

THIRD ANNUAL MEETINGThe Status of the Haddock Regulation for Subarea 5. *

At the Second Annual Meeting of the Commission held in St. Andrews, N.B., July 30 to July 9, a minimum mesh size was recommended for haddock fishing in Subarea 5. (p.14, 2nd Annual Report).

Upon receipt of this recommendation the Fish and Wildlife Service drafted two regulations in accordance with the recommendation. Draft A provided for regulation of U.S. vessels wherever they fished. Draft B provided for restriction on mesh sizes only when fishing in Subarea 5. These two drafts were presented to the Industry Advisory Committee at a meeting held September 11, 1952. There was complete agreement in the Committee that the simpler regulation applying to the whole Convention Area should be adopted.

There was also agreement to accept the $4\frac{1}{2}$ inch inside measurement as the minimum size allowable.

The Committee did not, however, accept the wording of the Commission's recommendation as it pertained to the method of measuring the size of mesh. It was felt that the regulation as written did not adequately allow for the variation in size of mesh throughout the cod end nor allow sufficiently for shrinkage of the twine when first used. A subcommittee was appointed to draft a rewording of the part dealing with the measurement of the mesh.

This subcommittee met on September 15, 1952 and drafted an amendment to the regulation. The Subcommittee reported to the Industry Advisory Committee at its December 2, 1952 meeting held in Boston. At this meeting the proposed amendment was revised. The important point of the revision was the insertion of the phrase "after reasonable use". The Committee then approved Draft A of the proposed Federal Law as presented to them at their September 11 meeting with the proviso that it be amended within a year in accordance with their recommendation.

On December 30, 1952 the U.S. Government published in the Federal Register a proposed regulation prepared in accordance with the Commission's recommendation, this regulation to take effect on or about March 15, 1953. and to terminate December 31, 1953. Views or arguments pertaining to the regulation were to be filed with the Director of the Fish and Wildlife Service within 60 days.

This proposal was considered at a meeting of the Federated Fishing Boats of Boston on February 10, 1953 and meetings of the Industry in New Bedford and Gloucester. There was a general opinion that the new large meshed gear could not be obtained in time to start use on March 15. There was also a problem of using inventories of old gear before the deadline.

Upon requests from Boston and New Bedford the Director of the Service acceded to a postponement of the regulation. He informed parties concerned that notifications of acceptance had been received by the Depositary Government on February 13, 1953 and that the proposal must become effective four months later (June 13). He suggested June 1, 1953 as the effective date for the U.S. regulation.

* Prepared May 18, 1953.

On April 24 there was published in the Federal Register (Title 50, Chap. 1, Subchap. 1, Part 155) the regulation with effective date midnight May 31, 1953.

The amendment to the regulation proposed by the Industry Advisory Committee at its December 2, 1952 meeting was presented to the Scientific Advisors to Panel 5 at their meeting in St. Andrews, January 27-28, 1953. This committee approved the amendment after incorporating minor changes.

When the legal office of the Fish and Wildlife Service reviewed this amendment they objected to the phrase "after reasonable use". They contended that the word "reasonable" was too indefinite.

They redrafted the proposal eliminating the word "reasonable" and including the phrase "measured while wet and after use". Their draft was presented to the Industry Advisory Committee at a meeting in Boston May 6, 1953. The Committee found the draft unacceptable in the form submitted. They suggested provision for measuring the meshes while wet after reasonable use or after thirty sets and requested Commissioner Knollenberg to confer with the legal officers of the Service on the exact wording and to report to the Commission at the Third Annual meeting.

A necessary part of the research associated with the mesh regulation is the licensing of a number of trawlers to fish with small mesh in order to assess the effect of the regulation. The Service requested the Industry to select six to eight large trawlers for this purpose. The Industry selected eight vessels. Licenses will be issued them for the purpose.

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