



Brussels, 13.4.2021
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COMMISSION IMPLEMENTING DECISION

of 13.4.2021

revoking the approval of the Irish control plan submitted for the weighing of fishery products in accordance with Article 61(1) of Council Regulation (EC) No 1224/2009

(Only the English text is authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the Common Fisheries Policy, amending Regulations (EC) No 2115/2005 (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) 676/2007, (EC) 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006¹, and in particular Article 60(2) and Article 61(1) thereof,

Whereas:

- (1) Commission Implementing Decision 2012/474/EU² approved, pursuant to Article 61(1) of Regulation (EC) No 1224/2009, the control plan of Ireland for the weighing of fishery products landed in Ireland after transport ('the control plan'). Under this control plan Ireland may permit fisheries products to be weighed, instead directly on landing, after transport from the place of landing, provided that they are transported to a destination on the territory of the Member State concerned.
- (2) In 2018, the Commission carried out an audit in Ireland aimed at monitoring the implementation of the control plan. The findings of that audit identified irregularities, subsequently confirmed also by the administrative inquiry conducted by the Irish competent authority, which revealed that Ireland has failed to ensure effective implementation of the control plan in accordance with the obligations arising from the Regulation (EC) No 1224/2009.
- (3) In particular, the operators did not have in place a "weighing system fit for purpose", as provided for under point 5 of the control plan and the audit identified manipulation of weighing systems. Moreover, although aware of those shortcomings, Ireland did not take appropriate measures to address such noncompliance, in particular by withdrawing the permission to weigh after transport as foreseen in point 8 of the control plan. Consequently, the control plan does not minimise the risk of systematic manipulation of weighing pelagic catches in Ireland and the under-declaration of catches by operators.
- (4) Therefore, Ireland could not guarantee an effective control of landed quantities of catches and minimise the risk of noncompliance with the rules of the common fisheries policy. The failure to ensure appropriate weighing also puts at risk the

¹ [OJ L 343 22.12.2009, p. 1](#)

² [OJ L 218 15.08.2012, p. 17](#)

accuracy of the data reported that are essential for control purposes and monitoring of the uptake of fishing quotas.

- (5) Due to the absence of effective implementation of the control plan, derogation from the basic requirement set in Article 60(2) of Regulation (EC) No 1224/2009 according to which all fishery products are to be weighed at landing before transport, should no longer be granted.
- (6) As a consequence, the approval of the Irish control plan should be revoked,

HAS ADOPTED THIS DECISION:

Article 1

Revocation of approval

The approval of the control plan submitted by Ireland, provided for by Article 1(3) of Implementing Decision 2012/474/EU, is revoked.

Article 2

Addressee

This Decision is addressed to Ireland.

Done at Brussels, 13.4.2021

For the Commission

Virginijus SINKEVIČIUS

Member of the Commission

