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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB for the meeting of the Agriculture and Fisheries Council of 26 January 2026 Difficulties in the implementation of the Control Regulation [Article 14] and the use of CATCH - Information by Spain on behalf of Belgium, Czechia, France, Latvia, Poland, Portugal and Spain

AGRIFISH Council

26 January 2025

AOB

Difficulties in the implementation of the Control Regulation [Article 14] and the use of CATCH

(information from Belgium, Czechia, France, Latvia, Poland, Portugal and Spain)

The revision and amendment of the Fisheries Control Regulation (EU) No 1224/2009, as amended by Regulation (EU) 2023/2842¹, was the result of intensive work between the Council, the Commission and the European Parliament, with the aim of modernising the control system applicable to the fishing activities of the EU fleet.

¹ Regulation (EU) 2023/2842 of the European Parliament and of the Council of 22 November 2023 amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 1967/2006 and (EC) No 1005/2008 and Regulations (EU) 2016/1139, (EU) 2017/2403 and (EU) 2019/473 of the European Parliament and of the Council as regards fisheries control.

The fishing activity of the EU fleet is characterised by the diversity of fisheries, both in Union and international fishing grounds, as well as by the heterogeneity of the vessels involved. As a result, harmonising control systems represents a highly complex task.

Control policies should contribute to regulatory simplification and proportionality, in line with the general mandate of the European Commission. However, the progressive entry into force of the Control Regulation is revealing a disproportionate increase in administrative burdens that is not commensurate with the actual level of risk, contradicting the principles of efficiency and effectiveness.

In particular, among other issues, Article 14 of the Control Regulation has been amended, with the new provisions entering into force on 10 January. These amendments introduce significant changes regarding the quantities that captains are required to record in the fishing logbook, which are closely linked to the permitted margin of tolerance (MOT).

In this regard, it has been observed that there is a genuine impossibility of implementing certain obligations in practice, as they hinder the activity of the fleet and put its safety at risk.

Furthermore, the strict application of these rules will lead to an increase in unintentional infringements, not due to fraud, but due to the material impossibility of complying with excessively detailed requirements under real fishing conditions.

This situation will distort risk analysis systems and divert control resources away from the real objectives of the Common Fisheries Policy, unfairly portraying the sector as non-compliant when the problem is regulatory rather than operational.

Conditions at sea, especially on smaller vessels, significantly hinder on-board sorting and the estimation of catch quantities.

Estimating quantities of mixed catches, often composed of a large number of species in very small amounts, will increase distractions for captains, who are not only responsible for the accuracy of the data recorded in the fishing logbook, but above all for ensuring navigational safety. Ultimately, this will be technically impossible to comply with.

This workload is neither necessary nor balanced from a control perspective, as it does not provide additional information, given that all catches are weighed accurately upon landing.

In addition, Regulation (EU) 2023/2842 has also amended Regulation (EC) No 1005/2008² by introducing the mandatory use of an integrated electronic information management system for the catch certification scheme (CATCH).

However, prior to its implementation, several Member States warned of significant technical and legal shortcomings identified in the new EU system, such as the lack of automatic interconnection with customs authorities' control systems, the absence of integration of imports of key species such as bluefin tuna, and the lack of integration of the re-export of processed fisheries products within EU territory.

Similarly, the European Commission itself has identified deficiencies, including the lack of integration of indirect imports of fisheries products caught by EU vessels and the absence of some mandatory data required in catch certificates.

These issues are compounded by the significant difficulties reported by the sector (national economic operators) in the operation of the system. In addition to its complexity, there is a lack of interoperability with third-country actors involved in the EU catch certification scheme (exporters and fisheries authorities of third countries responsible for validating catch certificates).

In light of the above, Belgium, Czechia, France, Latvia, Poland, Portugal and Spain invite the Commission to assess as soon as possible the situation regarding the application of the provisions of Article 14 of the Control Regulation and the difficulties encountered in the use of CATCH, and to:

- Submit a proposal to amend Article 14(3) of Regulation (EU) 2023/2842 so that, while maintaining the obligation to record catches from zero kilograms, deviations in the estimation of catch quantities of less than 50 kg do not constitute non-compliance.
- Adopt a delegated act to amend Annex IV, which sets out the criteria for classifying an infringement as serious, so that errors in the estimation of catch quantities of less than 50 kg are not considered a serious infringement.

² Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999.

- Fully and properly develop the CATCH system in order to address the difficulties currently affecting its use, strengthen transparency in its uniform implementation—thereby preventing unfair competition between EU operators—and continue providing training and support to economic operators.
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