

Joint NWWAC, PelAC and NSAC Advice on the implementation of the EU Fisheries Control Regulation

23 May 2025

Background

Most of the Advisory Councils (ACs) have worked actively on the Control Regulation over recent years and have contributed detailed recommendations during the co-decision process on the revision of the Control Regulation. After adoption of the revised regulation and its publication in January last year, the focus of the ACs shifted to the implementation and the request to address this jointly with all parties concerned.

On 05 February 2025, the North Western Waters Advisory Council (NWWAC) organised a joint workshop on the implementation of the revised Control Regulation (CR), involving seven additional ACs: Pelagic AC (PelAC), North Sea AC (NSAC), Baltic Sea AC, Mediterranean AC, Long Distance AC, Outermost Regions AC, and South Western Waters AC, demonstrating the widespread interest in the CR's implementation. Its primary objective was to gather stakeholder input and foster discussions on outstanding questions regarding the interpretation of different provisions and potential solutions to effective implementation of proposed measures, particularly regarding the adoption of implementing and delegated acts for key provisions set to take effect in 2026 and 2028. The ACs express their gratitude to the European Commission for hosting this event and providing a platform to address key questions and concerns.

The ACs acknowledge and appreciate the Commission's openness for considering recommendations to address the challenges discussed, as well as its encouragement for stakeholders to submit written contributions for further consideration. Following the workshop and subsequent discussions, NWWAC, PelAC and NSAC have jointly developed the following advice which is organised into distinct sections corresponding to the various topics discussed during the workshop. The Annex contains additional questions collected by the ACs following the joint workshop. These were submitted to the Commission on 20 February and are awaiting written response.

As a general remark, the ACs welcome Commission President von der Leyen's commitment to simplification of legislation and underline that any regulation that is made too burdensome and too costly for the industry will affect the EU's competitiveness and hamper self-sufficiency and food sovereignty. On the other hand, effective, enforceable and efficient control of fishing activities is crucial to ensuring the health of marine ecosystems and the short, medium and long terms sustainability that the industry needs to have any chance of remaining competitive and supplying the EU with environmentally balanced, traceable, socially fair protein. Effective, enforceable, harmonised and efficient control measures are arguably the most important competitive advantage that the EU fisheries industry can obtain to sustainably compete on a global scale. The EU's fisheries control regulation was revised against this backdrop, and the traceability provisions it includes are key to ensure these objectives. Moreover, it can provide the fishing industry with the

much-needed capacity of being able to distinguish its products from imported ones. The ACs therefore call on the Commission and the Member States to focus their political and administrative capacity and resources in order to guarantee that the implementation of the new fisheries control regulation decomplexifies the legislative milieu for fisheries and ensures it does not become an impenetrable and unimplementable jungle of rules.

The ACs stand ready to assist in the quest for effective and efficient control and enforcement and ask for increased transparency and space for constructive dialogue when developing Delegated and Implementing Acts at Commission and Member State level (at MS level, Control Expert Groups should consider avenues for effective and consultative stakeholder engagement). Given the timebound aspect, dedicated meetings with stakeholders per topic should be held on a timely basis and well ahead of deliberations on specific IAs and DAs. Furthermore, assessments evaluating costs, time, and effort required for the implementation of proposed control measures should be considered in order to ensure that the burden placed on EU fleets is level with that placed on non-EU fleets.

Additionally, a high level of coherence should be ensured when reviewing different policies and policy tools. AC members welcome the development of the EU Ocean Pact aimed at identifying synergies, overlaps and inconsistencies between maritime policies and tackling implementation barriers where they exist. Holistic and coherent approach to management and governance should eventually replace the current fragmented framework.

NWWAC, PelAC and NSAC emphasise the importance of establishing management measures that are not only agreed upon by all countries with access to shared fish stocks but also consistently implemented and enforced across all coastal states involved, in line with the harmonisation objective of the Control Regulation. Shared fishing areas should not be seen as boundaries but rather as cooperative spaces where all countries adhere to the same regulations for sustainable fisheries management, product traceability, human rights, and social protection. Ensuring a level playing field is crucial, particularly in relation to imports that are produced under less strict control regimes. A collective approach is essential to safeguarding marine resources as a common heritage and ensuring the long-term future of the EU fisheries sector. For this reason, the Advisory Councils would like to highlight the need for a dedicated expert group on control, involving both Member States and Third Countries.

To conclude, the ACs would like to request the publication of a consolidated version of the revised control regulation, including all amendments. This would ensure that fishers have clarity when it comes to the implications of the revised control regulation.

1. Stakeholder engagement

NWWAC, PelAC and NSAC welcome the Commission's engagement with and commitment to consulting sector and OIG stakeholders while actively seeking input to enhance the effectiveness of implementation. Members of the ACs strongly believe that continuous engagement is crucial, as it may enable anticipation of potential challenges in implementing specific measures and the provision of informed advice to support the Commission in mitigating future difficulties for fishing operators and coastal communities.

While the Commission and the Member States are not obliged to include stakeholders in the drafting process for Implementing Acts, the ACs stress that stakeholder engagement serves as a vital mechanism, fostering a sense of inclusion among fishing operators, and constituting a sense-check of proposed measures. When stakeholders are actively engaged in the decision-making process, trust is strengthened, and new measures are more likely to be accepted and implemented effectively. This is also reflected in the Better Regulation initiative and the importance of increased stakeholder engagement has been re-emphasised by the new Commission under President Von der Leyen, as well as Commissioner for Fisheries and Oceans Kadis. In general, participatory governance is largely recognized as key to increased effectiveness of proposed policies.

Finally, cooperation among the Commission, Member States and stakeholders is essential to ensure information flow and knowledge exchange, particularly on practical and technical levels. The European Fisheries Control Agency under its mandate to ensure harmonisation and coordination in the implementation of control measures should be involved in all relevant steps necessary to the implementation of the revised control regulation.

2. Remote Electronic Monitoring (REM)

The NWWAC, PelAC and NSAC deem appropriate that the Commission should carry out the assessment and definition of the “high risk of non-compliance with the landing obligation”, in close collaboration with Member States and EFCA. The ACs emphasise the risk of a lack of achieving the harmonisation objective in the Control Regulation, if this assessment is carried out differently by each EU Member State, in that it may lead to fragmentation and fail in the long term to ensure a level playing field in the implementation of the measure across Member States.

Legal basis: Taking into account Article 13 (3), which states that:

Art. 13 (3) - *For the purpose of monitoring and control of the landing obligation, Member States shall ensure that Union catching vessels of 18 metres in length overall or more flying their flag which pose a high risk of non-compliance with the landing obligation have installed on board an operating REM system. The **assessment of the risk of non-compliance with the landing obligation shall be carried out in accordance with the implementing acts adopted under Article 95(1).***

... and considering that the implementing act has not been yet adopted, it is not clear whether it should be the Commission or the Member State to carry out the assessment. This is even reinforced in the following paragraph:

Art. 13 (4) - *Member States may provide that certain fleet segments of Union catching vessels of less than 18 metres in length overall flying their flag shall have on board an operating REM system, based on the **risk of non-compliance with the landing obligation as assessed by the Member State concerned or by the Commission.***

In the case of Third country vessels carrying out fishing operations in EU waters, the vessel’s country of origin would oversee assessing the “high-risk of non-compliance with the landing obligation”. While defining criteria remains a Member States prerogative, the ACs would like to underline the importance of providing guidelines to Third country control authorities to ensure a level playing field

and a harmonised approach, which can also be achieved augmented through continuous and constructive dialogue.

Secondly, the ACs recognise that the Commission has already initiated engagement with representatives from Third countries and is establishing a working platform to ensure a level playing field in the implementation of REM measures for Third-country fishing vessels operating in EU waters. In this regard, the ACs emphasise the importance of ongoing coordination – with the UK – as well as coordination with all relevant Third countries, considering the urgent need for interoperability between REM systems and coherence in reporting requirements and outputs, to establish and maintain a level playing field.

The ACs are cognisant of historical issues in the implementation of mandatory VMS aboard, where Member States promoted different systems which proved to be flawed requiring vessel owners to switch to alternative systems incurring excessive downtime and additional costs. This should be avoided with REM systems.

In relation to the framing of control measures, the ACs would like to point out the role and impact of management interventions on marine resource user behaviour. Behavioural economics may offer valuable insights on this topic by identifying which interventions can effectively change human behaviour and how they can be applied. The fleets will be more inclined to provide data with positive incentives and assurances fostering the culture of openness and collaboration will ensure that REM is used proactively. Simplified regulatory requirements should be part of the positive incentives package.¹

Finally, the ACs would like to underline the importance and urgency of publishing REM specifications well in advance of the implementation. This is necessary to ensure that all vessels can be equipped in time given the small number of REM providers and the validation processes to ensure the systems fitted meet the regulatory specifications that will be required.

3. Electronic logbook submission

NWWAC, PelAC and NSAC acknowledge the advantages of the new Control Regulation, which mandates comprehensive electronic reporting, including e-logbooks, e-landing declarations, and e-notifications. This approach will facilitate the modernisation of the fleet, while ensuring collection of more accurate data and fostering improved fisheries management decisions in the future. Nevertheless, it is key that the implementation of these tools considers the way fishers operate, as well as their ability to manage various tasks securely and sagely, recognising that these practices can vary by region and fleet.

For example, AC members raise concerns about the undue burden of logbook completion per fishing operation (Articles 14 and 15), noting that vessels over 12m may conduct several daily fishing operations.² This may make the process time-consuming, increase the risk of errors, and potentially

¹ ICES : “Behavioural Economics in Marine Fisheries Management: A Systematic Review”, 2025 ([LINK](#))

² This task now must be completed for every fishing operation, with clear implications given the frequency and scale of fishing activities conducted for each type of fishing technique:

- Demersal Trawls: 4 to 6 fishing operations per day

compromise onboard security – especially in case of adverse weather conditions. The ACs call for simplified, uniform and standardised logbook settings, coupled with harmonised protocols across the EU to ease the burden on operators. The ACs recommend that Member States and control authorities shall collaborate with stakeholders in addressing this challenge.

4. VMS for small-scale fleets

NWWAC, PelAC and NSAC express concerns over the cost and size of tracking devices for small scale fisheries. The ACs suggest that vessel tracking requirements should consider gear type, fishery type, vessel size, specific characteristics and fishing area rather than imposing uniform VMS requirements. For this reason, the ACs welcome the fact that the Commission has already been active in the development of a simplified vessel monitoring system, as stated in the Article 9 (Amendments to Regulation (EC) No 1224/2009). The ACs recommend ongoing consultation with stakeholders to assess the usability and accessibility of the developed tools. Close engagement with stakeholders will also allow the Commission to identify existing monitoring tools developed within the industry which could be used as examples or provide the basis for the Commission's own tool development. The ACs would like to point out that there are several pilot projects and initiatives that are applying tools in different fleets in the EU, in close contact with stakeholders (for example [project Fish-X](#), funded by the *European Union's Horizon Europe Programme*). Finally, ACs rely also on Recital 19 of EU Fisheries Control Regulation, which states that VMS should not entail an excessive burden especially for the small-scale fleet, which may benefit from aid under EMFAF.

5. Serious infringement

Regarding the implementation of serious infringement measures by Member States, NWWAC, PelAC and NSAC call on the Commission's Control Unit to ensure compliance by Member States in order to guarantee that the different measure are implemented equally in each Member States in line with the objective in the Control Regulation of having a standardised system across the Union of penalties according to the circumstance of each case.

In this context, the ACs also stress the importance of proportional and dissuasive enforcement. While ensuring compliance is essential, penalties should not be imposed for minor administrative errors or cases of force majeure. A risk-based and fair approach is crucial to maintaining trust and cooperation within the sector, and to encouraging transparent reporting and ongoing compliance efforts.

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- Fly shooters: 6 to 9 fishing operations per day
 - Beam Trawler: 7 to 8 fishing operations per day
 - Scallop vessels: 10 to 12 fishing operations per day
 - Vessels fishing with pots or traps: 10 to 20 strings of pots

6. Weighing procedures

NWWAC, PelAC and NSAC welcome the Commission's commitment to ensuring that protocols and procedures revolving around landings, speciation, sampling and catch weighing will be standardised across the EU. ACs emphasise the importance of ensuring that all actors involved in landings and weighing—whether national authorities, designated persons, or certified inspectors—adhere to clear, consistent requirements for independence, robustness, proportionality, impartiality, and best practice. This will promote transparency and consistency across Member States. Similar efforts with third countries should also be entailed.

ACs welcome the Commission statement that “duly justified” exemptions may be considered in relation to some specific fish species - being established by Member States - where minimum conditions must be met, coupled with specificities in relation to maintenance of the cold chain, and that authorities are responsible for ensuring these conditions are implemented and enforced to take account of circumstances pertaining on each case. For example, pelagic fish may require more time to be weighed, and thus this could affect local traders, the maintenance of the cold chain, or lead to higher costs for buyers and consumers.

7. Review the practicality of the current Margin of Tolerance (MoT) requirements

The new provisions on the Margin of Tolerance (MoT) came into effect in July 2024; however, significant challenges remain in their implementation, particularly in the listing of ports that can avail of the MOT requirements. In any case, the ACs recommend that the Commission provides support to Member States in the application of these measures while also actively engaging with fishing operators to facilitate their appropriate, correct and effective implementation.

The revised Control Regulation mentions “representative samples”, when it comes to Margins of Tolerance. The ACs would like to underline the importance of having representative samples that are adapted to the catches being sampled. The ACs would like to request clear and practical guidelines that ensure both regulatory compliance and consistency with a fair and implementable assessment of catch composition, following adequate consultation with fishers and other stakeholders. However, the ACs highlight that relying on sampling in large catches of unsorted small pelagic species is prone to errors and can lead to infringements being taken against vessel owners for individual or multiple breaches of Margin of Tolerance rules. The ACs understand this is the case in several Member States with some authorities having to apply criminal proceedings for certain exceedances of the MoT.

The process involves an estimation process base on sampling – and estimating small volumes of bycatch species (within the MoT) in large catches – is seen by certain segments of the industry as extremely challenging and impossible based on sampling – “needle in a haystack” – but even minor exceedances of the narrow MoT are classified as serious infringements. This seems to be overly punitive given the flaws in relying on extrapolation from the sampling process (on board or at point of discharge). Furthermore, assuming the vessel can expect adequate control and inspection at landing, there is no monetary gain for a vessel owner in under or over declaring on landing, they are only paid on the exact volumes of fish landed, calculated on a full census-based weighing and speciation procedure.

8. Monitoring Engine Power

NWWAC, PelAC and NSAC believe that, when implementing engine power monitoring, it is crucial to consider data storage and monitoring requirements, including the associated costs for equipment, installation, and maintenance. Clearly defining who will bear these costs will help ensure a fair and efficient process. Additionally, understanding the necessity and rationale of engine power monitoring for vessels in conjunction with the other requirements of the fisheries control regulation is essential to clarifying the need for its implementation to operators and other stakeholders. The EU is the only area where such measures are implemented, and the ACs would like to underline the importance of maintaining a level playing field within fisheries between EU and third country fleets. The benefits from monitoring engine power must be put in balance with the administrative burden it creates, in light of the Commission's simplification objective.

The ACs highlight that monitoring systems should be capable of distinguishing between steaming and fishing activities, particularly in enclosed areas, to provide accurate and relevant data. Furthermore, it is important to clarify whether engine power measurement will be based on the engine's actual output or its full capability, as this has legal and operational implications.

The revised control regulation mandates Member States to continuously monitor engine power based on a risk assessment. The ACs would like to underline that the definition of what constitutes high-risk is also unclear at the current juncture. Consultation with industry on the specifications and practicalities associated with implementation of these provisions are required.

The ACs request a clear technical description of the tool, the "black box", that will measure the engine power. Providing a technical framework along with this description will offer suppliers the necessary information regarding the system's requirements. With both the technical description and the framework in place, the implementation process will proceed more efficiently, ensuring a level playing field for fishers across different EU countries.

ACs are concerned about the implementation of this measure due to the complexity of such a monitoring system. It's not just about the purchase and maintenance costs — any adjustment or repair to a torsion meter requires recertification under the control regulation. This is practically and financially unfeasible, especially when landing in foreign ports. Suppliers therefore propose a minimum period of three weeks to allow vessels to comply without having to suspend fishing activities.

Addressing these concerns in advance will contribute to a more effective and transparent monitoring system.

9. Use and opportunities of EMFAF

The effective utilisation of the European Maritime, Fisheries and Aquaculture Fund (EMFAF) and other available funding opportunities is crucial for supporting the sector. The NWWAC, PelAC and NSAC call on the Commission to promote EMFAF for control purposes and ensure harmonised use across Member States, as it is essential to maintaining a level playing field and preventing disparities in access to and utilisation of funding. Additionally, the Commission and Member States should reduce bureaucratic burdens, streamlining application and administrative processes to enhance

efficiency and encourage greater participation. Simplifying procedures in all Member States will maximise the impact of these funding opportunities and facilitate their effective implementation.

The PelAC provided some translation of the costs associated with the administrative burden of the revised control regulation:

- Based on estimates provided by Ireland for fitting out a 56m vessel, the hardware and installation of REM systems onboard will cost 19,000€ (does not include the costs of sensors), with additional costs for the storage and handling of data (estimated at €1,500 per year). These costs are based on a vessel with existing wiring and will be much higher for older vessels without such wiring in place. Lifespan of the cameras is c.5 years due to exposed installation locations.
- The costs for the continuous monitoring of engine power are unknown but are likely to be significant given any monitoring system required will be complex and difficult to install.
- The costs for the marking of gears in multiple places as proposed by the Commission will likely be less significant depending on the types of tags.

The ACs would also like to underline the limited EMFAF support of vessels over 24 metres despite increased control and increased costs. The ACs hope that the Member States national authorities can work to allow the use of EMFAF to fund and enable compliance with the revised control regulation.

10. Separate stowage

Article 44 mandates that demersal catches subject to multiannual plans, retained on board Union fishing vessels of 12 meters or more, must be stored separately by stock in clearly identifiable boxes, compartments, or containers, provided they meet the minimum conservation reference size. The Commission has the authority to adopt delegated acts to exempt certain demersal stocks from this requirement.

NWWAC, PelAC and NSAC members have raised concerns regarding the practicality of this requirement, noting that the number of stocks falling under these multiannual plans has increased significantly, especially following the implementation of Regulation (EU) 2019/472 and 2018/973, which established the multiannual plans for 67 stocks in Western Waters and in the North Sea. With the expanded list of regulated stocks, adhering to this rule has become increasingly challenging at sea and may not be effective for control purposes. The ACs stress that pragmatism is essential within this delegated act to ensure the regulation remains feasible and enforceable in real-life fishing operations.

11. Digital traceability

Regarding digital traceability, the NWWAC, PelAC, and NSAC emphasize that the new requirements in the Control Regulation could have a significant impact on the entire supply chain, from catch to consumer. However, there remains considerable uncertainty about the specific requirements, and it will be up to each Member State to determine what is considered sufficient for digital tracking throughout the supply chain. In this context, the Advisory Councils advocate for a level playing field

between European Member States to ensure fair competition and consistency across the EU. Furthermore, it should be avoided that traceability requirements negatively impact export markets and the competitiveness of European fish.

Conclusion

NWWAC, PelAC, and NSAC sincerely thank the Commission for the productive discussion during the workshop, which served as a valuable platform for constructive feedback. Recognising the complexity and significance of this initiative, we appreciate the Commission's positive engagement with Advisory Councils' stakeholders and look forward to continued collaboration to advance this important work.

To ensure outstanding issues are effectively addressed, the ACs recommend organising a follow-up meeting, ideally with the participation of Member States and EFCA, to facilitate further clarification and progress.

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ANNEX 1 – FURTHER QUERIES

Additional queries received by members of the participating Advisory Council following the Multi-AC Workshop on the Control Regulation held in Brussels on 05 February 2025. These queries are listed in no particular order and shouldn't be interpreted as particular positioning by any of the concerned ACs, but exclusively as requests for clarification.

1. Article 11(1)(d): Marking of Buoys

Buoys used in fisheries are made of hard plastic, making them very difficult to mark effectively. Moreover, fishing gears can be made up of several hundred buoys. In this case, would it be possible to mark the main line to which buoys are attached instead of marking individual buoys?

2. Article 23(1)(j): Reactivation of the Electronic Reporting System

Could the Commission clarify the rationale behind this requirement? In the case of failure at sea, how would this impact the fisher? Would he have to return to the position where the system failed?

3. Article 38(2): Margin of Tolerance Calculation

Could the Commission clarify the notion of a representative sample as used in the revised control regulation article 38 on margin of tolerance? In the case of alternative methods of calculation or estimate being possible, will the Commission provide guidance, or will these methods be left at the discretion of the Member States?

4. Catch reporting app

Could the Commission provide some more details about how the catch reporting app will look, what it will entail, when and where it will be trialled and implemented?

5. Listed ports receiving a derogation from the margin of tolerance.

Could the Commission give any details about how these ports will improve data on species composition, particularly in unsorted mixed landings. What tools are in place that will ensure the weight of catch per species will be accurate to within 10% of the species catch? Has the Commission evaluated the methods used in Listed Ports and compared the results with other modern control techniques such as DNA testing of catches?

6. REM/CCTV

Why does the REM and CCTV obligation not cover all units operating active fishing gear?

7. Derogation regarding obligation to report catches

Does the Commission have a work schedule for the identification of fisheries with a derogation from the obligation to report catches by fishing operation?

8. Failure of vessel monitoring system technology

When a vessel whose monitoring technology fails due to no fault of the operator, what will the legal implications be for the operator?

9. Vessel inspection

When an inspection of a fishing vessel is requested by the Member State in its waters in which it is operating, based on whose Member State's risk assessment is it? How will the Commission ensure this is the same risk assessment in the vessel's flagged Member State?

10. Administrative burden

Could the Commission identify where in the application of the new regulation the current administrative burden for the operators of vessels will be reduced?

11. Guidelines

When will the Commission publish guidelines to ensure a level playing field for all operators across all Member States in relation to the penalty points administrative sanctions for the Member States?

12. Liability for data collection, transfer and storage

Could the Commission provide the clear identification who will be liable for the collection, transfer and storage of the data that will be required under the new Control Regulations?

13. Article 14 and Article 15

Regarding the obligation to record in the electronic logbook and transmit to the authorities catches after each fishing operation: For the majority of fishing vessels, the skipper **master** is the sole person to enter data into the fishing log book. This generally takes between 30 and 40 minutes each day to upload and transmit the day's catch. According to article 14 this task now must be completed for every fishing operation, the implications of which are obvious when you consider the number of fishing operations which are undertaken for the different meters.

- Demersal Trawls: 4 to 6 fishing operations per day
- Fly shooters: 6 to 9 fishing operations per day

- Beam Trawler: 7 to 8 fishing operations per day
 - Scallop vessels: 10 to 12 fishing operations per day
 - Vessels fishing with pots or traps: 10 to 20 strings of pots
1. This will have a serious impact on safety when considering the time required to complete and transmit the logbook.
 2. The skipper will be in breach of the working time directive as in the majority of cases he is the sole person making logbook entries.
 3. The risk of introducing an error in entries into the logbook will increase by multiples if this requirement is introduced leaving the skipper at risk of committing an infringement.

14. Article 55(7)

“This Article shall apply to any recreational fishing activities, including fishing activities organised by commercial entities in the tourism sector and in the sector of sports competition.”.

Can the Commission identify when guidelines regarding this requirement will be published.

Can the Commission clarify that ‘pesca tourism’ is a commercial activity which falls outside Article 55(7) unless the fishing passengers all are registered as recreational fishers, who consequently will follow the rules in force for recreational fishers in that area, includes no marketing or sales of catches. If fish are handed over to the vessel, these fish must be registered as commercial catch.

15. Definition and Use of "Standardised Boxes" and "Standardised Pallets"

The definitions of "Standardised Box" and "Standardised Pallets" refer to the type and size but do not specify the total weight. This creates challenges throughout the regulations, such as in Annex II and Annex V, where the number of standardised boxes and pallets affects the calculation of total weight based on a sample. How does the Commission plan to address the issue of varying weights in the boxes, especially when one box potentially could deviate significantly from the weight of others in the sample? Additionally, how does the Commission justify the administrative burden and feasibility of using CCTV to automatically count all quantities entering a storage area via a single designated access point? Specifically, what systems or technologies are expected to be used to ensure accurate and reliable counting, and how will the Commission address potential issues related to data protection and privacy?

16. Onboard Weighing Requirement

The proposed Article 43 and Annex II, Section A "General rules," state that Masters of Union fishing vessels weighing fishery products on board shall weigh all fishery products onboard before landing. This is not the current practice, as Danish fishers decide which species to package onboard and which to land before sorting based on a variety of considerations, including economic and quality considerations. How does the Commission justify the requirement for all fish to be weighed onboard, and what practical solutions are proposed to address the challenges this presents?

17. Transmission of Weighing Data Before Landing

The proposed regulations require weighing systems to transmit all weighing data to the authorities before landing. This requirement will likely prevent weighing onboard, as currently existing weighing systems are not designed for this.

Additionally, Annex I (g) states that weighing systems with conveyor belts must not be connected to a data transmission system for safety reasons. How does the Commission plan to reconcile these conflicting requirements?

18. Proportionality of Sampling Requirements and Impact on Smaller Fishers

The proposed regulations contain multiple sampling and control plan setups, which all specify a minimum number of boxes to be sampled in specific fisheries. One element common to all of the proposed plans is that the number of boxes required for sampling is significantly higher than current regulations, and the required number of boxes for smaller landings is proportionally much higher than for larger landings. This creates a disproportionate burden on smaller fishers, as a larger percentage of their total catch must be sampled or weighed.

Additionally, the quality of fishery products can deteriorate when they are subjected to sampling, which directly impacts the economic value of the catch. Smaller fishers, who have smaller landings, are disproportionately affected because a significant portion of their catch must be sampled or weighed, leading to greater economic losses compared to larger fishers. How does the Commission justify the proportionality of these sampling requirements, and what measures are in place to ensure smaller fishers are not disproportionately affected?

Furthermore, the proposed Annex II, Section 16, states that if the average box weight per species recorded on labels deviates by more than 5% from the average box weight determined by sample weighing, the Member State shall suspend the vessel's authorisation to weigh on board for 6 months. If the deviation exceeds 10%, the suspension shall be for at least 1 year. Three suspensions within 24 months will result in permanent revocation of the authorisation. How does the Commission justify such severe penalties, especially considering the significant impact on smaller vessels?

19. Information regarding discarded catches size class

The proposed regulation contains annex XV regarding instructions to masters of fishing vessels concerning the fishing logbook, landing declaration, and transshipment declaration, paragraph 23, about "estimated discards". Therein, it is stated that information about the catches discarded size class must be reported. One must either report the size class of the discarded catches as "Legally sized (LSC)" or "below minimum conservation reference size (BMS)". However, it does not make sense to measure fish that are to be discarded in order to estimate their "size class" – especially since the chances of the fish's survival are minimised if it has to be measured before being discarded. What needs to be discarded is based on an assessment made by the master of the vessel. Any and all processing of catches to be discarded decreases the chances of the fish's survival monumentally. How does the Commission justify implementing this rule, considering that

such measurements significantly reduce the chances of the fish's survival? What value does the extra information bring, and does it justify the added risk for the fish, and the added workload on the fishermen?

20. Harmonisation of electronic logbook

Can the Commission implement the harmonisation of the electronic logbook for all union vessels similar to the one that existed when the logbook was in paper format.

21. Clarification on Article 39 – Measurement of Engine Power

During the meeting, questions were raised regarding the measurement of engine power under Article 39. While there is a reference to the goals of the CFP, its practical implementation remains unclear. Does the regulation focus solely on measuring maximum engine power during a trip, or does it take a different approach, such as distinguishing between fishing and steaming to monitor activity in closed areas? Additionally, we seek further details on the technical and implementation aspects of this article. As of now, all the focus seems to be on CCTV but this point is also phased in in 2028 and a lot remains unclear.