

# Submission to the Joint Oireachtas Committee by the Sea Fisheries Protection Authority.

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I would like to thank the Committee for their invitation for us to meet with you today. I will start my opening statement by addressing the late submission of our 2015 Annual Report. In the past the SFPA has been cited for our failure to meet the statutory deadline for the submission of annual reports. We have taken this matter very seriously and are committed to and have demonstrated improvement in our performance in areas under our control regarding annual report deadlines.

## **Introduction**

Ireland is surrounded by the richest fishing grounds in Europe. The SFPA act as the guardians of these marine resources around Ireland. To this end we maintain an inspectorate, currently with 61 sea fishery protection officers operating from seven regional port offices up to 24 hours a day, seven days a week.



Our primary statutory role is as the regulatory agency for Irish sea fishing and seafood production.

Our strategy aims for an industry built on compliance with fair, effective and independent regulation. We aim to have systems that give robust confidence in Ireland's reputation worldwide as a source of high-quality fishery products and systems ensuring sustainability so that there will be fishing for our children, our grand children and our great grand children.

### **Highlights of the 2015 Report**

Lets go back to 2015.

#### **Sea Fishery Conservation work**

2015 saw the introduction of the most significant element of the reformed common fisheries policy, the Landing Obligation. The first phase of the introduction of this very significant regulation to reduce and eliminate unwanted discarding of fish at sea included



measures to be applied to pelagic fisheries (Ref page 17 of Annual Report).

Since 2015 the implementation of these regulations has advanced to include other fisheries including the requirement to land fish from demersal fisheries. The application of these regulations presents a very real challenge to regulators and the industry.

We work closely with the Irish Naval Service and the Air Corps, which carry out all inspections at sea, as well as a national fishery monitoring centre under service level agreement to us.

In 2015, the SFPA were responsible for 2,500 direct fisheries conservation inspections (Ref page 22) with 1,000 carried out at sea by the Naval Service under our service level agreement. The 1,500 inspections carried out by the SFPA were generally of landings by fishing vessels into ports included 150 at sea inshore fisheries inspections. This area of inspection activity has been well supported by our Consultative Committee so that illegal and unlicensed operators are not let compete with legitimate inshore fishermen.



The inspection programme generated 35 legal case files related to apparent infringements of the Common Fisheries Policy, (Reference page 28 of 2015 report). 2015 saw the SFPA attribute Points for serious infringements to 7 fishing vessels. The Points legislation was subsequently challenged in the Courts and following direction the legislation was revised.

It can be difficult to measure how good a job a regulator is doing. Our inspection statistics only tell part of the story. For our 2015 Annual Report the SFPA included examples of the types of cases we bring to court and the issues associated with these cases for the first time.

We would like to refer the Committee to two fisheries related cases on particular; the first where the apparent high-grading of fish by a large-scale pelagic freezer vessel operating within the Irish EZ was detected 2013 after an SFPA/Naval Service and brought to court and convicted in 2015 (Ref page 29 of Annual Report). High grading is where a fisher illegally selects out the most valuable fish by size, discards the rest overboard recording only the fish they



keep onboard. The case illustrated the importance of carrying out controls of fishing vessels that fish in Irish waters but never land into Irish ports and how equipment can be used to grade fish illegally on an industrial scale.

The second case involved close cooperation between the SFPA and Legal Metrology Ireland (NSAI) to detect and prosecute an apparent case of tampering with approved weighing equipment at a pelagic processing factory. The courts found the defendant guilty earlier this year. This case followed the discovery of a switch on the wall that could interfere with the proper operation of weighing equipment with the potential that undeclared fish could be caught, processed and sold. The evasion of fishery management rules has a direct consequence for all dependant on the sea for their livelihoods.



## **Seafood Safety work**

As an official agency of the Food Safety Authority of Ireland, we are responsible for the control of the food safety systems around all seafood from production by fishermen or farmers throughout the production chain as far as but not including retail. We maintain Ireland's shellfish classification system which classifies production areas according to water quality in line with European food regulations and has ramifications for how shellfish may be placed on the market. We also validate labelling and traceability systems, including DNA checks on fish species.

During 2015 the SFPA carried out 1,700 Seafood safety inspections, (Ref page 38) and 1,600 shellfish production samples. By way of example of this work, fishing vessels were found to be harvesting razor clams outside a classified (monitored) production areas and as result were producing shellfish with a potential risk to Public Health. Traceability checks conducted by the SFPA confirmed some of the shellfish harvested had been exported. The export market closed access to Irish shellfish on a precautionary



basis. Thankfully the importing authorities were persuaded by the effectiveness of the SFPA control systems in place in Ireland and reopened the market shortly afterwards. This incident illustrates how irresponsible operators can damage the reputation of the entire Irish industry and put public health at risk.

Seafood can be traded freely within the European Union while produced from SFPA approved establishments. Seafood consignments exported outside of the EU generally must be certified as being compliant with the standards of the importing 3rd country. We are responsible for providing health certificates detailing origin and traceability for every consignment of fish and fish products manufactured, processed or packaged in Ireland for export to this growing number of third countries. During 2015 the SFPA issued 6, 100 export certificates, involving 50, 000 tonnes of seafood exported to 35 countries outside of the European Union (Ref page 52 of Annual Report).

An example of our work in this area is the export of live crab to China where the importing authorities had concerns regarding



specific criteria for imported crab. The SFPA, with the assistance of the Department of Foreign Affairs engaged directly with the Chinese Authorities. Taking into account the wider picture of Irish food exports to China the SFPA temporarily suspended certification of crab to China. Following sustained dialogue with the Chinese Authorities this matter has now been resolved earlier this year.

### **SFPA EMFF programme**

2015 marked the beginning of the SFPA's access to the European Maritime Fisheries Fund (EMFF). This will fund the development of systems that support Ireland meeting our Common Fisheries Policy responsibilities.

### **Planning for Brexit**

The implications of Brexit in Fisheries will be both unique and profound. As regulators the SFPA is concerned at the prospect of significant extra demands related to possible Brexit outcomes. It is not possible at this time to calculate the size of the burden that will emerge but we are sure that to support the trade of fish and fishery



products from Ireland in a post-Brexit world will require extra resources. The key issues are fishing access rights, fishing opportunity rights and the trading of fish and fishery products.

### **Scallop Control Systems**

Our 2015 Annual Reports informs on specific changes to our scallop control systems, Ref page 48 of Annual Report. These changes arose out of our attempt to meet the EU control systems for the protection of public health. While Ireland is happy that our systems protect public health the Commission is taking infringement proceedings against Ireland in this matter.

### **Coastal State Unit**

Under the Common Fisheries Policy we also play a substantial coastal State role for non-Irish registered vessels operating in waters under Irish jurisdiction. Over 80% of the wild fish taken from Irish waters are taken by vessels from other member states. The SFPA is proud to announce to the Committee that we will shortly put in place a Coastal State Unit. This unit will focus on those



fishing vessels that fish in Irish waters but rarely if ever land into Irish ports to ensure they operate within the same level playing field as applies to Irish fish vessels.

Thank you for your time and for inviting us here today. We look forward to your questions.