



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

Fisheries Policy Mediterranean and Black Sea

QUESTIONNAIRE TO MS ON THE IMPLEMENTATION OF THE LANDING OBLIGATION

Steps taken by Member States and producer organisations to comply with the landing obligation

1. Have you initiated, supported, participated in or implemented any measures and/or studies relating to the avoidance of unwanted catches through spatial or temporal changes to fishing behaviour (for example, studies/pilots on real time closures)?

Yes.

Please specify the measures taken or studies.

2. Which fleet segments/fisheries do these measures and/or studies apply to?

Trawlers.

3. What has the uptake of these measures and/or studies been in the fleet segments/fisheries to which they are applicable? [The feedback we have relates mainly to the difficulties on improving selectivity in mixed fisheries without economic losses for fishermen.](#)

Please provide the number and proportion of vessels in the segment/fishery.

4. Have you initiated any changes to your quota management system to implement the landing obligation?

Yes

Please specify these changes.

[For mackerel, quota have been attributed individually to candidate vessels, to improve and better control the utilization of the quota.](#)

5. For stocks managed through catch limits, have you conducted a quantitative analysis to identify potential national choke issues? [Yes](#) Please give details. [PT identified potential national choke issues for anglerfish, red seabream, megrim, skates and rays \(namely *raja undulata*\) and deep-water sharks.](#)

6. Have you pursued any exemptions to the landing obligation (either for high survival or de minimis) in the development of regional joint recommendations? [Yes](#)

Please give details of each exemption pursued.

[In the purse seine fisheries:](#)

[High survivability:](#) catches of anchovy, horse mackerel, jack mackerel and mackerel in artisanal purse seine fisheries. All such catches may be released, provided that the net is not fully taken on board.

De minimis: in ICES zones 8, 9 and 10 and in CECAF areas 34.1.1, 34.1.2 and 34.2.0 targeting the following species: up to a maximum of 4 % in 2018, of the total annual catches of horse mackerel (*Trachurus* spp.) and mackerel (*Scomber scombrus*); and up to a maximum of 1 % in 2018, of the total annual catches of anchovy (*Engraulis encrasicolus*).

In demersal fisheries:

High survivability: Norway lobster (*Nephrops norvegicus*) caught in ICES subareas 8 and 9 with trawls.

De minimis: for hake, up to 6 % in 2018 of the total annual catches of this species by vessels targeting this species in ICES subareas 8 and 9 with trawls.

7. What studies or evidence have you collected or produced in order to support such a request.

In the purse seine fisheries:

High survivability: Scientific evidence supporting high survivability was provided in the Joint Recommendation of the SWW Group, which made reference to a specific scientific study on fish survival from slipping in purse seine fisheries of European Southern waters. The study found that survival rates depend on the crowding time and the density of fish within the net, which are typically limited in these fisheries. This information was reviewed by the STECF which concluded that the proportion of slipped fish surviving would likely be greater than 50 %. This survivability exemption does not affect the prohibition in force, since the release of the fish will occur at a stage of the fishing operation where the fish would have a high survival rate after release.

De minimis: exemption in the purse seine fishery horse mackerel (*Trachurus* spp.), mackerel (*Scomber scombrus*) and anchovy (*Engraulis encrasicolus*) was evaluated by STECF which concluded that this exemption was supported by reasoned arguments which demonstrate the difficulties of improving the selectivity in this fishery.

In demersal fisheries:

High survivability

Norway lobster, as existing scientific evidence indicates possible high survival rates, taking into account the characteristics of the gears targeting this species, the fishing practices and the ecosystem. The STECF in its evaluation concluded that the latest experiments show survival rates in the range of the survival rate observed in the previous work.

De minimis

The de minimis exemption for hake was based on the fact that viable increases in selectivity are very difficult to achieve. The STECF concluded that additional selectivity information should be provided to demonstrate that selectivity is very difficult to achieve for the métiers involved.

8. What steps have you taken to ensure the amount discarded under granted de minimis exemptions does not exceed the permitted volume in the delegated act?

Definition of a statistical system with a sub quota concerning the allowed de minimis for each stock. All reported discards are counted against these sub quotas. If the sub quota level is reached, fishermen are informed that from that date on all catches have to be landed. This information is provided using the same channels then for fishing stops.

9. What has been the utilisation of any granted de minimis exemptions in the fleet segment/fishery to which the exemption applies?

Please provide the total weight and proportion of catch discarded under this exemption for each fleet segment/fishery to which an exemption applies.

ICES division	gear	code	Species	discards (kg) (*)	de minimis	catches 2018 (kg) (*)	discards/ catches
ICES 9a	purse seines	ANE	Anchovy	21 642	4%	8 349 759	0,26%
ICES 9a	purse seines	JAX	Horse Mackerel	1 206	4%	19 357 631	0,01%
ICES 9a	demersal	HKE	Hake	2 351	5%	1 739 488	0,14%

(*) provisional.

Discards figures relate only to electronic logbooks

10. Have any of your vessels utilised the provision to discard fish, which shows damage caused by predators? **No**

Please provide the total weight of catch of each species discarded for each fleet segment/fishery concerned. (Previous table)

11. For stocks managed by catch limits, did you make use of the provisions for inter-annual or inter-species flexibility? **Yes, for inter-annual flexibility**

Please identify which flexibility (or flexibilities) was used, and the corresponding reallocation of fishing opportunities for the stocks concerned.

Inter-annual flexibility for alfonsinos, greater forkbeard and undulate ray (ALF 3X14-; GFB 89-and RJU 9-C). These are still provisional as some swaps to cover quota overfishing are still pending.

TAC for GFB was removed, for 2019 and 2020, and therefore this stock was removed from the landing obligation.

12. In the development of joint recommendations, has consultation with Advisory Councils and other relevant stakeholders taken place? **Yes**

Please outline the process of consultation with Advisory Councils.

The development of joint recommendations was done in consultation with the relevant Advisory Councils, namely SWWAC and PELAC. Those Advisory Councils were invited to participate in all the Technical or High Level Meetings of the SWW Group.

Please outline the process of consultation with other stakeholders, if relevant.

The Portuguese Research Institute is consulted frequently on a case by case basis.

13. Following the adoption of the delegated act for a discard plan, have steps been taken to ensure adequate understanding among stakeholders of their obligations under the provisions of the act? **Yes**

Please outline the process of ensuring stakeholders understand the obligations that will apply to them. Disclosure of information – guide book in DGRM internet site and

dissemination by e-mail to the fishermen's associations, and meetings involving fishermen's associations and organisations.

- Increase of the information given by the producer organisations to their members relating to: minimum sizes, correct use of fishing gear, promotion of the use of more selective fishing gear, avoidance of catches in areas where juveniles are located, promotion of closed seasons and of observers on board (in the Azores and in some deep sea fisheries).

14. Are there any other steps not covered by the questions above that you have carried out to effect compliance with the provisions of the landing obligation? **No** Please specify the measures taken.

15. Which fleet segments/fisheries do these studies/pilots apply to?

Trawlers

16. What has the uptake been of these measures in the fleet segments/fisheries to which they are applicable?

More than 80% of the fleet is currently under the obligation for at least part of the fishing licenses.

Please provide the number and proportion of vessels in the segment/fishery.

FLEET SEGMENT	TOTAL NUMBER OF VESSELS	NUMBER VESSELS UNDER LO	DEMERSAL (*)	PELAGIC (*)
FIXED GEAR	3052	2802	2796	136
TRAWL	76	76	76	-
PURSE SEINE	146	98	98	1

(*) some vessels are involved in both demersal and pelagic fisheries

FISHERY	FISHING AUTHORIZATIONS LO NUMBER (*)	SPECIES/GEAR
DEMERSAL	2592	HAKE LLS
DEMERSAL	6	ALFONSINOS LLS
DEMERSAL	1182	HAKE GNS
DEMERSAL	76	HAKE OTB
DEMERSAL	23	NORWAY LOBSTER OTB
DEMERSAL	83	BLUE WHITING OTB
DEMERSAL	2256	SOLE AND SKATE GNS/GTR
PELAGIC	139	HORSE MACKEREL GND/SB

(*) one vessel may have several authorizations

Steps taken by Member States regarding control of compliance with the landing obligation

Each vessel that is subject to LO in 2018 had a fishing authorization included in its fishing licence with the specific terms applied to that vessel. Therefore, control and inspection authorities have the possibility to confirm compliance at sea or on port.

17. Has information been provided by Member States administrations and control agencies to fishermen? **Yes**

In what format has this information taken:

- Guidelines on the application of the landing obligation, accurate recording of catches and discards;
- Fishing authorizations included in its fishing licences with the specific terms of LO for each vessel.

18. Have guidelines been provided by Member States administrations and control agencies for inspectors? **Yes**

In what format has this information taken:

- Delivery of guidelines for inspectors on the effective and uniform application of the landing obligation;
- Seminars and trainings organised for presenting the guidelines to inspectors at national and regional level.

19. Have new control and monitoring tools been used by Member States? **Yes** Please supply information on:

- Development of a new electronic logbook (DPE+) which allows the accurate recording and transmission of discards (at sea and at landing), haul-by-haul recording, discards reasons.

20. Have the Member state administrations and control authorities monitored below Minimum Conservation Reference Size (MCRS) catches at and after landing (traceability)? **Yes**

Please supply information on:

- Total number of discards (by fishery, fleet segment) - 2018;

ICES Division	gear	code	Species	Discards (kg) 2018
ICES 9a	purse seines	ANE	Anchovy	21 642
ICES 9a	purse seines	JAX	Horse Mackerel	1 206
ICES 9a	demersal	JAX	Horse Mackerel	1 103
ICES 9a	demersal	HKE	Hake	2 351
ICES 9a	demersal	MAC	Mackerel	360
ICES 8c	demersal	JAX	Horse Mackerel	600
ICES 8c	demersal	BOC	Boardfish	13 050
ICES 8c	demersal	MAC	Mackerel	2 720
ICES 9a	fixed gear	RJC	Thornback ray	25

- Initiatives taken to prevent under MCRS catches from reaching the commercial channels (pre-notification of landings of under MCRS catches, etc.);

Whenever an inspection takes place in port, all landings are subject to MCRS control.

Whenever any quantity of a species under the landing obligation is found at the market a traceability system is applied to identify the fishing vessel. The fish is also confiscated.

- Measures taken to monitor landings at fish markets/auctions adopted.

In Portugal, first sale of fresh and refrigerated fish is compulsory done at the first sale auction. Sales of undersized fish for human consumption are not allowed.

21. Has control and monitoring been based on risk assessment? **Yes**

Please supply information on the risk assessment tools used and the results obtained, including those implemented by the regional Control Expert Groups in cooperation with EFCA.

Several inspection mixed teams took place in the framework of JDP Pelagics. In 2018, particular work was developed to increase master's awareness of LO procedures and obligations.

22. Has the "last observed haul" approach elaborated by EFCA as a tool for monitoring the implementation of the landing obligation and to derive potential targets for inspection been used? **Yes, whenever inspectors are on board the last haul is always observed and a record of all discards is made by the inspectors. It is also confirmed if the masters do all the required records in the electronic logbook, as specified.**

Please give details of the fisheries covered and the extent of sampling.

Information on the socioeconomic impact of the landing obligation

23. Using the most appropriate indicators defined below, provide information on the socioeconomics impacts on: **(not evaluated yet)**

- The catching sector;
- Upstream businesses;
- Processors;
- Consumption and markets; ☐ Costs for Member States.

Information on the socioeconomic impact of the landing obligation

24. Have there been any reported incidents of overloading of vessels causing stability problems? **No**

Please specify the number and nature of such incidents.

Can you quantify these in terms of:

- Number of deaths or serious injuries;
- No of vessels involved as a % of the specific fleet segment.

25. Have there been any reported incidents of overloading of vessels forcing them to return to port early? **No**

Please specify the number and nature of such incidents.

26. Have there been any reported incidents or accidents on board vessels that can be attributable to excessive workload? **No**

Please specify the number and nature of such incidents or accidents.

27. Has any national legislation relating to safety on board fishing vessels arising from the landing obligation been amended or introduced? **No**

Please provide details of this legislation.

28. Have you provided or received any funding under Article 32 (Health and safety) of EMFF or Article 3 (Eligible operations on safety) and Article 6 (Eligible operations on working conditions) of Commission Delegated Regulation (EU) 2015/531 to mitigate against potential safety issues caused by the landing obligation? **No**

If yes, please specify the number of projects involved and the nature of the measures taken.

If no, have any measures been taken which have not been funded under the EMFF?

Information on the use and outlets of catches below the minimum conservation reference size of a species subject to the landing obligation

29. What have been the main reported uses and destinations for catches below MCRS? **Mainly fishmeal.**

Can you quantify these catches by species in terms of volumes, price per tonne and associated costs for the different outlets such catches have been sent? **Not available**

30. Have you carried out any studies or pilot projects considering the potential uses for such catches? **Yes**

Please provide details of such studies or pilot projects.

Relevant Bibliography on utilization of unwanted catches for the creation of added value:

Fish protein hydrolysates

BATISTA, I., 2013. Biological Activities of Fish-protein Hydrolysates. In Se-Kwon Kim (Ed.) Marine Proteins and Peptides. Biological activities and applications. A John Wiley & Sons, Ltd, The Atrium, Southern Gate, Chichester, West Sussex, UK. p. 111-138.

CENTENARO, G. S.; SALAS-MELLADO, M.; PIRES, C.; BATISTA, I.; NUNES, M. L.; PRENTICE, C., 2014. Fractionation of protein hydrolysates of fish and chicken using membrane ultrafiltration: Investigation of antioxidant activity. Appl Biochem Biotechnol., 172 (6): 2877-2893.

GODINHO, I.; PIRES, C.; PEDRO, S.; TEIXEIRA, B.; MENDES, R.; NUNES, M. L.; BATISTA, I. Antioxidant properties of fish protein hydrolysates prepared from cod protein hydrolysate by Bacillus sp. Applied Biochemistry and Biotechnology (accepted for publication) DOI 10.1007/s12010-015-1931-5. Published on line: 21 November 2015.

PIRES, C.; BATISTA, I., 2013. Functional properties of fish protein hydrolysates. In Raul Pérez Gálvez and Jean-Pascal Bergé (Eds.) Utilization of fish waste. CRC Press, Taylor & Francis Group, Boca Raton. p. 59-75.

Protein recovery

TOMÉ, A. S.; PIRES, C.; BATISTA, I.; SOUSA, I.; RAYMUNDO, A., 2015. Protein gels and emulsions from mixtures of Cape hake and pea proteins. Journal of the Science and Food Agriculture, 95(2): 289-298.

Relevant research projects

BE-FAIR – Benign and environmentally friendly fish processing practices to provide added value and innovative solutions for a responsible and sustainable management of fisheries

BIOTECMAR – BIOTEchnological exploitation of MARine products and by-products

FAROS – Integrated Networking of Fishing Sector Actors to Organize a Responsible, Optimal and Sustainable Exploitation of Marine Resources (www.farosproject.eu)

HYDROFISH – Bioactive compounds in fish and crustacean hydrolysates

MARMED – Development of innovating biomedical products from marine resources valorisation

PROPEPHEALTH – High-added value functional seafood products for human health from seafood byproducts by innovative mild processing”

Information on port infrastructures and of vessels' fitting with regard to the landing obligation for each fishery concerned

31. Have you provided funding under Article 38 of the EMFF for modifications on board vessels for the handling of catches on board? **No**

Please specify the number, nature and total amount invested in such projects.

32. Have you provide funding under Article 43 of the EMFF for investment in the infrastructure of fishing ports, auction halls and shelters for the handling of unwanted catches? **Yes**

Please specify the number, nature and total amount invested in such projects.

One project- 425 000 euro

33. Have you provide funding under Articles 68 and 69 of the EMFF for investment in marketing measures and the processing of fishery and aquaculture products? **Yes**

Please specify the number, nature and total amount invested in such projects.

Two projects – 1.368.230 euro

Information on the difficulties encountered in the implementation of the landing obligation and recommendations to address them

34. Please provide information on the following:

Operational difficulties:

- **Avoidance and/or selectivity insufficient to avoid unwanted catches. In mixed fisheries, unwanted catches are proportionately scarce but difficult to avoid;**
- **Handling, storage, and processing of unwanted catches.**

Difficulties relating to monitoring, control and enforcement:

- **Implementation problems with regard to control/monitoring processes or infrastructure (e.g. adaptation of ERS systems).**

Difficulties in fully utilising fishing opportunities:

- **Problems with the availability of quota swaps.**

Questions concerning control and enforcement, added in the questionnaire sent in 2017

35. How is the effective control and enforcement of the landing obligation at sea and the accurate documentation of all catches, including quantities discarded, ensured?

New logbooks provide information on catches and discards. Decisions are taken to inspect vessels based on the analyses of that information under a risk assessment.

36. How many suspected and confirmed infringements, related to the landing obligation, have been detected at sea and at landing/marketing? **Not available**

In cases of confirmed infringements please indicate the circumstances of the offence and the sanctions applied, including penalty points.