

CONSULTATION DOCUMENT

On the implementation of Regulation (EU) No 1026/2012 in the context of the mackerel dispute

Deadline for replies: 11 February 2013

Background

Regulation (EU) No 1026/2012 (hereinafter the Regulation¹) lays down a framework for the adoption of fishing-related measures with regard to third countries in order to ensure the long-term conservation of fish stocks of common interest to the Union and those countries

This consultation is part of a fact-finding exercise allowing the Commission to assess the situation in the context of the mackerel fishing by Iceland and the Faroe Islands. It is of an exploratory nature and does not prejudice whether the measures envisaged below will or will not be actually implemented as such.

Questionnaire: possible effects of the measures foreseen in Article 4 of the Regulation. For the time being, this consultation refers uniquely to mackerel, but this is without prejudice to including other associated species, for which a separate consultation would eventually be made.

1. RESTRICTION ON IMPORTATION OF MACKEREL AND MACKEREL PRODUCTS

Measure 1: Total prohibition or significant restriction on importation from Iceland and the Faroe Islands of mackerel *Scomber scombrus* (fresh, frozen fillets, whole frozen, gutted and headed frozen and elaborated products such as canned, marinated and smoked mackerel where the mackerel content may be easily identified)

1.1 Environmental effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

¹ OJ L 316, 14.11.2012, p. 34-37

1.2 Trade effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

1.3 Economic effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

1.4 Social effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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1.5 Administrative burden:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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Measure 2: Total prohibition or significant restriction on importation from Iceland and the Faroe Islands of fish meal and oil, or feeds containing fish meal made, even partially, of mackerel or mackerel trimmings. To ensure the enforcement of this measure, complementary measures need to be taken on the labelling of these products and on adequate sampling and testing for mackerel content, as it is done in the context of sanitary legislation

2.1 Environmental effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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2.2 Trade effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor	Important. If negative, can only be neutralized with major	Very high: the negative consequences cannot be

		adaptations	adaptations	neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

Measure 3: Total prohibition, or significant restriction, on the use of Union ports by vessels flying the flag of Iceland or the Faroe Islands that fish mackerel and/or associated species and by vessels transporting mackerel or products of mackerel that have been caught under the control of Iceland or the Faroe Island, except in cases of force majeure. It will be for the Commission to establish regularly the lists of the vessels that fish for mackerel and for member States to check the cargo of vessels intending to call in EU ports in order to determine whether they are transporting concerned mackerel or mackerel products.

3.1 Environmental effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

3.2 Trade effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

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3.5 Administrative burden:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor	Important. If negative, can only be neutralized with major	Very high: the negative consequences cannot be neutralized or
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		adaptations	adaptations	only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

Measure 4: Prohibition of reflagging of fishing vessels flying the flag of a Member State to the flag of Iceland or the Faroe islands.

4.1 Environmental effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

4.2 Trade effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

Measure 5: Prohibition for Member States to authorise the conclusion of chartering agreements whereby Union economic operators charter their vessels to economic operators of Iceland or the Faroe Islands;

5.1 Environmental effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

5.2 Trade effects:

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Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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Measure 6: Prohibition of the exportation towards Iceland and the Faroe Islands of fishing vessels flying the flag of a Member State or of fishing equipment and supplies needed to fish for mackerel; for this measure to be enforceable, it should be limited, in the case of supplies, to pelagic trawls and purse seines and attachments and equipment specific to these gears.

6.1 Environmental effects:

Unknown	Inexistent or negligible	Appreciable. If negative, can be neutralized with minor adaptations	Important. If negative, can only be neutralized with major adaptations	Very high: the negative consequences cannot be neutralized or only at too high, unbearable cost

Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

6.2 Trade effects:

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Comments (free text): indicate whether there could be positive effects and whether there are great differences between the short term and medium-to-long term. Where possible, give supporting evidence (figures, information) for the opinion on this effect:

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