



Cornish Fish Producers Organisation Ltd

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Dear Member

LANDING OBLIGATION ADVISORY NOTES

Even before the implementation of the EU's Landing Obligation (LO) most if not all CFPO member vessels were already working on improved selectivity and fishing practices in various ways (including in partnership with CEFAS, DEFRA and MMO) and these efforts are continuing.

Mesh size, gear configuration, areas fished and changes to fishing patterns beyond statutory regulations have been trialled and implemented across the breadth of our membership.

Targeting small, unwanted or unmarketable fish is not the practice of CFPO members and this will remain the case.

Most discards in our fisheries appear to be regulation driven, including bass or spurdog, which are not subject to the landing obligation.

These facts seem to have been lost on NGOs and others but we are working to ensure these efforts and factors are recognised.

The LO entered into force for all species subject to TACs (quotas) on 1 January 2019. As drafted, it continues to present some significant challenges in the ultra-mixed fisheries we have here in the Southwest, particularly given the constraints of our current quota allocations under the CFP's relative stability share principles. As we go through the year these challenges, and others we haven't seen coming yet!, are likely to intensify.

General Principles

All catches of TAC (quota) managed species, regardless of size, must be kept on board, landed and will count against your quota uptake, except where exemptions apply.

It is important to note the LO applies to **all** fishing vessels including under-10m vessels.

The LO does not apply to non-quota species. These can be discarded if necessary.

The LO does not apply to prohibited species (refer to your licence for full list) such as porbeagle or common skate. These **must** be discarded.

The LO does not apply to bass so any bass in excess of your permitted landing limits (refer to your licence) or undersized **must** be discarded.

The LO does not apply to bluefin tuna and they **must** be released alive if possible. Dead bluefin tuna must be reported to MMO for advice on disposing ashore for scientific purposes.

Those of you using pots, traps or creels are not affected by the LO.

Those of you using scallop dredges or longlines, the only quota species you can continue to discard are skates and rays.

For other gears/fisheries there was attempt to limit as much as possible the problems vessels would inevitably encounter and a number of flexibilities and derogations were secured for specific fisheries.

The CFPO has produced a number of gear/fishery specific landing obligation advisory notes to ensure that you understand what derogations/flexibilities are available to you and underline the importance of recording of their use. These are available on request or on our website (www.cfpo.org.uk)

It should be noted that we are 6 months into 2019 and the use (**or at least the recording**) under these flexibilities, such as high survival and *de minimus* has been very limited or even non-existent in some fisheries.

There is a danger that the lack of **recorded** use of the flexibilities and derogations might be interpreted as they are not required and will be removed. Having spoken with many of you I know this is not the case and it is important to record their use.

As I have said earlier I believe CFPO member vessels are operating responsibly and are making every effort to avoid small, unwanted and unmarketable fish. However, if you do have unavoidable catches of under sized quota species, that are not subject to any derogations/flexibilities, they must be retained and landed.

On vessels 12m and over the undersized quota species that have to be landed must be recorded by species. Different species can be mixed and stored in the same box(es), unless it is recovery species. For example hake. which must be stored separately. The box(es) of undersized must be marked/tallied as such.

On vessels under 12m you do not have to store undersized fish separately. If you have a logbook you must record them by species.

The full Landing Obligation guidance is available from the MMO website (<https://www.gov.uk/government/publications/landing-obligation-2019-rules-andregulations>) or if you require any further information or clarification please contact the CFPO office.

Yours sincerely

Paul Trebilcock
Chief Executive

