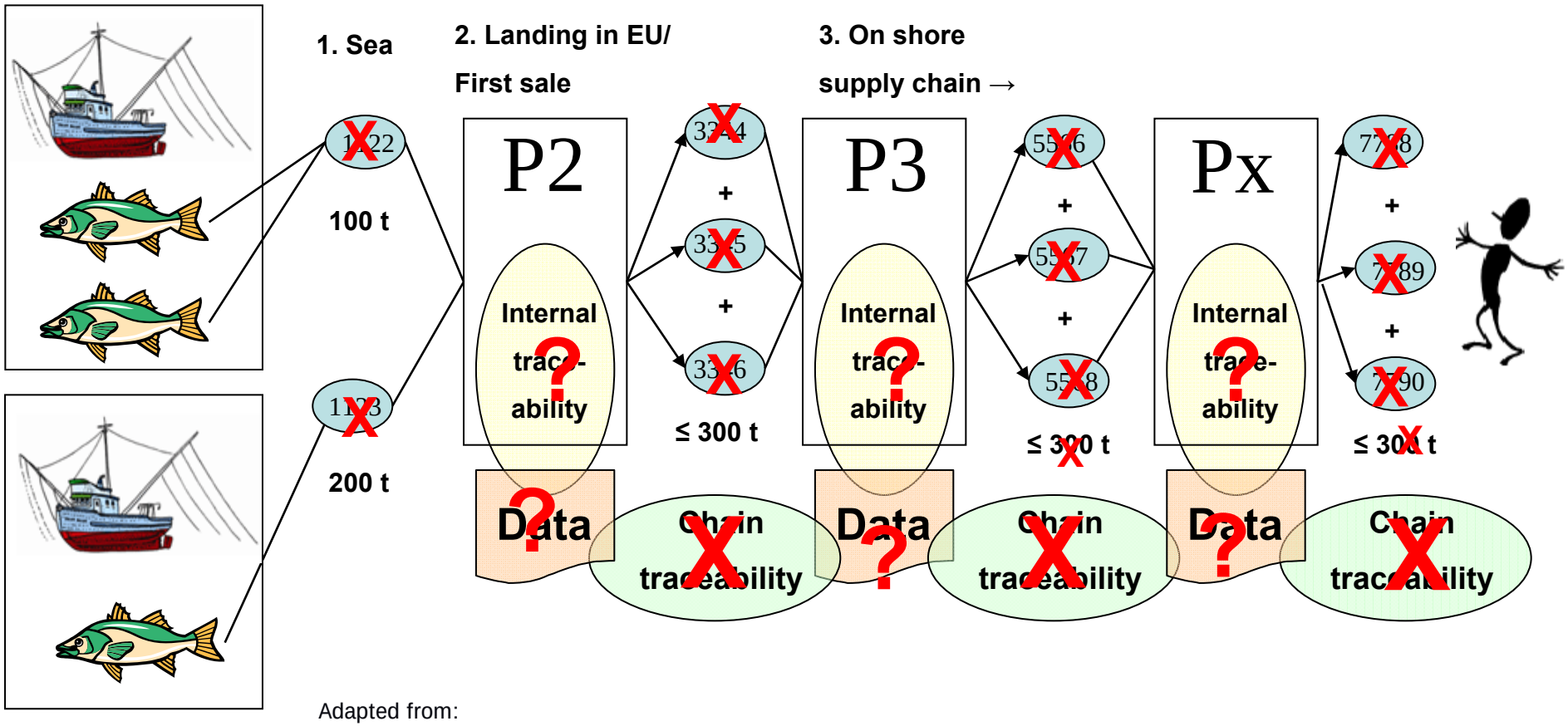
Analysis 2 - Assurance of chain of custody by means of traceability

- Is the train track properly designed to carry the carriages or not?

Simplified Model 2 : Chain of Custody Requirements		Critical Traceability Control Points					
(Descriptor & Parameter)		1 at sea		2 at landing		3. onshore distribution chain	
		C	IUU&I	C	IUU&I	C	IUU&I
1. Control/management system in place	1.1 Description of formal document control systems						
	1.3 Designation of responsible authority						
2. Confirmation of inputs	2.1 Evidence of weighed uniquely identified inputs						
3. Separation and/or demarcation of inputs	3.3 Ability to record and recall the input/output weights of different batch runs of uniquely identified material						
4. Secure product labelling	4.1 Presence of a label						
	4.2 Security of label production						
5 Unique identification of outputs	5.1 Unique identification of weighed outputs through labels						
	5.2 Passing forward documents able to link to uniquely identified products and batches						
6. Record keeping	6.1 System for recalling entire 'chain of custody' information (species, operation data, volumes etc.) from product outputs (batch numbers or other production identifiers) back to uniquely identified inputs						
	6.2 System records kept for a minimum of X years.						

* Matrix simplified from Borit, Melania (2009) .

Analysis conclusion



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The laws do not impose either a functional or “a comprehensive traceability system”

- Ambitious wording contributes to misleading statements.
- Incomplete transposition into legal provisions of the traceability systems standards.
- Ambiguous/inconsistent definition of terms, e.g.:
  - lot – no temporal or mass dimension
  - catch = harvested, retained or landed?

Strengths of the Regulations: they are a good starting point

- Introduce the traceability concept into *some* fish production chains.
- May help deterring IUU fishing using traceability:
  - in states where:
    → documentation provisions are properly implemented
    → there is no trading or falsification of catch certificates
    → fisheries are relatively simple
  - for products whose:
    → production chains are relatively short
    → number of operations they undergo is small

How can the Regulations still achieve their intended effect to deter IUU fishing?

- Their provisions have to be amended in order to:
  - introduce a traceability system (IUU Regulation)
  - make the present traceability system functional (Control Regulation).

- Based on clear cost-benefit analyses and with a clear definition of “risk”, the Regulations may be phased-in according to:

  - fisheries
    → most prone to IUU fishing
    → with stock conservation problems

  - products
    → whose supply chain is most exposed to IUU fish infiltration
    → most important in value or volume

Conclusions

- The system initiated by the new EU fisheries Regulations it is not a traceability one, e.g. no unique identification numbers are given to traceable units.

- However, the new laws are a good start for introducing traceability in the EU's fish supply chain.

- Traceability can be a powerful tool to deter IUU fishing if it is properly implemented and supported by good fisheries policies.

Thank you.

Special thanks:

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- Norwegian Seafood Export Council, Tromsø
- The Norwegian Fishermen's Sales Organization

NCFS, UiT, Norway

- The Norwegian College of Fishery Science is a part of the Faculty of Bio-sciences, Fisheries and Economics, University of Tromsø.

- The College is the foremost institution of higher-learning in fisheries management in Norway, and has considerable inter-disciplinary capacity and experience.