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COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 18 December 2024

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.: C(2024) 8891 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 18.12.2024 supplementing Council Regulation (EC) No 1005/2008 by establishing a template for the document referred to in Article 14(1), point (b)(ii), thereof

Delegations will find attached document C(2024) 8891 final.

Encl.: C(2024) 8891 final

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EUROPEAN
COMMISSION

Brussels, 18.12.2024
C(2024) 8891 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 18.12.2024

**supplementing Council Regulation (EC) No 1005/2008 by establishing a template for the
document referred to in Article 14(1), point (b)(ii), thereof**

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EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Council Regulation (EC) No 1005/2008 established a Union system to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing. Chapter III of this Regulation put in place a catch certification scheme to implement the prohibition to import fishery products obtained from IUU fishing into the Union.

The catch certificate shall be used to certify that catches, from which imported fishery products have been obtained, have been harvested in compliance with international conservation and management measures and, where appropriate, other relevant rules applying to the fishing vessel concerned.

In addition, in the context of ensuring traceability of consignments of fishery products destined for the Union market, when such consignments are split when in transit through a third country other than the flag State or the State in which processing takes place, Article 14.1 requires the importer of fishery products into the Union to submit to the authorities of the Member State of importation the catch certificates concerned, statements of processing as well as a document validated by the competent authorities of the third country of transit.

Such document shall represent the evidence that the fishery products did not undergo operations other than unloading, reloading or any operation designed to preserve them in good and genuine condition, and remained under the surveillance of the competent authorities in the third country of transit when consignments are split.

The document should indicate at least an exact description of the fishery products, the weight of the consignment exported, the dates of unloading and reloading of the products and, where applicable, the names of the vessels or other means of transport used and indicate the name and approval number of the storage facility and the conditions under which the fishery products remained in that third country.

The Commission has been granted powers to adopt delegated acts by Article 54a of the Council Regulation (EC) No 1005/2008 to supplement this Regulation by adopting and keeping up to date the template for the document referred to in Article 14(1), point (b)(ii).

The purpose of this Delegated Regulation is to establish a template that includes all the information described in Article 14.1 (b) (ii) of Council Regulation (EC) No 1005/2008.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The template has been discussed during meetings of the IUU Working Group, with representatives of the competent authorities of all the Member States, on 16 November 2023 and on 10 April 2024.

In addition, the Expert Group on Fisheries and Aquaculture was consulted during the meeting of 27 September 2024.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The Commission, by virtue of Article 54a, is empowered to adopt delegated acts in accordance with Article 54b of Council Regulation (EC) No 1005/2008, supplementing this Regulation by adopting and keeping up to date a template for the document referred to in Article 14(1), point (b)(ii) in order to take into account international developments in catch

documentation schemes, scientific developments and technical progress, including adaptations for the purpose of the implementation of CATCH.

COMMISSION DELEGATED REGULATION (EU) .../...

of 18.12.2024

supplementing Council Regulation (EC) No 1005/2008 by establishing a template for the document referred to in Article 14(1), point (b)(ii), thereof

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 1447/1999¹, and in particular Article 54a thereof,

Whereas:

- (1) Council Regulation (EC) No 1005/2008 established a Union system to prevent, deter and eliminate illegal, unreported and unregulated fishing. Chapter III of that Regulation has put in place a catch certification scheme to implement the prohibition to import fishery products obtained from IUU fishing into the Union.
- (2) The catch certificate is to be used to certify that catches, from which imported fishery products have been obtained, have been harvested in compliance with international conservation and management measures and, where appropriate, other relevant rules applying to the fishing vessel concerned.
- (3) Article 14(1) of Council Regulation (EC) No 1005/2008 provides that in order to import fishery products transported in the same form to the Union from a third country other than the flag State, or the State where processing takes place, the importer is to submit to the authorities of the Member State of importation documented evidence that the fishery products did not undergo operations other than unloading, reloading or any operation designed to preserve them in good and genuine condition, and remained under the surveillance of the competent authorities in that third country. If the original consignment related to a catch certificate and, if relevant, to the statement referred to in paragraph 2 of Article 14 of that Regulation, is split, the importer is to present to the authorities of the Member State of importation, a document validated by the competent authorities of that third country.
- (4) It is appropriate to create a template for that document, in order to ensure uniform presentation of the information required under Article 14(1), point (b)(ii), of Council Regulation (EC) No 1005/2008, and to guarantee the consistency and clarity in the information provided. Uniformity of the required data is also necessary to ensure the correct functioning of the system CATCH.

¹ 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 (OJ L 286, 29.10.2008, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The template for the document referred to in Article 14(1), point (b)(ii), of Council Regulation (EC) No 1005/2008 shall be as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 10 January 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18.12.2024

*For the Commission
The President
Ursula VON DER LEYEN*