

Director General João Aguiar Machado
D.G. for Maritime Affairs and Fisheries
Rue de la Loi 200
B-1049 Brussels
Belgium

By e mail

BSAC Ref: BSAC/2018_2019/3

Your Ref. Ares(2018)1777253 - 03/04/2018

Copenhagen Tuesday 24th April 2018

Dear João Aguiar Machado,

Thank you very much for your letter of 3rd April 2018 in reply to the BSAC proposal for an amendment to the Commission Delegated Regulation 2018/47 on the technical specifications of T90.

Unfortunately, the Commission has misunderstood our intention with the letter and we would like to clarify that it is not a technical issue for the codend; the gear is functional for some vessels and improves their selectivity. What we want to highlight is a legal issue or conflict that was overlooked when the Delegated Regulation 2108/47 was adopted, specifically in relation to Article 4, point 2. For this reason, the BSAC acted swiftly and sent a proposal to amend the regulation.

The gear was developed by Swedish fishermen and later evaluated twice by the Swedish Institute of Marine Research. The result clearly showed that this selective gear is better than the existing T90: better in this case being defined by catching lower numbers of unmarketable cod.

Our core message is that in Article 4 of the Commission Regulation: Alternative specifications for T90 trawl codend, Point 1 is not compatible with the specifications laid down in point 2 of Article 4.

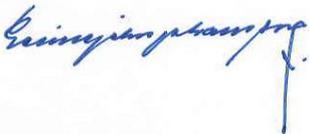
As we previously proposed, this could be easily be rectified by an amendment of two words – “*at least*” to the text and which would give the following point (d):

(d) at the point of attachment of the codend or extension piece to the tapered part of the trawl the number of meshes in circumference of the codend or extension piece must be **at least** 50% of the last row of meshes of tapered part of the trawl, by way of derogation from point (d) item 3 of Appendix 2 to that Annex.

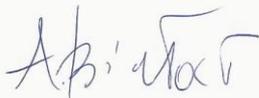
Moreover, it is not true to say that the BSAC was involved in the whole process of shaping the joint recommendation. It was impossible for the BSAC to enter into the discussions with the Member States. If the BSAC had been consulted, this problem would have been pointed out.

We regret the situation, but hope that this letter can clarify the issue. We look forward to discussing this with your services and with BALTFISH.

Kind regards,



Reine Johansson
Chair BSAC Executive Committee



Andrzej Bialas
Vice chair BSAC Executive Committee

Cc. Baltic Member States