



Sea Fisheries Protection Authority

Article 60(3) of Council Regulation 1224/2009

Sampling Plan for weighing Fishery products at landing, following weighing on-board

**Providing for a sample number of boxes of fish to be weighed on landing,
following weighing of all boxes on-board**

1. Introduction

Article 60(1) of Council Regulation (EC) No 1224/2009 states that **all** fishery products shall be weighed at landing prior to transport on approved weighing system. However 60(3) creates provision for a derogation whereby fishery products would be weighed on-board, and then sample-weighed again at landing. The onus of responsibility for accurate weighing rests with buyers, auctions or other bodies responsible for first marketing, but in the case of weighing on-board the responsibility for accuracy falls to the vessel Master only. Where fish is landed in standardised boxes the Article 60(3) sampling plan requires a representative number of boxes of each individual species landed to be weighed at the time of landing.

2. Aim

The aim of this Sampling Plan is to verify the accuracy of weighing of fishery products where the weighing has taken place on-board, by sample-weighing at landing. It is based on the methodology described in Annex XX(20) of Commission Implementing Regulation (EU) no 404/2011. At a practical level this sampling plan at landing provides the necessary basis to implement a derogation to permit masters to allow fish to be weighed on-board.

3. General Principles

Weighing onboard fishing vessels will only be possible where masters are specifically authorised by their Flag State Authorities to conduct weighing onboard subject to compliance with certain pre-requisites.

This sampling plan will allow permitted vessel masters weigh fishery products on-board and to weigh a representative number of boxes of individual fishery products on landing, as prescribed in Annex XX (20) Art 2, based on the total number of boxes of that individual species landed.

The sampling plan describes the representative number of boxes to be weighed on landing, based upon the total number of boxes of that individual species landed.

The weight of each individual species landed should be calculated from the average weight of the boxes weighed for that species, multiplied by the total number of boxes of that species landed. The figure resulting provides the weight for the completion of the landing declaration, transport documents; take over declarations and sales note.

The weight resulting from sample weighing multiplied by the conversion factor for the particular presentation of the species should equal the operational recorded catch with 10% tolerance.

It is important to note that although all the fishery products will be weighed prior to landing, and even if the fish are all weighed subsequently, e.g. at auction, it is the outcome of this weighing at landing which is used as the fish weight for the purposes of these official records (landing declaration, transport documents; take over declarations and sales note), and not any subsequent weighing.

4. Applicability

This sampling plan is only applicable to fish landed in standardised boxes.

Annex I of this document outlines the risk category of various species and the resultant required number of standardised boxes of the species to be weighed under this sampling plan. That risk based categorisation is informed by various considerations including

- Landings of regulated species in Irish ports in 2010.
- Inspections carried out in Irish ports and in Irish EEZ in 2010.
- Market prices for regulated species in 2010.
- Availability of quota to vessels.
- Infringements detected in Irish ports and in Irish EEZ in 2010.

The more common species landed in Ireland are either included in Annex I, or as species to which the sampling plan does not apply (Section 5). All other species, including non-TAC species are categorised as ‘low-risk’ under this sampling plan.

This sampling plan pertains to all landings in Irish ports from vessels with national authorisation to conduct weighing onboard, regardless of vessel nationality.

5. Non-Applicability

This sampling plan, and hence the provision to weigh on-board and then sample-weigh on landing shall not apply to the particular species and/or storage methods listed below. For these fishery products, even if part of a mixed landing, the entire quantity landed shall be weighed either at landing subject to Article 60(1), or potentially after transport subject to Article 61 in accordance with a Control Plan or Common Control Programme.

- Species subject to provisions of Art 78 of 404/2011
- Species are always weighed after landing eg Blue Whiting and Boarfish.
- All fishery products not stored in standardised boxes including those stored in bulk

6 Operator Obligations

Weighing Systems

The operator that is responsible for the weighing of the fishery products must ensure that all weighing systems are calibrated in accordance with national systems, and approved by the Sea Fisheries Protection Authority.

SFPA will issue a detailed Fishery Information Notice (FIN) on operator responsibility regarding weighing systems.

Weighing records

Each Operator responsible for the weighing of fishery products should maintain a bound, paginated weighing record, or equivalent electronic record, which will be completed immediately after weighing of the fishery product has taken place or at least by midnight on the day of weighing. This weighing record shall be kept for a minimum of 3 years. Each weighing record will contain the following information:

- The external identification number and the name of the fishing vessel from which the weighed quantity originates.
- The date of weighing (YYYY-MM-DD)
- The logsheet number(s) / ERS record

- Result of weighing for each quantity of each species in kilograms product weight.

The detail that is necessary here for **each species** in the landing includes

- The FAO alpha-3 codes of the species
- The presentation of the fisheries products (iced, gutted etc)
- The total number of boxes of the species in the landing
- The total number of boxes of the species weighed in the sample
- The individual weights of each of those sample boxes
- The ‘tare’ weight of box+ice
- The average weight of fish in the sample boxes weighed
- The calculated total weight of that species landed (average weight by the total number of boxes)

A Sea Fisheries Protection Officer acting under section 17 of the Sea Fisheries and Maritime Jurisdiction Act 2006 shall have full access at all time to the weighing systems, the weighing records, written declarations and all premises where the fisheries products are stored or processed. Operators are obliged to facilitate that access.

Traceability

Operators weighing fishery products in accordance with this sampling plan shall be responsible for placing of fishery products into lots, and the general traceability requirements of the Control regulation. The SFPA will produce a detailed Fishery Information Notice FIN on traceability requirements.

7. Official controls

This sampling plan will be subject to a program of official controls to verify operator compliance with these provisions, and ensure accuracy of weighing. These controls will be incorporated into the national fisheries control program. The program will be risked-based and in accordance with the criteria established in Annex XX(20) of Regulation (EU) No 404 of 2011. The inspection program will include but not be limited to:

- Landing Inspections.
 - Weighing in the presence of SFPA Officers
 - Sample weighing by SFPA Officers
 - Inspection of weighing records
 - Validation of calibration, and approval of weighing systems
- Transport inspections
 - Transport document validation
 - Species verification and sample weighing
- Inspections after transport at auctions/buyers/processors
- Desk top analysis and documentary cross-checks of
 - Prior-notification, log sheets, landing declarations, sales notes and any other relevant documentation

Accuracy of Weighing – Margin of Tolerance

1. When catches weighed onboard are weighed again on land after landing the weight figure attained on land shall be used for the completion of landing declarations, transport documents, sales notes and take-over declarations

2. When catches are weighed onboard, and the weight figure from this weighing is less than the weight figure attained on landing, the permitted 10% margin of tolerance shall not apply.

Annex I

Sampling Matrix

Risk Category	Species Name	FAO alpha-3 code
Very High	Cod	COD (Recovery Stock VIA & VIIA)
	Tuna	ALB
	Monkfish	ANF
	Lobster, Crawfish	LBE, CRW
High	Cod	COD (All other Areas)
	Black Sole	SOL
	Hake	HKE
	Megrim	LEZ
	Raja rays	RJN RJC RJH RJM RJE RJL
	Haddock	HAD
	Whiting	WHG
Medium	Saithe	POK
	Pollack	POL
	Norway Lobster	NEP
Low	Crab All other TAC species	CRE
Very Low	All Non TAC Species	

Number of Boxes landed by species	Number of boxes to be weighed by Risk Category				
	Very Low	Low	Medium	High	Very High
<i>0 – 25</i>	1	2	4	6	8
<i>Each additional 50</i>	1	1	1	1	1