



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Landing Obligation 2019

Information Booklet



Contents

Introduction	3
What's covered in 2019?	3
Are there exemptions to the Landing Obligation?	3
Are there any changes to the technical measures regulations?	6
What happens to undersized fish covered by the Landing Obligation?	8
Annex I – ICES Areas around Ireland	10
Annex II – List of Species under the Landing Obligation from 1 January 2019	11
Annex III – Prohibited species.....	13
Annex IV – Celtic Sea Protection Zone	14
Annex V – Handling Unwanted Catches	15

Disclaimer *The contents of these pages are provided as a guide only. They are intended to enhance access to information. While every effort is made in preparing material for publication no responsibility is accepted by or on behalf of the Department of Agriculture, Food and the Marine for any errors, omissions or misleading statements on these pages.*



Introduction

Under the Common Fisheries Policy (CFP) all catches of species subject to catch limits (i.e. TACs¹ and quotas) may no longer be discarded but must be retained on board and landed. This obligation to land all catches has been gradually phased in over several years, beginning in 2015 with pelagic fisheries, extending to demersal fisheries in 2016, and will be fully implemented across all ICES Areas² in EU waters and for all TAC species in 2019.

This booklet provides information to operators on the main provisions associated with the full implementation of the Landing Obligation from **1 January 2019**.

What's covered in 2019?

All species subject to catch limits, (i.e. managed under the TAC & Quota system), will be subject to the Landing Obligation from 1 January 2019 (see Annex II for a full list of species covered). All catches of these species retained on board **must be recorded in the logbook** and will be counted against the **national quota**.

Are there exemptions to the Landing Obligation?

The Landing Obligation does not apply to: -

- Fish species covered by a **high survivability** exemption;
- Catches falling under *de minimis (an allowance to discard a certain amount of fish subject to specific conditions)* exemptions;

¹ Total Allowable Catches

² A map of the ICES Areas around Ireland is shown in Annex I



- Catches of **prohibited species** (e.g. basking shark)³;
- Fish which have been **damaged by predators** (e.g. seals); and
- Species not managed under the TAC & Quota system.

All catches of these species under the categories listed above **must be discarded**. These discards **will not be counted against the national quota**, but they **must be recorded in the logbook**.

Unwanted catches of stocks below the Minimum Conservation Reference Size (MCRS) which are **not subject to TACs and quotas** and therefore exempt from the Landing Obligation must be returned to the sea immediately. Where catches of such stocks are more than 50kg in any 24 hour period, they must be recorded in the logbook.

What high survivability exemptions will apply in 2019?

The following high survivability exemptions will apply in 2019:

- Prawns (*Nephrops*) caught using pots, traps and creels in the West of Scotland, Irish Sea and Celtic Sea (ICES subareas 6 and 7);
- *Nephrops* caught in the Celtic Sea and the Irish Sea (all of ICES subarea 7) by bottom otter trawlers with either: -
 - A codend mesh size of more than 100mm; or
 - A codend mesh size in the range of 70-99mm using one of the selective gear options listed in the section below on technical measures for the Celtic Sea and Irish Sea;
- Skates and rays⁴ for all gears in the West of Scotland, Irish Sea and Celtic Sea (ICES subareas 6 and 7);

³ Annex III provides a list of prohibited species relevant to Irish vessels as per Article 13 of the annual Fishing Opportunities Regulation

⁴ Cuckoo ray, thornback ray, blonde ray, spotted ray, small-eyed ray, sandy ray and shagreen ray



- Plaice caught by trammel nets or bottom otter trawls in the Celtic Sea and the English Channel (ICES divisions 7d, 7e, 7f and 7g);
- Plaice caught by beam trawlers in the Irish Sea, the Celtic Sea and the English Channel (ICES divisions 7a-7k);
- Fish caught in pots, traps and creels as a bycatch in the West of Scotland, Irish Sea and Celtic Sea (ICES subareas 6 and 7); and
- Black sole below the Minimum Conservation Reference Size (i.e. 24cm) caught by bottom otter trawls with a mesh size in the range of 80-99mm. This applies in the English Channel (ICES division 7d) within 6 nautical miles of the coast and outside identified nursery areas on condition that:
 - the vessel is less than 10 metres and has a maximum engine power of 221kw,
 - the vessel fishes in waters with a depth of 30 meters or less; and
 - with a tow duration of less than 90 minutes.

All catches of the above species must be recorded and returned to the sea immediately on capture.

What *de minimis* exemptions will apply in 2019?

The following *de minimis* exemptions will apply in 2019:

- A maximum of 6% of the total annual catches of whiting by vessels using bottom otter trawls and seines using a mesh size of less than 100 mm; pelagic trawls; and beam trawls in the Celtic Sea (ICES divisions 7b-k);
- A maximum of 3% of the total annual catches of black sole by vessels using beam trawls with a mesh size in the range of 80-119mm and fitted with a “Flemish panel” in the Celtic Sea and English Channel (ICES divisions 7d, 7e, 7f and 7g);



- A maximum of 3% of the total annual catches of black sole by vessels using trammel and gill nets in the Celtic Sea and English Channel (ICES divisions 7d, 7e, 7f and 7g);
- A maximum of 7% of the total annual catches of haddock by vessels using bottom otter trawls, seines and beam trawls with mesh size greater than or equal to 80mm in the Celtic Sea (ICES divisions 7b and c, and 7e-k);
- A maximum of 7% of the total annual catches of cod by vessels using bottom otter trawls, seines and beam trawls with mesh size of greater than or equal to 80mm in the Celtic Sea (ICES divisions 7b and 7c, and 7e-k);
- A maximum of 7% of the total annual catches of horse mackerel by vessels using bottom otter trawls, seines and beam trawls in the West of Scotland and the Celtic Sea (ICES subarea Area 6 and ICES divisions 7b-k); and
- A maximum of 7% of the total annual catches of mackerel by vessels using bottom otter trawls, seines and beam trawls in the West of Scotland and the Celtic Sea (ICES subarea Area 6 and ICES divisions 7b-k).

Are there any changes to the technical measures regulations?

During 2019 new technical measures will be introduced in the Celtic Sea and the Irish Sea as follows:

Celtic Sea

From **1 July 2019**, for vessels using bottom otter trawls or seines in the **Celtic Sea Protection Zone**⁵ (as shown in Annex IV) one of the following gears must be used:

- 110mm codend +120mm square mesh panel;
- 100mm T90 codend⁶; or

⁵ Celtic Sea Protection Zone – waters inside ICES divisions 7f, 7g and the part of 7j that lies north of latitude 50°N and east of 11°W. A map showing the Celtic Sea Protection Zone is shown in Annex IV

⁶ Depending on the results of further trials the mesh size may be increased to 110mm from 1st January 2020.



- 100mm codend +160mm square mesh panel.

By derogation from this provision:

For vessels operating with bottom otter trawls and with a catch composition containing more than 5% of *Nephrops*, one of the following gear options should be used:

- 300mm square mesh panel (vessels under 12 metres may use a 200mm square mesh panel);
- SELTRA box trawl with 270mm diamond mesh 300mm square mesh panel;
- Sorting Grid with 35mm bar spacing or similar net grid; or
- 100mm+100mm square mesh panel.

For vessels with a catch composition containing more than 55% of whiting or 55% of anglerfish, hake or megrim combined, one of the following gear options should be used:

- 100mm codend +100mm square mesh panel;
- 90mm T90 codend and extension;
- 80mm codend + 160mm square mesh panel; or
- 80mm codend + 2m x 100mm square mesh cylinder.

For vessels with catches below 10% of gadoids (e.g. cod, haddock and whiting) in ICES division 7f east of 5 degrees a codend of at least 80mm codend + 120mm square mesh panel should be used.

Irish Sea

From **1st January 2019**, the following will apply to fishing vessels operating with bottom otter trawls or seines in the Irish Sea:

For vessels operating with bottom otter trawls with a codend mesh size in the range 70-99mm and with a catch composition containing more than 5% of *Nephrops*, one of the following gear options should be used:



- 300mm square mesh panel (vessels under 12m may use a 200mm square mesh panel);
- SELTRA box trawl with 270mm diamond mesh or 300mm square mesh panel;
- Sorting Grid with 35mm bar spacing;
- CEFAS Net grid; or
- Flip-flap trawl.

For vessels operating with bottom otter trawls and seines with a catch composition containing more than 10% of haddock, cod and skates and rays combined, one of the following options should be used:

- 120mm codend; or
- An eliminator bottom otter trawl with 600mm large mesh panels and 100mm codend.

For vessels with a catch composition containing less than 10% of haddock, cod and skates and rays combined, a codend mesh size of 100mm+100mm square mesh panel should be used. This is not applicable to vessels with more than 30% of *Nephrops*.

For information on improving selectivity please visit

<http://www.bim.ie/our-services/technology-services/fishermen/>

What happens to undersized fish covered by the Landing Obligation?

Unwanted catches of species covered by the Landing Obligation which are below Minimum Conservation Reference Size (MCRS) must be landed and **will be counted against the national quota.**



- Fish below MCRS must be stored separately from fish over MCRS. They do not have to be sorted by species.
- Catches of fish below MCRS must be fully recorded in the logbook.
- Catches of fish below MCRS must be weighed on landing.
- Catches of fish below MCRS may **not** be sold for direct human consumption but may be sold for: -
 - Non-direct human consumption: Examples include food additives, fish protein extracts and fish oil for human consumption. Food hygiene rules must be followed for the storage and handling of this fish.
 - Non-human consumption: Examples of uses include fish meal, pet food and fish oil for animal feed. Animal By-Product (ABP) regulations apply to the storage and handling of this fish.

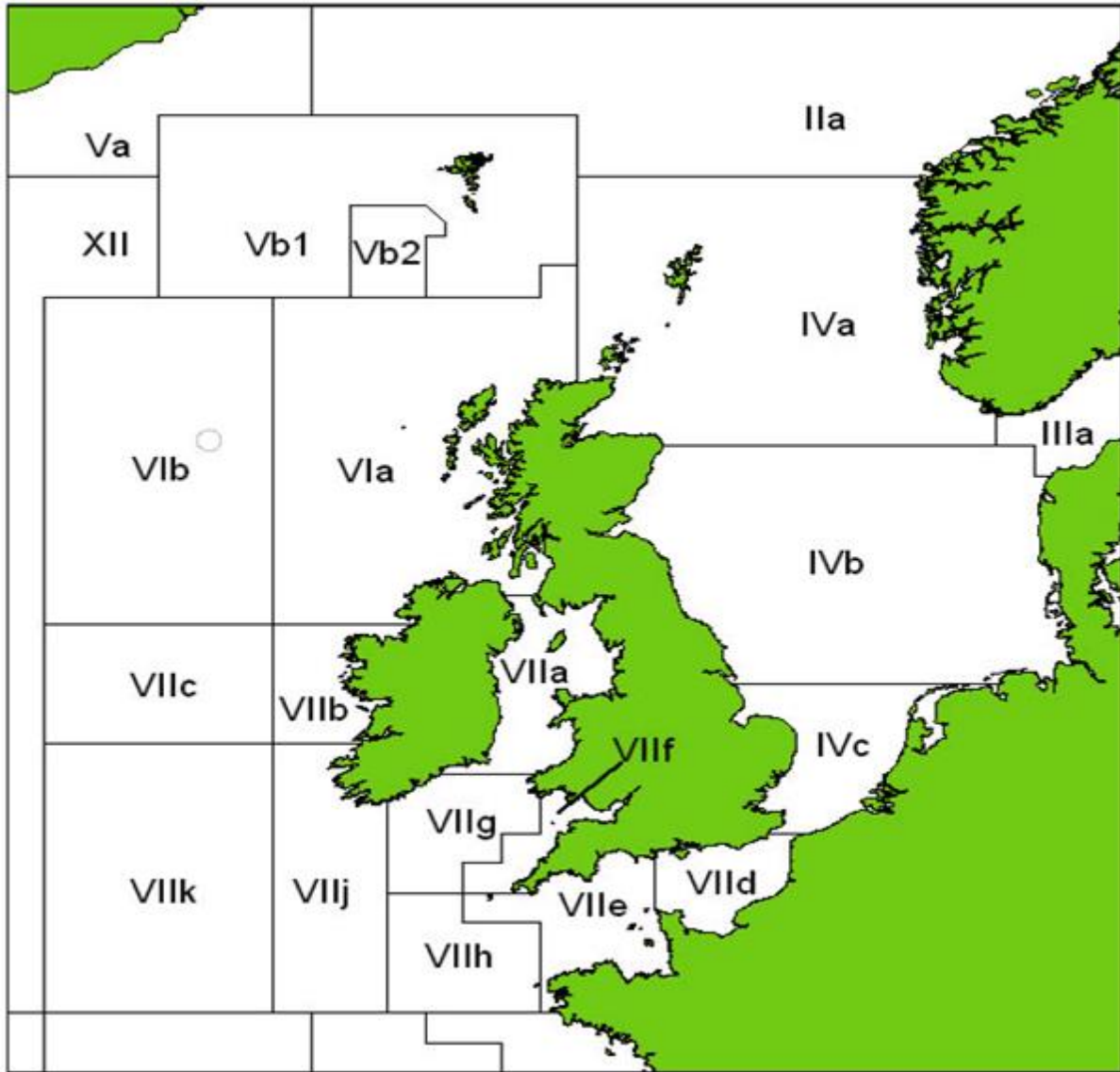
The vessel operator may decide at any point, from the time fish below MCRS is caught until it is sold or given to another operator, whether the undersized fish will be used for Non-direct human consumption or Non-human consumption. The appropriate rules (Food Hygiene or ABP) must be complied with at all times.

Once the decision is made that the fish will be used for Non-human consumption, **ABP Rules will apply from that point on.** This decision is final, and the fish can no longer be subsequently used for Non-direct human consumption.

The vessel operator is responsible for fish below MCRS until it is sold or otherwise transferred. Managing the landing of fish and the handling and transport of fish and fish products remains the responsibility of the operator. Annex V summarises the process of handling unwanted catches.



Annex I – ICES Areas around Ireland





Annex II – List of Species under the Landing Obligation from 1 January 2019

Species	ICES Area
Greater silver smelt	3 and 4
Greater silver smelt	5, 6 and 7
Boarfish	6, 7 and 8
Herring	5b and 6b; 6aN
Herring	7b, c; 6aS
Herring	7a
Herring	7g, 7h, 7j and 7k
Cod	Norwegian waters of 1 and 2
Cod	6b 5b 12 and 14
Cod	6a 5b
Cod	7a
Cod	7b-c, e-k, 8, 9 & 10; & CECAF 34.1.1
Megrims	6; 5b; 12 and 14
Megrims	7
Monkfish	6; 5b; 12 and 14
Monkfish	7
Haddock	6b; 12 and 14
Haddock	5b and 6a
Haddock	7b-k, 8, 9 and 10; CECAF 34.1.1
Haddock	7a
Whiting	6; 5b; 12 and 14
Whiting	7a
Whiting	7b - 7k
Hake	6 and 7; 5b; 12 and 14
Blue whiting	1 - 7, 8 a,b,d,e, 12 & 14
Blue Ling	5b, 6, 7
Blue Ling	2 and 4
Ling	6, 7, 8, 9, 10, 12, 14
Norway lobster	6; 5b
Norway lobster	7
Plaice	6, 5b; 12 and 14
Plaice	7a
Plaice	7b and 7c
Plaice	7f and 7g
Plaice	7h, 7j and 7k
Pollack	6; 5b; 12 and 14
Pollack	7
Saithe	6; 5b; 12 and 14
Saithe	7, 8, 9 and 10; CECAF 34.1.1
Skates/Rays	6a, 6b, 7a-c 7e-k



Mackerel	6, 7, 8a,b, d and e; 5b; 2a; 12 and 14
Common sole	6; 5b; 12 and 14
Common sole	7a
Common sole	7b and 7c
Common sole	7f and 7g
Common sole	7h, 7j, and 7k
Horse mackerel	4b, 4c, 7d
Horse mackerel	2a, 4a, 6, 7a-c, 7e-k, 8a,b,d,e ,5b, 12, 14
Herring	1 and 2
Albacore	Atlantic Ocean N of 5N

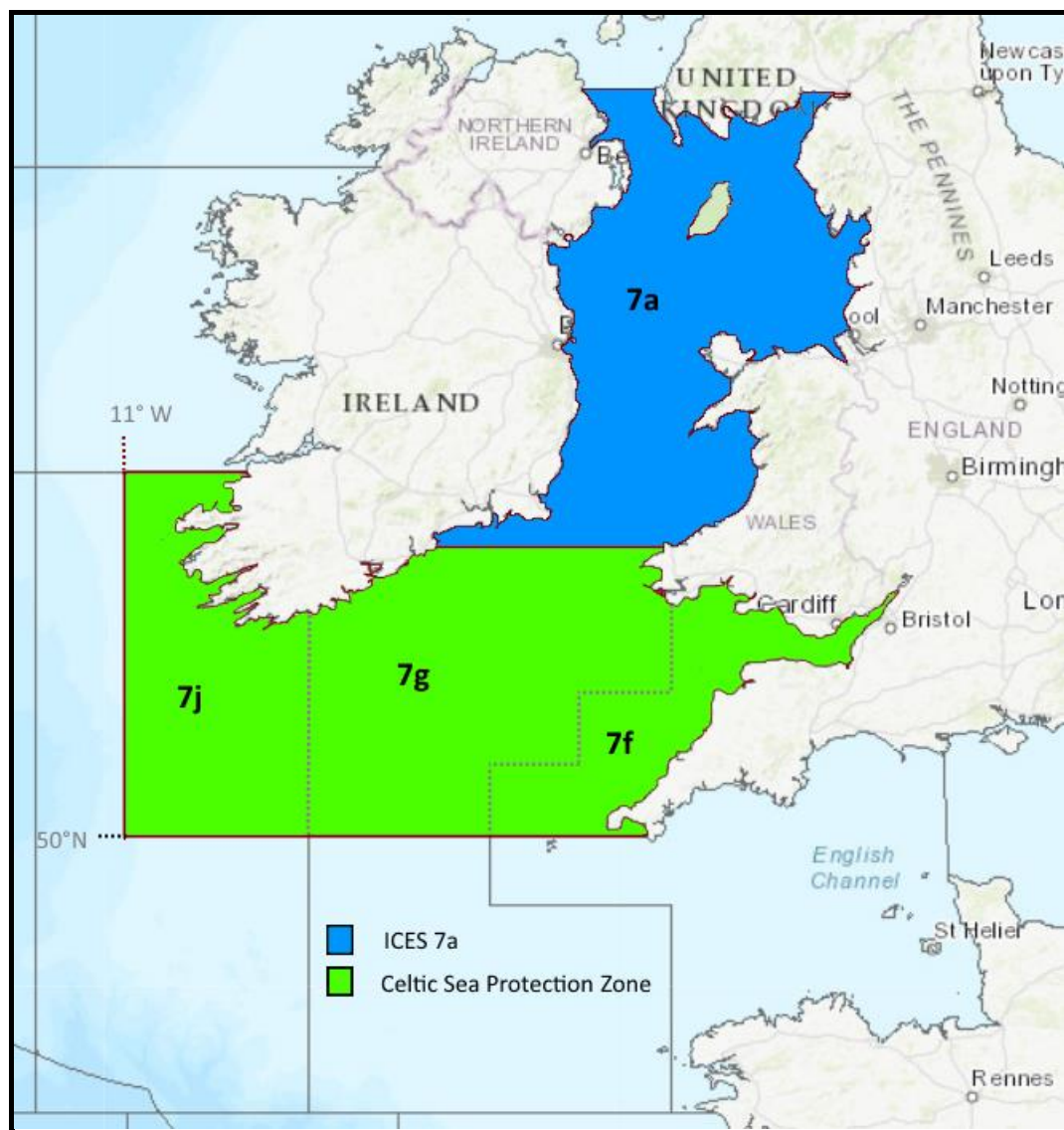


Annex III – Prohibited species

- White shark (*Carcharodon carcharias*) in all waters;
- Leafscale gulper shark (*Centrophorus squamosus*) in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1 and 14;
- Portuguese dogfish (*Centroscymnus coelolepis*) in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1 and 14;
- Basking shark (*Cetorhinus maximus*) in all waters;
- Kitefin shark (*Dalatias licha*) in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1 and 14;
- Birdbeak dogfish (*Deania calcea*) in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1 and 14;
- common skate (*Dipturus batis*) in Union waters of ICES division 2a and ICES subareas 3, 4, 6, 7, 8, 9 and 10;
- Great lanternshark (*Etmopterus princeps*) in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1 and 14;
- Smooth lanternshark (*Etmopterus pusillus*) in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1, 5, 6, 7, 8, 12 and 14;
- Tope shark (*Galeorhinus galeus*) when taken with longlines in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1, 5, 6, 7, 8, 12 and 14;
- Porbeagle (*Lamna nasus*) in all waters;
- Reef manta ray (*Manta alfredi*) in all waters;
- Giant manta ray (*Manta birostris*) in all waters;
- *Mobula* ray species in all waters
- Sawfish (*Pristidae*) species in all waters:
- Norwegian skate (*Dipturus nidarosiensis*) in Union waters of ICES divisions 6a, 6b, 7a, 7b, 7c, 7e, 7f, 7g, 7h and 7k;
- Undulate ray (*Raja undulata*) in Union waters of ICES subareas 6 and 10;
- White skate (*Rostroraja alba*) in Union waters of ICES subareas 6, 7, 8, 9 and 10;
- Guitarfishes (*Rhinobatidae*) in Union waters of ICES subareas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12;
- Spurdog (*Squalus acanthias*) in Union waters of ICES subareas 2, 3, 4, 5, 6, 7, 8, 9 and 10, with the exception where an avoidance programme is in place
- Angel shark (*Squatina squatina*) in Union waters.



Annex IV – Celtic Sea Protection Zone



Celtic Sea Protection Zone – waters inside ICES divisions 7f, 7g and the part of 7j that lies north of latitude 50°N and east of 11°W



Annex V – Handling Unwanted Catches

