

INTERNATIONAL COMMISSION FOR



THE NORTHWEST ATLANTIC FISHERIES

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ICNAF Comm.Doc. 74/41FIFTH SPECIAL MEETING - NOVEMBER 1974Memorandum by the United States concerning Subarea 5-Statistical Area 6 problems

At the 24th Annual ICNAF Meeting decisions were deferred on a number of proposed conservation measures for depleted groundfish stocks off the US coast. In so doing, it was agreed that these items would be reconsidered at the now scheduled November meeting of Panels 4 and 5. This allows time for reformulation of proposals presented by the United States, and the entry into force of all resulting regulatory proposals by January 1975.

Since that time events have placed added importance on the need for prompt and positive action by the Commission on these issues. They have required, as well, reconsideration of additional issues on which Commission action prior to 1975 was not anticipated. The United States has outlined its views in Commissioner's Document 74/36 on those modifications in proposed quotas and quota allocations for certain stocks in Subarea 5-Statistical Area 6 now required by related US proposals, and current assessment and catch data.

In addition, as noted in Comm.Doc. 74/37, the United States is deeply concerned over numerous and significant violations of Commission regulations which have occurred since the June 1974 Annual Meeting. Further study has been given to reports of surveillance and inspections, and detail on the full extent of observed violations will be provided at the November Special Meeting (Appendices I-III).

While the United States has and will continue to expect that each Member Nation has accepted fully and in good faith its international obligations under the Convention, recent inspection and surveillance reports dramatically indicate that further steps must be taken if we are to have a management regime for the fishery resources of the Northwest Atlantic, in fact as well as in name.

Since the institution in 1972 of nationally allocated herring quotas, all Member Nations have agreed to insure that vessels under their jurisdiction record catches "on a daily basis according to position, amount, date, type of gear, unit of effort, discards and disposition of catch". The recording of catch composition for all vessels which fish for all species in Subarea 5 and Statistical Area 6 became obligatory on May 7, 1974. In addition Member Nations have been urged to report provisional monthly catches to the Secretariat and have agreed to make this a requirement as of 1 January 1975. Nevertheless, inspections undertaken since June have revealed repeated failures to record catch composition, in addition to failures to record discards, disposition of catch and even vessel locations. Inspections have repeatedly revealed logbook entries ranging from non-existent to incomplete to false. Various of these problems have been encountered to a varying extent with vessels of Bulgaria the GDR, the FRG, France, Italy, Japan, Poland, Romania, Spain, the USSR, and the UK (Appendix IV).

Violations of mesh net regulations were noted on vessels of Spain and the United Kingdom. Despite the fact that haddock has been the most severely depleted species in the Northwest Atlantic, was the first species to be placed under quota regulation, and has been the only species ever placed under a zero quota, recent inspections revealed not only violations of the exemption allowance for this species by Spanish vessels, but the existence of a directed fishery by vessels of the United Kingdom in gross violation of the prohibition against taking haddock in Subarea 5. Further, the special efforts needed to control fisheries for small or unallocated quotas has been lacking. In one instance, inspection of a single trawl log on board a vessel of the Federal Republic of Germany indicated that this vessel alone out of 11 inspected had exceeded the entire 5Y herring quota for the FRG. Species quota violations by Spanish vessels were virtually eclipsed by a violation of over 100 percent in its 1974 overall total allowable catch in Subarea 5 and Statistical Area 6. Such violations cannot be allowed to continue.

There may well be other quota violations, but the information available to the United States and ICNAF is not presently adequate to determine this. Too few Members have reported their entering into fisheries under the "Others" category. or their catches, to the Secretariat as required by current regulations. Thus, a number of quota violations may have occurred which have not yet been detected because of reporting violations.

It is of deep concern to the United States that this has occurred at a time when not only the conditions of these resources but the nature of the Commission's increasingly complex regulatory system require the most diligent monitoring of national fleet operations. As noted in Commissioner's Document 74/37, substantial improvements in the Commission's Joint Enforcement Scheme have been proposed on repeated occasions by the United States, only to be rejected as unnecessary or inappropriate by other Member Nations. It is clear from recent events that earlier assumptions concerning the degree of compliance with the Commission's regulatory scheme which may have influenced decisions on these proposals are no longer valid. Accordingly, it is the view of the United States that these proposals for further improvements in the Commission's Joint Enforcement Scheme must now be reconsidered on the most urgent basis. The United States believes that only prompt and positive action on these proposals and responsible and diligent efforts on the part of all Member Nations will assure the viability of the regulatory system on which the future of the resource now depends.

Alleged Infringements of I.C.N.A.F. Regulations
By Fishing Vessels of Spain
Subareas 5 and 6 For 1974

by

Law Enforcement Division
National Marine Fisheries Service
United States of America

As a result of inspections carried out aboard vessels of the Spanish fishing fleet, United States officials believe that Spain's catches (squid and all finfish) exceeded the overall TAC of 17,200 metric tons by August 1974. In 1974, Spanish fishing companies dispatched more vessels to the Northwest Atlantic (Subarea 5 and Statistical Area 6) than ever before--evidence of a strong and sustained fishery.

SPANISH SQUID FISHERY

The fishing log of the trawler ALTAMAR for a three year period has been studied by United States officials. In addition, appropriate documents of the 16 vessels inspected in 1974 (averaging 38 days on station at the time of boarding) were reviewed. ALTAMAR's trawl log indicated the vessel fished 1970 - 1973 for squid in various offshore canyon areas. In 11 trips to Subarea 5 and Statistical Area 6, the vessel worked 55-60 days, or until the 300-350 ton hold capacity was reached. The ALTAMAR fished all seasons with near equal results. The same captain commanded the vessel all three years which would indicate a constant level of fishing expertise. For 11 trips to America, ALTAMAR's average logged processed catch per day (over 95% squid) was:

<u>TRIP NUMBER</u>	1	2	3	4	5	6	7	8	9	10	11
<u>TONS/DAYS</u>	2	6.1	4.8	4.5	4.5	11.8	6.6	17	4.8	7.2	3.6

or a daily average of 5.5 tons. This 5.5 figure multiplied by the 55-60 days on station per trip yields a total tonnage figure of 330 tons, or about the carrying capacity of most squid vessels. ALTAMAR's only consistently logged by-catch was lobster and goosfish, with other possibly sizeable by-catch species unlogged and apparently discarded.

For 1974, during boardings of 16 Spanish vessels fishing for squid (for which data on total on board tonnages and days on station were obtained) a catch rate similar to ALTAMAR's three year record became apparent.

The average daily logged catch for these vessels, reflecting diverse hull types, crews of varying skills and different areas fished, was calculated to be 5.2 tons, a figure close to the 5.5 tons logged by ALTAMAR over three years. This figure allows for non-fishing time lost to repairs, re-supply and weather, and is a reliable average.

The boardings of Spanish trawlers indicate that a sizeable by-catch (10-70% per haulback) of butterfish and other species occurs in the squid fishery. Inspectors have observed that as a rule Spanish captains discard this by-catch and do not enter such discards in the fishing log. Goosefish has been consistently retained and entered in the fishing log as by-catch. The remainder of the catch--butterfish, hakes, mackerel and other bottom species--are discarded. During a recent boarding of a Spanish squid trawler, the PESCAPUERTA SECUNDO, United States inspection officials witnessed a haulback of .5 tons of squid and 2.5 tons of butterfish and hake being hosed overboard to avoid having to sort out the squid.

Officials of the National Marine Fisheries Service have sighted 75 individual Spanish vessels involved in the squid fishery in Subarea 5 and Statistical Area 6 this year (through August). Some of these vessels made more than one trip to America in 1974. Assuming these 75 vessels fished 55 days each, catching 5.5 tons per day, the total logged squid catch alone should reach 22,687 tons, a tonnage in excess of the entire Spanish TAC. (In addition, if a conservative estimated annual by-catch of 20% is applied, the total catch taken in the squid fishery reaches 27,224 metric tons.)

SPANISH COD FISHERY

The Spanish pair trawl effort for cod increased over previous years. Like squid, cod is caught with bottom tending trawls. The cod fishery as observed by officials of the National Marine Fisheries Service have a significant by-catch of other species. The Spanish pair trawling cod resulted in a recorded by-catch averaging 15% (haddock, pollock, goosefish). Other by-catch, which occurred, was routinely unlogged and discarded. Vessel holding capacity reaches 400-450 tons in this fishery, allowing more tons per trip than with squid trawlers.

Data giving total catch for time on station were obtained from only two pair trawlers:

<u>DATE OF BOARDING</u>	<u>VESSEL</u>	<u>TONS ON BOARD</u>	<u>TIME IN SUBAREAS 5 & 6</u>
JULY 13, 1974	RIO CARES	220	34 DAYS
JULY 13, 1974	RIO PILES	220	34 DAYS

From this sample of the Spanish cod fleet, a catch figure of 6.4 tons per day was logged. This cod fishery, although conducted near the northern fringe of the area covered by United States flight surveillance, consisted of at least 16 pair trawlers operating during the period January - August. Assuming a daily catch of four tons each per day, the combined recorded landings of cod and other species would be 13,440 tons. Consideration of other by-catch would increase the total accordingly.

The combined recorded catch for the squid and cod fisheries was in excess of 36,000 metric tons by mid-August. Inclusion of an estimate to account for the by-catch would increase the total catch by Spanish fishing vessels to at least 40,000 metric tons. Since this estimate was made, additional Spanish trawlers entered the squid fishery. Their additional catch will increase their catch above the overall quota. These additional vessel inputs into the squid fishery were noted since this matter of exceeding the overall allowable catch was made known to the Spanish Government.

From 23 Spanish logbooks inspected since May 15, 1974, the following discrepancies were noted.

<u>LOG CORRECTLY MAINTAINED</u>	<u>NO LOG</u>	<u>LOG NOT UP TO DATE</u>	<u>POSITION NOT RECORDED</u>	<u>BY-CATCH NOT RECORDED</u>
2 (8%)	2 (8%)	13 (48%)	2 (8%)	21 (91%)

Several captains complained of inadequate instructions on proper maintenance of logbooks. Although companies are required to inform captains of regulations, it appears that captains are aware only of individual species quotas while lacking any knowledge of TAC's, their application, or purpose. Although most vessels carry Spanish Fisheries Circulars 38 and 39 of December 1973, which outline I.C.N.A.F. Regulations, including quotas, it appears a far more thorough indoctrination on I.C.N.A.F. requirements should be imposed on Spanish captains in the future.

From the United States viewpoint, it appears that either Spanish vessel captains are not reporting catches to their companies, or the companies are not reporting catches bi-weekly, as required by the Spanish Government. In practice, the Spanish Government is unable to inspect vessels of its nationals for quota violations until all vessels return to port.

SPANISH HADDOCK BY-CATCH

Catch data was obtained from Spanish cod fishing pair trawlers boarded under the I.C.N.A.F. Scheme in 1974. The results of data retrieved either from logbook entries or from captain's statements are shown in Table II. As many of these vessels were boarded several times, the table lists results of the latest inspections of each vessel and compiles total catch as reflected by pertinent documents available on board the vessel. In all cases, data was compared from all previous boardings of each vessel to confirm findings. It should be noted that in most cases pair trawlers maintain a common logbook with vessels receiving haulbacks alternately. Captains of each vessel were knowledgeable about their total catches which are about equally distributed between the two vessels engaged in the pair trawling operation.

Haddock by-catches by all vessels averaged 7.58%. Four vessels had on board haddock in amounts equal to or exceeding the 10% incidental catch limitation.

TABLE I

SPANISH SQUID TRAWLERS - 1974

AVERAGE DAILY CATCH BASED ON BOARDING INFORMATION

<u>BOARDING DATE</u>	<u>VESSEL</u>	<u>AVERAGE PRO- CESSED LOGGED TONS/DAY</u>	<u>BASED ON DAYS ON STATION</u>
1/7/74	NUSKA	3	80
1/7/74	PESCAPUERTA I	5	90
2/21/74	SABROSO	2.8	6.5
3/21/74	VIMIANZO	4.6	130
3/24/74	FLIPPER	2.1	30
5/15/74	VIERASA	5.5	40
5/31/74	VIXIADOR	2	4
6/14/74	CAMPA DE TORRES	7.7	11
6/15/74	FARPESCA CUATRO	6.5	19
6/15/74	-----	9.94	18
7/16/74	PERCA	7	31
7/17/74	NUSKA	6	9
8/8/74	-----	3.7	30
8/8/74	NESCA	8.3	30
8/8/74	VEIRASA CUATRO	4.6	30
8/8/74	VEIRASA SEIS	6.0	24

TABLE II
SPANISH HADDOCK BY-CATCH - 1974

<u>DATE</u>	<u>VESSEL BOARDED</u>	<u>POSITION</u>	<u>TOTAL CATCH ON BOARD</u>	<u>PERCENTAGE HADDOCK</u>
6/6/74	<u>JULIO MOLINA</u> <u>AMELIA METRAMA</u>	42 12 - 66 30 42 12 - 66 30	260 ⁺	11.5%
6/9/74	<u>BORDA BERRI</u> <u>BORDA AUNDI</u>	42 03 - 66 39 42 03 - 66 39	300 350	8.0% 5.0%
6/9/74	<u>AROSA QUINTA</u> <u>AROSA CUARTO</u>	42 09 - 67 00 42 09 - 67 00	550 ⁺	9.0%
6/9/74	<u>JOSE CORNIDE</u> <u>EDUARDO ICHAO</u>	42 09 - 67 04	264 ⁺	4.0%
6/13/74	<u>CRUZ DE ARALAR</u> <u>PLAYA DE ZUMAYA</u>	-----	315 ⁺	5.0%
6/13/74	<u>DONASTI</u> <u>IRUNAKO</u>	42 04 - 66 51 42 04 - 66 51	762 ⁺	14.0%
7/13/74	<u>RIO CARES</u> <u>RIO PILES</u>	41 59 - 66 30 41 59 - 66 30	500 ⁺	.1%
7/15/74	<u>XAXAN</u>	42 08 - 66 20	144	3.5%
7/19/74	<u>MEIXUEIRO</u>	42 02 - 66 14	160	10.0%
8/9/74	<u>URIZAR</u> <u>URALDE</u>	42 07 - 66 21 42 07 - 66 21	150 127	4.0% 17.0%

⁺ SIGNIFIES THAT CATCH FIGURES AND HADDOCK
PERCENTAGES WERE OBTAINED ONLY FOR BOTH
VESSELS COMBINED.

SPANISH VESSELS BOARDED UNDER
I.C.N.A.F. INSPECTION SCHEME - 1974

DATE BOARDED	NAME/NUMBER OF VESSEL	TYPE	POSITION
1/7/74	NUSKA VI-5-8524	STERN	40°33 - 67°20
1/7/74	PESCA PUERTA PRIMERO VI-5-9229	SIDE	40°37 - 67°23
3/23/74	FLIPPER GI-4-1816	STERN	40°05 - 70°47
5/31/74	VIXIADOR VI-5-9338	STERN	40°02 - 69°13
6/6/74	JULIO MOLINA CO-2-2947	SIDE (PR)	42°08 - 66°31
6/6/74	ANGELIA MEIRAMA CO-2-2948	SIDE (PR)	42°08 - 66°31
6/6/74	RIO PILES GI-4-1758	SIDE (PR)	42°08 - 66°27
6/6/74	RIO CARES GI-4-1758	SIDE (PR)	42°08 - 66°27
6/6/74	URALDE VI-5-8997	SIDE (PR)	42°07 - 66°22
6/6/74	URIZAR VI-5-8998	SIDE (PR)	42°07 - 66°22
6/6/74	AROSA CUARTO GI-4-1779	SIDE (PR)	42°09 - 67°00
6/6/74	AROSA QUINTO GI-4-1730	SIDE (PR)	42°08 - 67°01
6/8/74	JOSE CORNIDE CO-2-3223	SIDE (PR)	42°10 - 67°04
6/8/74	EDWARD CHAO CO-2-3227	SIDE (PR)	42°08 - 67°05
6/8/74	BORDA BERKI	SIDE (PR)	42°03 - 66°39
6/8/74	BORDA AUNDI	SIDE (PR)	42°03 - 66°39
6/9/74	MEIXUEIRO VI-5-8929	SIDE (PR)	42°11 - 66°12
6/9/74	XAXAN VI-5-8930	SIDE (PR)	42°11 - 66°12
6/12/74	CRUZ DE ARALAR SS-2-1703	SIDE (PR)	42°01 - 66°30
6/12/74	PLAYA DE ZUMAYA SS-2-1705	SIDE (PR)	41°58 - 66°28
6/13/74	DONOSTI SS-2-2189	SIDE (PR)	42°02 - 66°43
6/13/74	IRUNAKO SS-2-2188	SIDE (PR)	41°59 - 66°41
6/15/74	FARPESCA CUARTO VI-5-9422	STERN	40°01 - 69°77
6/15/74	PESCA PUERTO SECUNDO VI-5-9387	STERN	39°57 - 69°25
6/20/74	JOSE PUERTO PRADO VI-5-9137	SIDE	40°02 - 69°13
7/13/74	RIO CARES GI-4-1758	SIDE (PR)	41°59 - 66°30
7/13/74	RIO PILES GI-4-1757	SIDE (PR)	41°59 - 66°30
7/14/74	MEIXVEIRO VI-5-8929	SIDE (PR)	42°03 - 66°12
7/14/74	XAXAN VI-5-8930	SIDE (PR)	42°03 - 66°12
7/19/74	MEIXVEIRO VI-5-8929	SIDE (PR)	42°02 - 66°14
8/5/74	RIO DOBRA	SIDE (PR)	42°09 - 67°08
8/5/74	RIO NARCEA	SIDE (PR)	42°09 - 67°08
8/5/74	GUERNICA ARBOLA	SIDE (PR)	42°09 - 67°04
8/5/74	COSTA CANTABRICA	SIDE (PR)	42°09 - 67°04
8/7/74	ISLA DE MIQUELON SS-2-1644	SIDE (PR)	42°07 - 66°08
8/7/74	ISLA DE SAN PIERRE SS-2-1637	SIDE (PR)	42°07 - 66°08
8/7/74	URIZAR VI-5-8998	STERN (PR)	42°05 - 66°20
8/7/74	URALDE VI-5-8997	STERN (PR)	42°05 - 66°20
8/7/74	TORALLA VI-5-9315	STERN	36°05 - 74°50
8/8/74	NUSKA VI-5-8524	STERN	37°46 - 74°10
8/8/74	VIEIRASA SEIS VI-5-9301	SIDE	37°42 - 74°17
8/8/74	VIEIRASA CUATRO VI-5-8681	SIDE	37°32 - 72°20
8/8/74	URALDE VI-5-8997	STERN (PR)	42°05 - 66°06
8/8/74	URIZAR VI-5-8998	STERN (PR)	42°05 - 66°20
8/8/74	ISLA DE SAN PIERRE	SIDE (PR)	42°07 - 66°10

DATE BOARDED	NAME/NUMBER OF VESSEL	TYPE	POSITION
8/9/74	RIO DOBRA	SIDE (PR)	41°52 - 66°19
8/9/74	RIO NARCEA	SIDE (PR)	41°52 - 66°19
8/9/74	VIEIRSA SEIS VI-5-9301	SIDE	37°04 - 74°27
8/9/74	VIEIRSA CUATRO VI-5-8681	SIDE	37°34 - 74°20
8/9/74	NUSKA VI-5-8524	STERN	37°48 - 74°08
8/10/74	MEIXUEIRO VI-5-8929	STERN (PR)	42°07 - 66°40
8/11/74	ISLA DE SAN PIERRE SS-2-1637	SIDE (PR)	42°10 - 66°09
8/11/74	URALDE VI-5-8997	STERN (PR)	42°03 - 66°04
8/11/74	TORALLA VI-5-9315	STERN	36°08 - 74°50
8/11/74	URIZAR VI-5-8998	STERN	42°07 - 66°21
8/22/74	PESCA PUERTA SECUNDO VI-5-9387	STERN	35°58 - 74°48
8/22/74	TORALLA VI-5-9315	STERN	36°18 - 74°50
8/23/74	NUSKA VI-5-8524	STERN	37°38 - 74°15
9/12/74	VIEIRASA SEIS VI-5-9301	SIDE	35°50 - 74°50
9/12/74	ALTAMAR CA-3-937	SIDE	36°11 - 74°49
9/12/74	PESCA PUERTA SECUNDO VI-5-9387	STERN	36°01 - 74°48
9/12/74	TORALLA VI-5-9315	STERN	36°08 - 74°49

SPANISH VESSELS BOARDED - 1974
COURTESY INSPECTIONS

<u>DATE</u> <u>BOARDED</u>	<u>NAME/NUMBER OF VESSEL</u>	<u>TYPE</u>	<u>POSITION</u>
2/21/74	VIMIANZO VI-5-8438	STERN	39°10 - 72°41
2/21/74	SOBRUSO VI-5-8380	SIDE	39°09 - 72°41
3/16/74	ANUSKA VI-5-8917	SIDE	38°57 - 72°52
5/15/74	VIEIRASA SEIS VI-5-9301	SIDE	38°47 - 73°03
5/21/74	ALTAMAR CA-3-937	SIDE	39°02 - 72°45
6/14/74	CAMPA DE TORRES VI-5-9407	STERN	38°59 - 72°50
7/16/74	PERCA VI-5-9340	STERN	37°12 - 74°32
7/18/74	NUSKA VI-5-8524	STERN	38°24 - 73°29

Apparent Infringements of I.C.N.A.F. Regulations
By Fishing Vessels of the United Kingdom
Subarea 5 for 1974

by

Robert E. Peters, U.S.A.

Vessels of the United Kingdom's fishing fleet arrived on Georges Bank on 25 August 1974. On 2 September 1974 inspecting officials of the United States boarded six of the vessels under the I.C.N.A.F. Inspection Scheme. All were found to be in violation of the present haddock regulation in effect for Subarea 5. The master of each vessel stated that it remained uninformed, by the owners of its respective vessel, of I.C.N.A.F. regulations governing the area. Details of the inspections are given in Table 1.

Trawl cod ends in use on five of the six ships were below the legal minimum for the cod end mesh size specified for the haddock fishery. (Commission Document 74/12, page 6, Agreement 2e, 3(a)(ii). As haddock was the prime fishery engaged in by all six vessels, this also was noted as an infringement of I.C.N.A.F. regulation (Commission Document 74/12, page 28, paragraph 1 and 2) concerning international quota regulation of the fishery for haddock in Subarea 5 of the Convention Area. Table 2 provides details of cod end meshes and catches of haddock pertaining to these apparent infringements.

TABLE 1 FISHING VESSELS OF THE UNITED KINGDOM

BOARDED ON 2 SEPTEMBER 1974

BY

UNITED STATES I.C.N.A.F. INSPECTION OFFICERS

<u>VESSEL BOARDED</u>	<u>NO.</u>	<u>OWNER</u>	<u>POSITION</u>	<u>TIME-GMT</u>
<u>MARBELLA</u>	H384	J. MARR & SON, LTD.	42 10'N 66 14'W	13:30
<u>SEAFRIDGE SKUA</u>	H138	SEAFRIDGE, LTD.	42 12'N 66 15'W	15:45
<u>FARNELLA</u>	H135	J. MARR & SON, LTD.	42 12'N 66 15'W	16:30
<u>CORIOLANUS</u>	H412	BRITISH UNITED TRAWLERS	42 10'N 66 05'W	18:30
<u>NORTHELLA</u>	H206	J. MARR & SON, LTD.	42 14'N 66 14'W	20:45
<u>SOUTHHELLA</u>	H40	J. MARR & SON, LTD.	42 10'N 66 10'W	21:30

TABLE 2
APPARENT INFRINGEMENTS

OF THE

UNITED KINGDOM FLEET IN SUBAREA 5

<u>VESSEL</u>	<u>GEAR</u>	<u>COD END MESH</u>	<u>LEGAL MINIMUM</u>	<u>UNDER SIZE</u>	<u>HADDOCK IN OBSERVED HAULBACK</u>	<u>PERCENT OF HADDOCK HAULBACK</u>	<u>TOTAL CATCH ON BOARD*</u>	<u>HADDOCK ON BOARD*</u>	<u>% TOTAL</u>
<u>MARBELLA</u>	DEMERSAL	113 MM	120 MM	7 MM	2.7 TONS	90%	119 TONS	115 TONS	96%
<u>SEAFRIDGE SKUA</u>	DEMERSAL	120 MM	120 MM	0 MM	4.5 TONS	90%	68 TONS	13 TONS	19%
<u>FARNELLA</u>	DEMERSAL	118 MM	120 MM	2 MM	3. TONS	100%	236 TONS	96 TONS	41%
<u>CORIOLANUS</u>	DEMERSAL	118 MM	120 MM	2 MM	2. TONS	100%	12 TONS	11 TONS	92%
<u>NORTHELLA</u>	DEMERSAL	110 MM	120 MM	10 MM	2.5 TONS	98%	9 TONS	8 TONS	89%
<u>SOUTHELLA</u>	DEMERSAL	116 MM	120 MM	4 MM	2. TONS	100%	48.8 TONS	45.2 TONS	93%

*Fish was caught in Subarea 5

Alleged Infringement of I.C.N.A.F. Herring Quotas
By Fishing Vessels
Federal Republic of Germany in Subarea 5Y

by

Charles E. Kuenlen and A. William Beers, U.S.A.

During August 1974, I.C.N.A.F. inspections were conducted by U.S. enforcement officials on 11 of 14 stern trawlers of the Federal Republic of Germany. These vessels were observed fishing for herring in the Jeffreys Ledge area located in Division 5Y of Subarea 5. The 1974 quota for the Federal Republic of Germany in Division 5Y was 1,000 metric tons round weight. The result of these are shown on Table 1. These investigations, including a review of pertinent vessel documents, revealed information regarding non-adherence to ICNAF conservation measures.

Of major concern was the fact that the amount of herring caught by this fleet and on board at the time of investigation was 1,561 tons--an amount exceeding FRG's allocation of herring for 1974, by over 50 percent. This total, however, did not reflect the catch transferred to the support vessel. Investigations revealed that the Master of one vessel, the MOND, maintained a personal log which showed the catch by the MOND in 5Y during 1974 was 1,161 metric tons of herring; one vessel alone thus exceeded the entire Federal Republic of Germany's catch quota for Division 5Y.

U.S. officials estimated the processing potential of one FRG fishing vessel to be 50 tons per day. With 13 trawlers spending at least four days in Division 5Y (Table 2) and using 40 tons as the daily catch average, the total of this fleet would be 2,000 tons; this exceeds the TAC by 1,000 tons (I.C.N.A.F. COMM. DOC. 74/12, page 30, paragraph 6). The evidence strongly indicates that the actual amount taken by this fleet was even higher.

The inspections also revealed that procedures used by the FRG's vessels make it difficult to conduct inspections under the I.C.N.A.F. Inspection Scheme:

1. It is a practice to transfer catch logbooks with the catch to the transport vessel. After off-loading and resuming operations, each master begins a new catch log; hence, catch records made prior to the date of offloading fish to a transport vessel are not available to inspecting officials.
2. Some captains of this fleet expressed a misunderstanding regarding the status of the area north of $40^{\circ}20'N$ and between $70^{\circ}W$ and the Contiguous Fisheries Zone. The I.C.N.A.F. Chart, revised 1968, has been interpreted by FRG masters to make this zone part of Division 5Z when it is rightfully Division 5Y. If this understanding is widespread, vessels may be fishing on Jeffreys Ledge, which lies primarily west of 70° , and fish caught there may not be applied to their Division 5Y quota.
3. Discrepancies were noted in the logging of vessels' positions. One vessel, HARENGUS, did not log vessel positions, KARLSBURG's navigation log placed the vessel in Division 5Y, whereas the trawl log noted the catch was taken in Division 5Z. Another vessel, HANNOVER, had on board a trawl log placing that vessel in 5Z on a day when a U.S. surveillance flight fixed it in 5Y.

On August 26, 1974, responsible officials of the National Marine Fisheries Service, Gloucester, Massachusetts, met with Captain Karl Keirat, Nordsee Deutsch Hochseifischerei, G.M.B.H., 219 Cuxhaven, West Germany, to discuss the alleged quota overages taken by the fleet. He expressed extreme surprise and advised us that his fleet alone had been allocated 500 tons fillet weight* of herring from Division 5Y. On a round weight basis, this alone accounts for more than the entire FRG herring quota in Division 5Y. As borne out by boarding reports, the vessels of Keirat's company exceeded the company quota of 500 tons.

Table 2 shows the fishing grounds used by FRG vessels during August 1974 as revealed by aerial surveillance of these Subareas. This data indicates that 13 vessels fished in Subarea 5Y at various times during the period, 12 August - 27 August.

* A fillet yield is 40% approximately the weight of whole round herring on which the catch quota is based.

TABLE 1

FEDERAL REPUBLIC OF GERMANY

VESSELS BOARDED BY UNITED STATES I.C.N.A.F. INSPECTION OFFICERS

<u>DATE</u>	<u>NAME/NUMBER OF VESSEL</u>	<u>TYPE</u>	<u>POSITION</u>	<u>INFRINGEMENT</u>
8/2/74	KIEL BX 749 ¹	STERN	42°10 - 68°41	
8/6/74	WIESBADEN NC 101	STERN	42°02 - 68°03	
8/14/74	GEESTE BX 738	STERN	43°02 - 69°48	BY CATCH NOT LISTED BY SPECIES
8/22/74	OSTERREICH BX 713	STERN	42°53 - 68°50	FISHMEAL AMOUNTS NOT LISTED
8/22/74	REGULUS BX 746	STERN	42°53 - 68°50	
8/22/74	BREMEN BX 741	STERN	42°46 - 68°47	
8/26/74	HARENGUS HH 336 ²	STERN	42°30 - 69°08	DISCARDS NOT LISTED IN LOG
8/26/74	HANNOVER NC 474 ³	STERN	42°30 - 69°08	DISCARDS NOT LOGGED
8/27/74	KARLSBURG BX 742 ⁴	STERN	41°20 - 69°08	DISCARDS NOT LOGGED
8/27/74	MOND BX 745 ⁵	STERN	42°12 - 69°53	DISCARDS NOT LOGGED
8/27/74	KIEL BX 749	STERN	40°32 - 69°08	DISCARDS NOT LOGGED
9/1/74	JULIUS FOCK HH 333	STERN	41°36 - 69°10	
9/1/74	JOHANN DIETRICH BROELEMANN	STERN	41°32 - 69°06	

- 1/ KIEL, OWNED BY NORDSEE
- 2/ HARENGUS, OWNED BY PICKENPACK
- 3/ HANNOVER, OWNED BY NORDSEE
- 4/ KARLSBURG, OWNED BY KAUFMAN AND REEDER
- 5/ MOND, OWNED BY NORDSTAR

TABLE 2

FREQUENCY OF FEDERAL REPUBLIC OF GERMANY
TRAWLER SIGHTINGS AS REVEALED BY AERIAL SURVEILLANCE
IN SUBAREAS 5Y AND 5Z
AUGUST 1974

VESSEL	HULL NO.	SUBAREA 5Y							SUBAREA 5Z									
		12	14	15	19	20	23	26	27	2	5	6	8	9	25	26	27	28
BREMEN	BX 741		X	X		X	X	X	X	X			X		X			
FREDERICH BUSSE	BX 744		X	X		X						X	X		X	X	X	
GEESTE	BX 738		X	X		X		X	X		X	X	X		X			
HANNOVER	NC 474					X		X	X						X			X
HARENGUS	HH 336		X	X		X		X	X					X	X			X
JULIUS FOCK	HH 333																X	
KARLSBURG	BX 742		X	X		X		X	X		X	X		X	X			X
KIEL	BX 749		X	X		X		X	X	X		X	X		X			X
MAINZ	NC 100		X	X		X						X			X			
MOND	BX 745		X	X		X				X	X		X		X	X	X	X
OSTEREICH	BX 713		X	X		X	X			X	X		X		X			
REGULUS	BX 743						X	X	X									
WIESBADEN	NC 101	X	X	X	X	X				X	X		X		X			X
WESERMUNDE	BX 755		X	X		X		X	X		X	X		X				X

* Vessels sighted this date shifted from Area 5Z in the AM to 5Y in the PM.

Summary of Inspections by Officials of the United States
Regarding the Adequacy of the Fishing Logbooks
With Particular Reference to Country Procedures

by

Ernest J. Medico and Robert E. Peters, U.S.A.

The United States implemented the provisions of the ICNAF Scheme of Joint Enforcement in August 1971. This Scheme of Joint Enforcement provided opportunities to investigate, among other things, the record keeping requirements adopted by ICNAF, as implemented by member Governments. The United States has long noted that adequate decisions regarding regulation of species under a specific quota, cannot be made without the essential statistics on catch and fishing effort. Evidence obtained by U.S. inspection officials strongly indicates that adequate catch and effort data are not being recorded aboard fishing vessels of member Governments and in fact administrative procedures and logbooks adopted by some preclude this opportunity.

The following material summarizes the results of numerous inspections. Table 1 reflects the percentage of logbooks maintained on board foreign vessels, which were determined to have entries not meeting the requirements specified in ICNAF Circular Letter 73/69 - Standard Logbook Requirements. During the boarding, if entries were not complete, lacking, or not made available to the U.S. inspecting official, it was recorded as incomplete.

Included in this summary are boardings from 01 January 1971, successively increasing in intensity and informativeness through September 1974.

COUNTRY	<u>1971</u>			<u>1972</u>			<u>1973</u>			<u>1974*</u>			OBSERVATION
	NO. OF BOARDINGS	# LOGBOOKS EXAMINED	% OF ENTRIES INCOMPLETE	NO. OF BOARDINGS	# LOGBOOKS EXAMINED	% OF ENTRIES INCOMPLETE	NO. OF BOARDINGS	# LOGBOOKS EXAMINED	% OF ENTRIES INCOMPLETE	NO. OF BOARDINGS	# LOGBOOKS EXAMINED	% OF ENTRIES INCOMPLETE	
U.S.S.R.	16	7	100	27	3	100	39	29	74	77	68	62	<u>1/</u>
SPAIN	-	-	-	-	-	-	5	5	100	73	52	77	<u>2/</u>
POLAND	-	-	-	3	-	-	25	25	50	27	22	59	<u>3/</u>
JAPAN	1	1	100	2	-	-	8	5	60	14	14	20	<u>4/</u>
F.R.G.	-	-	-	2	-	-	3	2	50	13	11	100	<u>5/</u>
G.D.R.	-	-	-	-	-	-	3	-	-	9	6	83	<u>6/</u>
ITALY	-	-	-	-	-	-	1	1	100	7	7	42	<u>7/</u>
U.K.	-	-	-	-	-	-	-	-	-	6	6	66	<u>8/</u>
ROMANIA	-	-	-	-	-	-	2	-	-	5	4	75	
BULGARIA	-	-	-	-	-	-	1	-	-	3	3	33	
CANADA	-	-	-	-	-	-	3	-	-	2	2	50	
FRANCE	-	-	-	-	-	-	1	-	-	1	1	0	<u>9/</u>
GREECE	-	-	-	-	-	-	-	-	-	1	1	100	
TOTAL	17	8	100%	34	3	100%	91	67	77%	238	197	64%	(229)

() Fishing vessels

* Through September 1974

Observations of Country Procedures
For Logbook Record Keeping Noted
During ICNAF Inspections

The following summaries, listed by nation, express the problems noted by U.S. inspecting officials during boardings under the ICNAF inspection scheme. This has led U.S. officials to believe that although some of the practices are within the terms of the "standard logbook requirements" of ICNAF, they hamper examinations of appropriate data, thus impeding the activities of inspecting agents as well as the crew members of the fishing vessel involved. Accurate information which could be reviewed methodically would substantially decrease the time required for individual boardings while not detracting from the quality of the information obtained on board.

Logbook - Soviet Union ^{1/}

The Soviet Union log sheet, while complete in many respects, does not provide space to record the type of gear in use daily (in practice, captains record it only when changing gear). While the catch notations meet ICNAF requirements, they leave something to be desired in view of the historical and continued Soviet effort in bottom trawl fisheries with their inevitably large by-catches.

Paragraph 18 of the implementing instructions for the Soviet trawl log, which has been in use since 1964, instructs captains for each trawl to "enter in a condensed manner the names of only those species of caught fish or sea products, the weight of which constitutes not less than 1-2 centners (200-440 pounds) for each". This means that for ten years Soviet captains have conducted bottom fisheries under direct instructions to omit listing species in each haulback if the weight of that species totals less than 440 pounds. With Soviet bottom fishing by-catch, often including up to a dozen species, (usually existing space is adequate for only three species on the log sheet) it seems clear the Soviet log sheet tends to force captains to log only major species and to ignore lesser desirable species. Considering the size of the Soviet effort over the years, the unrecorded by-catch by species resulting by these instructions has been enormous.

Logbook - Spain ^{2/}

The Spanish log sheet conforms to ICNAF requirements as outlined in ICNAF Circular Letter 73/69 except with respect to vessel position. Presently this is entered using instead of coordinates, a numbered grid square system. The squares employed, which range up to 300 miles on the side, are so large as to be virtually meaningless. For example, all of Georges Bank is within one grid square, number 206. Such general vessel positioning makes impossible the determination of closed and restricted area violations on the basis of logbook entries. Further, and most importantly, it prevents ICNAF inspectors from determining precisely where the species logged had been caught.

Numerous boardings of Spanish trawlers engaged in the squid and cod fisheries, both of which are bottom fisheries with their aforesaid by-catch problems, have revealed serious shortcomings in the execution of logbook entries. Primary

faults include (1) the practice of not listing the sizeable unretained by-catch, which is then discarded with no corresponding entry on the log sheet, and (2) the usual practice of maintaining one logbook per set of pair trawlers when one should be kept on each vessel involved in hauling back the net.

In a fishery which is conducted almost entirely on the bottom, large percentages of by-catch (potential discards) are taken and must be recorded. While it is understandable that Spanish vessels with limited carrying capacity and no fish transport system to provide for offloading of fish will not retain undesirable by-catch, it is irresponsible that captains ignore the logging of all catches whether retained or not. This total catch taken amount applies to Spain's overall catch quota (17,200 metric tons for 1974). Captains must understand that TAC's apply to fish caught, not just to fish retained. Although part of the Spanish log sheet provides space for discards, it is usually left empty. Many captains have complained of inadequate instruction from the Spanish Government on properly maintaining the logbook; by every appearance, however, the log sheet is perfectly clear in its intent. All Spanish vessels have been issued outlines from the Government on ICNAF Regulations, explaining individual species quotas and TAC's. This leads United States officials to believe that Spanish captains are intentionally omitting the entry of undesirable by-catch so as to prolong their fishery beyond the actual TAC achievement date.

Logbook - Poland ^{3/}

The Polish log sheet and the potential for execution would appear to meet ICNAF logbook entries, however, have not always been complete.

Logbook - Japan ^{4/}

The problem encountered by United States officials in interpreting the log sheets of a Japanese vessel is unique; most are able to read only the dates of entries. However, Agents versed in the language have had limited boardings of Japanese vessels, and note that logbook adequacy is based on the availability and timeliness of the log and its items. The major failure has been recording of by-catch by species.

Logbook - Federal Republic of Germany ^{5/}

The log sheet of the GFR provides the opportunity to meet all requirements. It is so precise as to breakdown of discards and fish meal by species. Though the entries are specific, there is one problem - during the transfer of fish from the trawler to the transport vessel there is the established practice of transferring also the logbook. With the next haulback, a new log is begun. Hence, all catch data prior to transfer date is not accessible to an ICNAF Inspector attempting to confirm suspected quota violation.

Logbook - Democratic Republic of Germany ^{6/}

The log sheet of the GDR appears to meet requirements, upon cursory examination. However, since all entries are made using a number code, the key for which is not currently held by United States of America ICNAF Inspectors, interpretation of the log sheet is possible at present. Of special interest are the species entries which being made by numbers only, without names, make comprehension of species possible only by persons in possession of a translation key. The United States suggests that the GDR submit to ICNAF the key to reading their logbook entries not later than the date of this country's official acceptance of the ICNAF Inspection Scheme, 01 January 1975.

Logbook - Italy ^{7/}

The log sheet of the Italian vessel does not demand proper detail; instead of categorizing weights of individual species for by-catch and discard entries, captains are required to list only the total amount of catch and the number of cartons resulting from each haulback. Due to the nature of the Italian fishery with bottom tending gear, it is imperative that by-catch and discard entries be recorded by weight and species.

Logbook - United Kingdom ^{8/}

Due to the recent appearance of this nation's fleet in ICNAF Subareas 5 and 6, United States officials cannot adequately review the logging procedure of the United Kingdom. It is noted, however, that all by-catch species were not adequately recorded.

Logbook - France ^{9/}

The French log sheet, while rationally ordered, does not require the type of gear in use, also the number of sets per day and it omits coordinates, listing a private sector/division notation - which is meaningless to ICNAF Inspectors. On the daily catch sheet, there is space to enter only one position. Incorporated into the log sheet there are fish oil, meal and roe categories, but they do not indicate from what species they originate; this prohibits accurate species-by-species catch totals except where these products stem from offal.

Other Nations

United States officials are not yet prepared to make detailed comments on the log sheets of the other member nations. Many of the fleets from other nations fish with mid-water trawls, greatly reducing the by-catch problem. The other aspects of record keeping will be carefully examined by United States officials in future inspections.

