

## EU IUU COUNCIL REGULATION (EC) No. 1005/2008 of 29<sup>th</sup> September 2008

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In addition to the above base regulation, the European Union issued Commission Regulation (EC) no.1010/2009 laying down detailed rules for the implementation of 1005/2009 followed by 395/2010 amending the administrative arrangements on catch certificates. The European Commission also issued a handbook on the practical applications of the IUU regulations.

In practice DG MARE which is the directorate responsible for IUU is authorized to arrange missions to flag state countries and carry out an inspection of their systems used to control IUU.

During all such mission any errors in, or failures to implement an appropriate system of controlling IUU in accordance with the EU regulations are flagged up and instructions/ guidance for necessary improvements in their systems are provided by the officials from DG MARE.

If a flag state does not carry out the necessary improvements in their system the commission may propose to the council and the European parliament to issue a yellow card. The yellow card will remain in place until such time as an appropriate system is in place. In cases where the flag state does not cooperate and carry out the requested improvements, the commission may propose issuing a proposal to issue a yellow card or red card must be discussed in management committee consisting of the commission and officials from all the EU member states. If the management committee approves the commission proposal to issue a yellow or red card, the next step will be to put a formal proposal before the council of ministers and the European parliament for the scrutiny and approval.

To date very few flag states received a red card because they did not cooperate with DG MARE.

I should also make it clear that the regulations allow for an option penalizing certain sectors of the fishing industry rather than the whole fishery although this option has as yet never been used.

I also must stress that the slave labour issue plays no part in the IUU regulations and **must not** therefore be linked together. Slave labour issue are normally addressed in diverse EU trade agreements with third countries.

Thailand to my knowledge has cooperated with the EU and continues to do so. I was therefore extremely surprised that following a recent DG MARE mission verbal directions were given to Thailand to suspend shipments to the EU pending the registration of reefers supplying raw fish for canning and subsequent export to the EU.

This subject has nothing to do with IUU as Hygiene Regulations are the responsibility of another directorate, namely DG SANTE. Representations were made by myself and others to DG SANTE and a letter clarifying whether and on what basis reefers have to be registered in the EU and whether a period of grace will be granted carry this out in an orderly manner.

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AND MEMBER OF THE BOARD OF FRUCOM (The European Association for canned and preserved food importers)

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<http://www.british-food-importers-distributors.org/>