

JUNE 1 - 3
SKAGEN
DENMARK

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and Fisheries

**Fisheries Control Systems – the
Danish Way**





**Ministry of Food, Agriculture
and Fisheries of Denmark**
Danish Fisheries Agency

Fisheries control systems – the Danish model

Implementation of the Danish control and sampling plans

Timeline leading to the Danish sampling and control plans (1/2)

2014: Commission letter of formal notice to Denmark

Regarding article 5, 14, 23, 33, 64 and 89 to the Control Regulation

2014: Danish reply

On the ground of the reply above, the Commission drops the claims in the pilot letter about article 23, 33 og 64

2019: Commission Additional letter of formal notice to Denmark*

Regarding article 5 (3), 14 (1) and 89 (1) and article 60 and 61

Commission points out that Denmark does not fully comply with article 60 and 61 in the Control regulation regarding:

- the registration, weighing and declaration of fish
- the weighing of fisheries products after landing
- the requirement that all amounts of fish that exceeds 50 kilograms must be registered in the logbook of the vessel with a tolerance of no more than 10 %

2019: Danish reply

** Commissionen's letter of formal notice no. 2014/2137*



Timeline leading to the Danish sampling and control plans (2/2)

2020: Danish Sampling and Control plans are implemented

1 January 2020: Readjustment to the Danish legislation necessary for adopting the plans (national order)

1 January 2020: The plans enter into force

1 April 2020: The plans are fully enforced

2020/ 2021: Updated/ new instructions

Instruction 10.1.4 – Logbook and margin of tolerance

Instruction 10.1.5 – weighing of fish sorted and packed at sea

Instruction 10.1.6 – Sanctioning of infringement of sampling according to the sampling and control plans

Instruction 10.1.11– Application of points

2021: 22-26 November - Visit from the Commission to Denmark to verify the Danish setup and implementation thereof

2022: March - Submission of sampling plan in accordance with article 60.1 and submission of updated sampling plan in accordance with 60.3 and updated control plan.



Implementation of the sampling plans



Ministry of Food, Agriculture
and Fisheries of Denmark
Danish Fisheries Agency

Readjusting the Danish legislation*



Important changes:

§ 2, stk. 2: A box of fish must not deviate with a tolerance more than +/- 5 percent

§ 13: Receivers/buyers of the fish must for all landings either weigh all fish or take out samples in accordance with the respective sampling plan

§ 13, stk. 4: The Danish Fisheries Agency can issue a permission to an auction to use its own sampling plan for the control weighing of the fish

§ 14, stk. 2: The result of the control sampling after landing will always be the subject for the registration in the landing declaration, sales notes etc.

§ 17 & Annex 6: The Danish Fisheries Agency can give permission to vessels to weigh and pack the fish on board, where after it is not necessary to weigh all the fish after landing. Instead control samples can be taken from the catch in accordance with the Danish sampling plan.

*Link to the Danish national order (kontrolbekendtgørelse nr. 290 af 25/03/20) – only in Danish: [LINK](#)

New sampling and control plans*

1) Regarding the weighing of fishery products, that are landed unsorted for industrial purposes



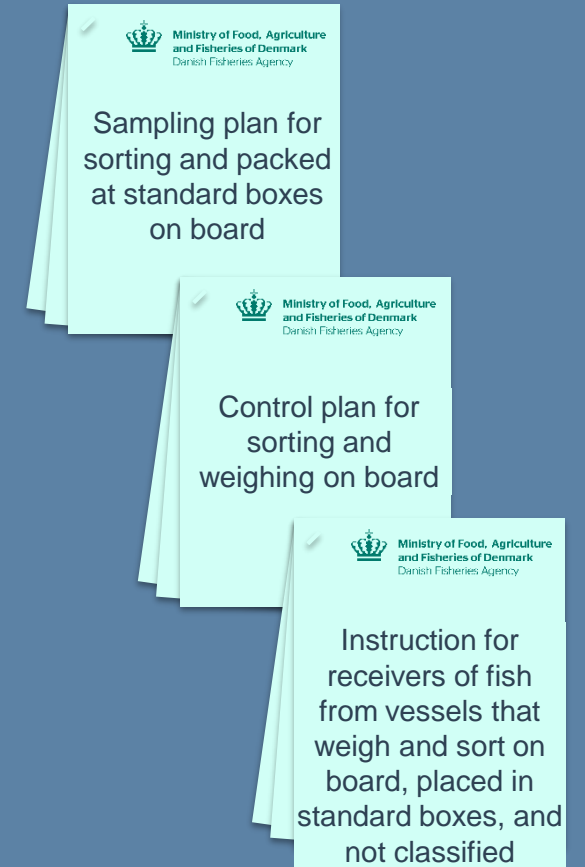
2) Regarding the weighing of pelagic species, that are unsorted at landing



3) Regarding fishery products, that are sorted and weighed on board before landing and first sale



4) Regarding fishery product, that are sorted and weighed on board, but from vessels, not holding an authorization to sort and pack at sea..



*The plans are published on the webpage of the Danish Fisheries Agency (only in Danish) – [LINK](#)

Sampling and control plans

1) Regarding the weighing of fishery products, that are landed unsorted for industrial purposes



- Industrial landings are unsorted because it is practically impossible to sort on board or at landing
- In principle, every species must be weighed separately at landing; however, with the sampling plan it is instead possible to take out samples and base the species composition on the samples
- The first buyer of the fish is responsible for taking out samples (an independent third party can also be designated to take out the samples on the buyers behalf)

Main species	Catch area	Numbers of samples on landings with 25 tons and below	Numbers of samples at landings between 25.1 tons and 200 tons	Numbers of samples at landings with more than 200 tons
Sand-eel (SAN)	North Sea and 3A	3	3 + 1 per commenced 50 tons	6 plus 1 per commenced 250 tons
Sprat (SPR)	3A	5	5 + 1 per commenced 25 tons max 10	21
Sprat (SPR)	North Sea	5	5 + 1 per commenced 25 tons max 10	24
Sprat (SPR)	3D	5	5 + 1 per commenced 25 tons max 10	15
Herring (HER)	3D		5 + 1 per commenced 25 tons max 10	
Norway pout (NOP)	All areas	5	5 + 1 per commenced 25 tons max 10	24
Blue whiting (BLH)	All areas	3	4	4 + 1 per commenced 250 tons
Boarfish (BOR)	All areas	3	3 + 1 per commenced 50 tons	6 + 1 per commenced 250 tons
*Other species	All areas	0,5 per mille of the catch min. 100 kilograms	0,5 per mille of the catch, min. 100 kilograms	0,5 per mille of the catch

Sampling and control plans

2) Regarding the weighing of pelagic species, that are landed unsorted

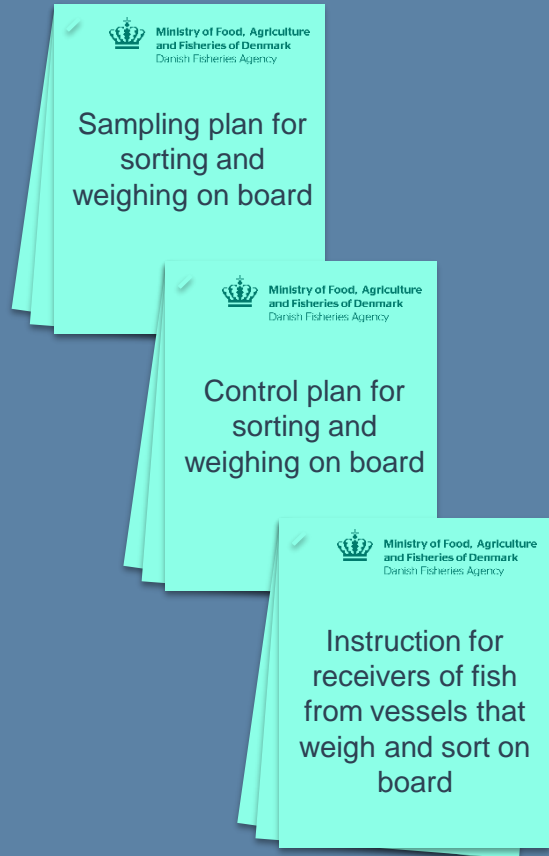


- Pelagic species are stored as unsorted bulk. The catch is landed unsorted, because it is not possible to sort on board before weighing.
- In principle, every species must be weighed separately at landing; however, with the sampling plan it is instead possible to take out samples and base the species composition on the samples
- The first buyer of the fish is responsible for taking out samples (an independent third party can also be designated to take out the samples on the buyers behalf)
- If the vessel store the fish in separated tanks, samples must be taken from each tank

Amount set to sale (in tons)	Minimum weight of the sample (kilograms)
Under 5	8
5 to 15	20
15 to 40	40
40 to 60	60
60 to 80	80
80 to 100	100
100 and above	120 (minimum 0,08 % of every catch with more than 100 tons)

Sampling and control plans

3) Regarding fishery products, that are sorted and weighed on board before landing and first sale

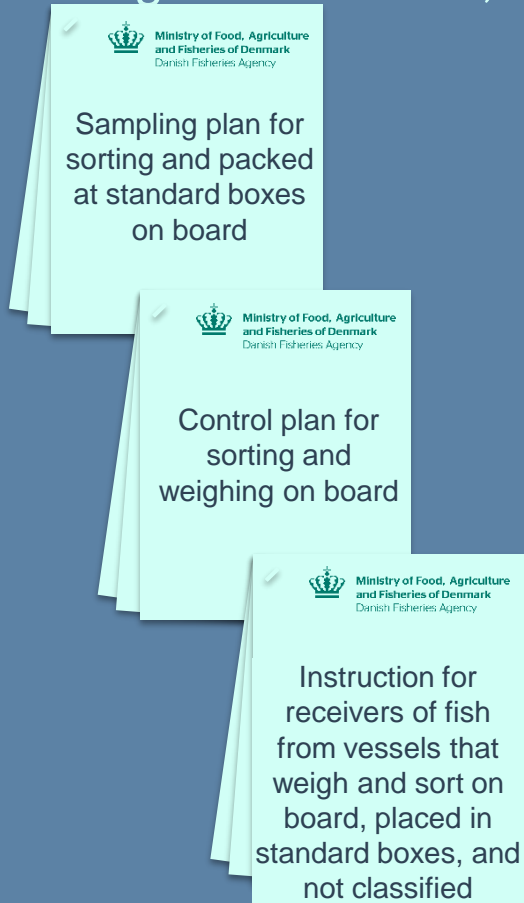


- It is favorable for many vessels to weigh and pack on board. Those vessels have installed scales and special systems to handle the weighing on board at sea.
- The vessels must hold a permission from the Danish Fisheries Agency to be able to weigh and sort onboard (DK authorization 900)
- The weighing must be done on a approved scale on board the vessel
- The fish must be sorted in boxes in accordance with the EU market standards
- A weighing slip should be placed in or at every box which contains information about the weighing result, market standards and traceability
- An auction can get permission to take out samples in accordance with its own sampling plan that is approved by the Danish Fisheries Agency, thus it is not necessary to take out samples in every landing

Number of boxes per species	Number of boxes that – as a minimum – must be taken out as samples
50 kilograms and below	0
1-25	1
26-50	2
51-99	3
100 and above	3 + 1 per 100 box

Sampling and control plans

4) Regarding fishery products, from vessels not authorized to sorted and weighed on board before landing and first sale, and for vessels from other MS without a sampling plan and 3. countries



- Denmark have landings from other MS, not having a sampling plan and from 3. countries, were it is not possible to have a Commissions approved sampling plan. Further does not all DK vessel hold a authorization for weight and packing at sea.
- It is favorable for many vessels to weigh in standard boxes at sea. The vessels must not hold a permission from the Danish Fisheries Agency to be able to weigh and sort onboard
- The fish may be sorted in boxes in accordance with the EU market standards, if not done at sea, this have to be done before first sale.
- A weighing slip should be placed in or at every box which contains information about the weighing result, market standards and traceability.
- If sorted in accordance with EU market standard the auction can use its own sampling plan that is approved by the Danish Fisheries Agency, thus it is not necessary to take out samples in every landing, if sorted in accordance with EU market standard

Number of boxes per species	Number of boxes that – as a minimum – must be taken out as samples
50 kilograms and below	0
1-25	1
26-50	2
51-99	3
100 and above	3 + 2 per 100 box

Implementation - timeline

- January 2020 - Implementation and enforcement of the plans – 12 weeks pass to adjust to the new rules
- January 2020 - A new universe on the Agency's website regarding the plans was launched – targeting fishermen, buyers and transporters of fisheries products
- April 2020 - transportation of fishery products out of DK without prior weighing no longer allowed – several cases from NL
- May 2020 - The Danish sampling and control plans were approved by the Commission
- May 2020 approval of national control program in relation to physical and administrative control and audit of 1. buyers of fisheries products – the program was adjusted in Jan 2021
- April 2020 - Program for auctions in relation to weighing was first approved until October 2020, and later amended for next approval until April 2021
- April 2021 - Program for auctions in relation to weighing was approved for the period 01.04.2021 – 31.12 2021 (no application for 2022 has been received yet)
- Monthly follow up on audit of 1. buyers (Monthly Control Meeting) – large task for the buyers to implement

Implementation – control and audit

There are different way to verify the implementation of the control and sampling plans

- Physical audit of weighing and sampling conducted by the receiver/ buyer
- Administrative audit conducted at the premises of the receiver/ buyer
- Administrative cross check on data, logbook, landing declaration and sales notes

For all three types of verifications, the Danish Fisheries Agency has developed guidelines for the fisheries inspectors.

On top of the different audits are fishery inspection on landing carried out in ports by the inspectors

Implementation – control and audit

There are different way to verify the implementation of the control and sampling plans of landings for industrial purpose.



- Physical audit of weighing and sampling conducted by the receiver/ buyer
 - ✓ Verification of that the samples are take at a semi automatic or full automatic sampling system at the pump.
 - ✓ Verification of that as a minimum the correct number of samples are taken, ad that they are representative for the catch landed, actually number of samples there have to be takes have to be decided in accordance with the main species as recorded at the logbook.
 - ✓ Monitor the identification of each species at the sample and that each species are weighed.



Implementation – control and audit

There are different way to verify the implementation of the control and sampling plans

- Administrative audit conducted at the premises of the receiver/ buyer.
 - Before the audit a number of landings to the receiver/buyer are selected randomly. The received/buyer are not informed about the vessels selected randomly, but the time and date for the administrative audit are agreed, this in order for the receiver/buyer to have the staff present at the audit to facilitate the fishery inspectors.
 - For the landings selected are the documentation for the sampling and the weighing cross checked with the information report to the Danish Fisheries Agency.
 - The weighing record have to contain information about:
 - Date for the weighing
 - Vessel external number and name
 - Amount of each species at the sample
 - Weighing result of each sample for each species at the sample
 - The total amount landed
 - The receiver/buyers name and adress



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VEJNING - ARTSFORDELING - TEMPERATURMÅLING - TVN

I henhold til skriftlig ordreindgang, bekræfter vi hermed at have udført vejning, artsfordeling, temperaturmåling samt TVN-måling af det nævnte fartøj.

Artsfordeling			
Total vejet mængde :	467.643,00 Kg		
Sammensætning af arter :			
1. Sild HER	10451,00 kg	/	2,23%
2. Hundestejle SKB	43,00 kg	/	0,01%
3. Usorterbart USO	1434,00 kg	/	0,31%
Brisling SPR (Hovedart)	455715,00 kg	/	97,45%

National control program in relation to physical and administrative audit of 1. hand buyers of unsorted landings for industrial purpose and for human consumption.

The target for administrative and physical audits is fixed for a year, for 2021 is the target below.

1. hand buyers, who only receives landings seasonal administrative audits are carried out 4 times pr. year, while 1. hand buyers who receives landings all year administrative audits are carried out 6 times pr. year.

While the target for physical audit of unsorted landings for industrial purpose are set as 7 % of the landing and target physical audit of unsorted landings for human consumption are set as 4 % of the landings. The target for audit is monitored by a SAS product "Visual Analytic".

Havn	Audit type
Esbjerg	Fysisk audit - Industri
Grenå	Fysisk audit - Industri
Hanstholm	Fysisk audit - Industri
Hirtshals	Fysisk audit - Industri
Hundested	Fysisk audit - Industri
Hvide sande	Fysisk audit - Industri
Nexø	Fysisk audit - Industri
Skagen	Fysisk audit - Industri
Strandby (nordjylland)	Fysisk audit - Industri
Thyborøn	Fysisk audit - Industri

Navn	Opkøber nr. ▲	Audit type
Grenaa Lossekompagni Aps	0905	Administrativ audit - Industri
Triplenine Thyborøn A/S	0999	Administrativ audit - Industri
A/S O.V. Jørgensen. Hundested Fiskeexport	1532	Administrativ audit - Industri
Ff Skagen A/S	1941	Administrativ audit - Industri
H.F. Transport Og Fiskehandel A/S	1975	Administrativ audit - Industri

Implementation – Fisheries Agency and in relation to the industry/ stakeholders

Fisheries Agency

- Working group established at the agency with staff from the office in Copenhagen as well as fisheries inspectors – regular meetings every month
- Dialogue with the IT-department in relation to cross-check rules (VALID rules) and other data analyses with regards to compliance of Art. 33 and 109
- Dialogue with DTU Aqua on the scientific advice – special focus on the plan for industrial landings. Change of sampling for industrial purpose (no. of samples in the industrial plan February 2021)
- Formulation and approval of a ‘Control Plan’ for the agency’s follow up on 1. buyers sampling (weighing and sorting etc.) – benchmark for audit-program

Dialogue with the industry/ stakeholders

- Establishment of various fora for exchange of information – regular meetings every 3-4 months since 2020
- Regular bilateral meetings with the various Fishermen Associations – focus on the sanctioning regime and Instruction no. 10.1.4

Implementation – dialogue with the Commission and other Member States

The Commission

- Several enquires on interpretation of rules
- Amended plan for industrial purposes

Sweden

- Swedish landings in Danish ports – interpretation of Art. 60(1) (correct quota management)
- Common Control Program – Sweden in the end decided to postpone dialogue until summer 2022, now further postponed

The Netherlands

- Dialogue about the new Danish plans and transit of fish without prior weighing
- Several infringement cases regarding Dutch landings (primarily Spring 2020)

Poland

- Shift of landings from Bornholm to Poland and Sweden
- Recording of non-quota species e.g. sandeel and flounders



Implementation – dialogue with the Commission and other Member States

Ireland

- Request for information on the Danish plans 2021. Ireland have now implemented sampling plans

Belgium

- Discussion of common control program – Commission denied approving a common control program for the time being due to the situation in Belgium

Regional level

- On request from Denmark weighing provision is now a point on the agenda for meetings in both Baltfish CEG and Scheveningen CEG
- Denmark has circulated two questionnaires to all Member States in Baltfish.
 - The first one was to map which approved sampling and control plans each Member State have
 - The second one is to map out control and enforcement measures (will be discussed on a meeting on 2 December 2021)
- The two questionnaires were given to Scheveningen CEG and EFCA, and will be discussed on the next meeting.

Thank you for your attention

Questions?