

CATCH AREA North Sea										CHECK 3 species > Stock in LAN/SAL/WVR/TRN/TIU Inc in LB															
U_ID	Sample pool	DATE_OF_LANDING	FV_NA	FV_FLAG	LAN_PORT	COUNTRY	Sorted/line	SPECIES	PNO	LOG	LAN	LAN+LOG	CHECK 6 %MOT Article 14(3)CR (LAN-LOG/LOG)	SAL	TIU	TOTAL	Internal doc ref	compliant	non-compliant	CHECK 3	CHECK 4	INS	INF	Nature of the infringement (machine translation english)	
2740385 SE		21-01-2021		SVE	Rönnäng	SE	Unsorted	BMS	360 000	360 000	130 846	-169 154	-47.0%	359 631	4 207	164 579	164 579	WVR	4 207	4 207	no data	no data	N	N	
								HER	10 000	10 000	920	-9 080	-90.8%	8 320	0	7 400	7 400	WVR	-26 267	-155 052	no data	no data	N	N	
								SPR	370 000	370 000	197 766	-178 234	-48.2%	367 951	176 186	176 186	WVR	6 480	-920	no data	no data	N	N		
2740385 Total																									
2740566 SE		25-01-2021		SVE	Rönnäng	SE	Unsorted	DAB	50	50	93	93	93	93	0	0	0	no data	no data	no data	no data	Y	Y		
								HER	34 000	34 000	33 130	-870	-2.6%	309 236	0	0	0	no data	no data	no data	no data	N	N		
								WHG	30	30	121	121	121	121	0	0	0	no data	no data	no data	no data	N	N		
2740566 Total																									
2741136 SE		02-02-2021		SVE	Rönnäng	SE	Unsorted	BMS	34 080	34 000	33 344	-636	-1.9%	309 450	0	0	0	no data	no data	no data	no data	N	N		
								HER	74 100	74 100	70 076	-4 024	-5.4%	70 076	150	150	150	WVR	-150	-150	no data	no data	N	N	
2741136 Total																									
2742740 SE		01-03-2021		SVE	Rönnäng	SE	Unsorted	BMS	74 100	74 100	70 076	-4 024	-5.4%	70 076	70 076	70 076	WVR	0	0	no data	no data	Y	N		
								HER	48 200	48 200	47 010	-1 190	-2.5%	47 010	288	288	288	WVR	-288	-288	no data	no data	N	N	
2742740 Total																									
2742872 SE		02-03-2021		SVE	Rönnäng	SE	Unsorted	BMS	48 200	48 200	47 010	-1 190	-2.5%	47 010	47 010	47 010	WVR	0	0	no data	no data	N	N		
								HER	74 000	74 000	70 325	-3 675	-5.0%	70 325	200	200	200	WVR	-200	-200	no data	no data	N	N	
2742872 Total																									
2743127 SE		22-02-2021		SVE	Rönnäng	SE	Unsorted	BMS	74 000	74 000	70 325	-3 675	-5.0%	70 325	70 325	70 325	WVR	0	0	no data	no data	N	N		
								HER	265 500	265 500	269 186	3 686	1.4%	269 186	1 900	1 900	1 900	WVR	-1 900	-1 900	no data	no data	N	N	
								SPR	1 500	1 500	3 400	1 900	126.7%	3 400	267 286	267 286	WVR	0	0	no data	no data	N	N		
2743127 Total																									
2755891 SE		29-07-2021		SVE	Mukran	DE	Unsorted	HAD	267 000	267 000	272 586	5 586	2.1%	272 586	272 586	272 586	WVR	0	0	no data	no data	N	N		
								HER	840 000	840 000	820 927	-19 073	-2.3%	820 927	0	0	0	no data	no data	no data	no data	N	N		
								MAC	200	200	194	-6	-3.0%	194	0	0	0	no data	no data	no data	no data	N	N		
								POK	300	300	-300	-100.0%	-300	0	0	0	0	no data	no data	no data	no data	N	N		
2755891 Total																									
2757221 SE		13-08-2021		SVE	Mukran	DE	Unsorted	HER	840 500	840 500	821 308	-19 192	-2.3%	821 308	0	0	0	no data	no data	no data	no data	N	N		
								LUM	575 000	575 000	662 188	87 188	15.1%	662 188	0	0	0	no data	no data	no data	no data	N	N		
								MAC	120	120	-120	-100.0%	-120	0	0	0	0	no data	no data	no data	no data	N	N		
								POK	3 200	3 200	3 048	-152	-4.8%	3 048	0	0	0	no data	no data	no data	no data	N	N		
								WHB	620	620	344	-276	-44.5%	344	0	0	0	no data	no data	no data	no data	N	N		
								WHG	650	650	-650	-100.0%	-650	0	0	0	0	no data	no data	no data	no data	N	N		
2757221 Total																									
2758823 SE		26-08-2021		SVE	Ellös	SE	Unsorted	POK	579 590	579 590	686 330	106 740	18.4%	686 330	0	0	0	no data	no data	no data	no data	N	N	provide incorrect or omitted entries in such logbooks.	
								HER	270 000	270 000	266 674	-3 326	-1.2%	266 674	105	105	105	WVR	0	0	no data	no data	N	N	
								MAC	30	30	55	55	183.3%	55	0	0	0	no data	no data	no data	no data	Y	Y		
								POK	100	100	-100	-100.0%	-100	0	0	0	0	no data	no data	no data	no data	N	N		
								WHB	20	20	1 350	1 330	6.5%	1 350	0	0	0	no data	no data	no data	no data	N	N		
2758823 Total																									

CATCH AREA Baltic Sea

CHECK 5 species > 50KG in LAN/SAL/WR/TRN/TU not in LR

U_ID	Sample pool	DATE_OF_LANDING	FV_NA	FV_FLAG	LAN_PORT	PORT_COUNTRY	Sorted/Unsorted	SPECIES	PNO	LOG	LAN	LAN-LOG	LOG/LOG	SAL	TRN	TU	TOTAL WR	WR-TD	Internal decref	compliant	non-compliant	no data	INS	INF	Nature of the infringement (machine translation english)
2740281	SE to OMS	20-01-2021		SWE	Simrishamn	SWE	Unsorted	HER	210 000	210 000	196 700	-13 300	-6.3%	11 600			0			no WR data	no WR data	no WR data	N	N	
								SPR	210 000	210 000	196 800	-13 200	-6.3%	196 800			0			no WR data	no WR data	no WR data	N	N	
2740281	Total																								
2740582	SE to OMS	27-01-2021		SWE	Simrishamn	SWE	Unsorted	FILE						95			0			no WR data	no WR data	no WR data	N	N	
								HER	300	300	300	0	0.0%	300		5 500	0			no WR data	no WR data	no WR data	N	N	
								SPR	275 000	275 000	286 400	11 400	4.1%	313 450			0			no WR data	no WR data	no WR data	N	N	
								IGQ	275 300	275 300	286 700	11 400	4.1%	313 845		3 500	0			no WR data	no WR data	no WR data	N	N	
2740582	Total																								
2741870	SE to OMS	20-02-2021		SWE	Norrundet	SWE	Unsorted	GTA	1 150	1 150	1 150	0	0.0%	1 150	1 150		0			no WR data	no WR data	no WR data	N	Y	unknown
								HER	325 000	325 000	336 950	11 950	3.7%	410 267 300			0			no WR data	no WR data	no WR data	N	Y	unknown
								SPR	410	410	410	0	0.0%	336 950	410		0			no WR data	no WR data	no WR data	N	Y	unknown
								TGQ	450	450	450	0	0.0%	450	450		0			no WR data	no WR data	no WR data	N	Y	unknown
									327 010	327 010	338 960	11 950	3.7%	338 960	269 310		0			no WR data	no WR data	no WR data	N	Y	unknown
2741870	Total																								
2743547	SElanded without sale	14-03-2021		SWE	Ventspils	LVA	Unsorted	GTA	2 500	2 050	2 500	450	22.0%				0			no WR data	no WR data	no WR data	N	N	
								HER	166 000	121 000	178 085	57 085	47.2%				0			no WR data	no WR data	no WR data	N	N	
								SPR	550	450	550	100	22.2%				0			no WR data	no WR data	no WR data	N	N	
								IGQ			65	65					0			no WR data	no WR data	no WR data	N	N	
									169 050	123 500	181 200	57 700	46.7%				0			no WR data	no WR data	no WR data	N	N	
2743547	Total																								
2762074	SE to OMS	22-09-2021		SWE	Byxelkrok	SWE	Unsorted	BUK									63 070	63 070	WR11	no WR data	no WR data	no WR data	N	N	
								HER	45 500	9 750	40 977	31 227	320.3%	32 149			0			-40 977	no WR data	no WR data	N	N	
								SPR	24 500	5 250	22 093	16 843	320.8%	30 921			0			-22 093	no WR data	no WR data	N	N	
									70 000	15 000	63 070	48 070	320.5%	63 070			63 070	63 070		0	no TRN data	no TRN data	N	N	
2762074	Total																								
2764556	SE	19-10-2021		SWE	Simrishamn	SWE	Unsorted	HER	43 000	43 000	47 257	4 257	9.9%	88 888		88 888	0			no WR data	no WR data	no WR data	N	N	
								SPR			209	209		114		114	0			no WR data	no WR data	no WR data	N	N	
									43 000	43 000	47 466	4 466	10.4%	89 002		89 002	0			no WR data	no WR data	no WR data	N	N	
2764556	Total																								
2765053	SE	26-10-2021		SWE	Simrishamn	SWE	Unsorted	COD			85	85					0			no WR data	no WR data	no WR data	N	N	
								FILE	90	90	58	-32	-35.6%	71		40 526	0			no WR data	no WR data	no WR data	N	N	
								HER	27 600	27 600	29 162	1 562	5.7%	75 881		3 300	0			no WR data	no WR data	no WR data	N	N	
								SPR	400	400	950	550	137.5%	3 675		43 626	0			no WR data	no WR data	no WR data	N	N	
									28 090	28 090	30 255	2 165	7.7%	79 627		43 626	0			no WR data	no WR data	no WR data	N	N	
2765053	Total																								
2767923	SElanded without sale	16-12-2021		SWE	Skagen	DNK	Unsorted	ELP			75	75					0			no WR data	no WR data	no WR data	N	N	
								GTA	1 000	1 000	5 124	4 124	412.4%				0			no WR data	no WR data	no WR data	N	N	
								HER	525 000	525 000	558 123	33 123	6.3%				0			no WR data	no WR data	no WR data	N	N	
								IZZ			622	622					0			no WR data	no WR data	no WR data	N	N	
								SPR	5 000	5 000	14 670	9 670	193.4%				0			no WR data	no WR data	no WR data	N	N	
2767923	Total								531 000	531 000	578 614	47 614	9.0%				0			no WR data	no WR data	no WR data	N	N	

Annex 7 – Sweden’s comments on the draft verification report

(Translation of the original comments in Swedish⁹⁵)

**Havs
och Vatten
myndigheten**

Ref.: 00382-2022

9 May 2023

Sweden’s response to the report entitled ‘Verification of the national systems and measures related to the weighing and registration of catches by Sweden’ (SE-2022-D4-01-A)

Introduction

We have received your draft report following the review of the Swedish system for weighing and recording catches. We would like to thank you for the good cooperation during the review and for all the work you have done to highlight Sweden’s need to improve these systems. Our reply contains some general reflections that give some context to the shortcomings identified and a description of ongoing and planned development work to address them. Annex 1 contains a number of minor corrections to factual information and Annex 2 contains an overview of infringements detected during administrative checks in 2021.

However, we have no comments on the report’s overall conclusions and we take the shortcomings and their potential impact on stocks very seriously.

Update on the status of government mandate ‘effective fisheries control’

You ask for an update on the status of the mandate given by the Government to the Swedish Agency for Marine and Water Management (HaV) and the Coastguard in 2019 to examine and propose how Swedish fisheries control can be improved and made more effective. The mandate as such has been completed and the two authorities have delivered their respective reports.

⁹⁵ Translation by Commission DG DGT Ref. MARE-2023-00481(00)-00-TRA-EN

In its report, the Agency for Marine and Water Management proposes 35 different measures to improve fisheries control, a number of which are directly relevant to the area covered by this review. The measures proposed include:

- In order to ensure correct reporting of catches in unsorted landings, the regulations on weighing and species composition tests need to be improved. HaV intends to draw up guidelines and improve current control procedures for this part of the regulations.
- In order to make more efficient use of resources, the possibility should be explored of the Coastguard or another authority carrying out landing checks in parts of the country where HaV's presence is low.
- HaV intends to review the existing control procedures for transport checks and the handling of transport documents.
- In order to ensure that the amounts in the penalty system are a sufficient deterrent to achieve high compliance, HaV proposes that the Government instruct it to review the current amounts or, alternatively, to propose the design of a penalty system that will form a deterrent.
- HaV intends to evaluate and improve the planning, follow-up and methodology for risk-based fisheries controls to ensure that they are fit for purpose.

A number of these proposed measures are part of the ongoing and planned development work (see below).

The Agency for Marine and Water Management's report can be read in full here:

<https://www.havochvatten.se/om-oss-kontakt-och-karriar/om-oss/regeringsuppdrag/regeringsuppdrag/uppdrag-om-att-utreda-och-foresla-hur-en-effektiv-fiskerikontroll-kan-forstarkas-2020.html>

General reflections

There are some areas in the report where we would like to explain our reasoning on the issue and offer our point of view.

Sampling and control plans

The report states at several points that the Swedish sampling and control plans do not fully meet the requirements for such plans laid down in Regulation (EU) No 404/2011. We would like to point out that these sampling and control plans have been approved by the European Commission and therefore we have had no reason to question their content, given that they have undergone the regulatory approval process.

Margin of tolerance for unsorted landings from the Baltic Sea

On pages 11-12 of the report, it is argued that the margin of tolerance derogation for unsorted landings in the Baltic Sea (Regulation (EU) 2016/1139) leads to increased risks of

misreporting. We agree that this derogation has reduced the incentives for correct reporting. However, we do not agree with the proposal on page 12 that we should therefore have introduced stricter national legislation to tackle the problem. We consider that this proposal would not lead to a level playing field, but would rather risk moving landings to other countries that do not have national legislation in the area. In our view, the solution to this problem should be developed and implemented at EU level to ensure that everyone has to abide by the same rules, regardless of the country in which the catch is landed.

Number of infringements

On page 59, the report states that 37 infringements were detected during landing checks in 2021, but that no infringements were detected for landings that were not checked. This is not correct and is due to a misunderstanding. When we answered the pre-mission questionnaire, we interpreted the question on infringements as applying only to infringements detected during a physical landing check. We also have a procedure for administrative checks that applies to all landings, irrespective of whether a landing check has been carried out or not. For 2021, 227 infringements were detected during these administrative checks, which gives a total number of infringements detected in 2021 of 264 (37 during landing checks and 227 during administrative checks). Information on the types of infringement detected during the administrative checks in 2021 is enclosed in Annex 2.

Amount of Baltic herring and sprat landed in Sweden

Finally, we would like to add some nuance to the Commission's conclusions on the impact of the Swedish weighing and registration procedures on herring and sprat stocks in the Baltic Sea. Despite the fact that Sweden has a large part of the quotas for herring and sprat in the Baltic Sea (21% of the total herring quota and 19% of the total sprat quota), these catches are not necessarily landed in Sweden. In 2021, only 10.9% of the total Baltic herring catch and 5.2% of the total Baltic sprat catch were landed in Sweden. We do not wish to minimise in any way the shortcomings in the weighing procedures which have emerged during this review, but with regard to the overall impact of these shortcomings on herring and sprat stocks in the Baltic Sea, it must be borne in mind that the majority of catches of these species are not landed in Sweden.

Ongoing and planned development work

Sampling and control plans

Work is ongoing to draft new sampling and control plans for approval by the Commission. Highest priority is given to a sampling plan for unsorted landings of pelagic catches not destined for human consumption. The aim of the prioritisation is to mitigate the main risks and their potential consequences as quickly as possible. Subsequently, there will be new sampling plans for landings of pelagic catches for human consumption, weighing on board

and possibly landings of demersal catches in standardised boxes. HaV has ordered a scientific opinion from the Swedish University of Agricultural Sciences (SLU) on how sampling should be carried out in order to produce correct results. The university has already collected the data necessary. We have held consultation meetings with producer organisations and first buyers to help develop a culture of compliance and cooperation in connection with future improvements to the system for weighing and registering catches. We will organise further consultation in the course of the work.

We intend to submit an informal draft of the first plan as soon as possible in order to discuss it with the Commission ahead of a formal application for approval. The main task outstanding is to examine the feasibility of implementing a system of independent third parties carrying out sampling, as well as restrictions on ports and landing times. The task includes identifying different ways of ensuring the real independence of a third party.

National provisions

Alongside the development of new sampling and control plans, the changes needed to national regulations to implement the forthcoming plans are currently being examined. We intend to prepare these changes as far as possible before new plans are approved, with the aim of laying the groundwork for the swift and efficient implementation of the new plans.

Validation and cross-checking project

Within the context of our development programme Fisheries Control 2027, we have launched a project to develop and implement a new digital validation and cross-checking system to replace the current one. Through this project we aim to improve the quality of the data submitted by the fisheries industry and develop effective, uniform and clear procedures for the work on validation and cross-checking, in line with Article 109 of the Control Regulation.

We also aim to reduce manual work and dependence on specific individuals' expertise. The project started in spring 2023 and is expected to run until 2024.

Weighing records

We will shortly be starting work on developing the weighing log system. The work will cover content, registration procedures and reporting. We envisage a system where all weighing data, including sampling results, is available in the electronic database for validation.

Communication initiatives

An information meeting was held in spring 2022 with mainly first buyers of landings of pelagic catches to draw attention to the importance of reporting weighing results correctly.

We have also held consultation meetings with the industry to start the work on improving the culture of compliance and cooperation, with a particular focus on weighing and reporting. We have also informed those concerned at the Ministry of Rural Affairs and Infrastructure about the work to be done.

Expanded control efforts

While our development work is ongoing, we will have an increased focus on unsorted landings of pelagic catches in our work on landing checks. This has already started to some extent, as we have performed additional checks on some identified high-risk landings during the spring.

Finally, we will continue to analyse the shortcomings identified and take further steps to improve checks on weighing and reporting requirements.

Yours faithfully,

Niclas Törnell

Head of Department, Fisheries Control

Annex 1 – Minor corrections to factual information

Page 39, section 4.2.4: The second paragraph states, ‘The practice of pumping unsorted catches into a container to be collectively weighed does not account for each quantity of each species present in the catch and is non-compliant with Article 60(1) of the Control Regulation, which requires all fishery products to be weighed.’ It is not correct that the catch is weighed collectively. The scales are reset to zero between each landing. This means that there is separate weighing data for each landing.

Page 45, section 4.3.1: ‘Of the 54 landings with missing logbook data, nine landings (16.6%) were associated with Swedish vessels.’ These nine trips by Swedish vessels were transits from one port to another, with the catch being transferred from a previous fishing trip. Logbooks are available for these fishing trips. We would be happy to provide these logbooks.

Page 45, section 4.3.1: ‘The missing prior notification data associated with 17 landings in the sample (10%), concern two Swedish vessels and four vessels registered in other Member States that landed their catches in Sweden.’

The documentation contains 17 landings without prior notification, two of which concern Swedish vessels that landed their catch in Sweden. On closer inspection of these two landings, we have found that the documentation submitted was incorrect. Both of these vessels had made the required prior notification. We would be happy to provide documentation confirming this.

The Danish landings in Denmark, for which Sweden is not required to have information on prior notifications, should be excluded from the calculation of Sweden’s missing prior notifications.

In total, there are nine prior notifications missing, giving a rate of 4% missing notifications.

Page 61, section 4.4.2: Sweden uses risk analysis in accordance with the harmonised methodology developed by the EFCA in cooperation with the Member States. The regional and national risk analysis provides a basis for prioritising work on fisheries control for the coming years. Another component of the Swedish risk analysis is that it aims to improve compliance levels in designated risk areas instead of focusing on specific inspection benchmarks. This is to achieve even more efficient, effective and risk-based fisheries control in accordance with Article 7 of Regulation (EU) 2018/1986.

A monitoring plan is drawn up every year in collaboration with the Coastguard. It details the different fisheries in Sweden together with a risk assessment, the focus of inspections and the number of inspections that should be carried out. For 2021 the following fisheries had high risk values and were therefore prioritised for checks:

- Shrimp fishing North Sea – very high
- Demersal North Sea – high
- Demersal Baltic Sea – very high
- Eel fisheries Baltic Sea – very high
- Pelagic Baltic Sea – high

Focus was on the landing obligation, correct log-keeping, last haul and follow-up checks in port and checks on priority risk items.

Page 62. ‘Of these, 523 inspections (**92%**) related to landings of sorted fisheries products, and only 47 inspections (**8%**) concerned landings of unsorted fisheries products.’

If the number of landings is considered, the result is different. In 2021 there were 570 landing checks, 523 of which were carried out on 15 797 sorted landings in Sweden, which means that 3% of those landings were checked. The remaining 47 checks were carried out on 919 landings of unsorted fish, which means 5% of unsorted landings were checked.

Page 63, section 4.4.3, point 1: The final sentence states that Sweden does not receive logbooks from foreign-registered vessels. This is partly correct but not always the case.

In Annex 2 (Swedish participants), some names are misspelt. The correct spellings are BJERNER Martin and PERNHEIM Catarina.

Annex 2 – Infringements in administrative checks 2021

Page 59, section 4.4.1 Sanctioning: ‘The Swedish response to the pre-mission questionnaire indicated that 37 infringements were detected with respect to 21 393 landings in Sweden by vessels 10 metres’ length overall or more in 2021 (an infringement rate of 0.2%). All these infringements were in relation to inspected landings and no infringements were reported for non-inspected landings as a result of data analysis, cross-checking or the checks specified in section 3.1 of the Swedish sampling and control plans.’

In the data submitted by Sweden in the pre-mission questionnaire regarding landings in 2021 by vessels over 10 metres, the question regarding infringements was misinterpreted and the infringements submitted are only those detected during physical checks. In 2021, 227 trips with infringements were detected during administrative checks (see below). This gives a total non-compliance rate of 1.2% (21 393 landings, 37 infringements at landing and 227 infringements in administrative checks).

Infringements	Regulatory framework	No of trips
Margin of tolerance per species	Article 14(3) of Regulation (EC) No 1224/2009	57
Margin of tolerance for unsorted landings in the Baltic Sea	Article 13 of Regulation (EU) 2016/1139	48
Margin of tolerance weighing on board	Article 14(3) of Regulation (EC) No 1224/2009 and Article 76(2) of Regulation (EU) No 404/2011	23
By-catch limit for whitefish in shrimp trawl with tunnel	Article 27 and Annexes V to VIII to Regulation (EU) 2019/1241	52
Prior notification	Article 17 of Regulation (EC) No 1224/2009, Article 1 of Regulation (EC) No 728/99, Article 11 of Regulation (EU) 2016/1139 and Chapter 6 of Regulations (HVMFS) 2018:11	20
Late submission of documents	Article 32(1) of Regulation (EU) No 404/2011	9
Soak time exceeded for gillnets in the Baltic Sea	Footnote 1 to point 2.2 of Annex VIII to Regulation (EU) 2019/1241	6
By-catch limit for herring in the Baltic Sea	Footnote 2 to point 1.2 of Part B of Annex VIII to Regulation (EU) 2019/1241	4
Closure periods for flounder	Points 5.1 and 5.2 of Annex VIII to Regulation (EU) 2019/1241 and Chapter 3, Section 2 of Regulations (FIFS) 2004:36	2
Closure periods for halibut	Chapter 3, Section 2 of FIFS 2004:36	2
Landing not in designated port, 5 tonnes of HER/SPR in the Baltic Sea	Article 14 of Regulation (EU) 2016/1139 and Chapter 2, Section 4 of Regulations (HVMFS) 2017:8	1
Catch limit for mackerel in Skagerrak	Chapter 14, Section 5 of FIFS 2004:25	3
Total		227

