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INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a catch documentation programme for bluefin tuna (*Thunnus thynnus*) and repealing Regulation (EU) No 640/2010
- Outcome of the European Parliament's first reading
(Strasbourg, 20 to 23 November 2023)

I. INTRODUCTION

A number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this file at first reading.

In this context, the Chair of the Committee on Fisheries (PECH) Pierre KARLESKIND (RE, FR) presented on behalf of PECH a compromise amendment (amendment number 11) to the abovementioned proposal for a Regulation, for which Gabriel MATO (EPP, ES) had prepared a draft report. This amendment had been agreed during the informal contacts referred to above. No other amendments were tabled.

II. VOTE

When it voted on 21 November 2023, the plenary adopted the compromise amendment (amendment number 11) to the abovementioned proposal for a Regulation. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto¹.

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

P9_TA(2023)0399

Catch documentation programme for bluefin tuna

European Parliament legislative resolution of 21 November 2023 on the proposal for a regulation of the European Parliament and of the Council establishing a catch documentation programme for bluefin tuna (*Thunnus thynnus*) and repealing Regulation (EU) No 640/2010 (COM(2020)0670 – C9-0336/2020 – 2020/0302(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2020)0670),
- having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0336/2020),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Economic and Social Committee of 27 January 2021¹,
- having regard to the provisional agreement approved by the responsible committee under Rule 74(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 13 September 2023 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rule 59 of its Rules of Procedure,
- having regard to the report of the Committee on Fisheries (A9-0172/2021),

¹ OJ C 123, 9.4.2021, p. 72.

1. Adopts its position at first reading hereinafter set out²;
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

² This position replaces the amendments adopted on 16 February 2022 (Text adopted, P9_TA(2022)0027.

P9_TC1-COD(2020)0302

Position of the European Parliament adopted at first reading on 21 November 2023 with a view to the adoption of Regulation (EU) 2023/... of the European Parliament and of the Council establishing a catch documentation programme for bluefin tuna (*Thunnus thynnus*) and repealing Regulation (EU) No 640/2010

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee⁴,

Acting in accordance with the ordinary legislative procedure⁵,

⁴ OJ C 123, 9.4.2021, p. 72.

⁵ Position of the European Parliament of 21 November 2023.

Whereas:

- (1) One of the objectives of the common fisheries policy, as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the Council⁶, is to ensure that the exploitation of marine biological resources provides sustainable economic, environmental and social benefits.
- (2) The Union is a Contracting Party to the United Nations Convention of 10 December 1982 on the Law of the Sea, approved by Council Decision 98/392/EC⁷, to the Agreement on the implementation of the provisions of that Convention relating to the conservation and management of straddling stocks and highly migratory fish stocks, ratified by Council Decision 98/414/EC⁸, and to the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, accepted by Council Decision 96/428/EC⁹. In the framework of those international obligations, the Union participates in efforts made to ensure sustainable management of highly migratory fish stocks.

⁶ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

⁷ Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1).

⁸ Council Decision 98/414/EC of 8 June 1998 on the ratification by the European Community of the Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks (OJ L 189, 3.7.1998, p. 14).

⁹ Council Decision 96/428/EC of 25 June 1996 on acceptance by the Community of the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas (OJ L 177, 16.7.1996, p. 24).

- (3) The Union is a Contracting Party to the International Convention for the Conservation of Atlantic Tunas (the ‘Convention’) pursuant to Council Decision 86/238/EEC¹⁰. The Convention provides for a framework for regional cooperation on the conservation and management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas through an International Commission for the Conservation of Atlantic Tunas (‘ICCAT’), and for the adoption of recommendations applicable in the Convention area which become binding on the Contracting Parties to the Convention, cooperating non-contracting Parties, entities and fishing entities (‘CPCs’).
- (4) Regulation (EU) No 640/2010 of the European Parliament and of the Council¹¹ implemented into Union law ICCAT Recommendation 09-11 amending Recommendation 08-12 introducing a catch documentation programme for bluefin tuna.

¹⁰ Council Decision 86/238/EEC of 9 June 1986 on the accession of the Community to the International Convention for the Conservation of Atlantic Tunas, as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed in Paris on 10 July 1984 (OJ L 162, 18.6.1986, p. 33).

¹¹ Regulation (EU) No 640/2010 of the European Parliament and of the Council of 7 July 2010 establishing a catch documentation programme for bluefin tuna *Thunnus thynnus* and amending Council Regulation (EC) No 1984/2003 (OJ L 194, 24.7.2010, p. 1).

- (5) As part of the measures to regulate stocks of bluefin tuna, to improve the quality and reliability of statistical data and in order to prevent, deter and eliminate illegal fishing, ICCAT adopted Recommendations **18-13** and **21-19 on an ICCAT bluefin documentation programme**, introducing the implementation of the bluefin tuna catch documentation scheme, **Recommendations 10-11 on an electronic bluefin tuna catch document programme (eBCD)** and **22-16 on the application of the eBCD system**, developing and strengthening the implementation of the bluefin tuna catch documentation scheme by introducing a mandatory eBCD system, **and Recommendation 22-08 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean**. CPCs and Member States commenced the partial implementation of the eBCD system in June 2016. It is fully implemented since January 2017 and is being used by Member States.
- (6) *The Convention establishes English, French and Spanish as the official languages of ICCAT. In order to permit operators to carry out their activities falling within the scope of this Regulation effectively and to avoid obstacles in communication with the competent authorities, the bluefin tuna catch document ('BCD') and the bluefin tuna re-export certificate ('BFTRC') should be submitted in one of the official languages of ICCAT.*

- (7) Certain provisions of the ICCAT Recommendations are amended frequently by the CPCs and are likely to be amended further in the future. Therefore, in order to implement future amendments to the ICCAT Recommendations into Union law swiftly, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission to amend this Regulation concerning: the mandatory use of eBCDs and BCDs; rules on the grouped BCDs; validation of the BCD and eBCD; the derogation deadline for tagging information in relation to minimum conservation reference size under Regulation (EU) 2023/2053 of the European Parliament and of the Council¹²; recording and validation of catch and subsequent trades in the eBCD system; information concerning validation and points of contact; the use of paper BCDs and printed eBCDs; reporting dates; ***references to the annexes to ICCAT Recommendations and to the corresponding Annexes to this Regulation; and the Annexes to this Regulation.*** ■ It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making¹³. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (8) Union legislation should merely implement the ICCAT Recommendations into Union law in order to place Union and third country fishers on an equal footing and to ensure that the rules are fully accepted and implemented by all.

¹² Regulation (EU) 2023/2053 of the European Parliament and of the Council of 13 September 2023 establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627 (OJ L 238, 27.9.2023, p. 1).

¹³ OJ L 123, 12.5.2016, p. 1.

- (9) The delegated acts provided for in this Regulation are without prejudice to the implementation of future changes to ICCAT Recommendations into Union law through the ordinary legislative procedure.
- (10) Regulation (EU) No 640/2010 should therefore be repealed, as this Regulation implements into Union law new ICCAT measures for the bluefin tuna catch documentation programme.

- (11) *The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹⁴ and delivered formal comments on 17 May 2022.*
- (12) *When personal data are processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council¹⁵ and Regulation (EU) 2018/1725 are applicable, and it should be ensured that the obligations relating to the protection of personal data are respected at all times and at all levels. The authorities of the Member States are to be regarded as a controller as defined in Article 4, point (7), of Regulation (EU) 2016/679 in relation to the processing of personal data which they collect pursuant to this Regulation. The Commission is to be regarded as a controller as defined in Article 3, point (8), of Regulation (EU) 2018/1725 in relation to the processing of personal data which it collects pursuant to this Regulation,*

HAVE ADOPTED THIS REGULATION:

¹⁴ *Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).*

¹⁵ *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).*

CHAPTER I
GENERAL PROVISIONS

Article 1

Subject matter and scope

1. This Regulation establishes a Union bluefin tuna catch documentation programme, in order to implement the bluefin tuna catch documentation scheme adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT), and the mandatory use of the electronic BCD (eBCD) system, with a view to identifying the origin of all bluefin tuna caught, in order to support the implementation of ICCAT conservation and management measures.
2. This Regulation does not apply to domestic trade, export, import and re-export of fish parts other than the meat, such as heads, eyes, roes, guts and tails.

Article 2
Definitions

For the purpose of this Regulation, the following definitions apply:

- (1) ‘BCD’ means the bluefin tuna catch document, the format of which is provided for in Annex 2 to ICCAT Recommendation 18-13 **and set out in Annex II to this Regulation**;
- (2) ‘bluefin tuna’ means fish of the species *Thunnus thynnus* falling within the relevant codes of the Combined Nomenclature of Annex I to Council Regulation (EEC) No 2658/87¹⁶;
- (3) ‘the Convention’ means the International Convention for the Conservation of Atlantic Tunas;
- (4) ‘Convention area’ means the geographical area, as set out in Article I of the Convention, covered by the ICCAT measures;

¹⁶ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

- (5) ‘domestic trade’ means:
- (a) trade, in one Member State or between two or more Member States, in bluefin tuna caught in the Convention area by a Union catching vessel or trap, and which is landed in the territory of the Union; and
 - (b) trade, in one Member State or between two or more Member States, in farmed bluefin tuna caught in the Convention area by a Union catching vessel *or trap*, and which is caged in a farm established in the territory of the Union;
- (6) ‘import’ means the introduction into the territory of the Union, including for caging, fattening, farming or transshipment purposes, of bluefin tuna caught in the Convention area by a third country catching vessel or trap;

- (7) 'export' means any movement to a third country of bluefin tuna caught in the Convention area by a Union catching vessel or trap, including any movement from the territory of the Union, from third countries or from fishing grounds;
- (8) 're-export' means any movement from the territory of the Union of bluefin tuna which had been previously imported into the territory of the Union;
- (9) 'trap Member State' means the Member State where the trap is established;
- (10) 'farm Member State' means the Member State where the farm is established;
- (11) 'CPCs' means Contracting Parties to the Convention and cooperating non-contracting parties, entities or fishing entities.

CHAPTER II
BLUEFIN TUNA CATCH DOCUMENT

Article 3
General provisions

1. The eBCD system shall be used for any *catch*, landing, transfer, *including intra- and inter-farm transfers*, transshipment, caging, harvest, domestic trade, import, export or re-export of bluefin tuna. Paper BCDs may be used under exceptional circumstances as provided for in Article 11.
2. A BCD shall be completed *in one of the official languages of ICCAT (English, French or Spanish)*, for each bluefin tuna caught by a fishing vessel or trap, transferred, landed or transhipped at ports by a fishing vessel or trap, or caged or harvested by farms.

3. Each lot of bluefin tuna domestically traded, imported into, or exported or re-exported from the territory of the Union shall be accompanied by a BCD validated by the competent authority, except in cases where Article 4(4) applies, and, as applicable, an ICCAT transfer declaration or a validated bluefin tuna re-export certificate ('BFTRC'). Each lot of bluefin tuna shall only contain bluefin tuna products of the same presentation and originating in the same relevant geographical area and the same fishing vessel, or group of fishing vessels, or the same trap.
4. It shall be prohibited to land, transfer, *tranship, cage*, deliver, harvest, trade domestically, import, export or re-export bluefin tuna without a completed and, *where applicable*, validated BCD *and* BFTRC *whenever necessary*.
5. Each BCD shall have a unique document identification number. Document identification numbers shall be specific to the flag or trap Member State.

6. At the time of caging and provided that all the fish are caged in the same farming cage and on the same day, relevant BCDs may be grouped as a “grouped BCD” with a new BCD number in the following cases:
 - (a) multiple catches made by the same vessel;
 - (b) catches made by joint fishing operations.
7. The grouped BCD shall replace all the related original BCDs and shall be accompanied by the list of all the associated BCD numbers. The copies of such associated BCDs shall be made available to Member States’ or CPCs’ control authorities, upon request.
8. Bluefin tuna that are caught as by-catch by vessels not authorised to fish actively for bluefin tuna pursuant to Regulation (EU) 2023/2053 may be traded. Member States’ authorities, port authorities and authorised self-registration by the master or representative of the vessel shall facilitate the access by the master or representative of the vessel to the the eBCD system, including by way of their national registration number. The flag Member States of the vessels concerned shall not be required to submit a list of such vessels to the Commission.

9. Bluefin tuna that die during the transfer, towing or caging operations covered by Articles 40 to 55 of Regulation (EU) 2023/2053 ■ may be traded by the purse seine vessel, *auxiliary* vessel, *trap* and/or farm representatives, where applicable.
10. Bluefin tuna harvested in sport and recreational fisheries, the sale of which is prohibited, shall not be subject to this Regulation and shall not, therefore, be required to be recorded in the eBCD system.

Article 4

Validation

1. Catching vessel masters, trap operators, farm operators, sellers and exporters, or their authorised representatives, shall complete the BCD by providing the required information and shall request its validation in accordance with paragraph 2 in respect of each bluefin tuna caught, landed, caged, harvested, transhipped, domestically traded or exported.

2. The BCD shall be validated by a competent authority of the flag *Member State* of the vessel *or of the trap* or farm *Member State* that caught or harvested the bluefin tuna, or of the Member State of establishment of the seller or exporter that domestically traded or exported the bluefin tuna.
3. Member States shall validate the BCD for bluefin tuna products only where:
 - (a) all the information contained in the BCD has been verified as accurate;
 - (b) the accumulated ■ amounts *of catch* are within their quotas or catch limits for the relevant management year, including, where appropriate, individual quotas allocated to catching vessels or traps; and
 - (c) the products comply with all other relevant provisions of the ICCAT conservation and management measures.

4. Validation under paragraph 2 of this Article shall not be required where all bluefin tuna available for sale are tagged, in accordance with Article 6(4), by the flag or trap Member State that fished them.
5. Where the bluefin tuna quantities caught and landed are less than 1 metric tonne or fewer than three fish, the logbook or the sales note may be used as a temporary BCD, pending the validation of the BCD within seven days of landing and prior to export.
6. A validated BCD shall include, as appropriate, the information set out in Annex 1 to ICCAT Recommendation 18-13 *and Annex I to this Regulation*. Instructions for the issuing, numbering, completion and validation of the BCD are set out in Annex 3 to ICCAT Recommendation 18-13 *and Annex III to this Regulation*.
7. The buyer information in the trade information section shall be entered into the eBCD system prior to the validation. The trade information section of an eBCD shall be validated prior to export.

8. Export from the Member States shall take place only if the previous trade between Member States has been properly recorded. Such export shall continue to require validation in the eBCD system in accordance with paragraphs 1 to 5.

Article 5

Recording and validation of catch and subsequent trades in the eBCD system

1. Following the recording and validation of catch and first trade in the eBCD system in accordance with Article 4, information on the internal sales of bluefin tuna within one Member State shall be recorded in the eBCD system. Validation of those internal sales shall not be required.
2. Following the recording and validation of catch and first trade in the eBCD system, the domestic trade between Member States shall be completed in the eBCD system by the seller in accordance with Article 4.

3. The competent authority referred to in Article 4(2) shall validate domestic trade *between the Member States* of “gilled and gutted” (GG), “dressed” (DR) and “round” (RD) product forms. However, by way of derogation from Article 4, validation shall not be required:
- (a) where domestic trade of bluefin tuna is in “fillets” (FL) or “other, specified” (OT) product forms listed on the eBCD;
 - (b) where the FL or OT product referred to under point (a) is packaged for transport, in which case the associated eBCD number shall be written legibly and indelibly on the outside of any package containing any part of the tuna except for exempted products specified in Article 1(2).

For FL or OT products, subsequent domestic trade to another Member State shall only take place when the trade information from the previous Member State has been recorded in the eBCD system.

4. The derogation provided for in paragraph 3 of this Article shall be applicable until 31 December **2024**. Member States shall report **annually** to the Commission on the implementation of that derogation **■**. That report shall include information on the verification by the Member States provided for in Article 9, the outcomes of that verification and data about the trade events concerned, including relevant statistical information, such as the amount of bluefin tuna and number of trades covered by that derogation.
5. The trade in live bluefin tuna including all trade events to and from bluefin farms shall be recorded and validated in the eBCD system in accordance with this Regulation, unless otherwise specified.
6. By way of derogation from Article 3(3), the validation of sections 2 (catch) and 3 (live trade) in the eBCD system may be completed simultaneously.
7. The amending and re-validation of sections 2 (catch) and 3 (live trade) in the eBCD system, as required by Article 51 of, and Annex XI to, Regulation (EU) 2023/2053, related to the use of stereoscopic camera systems may be completed following the caging operation.

Article 6

Tagging

1. Member States may require their catching vessels or traps to affix a tag to each bluefin tuna preferably at the time of kill, but in any event not later than the time of landing ('tagging programme'). Tags shall have unique Member State-specific numbers and shall be tamper proof. The tag numbers shall be linked to the eBCD.
2. Member States concerned shall send a summary of the implementation of the tagging programme to the Commission by 30 April each year in respect of the preceding year. Any subsequent changes to a tagging programme shall also be sent to the Commission. The Commission shall forward the summaries to the ICCAT Secretariat.
3. The use of tags under this Article shall only be authorised when the accumulated catch amounts are within Member States' quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

4. For the purposes of Article 4(4), the commercial tagging programs of the flag Member State for the vessel or trap that harvested the bluefin tuna under which the fish are tagged shall provide at least for the following:
- (a) that all bluefin tuna in the eBCD concerned are individually tagged;
 - (b) the following *information associated with* the tag:
 - (i) identification of the catching vessel or trap;
 - (ii) date of capture or landing;
 - (iii) the area of harvest of the fish in the shipment;
 - (iv) the gear used to catch the fish;
 - (v) the type of product and individual weight of the tagged bluefin tuna;
 - (vi) where applicable, information on the exporter and importer; and
 - (vii) where applicable, the point of export.

5. By way of derogation from paragraph 4, point (b) (v), of this Article, for those fisheries subject to the derogations as to minimum conservation reference size under Regulation (EU) 2023/2053, Member States may instead, until 31 December **2024**, provide the approximate weight of individual fish within the catch upon offloading, which shall be determined through representative sampling.
6. Where Member States apply the derogation provided for in *paragraph 5* of this Article, they shall **■** report to the Commission *annually in accordance with Article 5(4)* on the implementation of that derogation.
7. The information on tagged fish shall be compiled by the Member State responsible for the tagging programme.
8. The Commission shall compile the information on tagged fish received from Member States and shall transmit it to ICCAT in the format of the Union implementation report.

CHAPTER III
BLUEFIN TUNA RE-EXPORT CERTIFICATE

Article 7
General provisions

1. Each Member State shall ensure that each lot of bluefin tuna which is re-exported from its territory is accompanied by a validated BFTRC.
2. Paragraph 1 shall not apply in cases where bluefin tuna is imported live.
3. The operator responsible for the re-export shall complete the BFTRC *in one of the official languages of ICCAT (English, French or Spanish)* and shall request its validation for the lot of bluefin tuna to be re-exported. The completed BFTRC shall be accompanied by a copy of the validated BCD(s) relating to the bluefin tuna products previously imported.

Article 8
Re-export validation

1. The BFTRC shall be validated by the competent authority of the Member State from which territory the lot is re-exported.
2. The competent authority shall validate the BFTRC for all bluefin tuna products, provided that:
 - (a) all the information contained in the BFTRC has been established to be accurate;
 - (b) the corresponding validated BCD(s) has been accepted for the importation of the products declared on the BFTRC;
 - (c) the products to be re-exported are wholly or partly the same product on the validated BCD(s); and
 - (d) a copy of the BCD(s) is attached to the BFTRC to be validated.
3. The validated BFTRC shall include the information set out in *Annex 2 to ICCAT Recommendation 22-16* and Annex 5 to ICCAT Recommendation 18-13, *and in Annexes IV and V to this Regulation*.

CHAPTER IV
VERIFICATION

Article 9
Verification

1. Member States shall ensure that their competent authorities identify each lot of bluefin tuna landed in, domestically traded in, imported into, or exported or re-exported from, their territory, and request and examine the validated BCD(s) and related documentation of each lot of bluefin tuna.

2. The competent authorities may examine the content of the lot to verify the information contained in the BCD and in related documents. Where necessary, the competent authorities shall carry out verifications with the operators concerned.

3. If, as a result of examinations or verifications carried out pursuant to paragraphs 1 and 2, doubts arise regarding the information contained in a BCD, the Member State on whose territory the final import took place and the Member State or CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.
4. If a Member State identifies a lot with no BCD, it shall notify the findings to the Member State that domestically traded the lot, or the exporting CPC, and, where known, the flag Member State or the flag CPC.
5. Member States shall not release the lot for domestic trade, import or export, or, in the case of live bluefin tuna destined to farms, accept the transfer declaration until the examinations or verifications referred to in paragraphs 1 and 2 have been carried out and confirm compliance of the bluefin tuna lot with the requirements of this Regulation and any other applicable Union law.
6. Domestic trade, import, export or re-export of the bluefin tuna shall be prohibited where a Member State, having carried out the examinations or verifications referred to in paragraphs 1 and 2 and in cooperation with the validating authorities concerned, determines that the corresponding BCD or BFTRC is invalid.

CHAPTER V
TRANSMISSION OF DATA

Article 10

Registration in the eBCD system, notification and verification of information

1. Member States shall be responsible for ensuring that their users are registered in the eBCD system.
2. Where a Member State validates BCDs in respect of catching vessels flying its flag, its traps or farms, it shall notify the Commission, of the government validation authorities or other authorised individuals or institutions responsible for validating and verifying BCDs or BFTRCs every time there is a change in the following information:
 - (a) the name and full address of the validating organisation;
 - (b) the name and title of the validating officials who are individually empowered;

- (c) a sample form of document;
 - (d) a sample impression of stamp or seal; and
 - (e) as appropriate, tag samples.
3. The notification provided for in in paragraph 2 shall indicate the date from which the change is applicable. A copy of national law provisions adopted for the purpose of implementing the bluefin tuna catch documentation programme shall be communicated with the initial notification, including procedures on authorising non-governmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the Commission in a timely manner.
4. Member States shall notify the Commission, by electronic means, of the points of contact, in particular, the name and full address of the organisation(s), that should be informed if questions arise in relation to BCDs or BFTRCs.

5. The Commission shall without delay notify the information provided for in paragraphs 2 to 4 to the ICCAT Secretariat.
6. Member States shall verify the information concerning the validating authorities notified to the ICCAT and published on a publicly accessible website held by the ICCAT Secretariat to help their authorities to verify the validation of BCDs and BFTRCs.

Article 11

Paper BCDs or printed eBCDs

1. Paper BCDs or printed eBCDs may be used in the following cases:
 - (a) landings of quantities of bluefin tuna less than one metric tonne or fewer than three fish. Such paper BCDs shall be converted to eBCDs within a period of seven working days of landing or prior to export, whichever is first;
 - (b) bluefin tuna caught prior to 1 January 2017;

- (c) as a back-up in the limited event that technical difficulties with the system arise that preclude a Member State from using the eBCD system, following the procedures set out in Annex 3 to ICCAT Recommendation **22-16**. Delays by Member States in taking necessary actions, such as providing the data necessary to ensure the registration of users in the eBCD system or other avoidable situations, shall not constitute an acceptable technical difficulty;
- (d) trade in Pacific tuna;
- (e) trade between the Union and non-CPCs where access to the eBCD system through the *ICCAT* Secretariat is not possible or is not timely enough to ensure the trade is not unduly delayed or disrupted.

2. The use of a paper BCD referred to in paragraph 1 shall not be invoked by a Member State or CPCs as a reason to delay or deny the import of a bluefin tuna shipment, provided that the paper BCD complies with this Regulation. Printed eBCDs that are validated in the eBCD system shall satisfy the validation requirement stipulated in Article 3(3).

3. Flag or trap Member States shall provide BCD forms only to catching vessels and traps authorised to fish bluefin tuna in the Convention area, including as by-catch. Such forms shall not be transferable.
4. Paper copies of eBCDs shall follow each part of split lots or processed product, using the unique document number of the eBCD to link them.

Article 12

Communication and conservation of paper validated documents

1. Except in cases where Article 4(4) applies, Member States shall communicate a copy of all validated BCDs or BFTRCs to:
 - (a) the Commission;
 - (b) the competent authorities of the Member State or CPC where the bluefin tuna will be domestically traded, transferred into a cage or imported; and
 - (c) the ICCAT Secretariat.

2. Member States shall make the communication provided for in paragraph 1 as soon as possible and in any event within five working days of the date of validation, or before the end of the transportation where the expected duration of the transportation should not take more than five working days.
3. Member States shall keep copies of documents issued or received for at least two years.

Article 13

Annual report

1. By 15 August each year, Member States shall provide the Commission with a report comprising the information described in Annex 6 to ICCAT Recommendation 18-13, covering the period from 1 January to 31 December of the preceding year.
2. Reports generated from the eBCD system shall be used to fulfil the annual reporting requirements referred to in paragraph 1. Member States shall also provide in their annual report elements described in Annex 6 to ICCAT Recommendation 18-13 that cannot be produced from the eBCD system.

3. The Commission shall draw up the Union's annual report based on the information received from Member States in accordance with paragraphs 1 and 2 and shall communicate it to the ICCAT Secretariat by 15 September each year.

CHAPTER VI
FINAL PROVISIONS

Article 14

Procedure for amendments

1. The Commission is empowered to adopt delegated acts, in accordance with Article 15, amending this Regulation to adapt it to measures adopted by ICCAT that bind the Union and its Member States concerning:
 - (a) the mandatory use of eBCDs and BCDs pursuant to Article 3(1) and (2);
 - (b) rules on grouped BCDs pursuant to Article 3(6);
 - (c) validation of the BCD and eBCD pursuant to Article 4;
 - (d) recording and validation of catch and subsequent trades in the eBCD system pursuant to Article 5;

- (e) the derogation deadline referred to in Article 5(4) and Article 6(5);
- (f) information concerning validation and points of contact pursuant to Article 10(2);
- (g) use of paper BCDs or printed eBCDs pursuant to Article 11(1);
- (h) reporting dates referred to in Article 5(4), Article 6(2) and Article 13(1) and (3);
- (i) references to Annexes to ICCAT Recommendations as provided for in Article 2(1), Article 4(6), Article 8(3), Article 11(1), point (c) and Article 13(1) and (3) ***and to the corresponding Annexes to this Regulation;***
- (j) ***the Annexes to this Regulation.***

2. Amendments made pursuant to paragraph 1 shall be strictly limited to the implementation into Union law of amendments to ICCAT Recommendations.

Article 15
Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for a period of five years from ... [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 14 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated act already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 14 shall enter into force only where no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of the act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 16

Repeal

Regulation (EU) No 640/2010 is repealed.

Article 17
Entry into force

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

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

Done at ...,

For the European Parliament

For the Council

The President

The President

ANNEX I

Data to be included in the bluefin tuna catch document (BCD)

1. *ICCAT bluefin tuna catch document number*

2. *Catch information*

Name of the catching vessel or trap name

Name of the other vessels (in the case of joint fishing operations (JFOs))

Flag

ICCAT Record number

Individual quota

Quota used for this BCD

Date, area of catch and gear used

Number of fish, total weight and average weight¹⁷

ICCAT Record number of JFOs (if applicable)

Tag number (if applicable)

¹⁷ *Weight shall be reported by round weight, where available. If round weight is not used, specify the type of product (e.g. GG) in the "Total Weight" and "Average Weight" section of the form.*

Government validation

Name of authority and signatory, title, signature, seal and date

3. *Trade information for live fish trade*

Product description

Exporter/seller information

Transportation description

Government validation

Name of authority and signatory, title, signature, seal and date

Importer/buyer

4. *Transfer information*

Towing vessel description

ICCAT transfer declaration number

Name and flag of the vessel

ICCAT Record number

Number of fish dead during transfer

Total weight of dead fish (kg)

Towing cage description

Cage number

5. *Transshipment information*

Carrier vessel description

Name, flag, ICCAT Record number, date, port name, port state, position

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Government validation

Name of authority and signatory, title, signature, seal and date

6. Farming information

Farming facility description

Name, CPC, ICCAT record of bluefin tuna farming facilities (FFB) number and location of farm

Participation in national sampling programme (yes or no)

Cage description

Date of caging, cage number

Fish description

Estimates of number of fish, total weight and average weight¹⁸

ICCAT Regional Observer information

Name, ICCAT number, signature

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

Name of authority and signatory, title, signature, seal and date

¹⁸ *Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g. GG) in the "Total Weight" and "Average Weight" section of the form.*

7. *Harvesting information*

Harvesting description

Date of harvest

Number of fish, total (round) weight, and average weight

Tag number (if applicable)

ICCAT Regional Observer information

Name, ICCAT number, signature

Government validation

Name of authority and signatory, title, signature, seal and date

8. *Trade information*

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Exporter/seller information

Point of export or departure

Export company name, address, signature and date

State of destination

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, signature, seal and date

Importer/buyer information

Point of import or destination

Import company name, address, signature and date of signature

ANNEX II

ICCAT bluefin tuna catch document

1. ICCAT BLUEFIN TUNA CATCH DOCUMENT (BCD)		No :		1/2	
2. CATCH INFORMATION					
VESSEL / TRAP INFORMATION					
	NAME OF THE CATCHING VESSEL / TRAP	FLAG / CPC	ICCAT RECORD NO	INDIVIDUAL QUOTA	CATCH
	NAME OF THE OTHER FISHING VESSELS	FLAG	ICCAT RECORD NO	INDIVIDUAL QUOTA	CATCH
CATCH DESCRIPTION					
	DATE (dd/mm/yy)		AREA	GEAR	
	No. of FISH		TOTAL WEIGHT(kg)	AVG. WEIGHT(kg)	
	ICCAT RECORD No. of Joint Fishing Operation				
	TAG number (if applicable)				
GOVERNMENT VALIDATION					
	NAME OF AUTHORITY				SEAL
	TITLE				
	SIGNATURE				
	DATE (dd/mm/yy)				
3. TRADE INFORMATION					
PRODUCT DESCRIPTION					
	LIVE WEIGHT (kg)	No. of FISH	ZONE		
EXPORTER/ SELLER					
	POINT OF EXPORTATION/DEPARTURE	COMPANY	ADDRESS		
	FARM OF DESTINATION	CPC	ICCAT FFB No.		
	SIGNATURE				
	DATE (dd/mm/yy)				
TRANSPORTATION DESCRIPTION		(Relevant documentation to be attached)			
GOVERNMENT VALIDATION					

NAME OF AUTHORITY				SEAL		
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
IMPORTER/ BUYER						
COMPANY				PT. of IMPORT/DESTINATION (City, Country, State)		
ADDRESS						
DATE OF SIGNATURE (dd/mm/yy)				SIGNATURE		
ANNEX(ES): YES/NO (circle one)						
4. TRANSFER INFORMATION						
TOWING VESSEL DESCRIPTION						
ICCAT TRANSFER DECLARATION No.						
NAME		FLAG		ICCAT REC. No.		
No. Of FISH DEAD DURING TRANSFER		TOTAL WEIGHT OF DEAD FISH (kg)				
TOWING CAGE DESCRIPTION		CAGE No.				
ANNEX(ES): YES/NO (circle one)						
5. TRANSHIPMENT INFORMATION						
CARRIER VESSEL DESCRIPTION						
NAME		FLAG		ICCAT REC. No.		
DATE (dd/mm/yy)		PORT NAME		PORT STATE		
POSITION (Lat./Long.)						
PRODUCT DESCRIPTION (Indicate net weight in kg. for each type of product)						
F	RD(kg):	GG(kg):	DR(kg):	FL(kg):	OT(kg):	TOTAL WEIGHT "F" (kg)
FR	RD(kg):	GG(kg):	DR(kg):	FL(kg):	OT(kg):	TOTAL WEIGHT "FR" (kg)
GOVERNMENT VALIDATION						
NAME OF AUTHORITY				SEAL		
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
ANNEX(ES): YES/NO (circle one)						
ICCAT BLUEFIN TUNA CATCH DOCUMENT (BCD)			No :		2/2	
6. FARMING INFORMATION						

FARMING FACILITY DESCRIPTION	NAME		CPC		ICCAT FFB NO.	
	NATIONAL SAMPLING PROGRAM? YES or NO(circle one)			LOCATION		
CAGE DESCRIPTION	DATE (dd/mm/yy)		CAGE No.			
FISH DESCRIPTION	NO. of FISH :		TOTAL WT (kg) :		AVG WT (kg) :	
ICCAT REGIONAL OBSERVER INFORMATION	NAME		TITLE		SIGNATURE	
	SIZE COMPOSITION		<8 kg	8-30 kg	>30 kg	
GOVERNMENT VALIDATION						
NAME OF AUTHORITY						SEAL
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
ANNEX(ES): YES/NO (circle one)						
7. HARVESTING INFORMATION						
HARVESTING DESCRIPTION						
DATE (dd/mm/yy)		NO. of FISH		TOTAL ROUND WT (kg)		
AVG. WEIGHT (kg)		TAG number (if applicable)				
ICCAT REGIONAL OBSERVER INFORMATION	NAME		TITLE		SIGNATURE	
GOVERNMENT VALIDATION						
NAME OF AUTHORITY						SEAL
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
8. TRADE INFORMATION						
PRODUCT DESCRIPTION (Indicate net weight in kg. for each type of product)						
F	RD(kg):	GG(kg):	DR(kg):	FL(kg):	OT(kg):	TOTAL WEIGHT "F" (kg)
FR	RD(kg):	GG(kg):	DR(kg):	FL(kg):	OT(kg):	TOTAL WEIGHT "FR" (kg)
EXPORTER/ SELLER						
PT of EXPORT/DEPARTURE	COMPANY			ADDRESS		

STATE of DESTINATION		
SIGNATURE		
DATE (dd/mm/yy)		
TRANSPORTATION DESCRIPTION	<i>(Relevant documentation to be attached)</i>	
GOVERNMENT VALIDATION		
NAME OF AUTHORITY		SEAL
TITLE		
SIGNATURE		
DATE (dd/mm/yy)		
IMPORTER/ BUYER		
COMPANY		PT. of IMPORT/DESTINATION
		<i>(City, Country, State)</i>
ADDRESS		
DATE (dd/mm/yy)		SIGNATURE
ANNEX(ES): YES/NO (circle one)		

NOTE: This form is to be completed in one of the official languages of ICCAT (English, French or Spanish). All other language versions of this form are provided for information only.

ANNEX III

Instructions for the issuing, numbering, completion and validation of the bluefin tuna catch document (BCD)

1. GENERAL PRINCIPLES

(1) Language

An official ICCAT language (English, French and Spanish) shall be used in completing the BCD.

(2) Numbering

Member States shall develop unique numbering system for BCDs using their ICCAT country code or ISO code in combination with an 8-digit number, of which two digits shall indicate the year of catch.

Example: CA-09-123456 (CA stands for Canada).

In the case of split shipments or processed products, copies of the original BCD shall be numbered by supplementing the number of the original BCD with a 2-digit number.

Example: CA-09-123456-01, CA-09-123456-02, CA-09-123456-03.

The numbering shall be sequential and preferably printed. The serial numbers of blank BCDs issued shall be recorded by the name of the recipient.

In the case of producing a grouped BCD, the farm operator or his authorised representative shall request a new BCD number from the farm Member State. The number for grouped BCDs shall contain “G” as in “CA-09-123456- G”.

2. CATCH INFORMATION

(1) Completion

(a) General principles:

This section is applicable to all catches of bluefin tuna.

The master of the catching vessel or the trap operator or their authorised representative or the authorised representative of the flag or trap Member State shall be responsible for the completion and the request for validation of the CATCH INFORMATION section.

The CATCH INFORMATION section shall be completed no later than the end of transfer, transshipment or landing operation.

Remark: in the case of a JFO between different flags, one BCD for each flag shall be produced. In this case, each BCD shall indicate the same information in VESSEL/TRAP INFORMATION concerning the vessel which actually made the catch and all the other fishing vessels involved in that JFO, whereas CATCH DESCRIPTION shall indicate the catch information attributed to each flag based on the allocation key of the JFO.

In the case of catches originating from one JFO comprising vessels of the same flag, the master of the catching vessel which actually made such catches, or its authorised representative or the authorised representative of the flag Member State, shall complete the BCD form on behalf of all the vessels participating in such JFO.

(b) Specific instructions:

“NAME OF THE CATCHING VESSEL/TRAP”: list the name of the catching vessel which actually made the catches.

“NAME OF THE OTHER FISHING VESSELS”: only applicable to JFOs and list the other participating fishing vessels.

“FLAG”: indicate the flag or trap Member State.

"ICCAT RECORD No": indicate the ICCAT number of the catching vessel or trap authorised to fish bluefin tuna in the Convention area. That information is not applicable to catching vessels which fish bluefin tuna as by-catch. In the case of a JFO, list the ICCAT Record Numbers of the vessel which actually made the catch as well as other vessels participating in that JFO.

"INDIVIDUAL QUOTA": indicate the amount of individual quota given to each vessel.

"QUOTA USED FOR THIS BCD": indicate the amount of catch attributed to this BCD.

"GEAR": indicate the fishing gear using the following codes:

BB Baitboat

GILL Gillnet

HAND Handline

<i>HARP</i>	<i>Harpoon</i>
<i>LL</i>	<i>Longline</i>
<i>MWT</i>	<i>Mid-water trawl</i>
<i>PS</i>	<i>Purse seine</i>
<i>RR</i>	<i>Rod and reel</i>
<i>SPHL</i>	<i>Sport handline</i>
<i>SPOR</i>	<i>Sport fisheries unclassified</i>
<i>SURF</i>	<i>Surface fisheries unclassified</i>
<i>TL</i>	<i>Tended line</i>
<i>TRAP</i>	<i>Trap</i>
<i>TROL</i>	<i>Troll</i>

UNCL Unspecified methods

OT Other type

"No. of FISH": in the case of a JFO comprising vessels of the same flag, indicate the total number of fish caught in such operation. In the case of a JFO between different flags, indicate the number of fish attributed to each flag in accordance with the allocation key.

"TOTAL WEIGHT": indicate the total round weight in kilograms. If round weight is not used at the time of catch, indicate the type of product (e.g. GG). In the case of a JFO between different flags, indicate the round weight attributed to that flag in accordance with the allocation key.

"AREA": indicate Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"TAG number (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

(2) Validation

The flag or trap Member State shall be responsible for the validation of the CATCH INFORMATION section unless bluefin tuna are tagged in accordance with Article 6 of this Regulation.

3. TRADE INFORMATION FOR LIVE FISH TRADE

(1) Completion

(a) General principles:

This section is only applicable to export of live bluefin tuna.

The master of the catching vessel or his authorised representative or the authorised representative of the flag Member State shall be responsible for the completion and the request for validation of the TRADE INFORMATION FOR LIVE FISH TRADE section.

The TRADE INFORMATION FOR LIVE FISH TRADE section shall be completed before the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

Remark: in the case that a quantity of fish dies during the transfer operation and is domestically traded or exported, the original BCD (CATCH INFORMATION section completed) shall be copied for the fish, and the TRADE INFORMATION section of the copied BCD shall be completed by the master of the catching vessel or his authorised representative or the authorised representative of the flag Member State and transmitted to the domestic buyer/importer. Government validation of that copy shall guarantee that it is a valid copy and has been recorded by authorities of the Member State. Without the government validation, any BCD copy is null and void.

In the case of a JFO comprising vessels of the same Member State, the master of the catching vessel which actually made the catches, or its authorised representative or the authorised representative of the flag Member State, shall be responsible for the completion.

(b) *Specific instructions:*

"ZONE": indicate the area of transfer - Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"POINT OF EXPORT/DEPARTURE": indicate the Member State or CPC name of the fishery zone where the bluefin tuna were transferred or indicate "high seas" otherwise.

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) *Validation*

The flag Member State shall not validate documents where the CATCH INFORMATION section is not completed.

4. **TRANSFER INFORMATION**

(1) *Completion*

(a) *General principles:*

This section is only applicable to live bluefin tuna.

The master of the catching vessel or his authorised representative or the authorised representative of the flag Member State shall be responsible for the completion of the TRANSFER INFORMATION section. In the case of a JFO comprising vessels of the same Member State, the master of the catching vessel which actually made the catches, or its authorised representative or the authorised representative of the flag Member State, shall be responsible for the completion.

The TRANSFER INFORMATION section shall be completed no later than the end of the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

At the end of the transfer operation, the master of the catching vessel (or the master of the catching vessel which actually made the catches in the case of a JFO comprising vessels of the same Member State) shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the master of the tug vessel.

The completed BCD shall accompany the transfer of fish during transport to farm, including transfer of live bluefin tuna from the transport cage to another transport cage or transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.

Remark: in the case that some fish die during the transfer operation, the original BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) shall be copied, and the TRADE INFORMATION section of the copied BCD shall be completed by the domestic seller/exporter or his authorised representative or the authorised representative of the flag Member State and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the Member State. Without the authorised government validation, any BCD copy is null and void.

(b) Specific instructions:

"No. OF FISH DEAD DURING TRANSFER" and "TOTAL WEIGHT OF DEAD FISH": information completed (if applicable) by the master of the tug vessel.

"CAGE No.": indicate each number of cages in the case of a tug vessel having more than one cage.

(2) *Validation*

Validation of this section is not required.

5. **TRANSSHIPMENT INFORMATION**

(1) *Completion*

(a) *General principles:*

This section is only applicable to dead bluefin tuna.

The master of the transshipping fishing vessel or his authorised representative or the authorised representative of the flag Member State shall be responsible for the completion and the request for validation of the TRANSSHIPMENT INFORMATION section.

The TRANSSHIPMENT INFORMATION section shall be completed at the end of the transshipment operation.

(b) *Specific instructions:*

"DATE": indicate the date of the transshipment.

"PORT NAME": indicate the designated port of transshipment.

"PORT STATE": indicate the Member State or CPC of the designated port of transshipment.

(2) *Validation*

The flag Member State shall not validate documents where the CATCH INFORMATION section is not completed and validated.

6. *FARMING INFORMATION*

(1) *Completion*

(a) *General principles:*

This section is only applicable to live caged tuna.

The master of the tug vessel shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the farm operator at the time of caging.

The farm operator or his authorised representative or an authorised representative of the farm Member State shall be responsible for the completion and the request for validation of the FARMING INFORMATION section.

The FARMING INFORMATION section shall be completed at the end of the caging operation.

(b) Specific instructions:

"CAGE No": indicate each number of cage.

"ICCAT REGIONAL OBSERVER INFORMATION": indicate name, ICCAT number and signature.

(2) Validation

The farm Member State shall be responsible for the validation of the FARMING INFORMATION section.

The farm Member State shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections are not completed and, where applicable, validated.

7. HARVESTING INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to dead farmed tuna.

The farm operator or his authorised representative or an authorised representative of the farm Member State shall be responsible for the completion and the request for validation of the HARVESTING INFORMATION section.

The HARVESTING INFORMATION section shall be completed at the end of the harvesting operations.

(b) Specific instructions:

"TAG Number (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

"ICCAT REGIONAL OBSERVER INFORMATION": indicate name, ICCAT number and signature.

(2) Validation

The farm Member State shall be responsible for the validation of the HARVESTING INFORMATION section.

The farm Member State shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE, TRANSFER INFORMATION and FARMING INFORMATION sections are not completed and, where applicable, validated.

8. TRADE INFORMATION

(1) Completion

(a) General principles:

This section is applicable to dead bluefin tuna.

The domestic seller or exporter or their authorised representative or an authorised representative of the Member State of the seller/exporter shall be responsible for the completion and the request for validation of the TRADE INFORMATION section.

The TRADE INFORMATION section shall be completed prior to the fish being domestically traded or exported.

(b) Specific instructions:

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The Member State of the seller/exporter shall be responsible for the validation of the TRADE INFORMATION section unless bluefin tuna are tagged in accordance with Article 6 of this Regulation.

Remark: in cases where more than one domestic trade or export results from a single BCD, a copy of the original BCD shall be validated by the Member State of the domestic seller or exporter and shall be used and accepted as an original BCD. Government validation of that copy shall guarantee that it is a valid copy and has been recorded by authorities of the Member State concerned. Without the authorised government validation, any BCD copy is null and void.

In cases of re-export, the RE-EXPORT CERTIFICATE (Annex V) shall be used to track further movements, which shall be related to the catch information of the original BCD of the catch via the original BCD number.

When bluefin tuna is caught by a Member State or CPC using the tagging system, exported dead to a country, and re-exported to another country, the BCD accompanying the RE-EXPORT CERTIFICATE does not have to be validated. However, the RE-EXPORT CERTIFICATE shall be validated.

After import, a bluefin tuna may be divided into several pieces, which then may be subsequently exported. The re-exporting Member State or CPC shall confirm that the re-exported piece is part of the original fish accompanied by the BCD.

ANNEX IV

ICCAT bluefin tuna re-export certificate

Section 1: Bluefin tuna re-export certificate number

Section 2: Re-export section

Re-export country/entity/fishing entity

Point of re-export

Section 3: Description of imported bluefin tuna

Net weight (kg)

BCD (or eBCD) number and date(s) of importation

Section 4: Description of bluefin tuna for re-export

Net weight (kg)

Corresponding BCD (or eBCD) number

State of destination

Section 6: Government validation

7. IMPORT SECTION

IMPORTER STATEMENT

I certify that the above information is complete, true and correct to the best of my knowledge and belief.

Importer Certification

Name Address Signature Date

Final Point of Import: City State/Province CPC

NOTE: This form is to be completed in one of the official languages of ICCAT (English, French or Spanish). All other language versions of this form are provided for information purposes only.
