



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Fisheries

2.3.2012

WORKING DOCUMENT -

Part 2

on the regulation of the European Parliament and of the Council amending Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels

Committee on Fisheries

Rapporteur: Maria do Céu Patrão Neves

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PE483.780v01-00

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United in diversity

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(Continued from part 1)

The scientific studies carried out in this area demonstrate the need for conversion factors between fin weight and the various types of shark body weight to be defined by species and by fleet (since not all fleets employ the same cutting methods) in order to ensure that they are scientifically rigorous.

The results of the studies carried out, covering a large number of specimens (8 000 recorded specimens) caught by the Community fleet (Mejuto and Garcia-Cortés, 2004) show that, in the case of blue sharks (*Prionace glauca*), the current 5% ratio is an underestimate in relation to the live weight of the animal, taking into account the size and number of fins utilised and the non-superficial techniques used for cutting the fins.

The average percentage weight of fins in relation to the total weight of the fish stands at around 6.5 %, and this figure is consistent across the whole spectrum of sizes analysed. Scientific literature produced and/or validated by ICCAT shows that, for the shark species caught by the Community fleet, the appropriate ratio would indeed be 6.5%, a figure which is also corroborated by the ICCAT SCRS, e.g. in paper SCRS 2005/086.

It might also be noted in this connection that, if crews were to discard any of the trunks of the sharks caught, they would not even be able to comply with the 5% ratio laid down in Regulation (EC) 1185/2003, given that most of the fins marketed are taken from sharks whose stipulated fin/live animal weight ratio is lower than the actual ratio.

From a purely commercial point of view, it might be stressed that, bearing in mind the weight ratio between the two marketable parts (fins and trunk), the average value obtained from selling an entire shark on the market means that it would make no sense to market only the fins and to discard the trunks. This can be demonstrated taking the example of a 200 kg blue shark:

Common marketing value of blue shark (<i>Prionace glauca</i>)		
Shark weight on leaving the water		200 kg
Indicators	Fins	Processed trunk
Ratio?	5 %	48 %
Net weight	10 kg	96 kg
Price/kg	EUR 12.31	EUR 1.77
Value of the parts	EUR 123.08	EUR 169.85
Total sale	EUR 292.92	

Wasting this sale value would make no sense from the commercial point of view, since in blue sharks the fins have an average sale value lower than that of the processed trunks.

It is currently estimated that the sale value of the shark trunk amounts to around 55% of the total sale value for the animal, whilst the fins account for only 45% of total sale value.

3. Impact of the Commission proposal on the Community fleet

The implementation of the current Commission proposal COM(2011)798 would pose various technical difficulties, chiefly relating to (a) food quality and health, (b) safety and (c) energy efficiency, which would in turn have a clearly negative impact on the economic and social situation for the Community fleet, as explained below.

3.1 Food quality and health

Food products that are stored fresh and frozen must comply with strict hygiene, health and nutritional requirements that could be compromised as a result of the implementation of the Commission proposal.

Landing sharks with the fins attached to the body and cutting the fins off after the sharks have been frozen would make it necessary almost completely to thaw out the animal on land, in order not only to make the final cuts to detach the fins but above all to gut the carcass, a process that must be carried out if shark trunks are to be placed on the market for which they are intended (since the market demands dressed carcasses). Breaking the cold chain in this way would result in a loss of protein and deterioration of the trunks (owing to lipase action, etc.), causing a consequent decline in nutritional quality, increased health risks for consumers and a reduction in the sale price. Moreover, gutting sharks at sea allows the animal to be better utilised, since the guts can be used as bait.

These problems are further exacerbated by the fact that most of the ports at which sharks are landed are located in tropical third countries, where average temperatures are high and which often lack suitable hygiene and sanitary conditions to handle the fish in the way described above.

Attention might also be drawn to the recent guidelines from DG SANCO (Health and Consumer Protection Directorate-General) on the handling of fish on land, which require that certificates be issued by the local veterinary control authorities at the port in which handling takes place, something that will be virtually impossible in many of the landing ports concerned.

3.2 Safety

The current Commission proposal would pose serious accident risks for crews handling sharks on board vessels. Shark fishermen necessarily deal with extremely large carcasses. Handling such carcasses on board with the fins attached would heighten the risk of accidents, since frozen shark fins are razor-sharp and may cause deep and severe cuts.

3.3 Energy efficiency

Energy efficiency is now a widely accepted requirement that is to be strengthened as part of the current reform of the common fisheries policy. In the case of shark fishing, energy efficiency is fostered by the efficient management of storage space on board.

The current practice of storing trunks and fins separately allows optimum use to be made of the space on board vessels. In requiring that sharks be stored with the fins attached to the carcass, the Commission proposal would lead to a significantly less efficient use of space on board and an increase in the number of trips back to port to land catches, with the consequent loss of energy efficiency. At the same time, operating costs would rise and economic

profitability would drop.

Amending the regulation as proposed by the Commission would damage the Community fleet in various respects: economic, safety on board, product quality, energy efficiency, etc.

3.4 Final considerations

- 1.** The practice of finning is to be condemned from every angle and should remain banned under all circumstances;
- 2.** There is no data showing that finning is practised in European waters and/or by the European fleet, and the Commission proposal therefore contradicts the principle that it claims to follow, particularly in the current process of reforming the common fisheries policy, i.e. taking policy action on the basis of scientific data;
- 3.** The lack of data that the Commission might consider sufficient to prove that finning is not practised should be a reason for obtaining more data rather than for legislating without data, and much less for legislating precisely because there is no data. This inversion of the proper procedure as advocated by the Commission would constitute a serious precedent for the future, especially in view of the far-reaching changes that will result from the process of reforming the common fisheries policy;
- 4.** The Commission proposal is thus based on principles other than scientific principles, mainly international recommendations and public consultation. However, when international organisations discuss finning they do so in general terms, deploring its practice across the world. It is a fact that finning still goes on, but not specifically in European waters and/or by the European fleet, where any claims are based on no more than suspicions. Public consultation is an important indicator when policies are being drawn up but it should certainly not determine such policies, since this would be tantamount to an abdication of responsibility for political action;
- 5.** The Commission proposal would have a negative impact on the European fleet without effectively ending the practice of finning in other fleets, particularly the Asian fleet, and without playing a significant role in protecting and conserving stocks, which, as the Commission has indicated, are in a healthy state for the two most commonly fished species;
- 6.** An overall risk-benefit assessment in the context of 'global sustainability' gives a negative result, and we therefore reject the Commission proposal as submitted;
- 7.** Furthermore, the current proposal, lacking in any scientific basis that might justify its urgent adoption, comes at a particularly difficult time for the fishing industry, which finds itself in the midst of the process of reform of the common fisheries policy and the restructuring of its own regular activity, with the prospect of the forthcoming reduction in the number of vessels and people working in the industry. This is yet another constraint imposed on the fishing industry on the basis of nothing more than suspicion;
- 8.** Against this background, your rapporteur would propose that the current derogation be extended until the future reform of the common fisheries policy has been implemented. This will make it possible: (a) not to aggravate the economic and social pressure on longliners fishing for sharks, and (b) to obtain technical and scientific data on shark fishing by the European fleet with a view to adopting appropriate legislation in the future;
- 9.** Since finning is a barbaric practice and there should not be any suspicion hanging over the European fleet, we would also propose holding a debate on a range of measures that would

strengthen controls, facilitate the gathering of data and help to preserve species identified as being endangered, in line with a number of proposals that are soon to be formally presented by the European Economic and Social Committee (NAT/536), in particular:

- abolishing special fishing permits for the wet fish fleet;
- allowing special fishing permits only for the freezer fleet on condition that a traceability system is implemented making it possible to establish that the landed fins correspond to the trunks being landed;
- making it compulsory to land fins and trunks at the same time in order to ensure more effective control;
- making it compulsory to make use of all parts of the sharks caught;
- introducing management and catch plans (particularly quotas for endangered shark species);
- implementing a statistical documentation system for the trade in shark fins in all regional fishery organisations (RFOs);

10. Further measures that might be brought into the debate are:

- standardising the techniques used to cut off fins so that the ratio can be calculated more precisely;
- revising the ratio with a view to (a) the removal of all the fins, (b) the standardisation of cutting techniques, (c) setting a ratio for each species, (d) calculating the weight of the guts.