

## **Information Note No.2**

# **Illegal, Unreported and Unregulated (IUU) Fishing Regulation**

**Council Regulation (EC) No.**

**1005/2008**

**Commission Regulation (EC) No.**

**1010/2009**

**December 2009**

[www.defra.gov.uk](http://www.defra.gov.uk)

## **IUU REGULATION**

### **Information Note No.2**

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## Purpose of this Information Note

1. This Note updates the information provided in Defra's Information Note published in July 2009 about the implementation of the IUU Regulation in the UK.
2. Specifically it includes further details on the following:

### For Importers:

- The process for submitting catch certificates and accompanying documentation to UK authorities for checking
- Update on obtaining Approved Economic Operator (APEO) status
- Charges for checking catch certificates
- Customs formalities

### For Exporters:

- When to complete a UK catch certificate

### For Fishermen:

- When to complete a UK catch certificate (for landings to non-EU countries)

## Further Information

- This information note is only a guide. It is in your interest to ensure you understand the detailed legal requirements of the Regulation. Further information can be found below.

### Legislation:

- The relevant EC regulations are:
- Council Regulation (EC) No 1005/2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:286:0001:0032:EN:pdf>

- Commission Regulation (EC) No 2010/2009

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

- **A further Commission Regulation** has been drafted, including an updated list of excluded products and details of EC bilateral agreements with certain third countries. This has yet to be formally adopted. A link to this regulation will be placed on the Defra IUU webpage when it is available.
- **The Statutory Instrument for England and Wales.** A link to this legislation will be placed on the Defra IUU webpage when it is available.

### Further guidance:

- **European Commission's Guidance Handbook:** the Commission have produced a comprehensive guidance handbook explaining how the scheme will operate. ***It is strongly recommended that you read this handbook.*** This can be found at:

[http://ec.europa.eu/fisheries/cfp/external\\_relations/illegal\\_fishing/pdf/handbook\\_en.pdf](http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing/pdf/handbook_en.pdf)

- **European Commission's IUU website:**

[http://ec.europa.eu/fisheries/cfp/external\\_relations/illegal\\_fishing\\_en.htm](http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing_en.htm)

- **Defra's IUU website** – this includes links to the relevant European Commission documents together with the previous Defra Information Note (published in July 2009) and a Frequently Asked Questions document.

<http://www.defra.gov.uk/foodfarm/fisheries/marine/conservation/iuu-regulation.htm>

## UK Authorities – who does what?

3. A number of authorities will be involved in implementing the IUU regulation in the UK:
  - **Port Health Authorities and Local Authorities** will be responsible for checking catch certificates for imports at sea and air ports.
  - **The Fisheries Authorities in England, Scotland, Wales and Northern Ireland** will be responsible for authorising and conducting inspections on landings by third country fishing vessels.
  - **The UK Fisheries Call Centre** will validate UK Catch Certificates for landings by UK vessels to non-EU countries (where UK catch certificates are required).
  - **The Marine and Fisheries Agency (MFA)** will validate UK Catch certificates for all other exports (where UK catch certificates are required), and the Re-Export section of catch certificates. The MFA's IUU Unit will also assist Local Authorities and Port Health Authorities with further verification of catch certificates and application of control measures on imports as necessary.

**Contact details for these organisations are provided at Annex I.**

## Imports of fish and fish products from outside the EU

4. Broadly, the regulation applies to imports of fish and fishery products caught on or after the 1<sup>st</sup> January 2010. It applies to all products listed in chapters 03 and Tariff headings 1604 and 1605 of the Combined Nomenclature. There are a number of exemptions including aquaculture products and freshwater fish. More details on the excluded products can be found at paragraph 13 below.
5. If you are an importer, or agent acting on behalf of an importer, it is your responsibility to ensure that all your imports of fish and fisheries products are accompanied by a validated catch certificate(s).
6. In practice this means:
  - you will need to obtain a validated catch certificate(s) from the exporter of the products.

- You (or your agent) will need to complete the Importer Declaration at section 11 of the catch certificate, or in the case of multiple catch certificates, you may complete the Multiple Certificate Summary Document (see paragraph 9).
- You will need to obtain additional documents if your consignment is routed through another third country, or if it was processed in a third country other than the flag state of the catching vessel. **(See Annex II)**
- You will need to submit this documentation to UK Port Health Authorities or equivalent Local Authorities within the deadlines for prior notification:
  - For sea freight – a minimum of 3 working days before estimated time of arrival;
  - For airfreight – a minimum of 4 hours before estimated time of arrival
- The full list of such authorities can be found on the Association of Port Health Authorities website at:

[http://www.apha.org.uk/port\\_directory.asp](http://www.apha.org.uk/port_directory.asp)

- For customs declaration requirements and customs clearance procedures for imports subject to the IUU controls, see paragraphs 51-57 below.

## Use of Agents

7. It is always the importer's responsibility to submit the catch certificate(s) for a particular consignment.
8. In practice, some catch certificates are likely to be submitted by agents on behalf of the importer. It is acceptable for the agent to complete section 11 of the catch certificate on the importer's behalf.

## Submission of Multiple Catch Certificates

9. In advance of submitting the catch certificates to UK Port Health the importer must complete the declaration at section 11 of the catch certificate, sign and stamp it.
10. It is likely that multiple catch certificates (i.e. fish caught by a number of different vessels) will accompany some consignments. In such cases we have decided to simplify the burden on both the importer and Port Health by introducing a **Multiple Certificate Summary Document**. This would only require the importer to complete the declaration once, but list the catch

certificates that accompany the consignment. The use of this document is voluntary and is at the discretion of each importer. **However, you must ensure that EITHER Section 11 of each catch certificate OR the Summary Document is completed.**

11. A template of the Multiple Certificate Summary Document is available on the Defra IUU Webpage.
12. **It is important to note that if you or another operator intend to re-export the products outside the EU, in the same form (i.e. without further processing) this summary document must be submitted along with the relevant catch certificates for re-export validation (see paragraph 70 on re-exports).**

## Excluded Products

13. There are a number of exemptions to the Regulation:
  - Fish caught before 1 January 2010 will not require a catch certificate, even if it is imported into the UK after this date. See paragraph 33 below.
  - Excluded products (e.g. freshwater fish, aquaculture products obtained from fry or larvae, ornamental fish and certain molluscs) will not require catch certificates. The full list of excluded products can be found at Annex XIII of Commission Regulation 1010/2009 (see link below):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

14. The list of excluded products, with relevant tariff codes, will be updated by a further Commission Regulation which is due to be published in early 2010. A link to this regulation will be placed on the Defra IUU webpage when it is available.

## Approved third countries

15. The European Commission has asked all third countries (flag states) to provide a formal notification of its competent authorities that will be implementing this regulation (e.g. validating catch certificates).



16. Imports from third countries that do not provide this notification, or whose notification is deemed insufficient by the European Commission, will not be permitted entry to the EU.
17. The Commission has published a provisional list of those countries which have made this notification on its website. This can be found at:  
  
[http://ec.europa.eu/fisheries/cfp/external\\_relations/illegal\\_fishing/pdf/flag\\_state\\_notifications.pdf](http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing/pdf/flag_state_notifications.pdf)
18. **NOTE: The notification only refers to the flag states of the vessel which caught the fish. Importers are strongly advised to ensure they know the nationality of the vessels which provide the fish to be imported, and that these countries are on the Commission's list.**
19. **In addition, certain countries have notified the Commission that, as they do not have sea-going fishing vessels under their flag catching fish for direct or indirect export to the EC, they will not be participating in the catch certificate scheme. These countries therefore have not notified their competent authorities to the Commission. Exports of fish and fishery products are still permitted from these countries where the fish is caught by a fishing vessel of another flag. These countries are set out at the end of the list of notifying countries.**

## The EC IUU Catch Certificate

20. The format of the catch certificate is laid down in Annex II of the Council Regulation (1005/2008).
21. Third countries will produce their own certificates but these must contain all the information listed on the EC catch certificate template, so they are likely to be similar in general appearance.
22. Catch certificates must be in one of the official Community languages. However, if the UK authorities carrying out checks are unable to read the catch certificate, they may request the importer to provide a version in English. It is in your interest to provide a catch certificate in English wherever possible, to avoid any delays in the import process.

## EC Bilateral Agreements with third countries

23. A number of third countries have signed bilateral agreements with the European Commission to use their own control and traceability systems to generate and confirm the information provided on catch certificates. As part of those agreements, the Commission have agreed specific formats of the catch certificate. In some cases the format will be simpler than that set out at Annex II to the regulation.
24. So far the following countries have signed such agreements:
  - Norway
  - Iceland
  - USA
  - Canada
  - New Zealand
  - Faroe Islands
25. Examples of these catch certificates will be included in a new Commission Regulation, which will be published in early 2010. A link will be provided on the Defra IUU website when it is available.

## Simplified Catch Certificate

26. The system of individual catch certificates will be particularly onerous for fish caught by small scale artisanal fisheries, often located in developing countries. As a result a simplified catch certificate has been made available for exports from certain third country fishing vessels.
27. The details of the simplified certificate, including the criteria under which it can be used by exporters are included at Article 6 the Commission Regulation (1010/2009).
28. The simplified catch certificate can be used for vessels meeting any one of the following criteria:
  - overall length of less than 12m without towed gear, or
  - overall length of less than 8m with towed gear, or

- without a superstructure, or
  - of less than measured 20 GT
29. In all cases, catches must only be landed in the flag state and make up one consignment.
30. Rather than complete a catch certificate for each vessel, exporters will be able to list all the vessels which caught the fish for a consignment, and include the quantities by provided by each vessel.
31. The simplified catch certificate can be found at Annex IV the Commission Regulation (1010/2009).

## Other Catch Certificate Schemes

32. As well as the standard, country specific and simplified IUU catch certificates, the European Commission has approved the catch certificate schemes of three Regional Fisheries Management Organisations (RFMOs) as complying with the requirements of the regulation. These documents may be accepted as an alternative to the standard IUU catch certificates for the species concerned. The eligible schemes are set out at Annex V of the Commission Regulation (1010/2009), and currently include:
- CCAMLR Toothfish scheme
  - ICCAT Bluefin tuna Catch Documentation Programme
  - CCSBT (Commission for the Conservation of Southern Bluefin Tuna) catch document scheme: but must also include the transport details, as specified in Appendix I of the IUU catch certificate.

## Fish caught before 1 January 2010

33. The regulation applies only to catches made from 1 January 2010. Therefore fish caught prior to 2010, but imported after 1 January will **not** require catch certificates. However, where appropriate, UK authorities may ask importers to provide documentary evidence to prove that the catch was made prior to 1 January 2010. There is no set format for the information that can be supplied – it could include:
- the date of shipping
  - the date of freezing

- periods of quarantine or storage
  - information on production dates
34. In addition, a letter from the processing plant on headed paper which states the catching date of the raw material, the date of processing, and the description of the product, and signed by the person responsible would also be acceptable.
35. **NOTE: It is not a requirement to submit such a letter. However, importers may wish to do so to facilitate the checking process. The letter does not need to be endorsed by the relevant authorities in a third country. UK authorities may also request additional evidence (as specified above) where appropriate.**

An example template of this letter is set out at **Annex III**.

36. If breaches and false declarations under the IUU Regulation are detected, it will be the importer who is held responsible.

## Charges for checking catch certificates

37. As with checks on veterinary health certificates, Port Health will charge for checking IUU catch certificates on a **cost-recovery basis**.
38. The charges that have been proposed by and agreed with the Association of Port Health Authorities are:
- £15 per consignment for imports from EEA/EFTA countries
  - £15 per CVED for imports from those countries that have signed a bilateral agreement with the EC, and re-imports of EC catches.
  - £45 per CVED for all other imports
39. The lower charges for EEA/EFTA countries and countries with a bilateral agreement reflects the lower risk status of those imports and the corresponding level of checks that will be required.
40. The charges have been calculated to reflect the expected costs of carrying out the checking and verification process, and include other costs such as accommodation, IT/ telephone/fax equipment & maintenance, administration and invoice processing.

41. The charges will be reviewed by 1 April 2010, and where necessary revised, in light of experience of operating the new system.

## Transit & Transshipment Procedures

42. The Council Regulation (Article 19) allows for the checks on products under a transit or transshipment procedure to be carried out in the Member State of destination. Therefore if a consignment arrives at a major European port such as Rotterdam, and tranships to a UK port, UK Port Health will need to undertake the checks on the catch certificates and accompanying documentation.
43. Goods arriving in the UK and moving to another Member State under a T1 procedure are not required to submit their catch certificates for checking in the UK. However, if CVED checks are being carried out in the UK then the importer may choose to have the catch certificates checked at the same time. Customs authorities in the Member State of destination would then be responsible for checking the completed documentation when the goods are submitted for clearance.

## Imports from EEA/EFTA countries

44. Currently imports of fish and fish products from EEA/EFTA countries (including Norway, Iceland, and Faroe Islands) are not subject to the EC veterinary checks regime. However, IUU catch certificates **will be** required.
45. Some imports of fish from these countries will therefore not enter the UK through a Border Inspection Post. It is envisaged that such trade routes will continue to operate. However, in such cases the catch certificates should be submitted to the relevant local authority enforcement team at these ports (i.e. Port Health or Environmental Health) for checking.

## Approved Economic Operators (APEO)

46. In order to simplify the import procedure, the regulation allows for an Approved Economic Operator (APEO) system to be set up. Importers who have been granted this status will not need to provide the catch certificates on import. Instead they will need to advise Port Health of arrival of the products and keep the catch certificates and accompanying documentation for three

years. As a result APEOs will not need to pay Port Health charges for checking the catch certificates on entry to the UK. APEOs will, however, be required to provide catch certificates and other documentation for checking and verification by UK authorities as required.

47. The detailed rules for the operation of the Approved Economic Operator scheme are contained in Chapter II of Commission Regulation 1010/2009.

48. Applicants will need to meet a number of criteria in order to qualify for this status. These are:

(a) The applicant must hold an Authorised Economic Operator (AEO) certificate under the Community Customs Code. Applicants can apply to HM Revenue and Customs to obtain this certificate. It is suggested that applicants apply for the full AEO certificate. Further details can be found at:

[http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?nfpb=true&pageLabel=pageVAT\\_ShowContent&id=HMCE\\_PR\\_OD1\\_026308&propertyType=document](http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?nfpb=true&pageLabel=pageVAT_ShowContent&id=HMCE_PR_OD1_026308&propertyType=document)

(b) The applicant must be established in the UK.

(c) The applicant must have a sufficient number of import operations. In the UK this threshold has been set at 50 consignments per year.

(d) The applicant must be able to demonstrate compliance with fisheries conservation and management measures under the Common Fisheries Policy and not be engaged in or support, directly or indirectly, IUU activity.

(e) The applicant must be able to demonstrate it has a satisfactory system of managing catch certificates and where appropriate, processing records that will enable checks and verifications to be carried out if necessary.

(f) The applicant must have appropriate facilities and security procedures. These will be deemed sufficient if the applicant holds a full AEO certificate.

49. Applications for APEO status are not yet open. Further information on the application procedure will be provided in early 2010.

50. As a first step, potential applicants may wish to find out more about the process for obtaining an AEO certificate from HM Revenue and Customs.

## Customs Formalities

### HMRC Customs Clearance arrangements

51. For imports of fish and fish products subject to IUU checks, the HMRC National Clearance Hub will require authorisation for release by the relevant Port Health or local authority before customs clearance can be granted. However, while importers will be required to obtain the necessary catch documentation for qualifying imports and present this to UK Port Health authorities or equivalent local authorities from 1 January 2010, a phased implementation approach is being adopted for the IUU customs clearance checks.
52. The initial phase will be introduced from **25 January 2010**. From that date, HMRC National Clearance Hub will require authorisation before clearance of imports of fish and fish products arriving in the UK **by airfreight only**, to confirm that either IUU checks have been satisfactorily completed or that the consignment does not require a catch certificate. The timing and sequence of the next implementation phase will be confirmed in the New Year, but it is likely that the next phase will be full rollout covering consignments arriving by all other modes of transport and at all points of entry in the UK.
53. This phased approach is intended to reduce delays and takes account of the fact that a significant proportion of fish imports in early 2010 will be of fish caught prior to 1 January 2010 and therefore outside the scope of the new controls.

### Evidence for customs release

54. HMRC National Clearance Hub (NCH) will accept evidence for customs release in one of the following 3 forms:
  - A copy of the IUU compliant catch certificate or multiple certificate summary document with a UK Port Health/Local Authority endorsement either faxed or e-mailed to NCH by the importer, his agent or the relevant Port Health or Local Authority, depending on current local practice for notifying the results of veterinary checks.
  - An electronic coded message generated through the port inventory system by Port Health at certain maritime ports.

- A standard Port Health document confirming that the consignment is IUU compliant or not within the scope of the IUU scheme, either faxed or e-mailed to NCH by the importer or his agent or directly from Port Health depending on current local practice for notifying the results of veterinary checks.

## Customs Entry (SAD ) requirements

55. Importers of fish and fish products listed in Chapter 03 and headings 1604 and 1605 of the EU Tariff will be required to declare in Box 44 of the Customs declaration (SAD) that either:
- An IUU catch certificate is present (by entering document code C673 in Box 44 and the catch certificate number(s)); or
  - That the goods are exempt from the IUU catch certificate requirement (by entering document code Y927 in Box 44)
56. The same codes will also be required to be entered in Box 44 of export declarations for certain consignments.
57. However, these customs declaration requirements will **not** be introduced on 1 January 2010. The start date will be confirmed in due course but is not expected to be before February 2010. Until this time, importers should continue to complete customs declarations as normal. The UK tariff will be updated once the timetable for the new requirements is known.

## Exports of fish caught by UK fishing vessels

58. If you export UK fish to countries outside the EU then you may need to obtain a UK catch certificate.
59. The UK catch certificate and instructions for completing it, will be available to download from the Defra IUU website. **One catch certificate can be completed per consignment to be exported.** Where multiple vessels and landings make up a consignment the details of each landing will need to be attached to the catch certificate.



60. **NOTE: It is the responsibility of exporters to present completed Catch Certificates to the UK Authorities for validation. The necessary information may only be available at the point of first sale so it is vital that you do not lose this detail in the supply and inventory chain. Landings may be aggregated into consignments but the data for individual voyage contributions to that consignment must be preserved.**
61. **As this requirement will apply to all fish caught from 1 January 2010, exporters should advise their suppliers (including fishermen and traders) that the information at sections 2-5 (and where appropriate sections 6&7) will be required for all the fish that contributes to a particular consignment.**
62. UK catch certificates **WILL BE** required in the following circumstances:
- ***Where fish caught by UK fishing vessels are exported to a third country (e.g. for processing), and such products are re-exported back to EU.***
63. In the case of fish caught by UK vessels, the exporter will need to complete a UK catch certificate and apply to the Marine and Fisheries Agency to validate the certificate. Or to the UK Fisheries Call Centre in the case of direct landings to a non-EU country (see below).
64. In the case of fish caught by other EU vessels, it will be the responsibility of the EU flag state (where the vessel is registered) to validate catch certificates. The details of the relevant competent authorities in other EU Member States can be found at:
- [http://ec.europa.eu/fisheries/cfp/external\\_relations/illegal\\_fishing/pdf/ms\\_authorities\\_en.pdf](http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing/pdf/ms_authorities_en.pdf)
- ***Where a third country requires an EU catch certificate to accompany imports of fishery products to that country;***
65. A number of third countries have informed the European Commission that they will require catch certificates for exports from the EU. Currently, we understand that Norway, Iceland, and Thailand will request catch certificates for EU exports.
66. If you intend to export fish to these countries, we suggest that you contact the relevant authorities in those countries, or the importer, to find out what

documentation will be required, and when this requirement will be implemented. .

- ***Where a UK fishing vessel lands fish to a third country, and this fish is subsequently processed and exported back to the EU.***

67. For landings by UK vessels, the master of the fishing vessel or his representative will need to complete a catch certificate and submit it for validation to the UK Fisheries Call Centre by e-mail or fax. Once submitted, the details will be checked and the validation carried out. The validated catch certificate will then be returned to the vessel or representative. Further details will be made available on the Marine Scotland website:

<http://www.scotland.gov.uk/Topics/Fisheries/Sea-Fisheries/COMPLIANCE>

- ***If you do not know the ultimate destination of the product you are exporting, and it could be re-imported to the EU, it may be prudent to request a UK catch certificate. Without this documentation the product will not be allowed to re-enter the EU.***

68. UK Catch certificates are **NOT** be required:

- ***For exports to another EU country***
- ***Where the product is exported outside the EU and is not re-imported (unless the third country requires a certificate see above)***
- ***Where a UK fishing vessel lands fish to a third country, and this fish is imported unprocessed to the EU.***

69. A T2M form is used to prove the Community status of fish products caught by Community fishing vessels and may be required when fish landed to a third country is then brought into the EU. (Details of how to obtain and complete the T2M form can be found in the Transit Manual Supplement which is available from the HMRC website.) If a T2M form is not submitted on entry to the EU, a UK catch certificate will be required. For example, this would apply where fish was caught by a UK registered vessel and landed in a third country port and is then loaded on the quayside directly into a container and shipped to the EU.

## Re-exports from the UK

70. For re-exports of fishery products which have previously been imported into the EU with a catch certificate, the re-exporter will need to complete the re-export section of the catch certificate and have this validated by the Marine and Fisheries Agency.
71. If they are not the original importers of the product, re-exporters must ensure they obtain the catch certificate (including the Multiple Certificate Summary Document if used), so that the re-export section can be completed.
72. **NOTE:** If the imported products have been processed in the UK before re-export, the re-export section of the catch certificate does **NOT** need to be completed.

## Landings by third country fishing vessels

73. Third country fishing vessels will only be able to access ports, port services, and undertake landings at designated ports in the UK. The list of designated ports can be found at **Annex IV**.
74. Masters of third country fishing vessels will be required to notify the UK Fisheries Call Centre of the port they wish to use at least three working days before arrival, along with details of the vessel, fishing authorisation and the catch certificates for any fishery products they are carrying.
75. This notification period has been reduced to four hours for landings of fresh fish.
76. Third country fishing vessels will also need to submit a declaration prior to landing, covering the quantity of fishery products by species and date and area of catch.
77. The information to be contained in both pre-landing notification and declaration is set out in Commission Regulation 1010/2009.

For more information go to:

<http://www.defra.gov.uk/foodfarm/fisheries/marine/conservation/iuu-regulation.htm>

## Frequently Asked Questions

78. A separate document containing frequently asked questions is available on the Defra IUU webpage.

## Contact us

79. If you have any further questions about this information note please e-mail [IUU@defra.gsi.gov.uk](mailto:IUU@defra.gsi.gov.uk).

## Annex I

### Contact details for UK Competent Authorities

#### **UK Port Health & Local Authorities**

**For submission of catch certificates accompanying imports by sea or air freight:**

The full list of these authorities can be found on the Association of Port Health Authorities website at:

[http://www.apha.org.uk/port\\_directory.asp](http://www.apha.org.uk/port_directory.asp)

#### **UK Fisheries Call Centre**

**For submission of prior notification of landing and pre-landing declarations by third country (non-EU) fishing vessels**

**For validation of UK catch certificates for landings by UK fishing vessels to non-EU countries ONLY**

#### **UK Fisheries Call Centre**

Tel +44 (0)131-271-9700

Fax +44 (0)131-244 -6471

Email [UKFCC@scotland.gsi.gov.uk](mailto:UKFCC@scotland.gsi.gov.uk)

#### **Marine & Fisheries Agency**

**For validation of UK catch certificates for all other exports**

UK IUU Catch Certificate Centre

4th Floor

Ergon House

Horseferry Road

London SW1P 2AL

Email: [UKIUUCCC@mfa.gsi.gov.uk](mailto:UKIUUCCC@mfa.gsi.gov.uk)

Fax: 020 7238 5174

## Annex II

### Documents required when imports are routed through or processed in another third country

1. The international supply chain for fisheries products is complex. In many cases fish caught by a vessel of one third country may be landed to or routed through another third country prior to arrival in the EU. In the case of processed fish, the processing may be undertaken in a third country using raw material caught by vessels of a number of different nationalities.
2. In such cases the importer, or importer's agent, will be required to provide additional documents to UK authorities alongside the relevant catch certificate(s). These are set out below:

**Imports constituting one single consignment which is transported, in the same form, through a third country different to the flag state of the catching vessel (i.e. where no further processing has taken place):**

- Catch certificate
- Evidence to show that the products did not undergo any operations other than unloading, reloading, or preservation. This evidence can be provided as:
  - The single transport document, such as bill of lading or airway bill, covering the passage of the product from the territory of the flag state through a third country; or
  - A document issued by the competent authorities of the third country:
    - Giving an exact description of the fishery products, the dates of unloading and reloading and where applicable the names of the ships, or other means of transport used, and
    - Indicating the conditions under which the fishery products remained in that third country.

**Imports constituting one single consignment which have been processed in a third country other than the flag state of the catching vessel:**

For more information go to:

<http://www.defra.gov.uk/foodfarm/fisheries/marine/conservation/iuu-regulation.htm>

- The original catch certificate(s) – where the totality of the catches have been used in processing, or
- A copy of the catch certificate(s) – where only part of the catch has been used in processing.
- In addition the processing plant must complete the statement at Annex IV of the Council Regulation (1005/2008) and have this endorsed by the relevant competent authorities in that third country.

## Annex III

### Example of statement that fish has been caught before 1 January 2010

To be produced on the headed paper of the production plant

To whom it may concern,

In accordance with **COUNCIL REGULATION (EC) No 1005/2008 of 29 September 2008** establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

I confirm that the product detailed below was produced from raw material caught prior to 1<sup>st</sup> January 2010.

#### Consignment

Description of Goods (including scientific name)	
Quantity / number of packages	
Health Certificate Number	

#### Raw Material

Species of fish	
Catch area	
Dates of catches  It is acceptable to put in a range of dates here	
Nationality of fishing vessel  (Where available)	

#### Responsible Person for Processing Plant (Technical Department):

Note:- this section is to be completed by the relevant person within the processing plant such as the factory manager or the quality manager

Name & Job Title (Please print):	Signature:	Date:	Place:



## Annex IV

### List of Designated Ports in the UK for landings by third country fishing vessels

Port Designations			Function		
Port	Border Inspection Post	NEAFC Designated Port	Landing	Transshipment	Access to Services
Aberdeen	No	Yes	✓	✓	✓
Fraserburgh	No	Yes	✓	✓	✓
Grimsby	Yes	Yes	✓	✓	✓
Hull	Yes	Yes	✓	✓	✓
Immingham	Yes	Yes	✓	✓	✓
Kinlochbervie	No	Yes	✓	✓	✓
Lerwick	No	Yes	✓	✓	✓
Lochinver	No	Yes	✓	✓	✓
Peterhead	Yes	Yes	✓	✓	✓
Scrabster	No	Yes	✓	✓	✓
Ullapool	No	Yes	✓	✓	✓
Leith	No	No	X	X	✓
Grangemouth	No	No	X	X	✓
Dundee	No	No	X	X	✓
Methel	No	No	X	X	✓
Invergordon	No	No	X	X	✓
Stornoway	No	No	X	X	✓
Greenock	No	No	X	X	✓
Plymouth	No	To be notified to NEAFC	✓	✓	✓
Falmouth	No	No	X	✓	✓

The single point of contact for all 3<sup>rd</sup> Country fishing vessel notifications is the UK Fisheries Call Centre:

Tel +44 (0)131-271-9700

Fax +44 (0)131-244 -6471

Email [UKFCC@scotland.gsi.gov.uk](mailto:UKFCC@scotland.gsi.gov.uk)

Note 1: Ports that are not Border Inspection Posts can only accept landings from EEA or EFTA countries where bilateral agreements are in place.

Note 2: Only appropriately licensed transshipments of pelagic species may be made by 3<sup>rd</sup> country fishing vessels at ports designated for transshipments. Please contact the UK fisheries authorities for applicable terms and conditions.

For more information go to:

<http://www.defra.gov.uk/foodfarm/fisheries/marine/conservation/iuu-regulation.htm>

Department for Environment, Food and Rural Affairs

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Telephone 020 7238 6000  
Website: [www.defra.gov.uk](http://www.defra.gov.uk)

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Published by the Department for Environment, Food and Rural Affairs