QUESTIONNAIRE to be used for biennial reporting on the application of the IUU Regulation

Reporting period 2016-2017 (deadline for submission 30 April 2018)

Austria
Federal Office for Food Safety
26/04/2018
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May the Commission provide a copy of this questionnaire to other Member States?			
Yes: x			
Yes except for questions (list):			
No:			

Please state your notified authorities under the IUU Regulation in accordance with:
Article 15.2 (exportation of catches):
Federal Office for Food Safety
Article 17.8 (verification of catch certificates):
Federal Office for Food Safety
Article 21.3 (re-exportation):
Federal Office for Food Safety
Article 39.4 (nationals):
Federal Office for Food Safety

nationa	he last reporting exercise covering the period 2014-2015, has your country adopted/modified law or any administrative guides for the application of Council Regulation (EC) No 008 on illegal, unreported and unregulated fishing (IUU Regulation)?
	$\forall Yes \qquad \boxtimes No$
<i>If</i>	yes, please detail and provide copies or provide link to the official national database
Section	1 2. Information on administrative organisation ²
	es your country have different authorities/services to deal with the implementation of the IUU gulation?
	$\forall Yes \qquad \boxtimes No$
2.2. If d	lifferent authorities/services are involved, please distinguish between:
•	the control of direct landings of third country fishing vessels; validation of catch certificates upon exports; verification of catch certificates for imports under direct landing; verification of catch certificates for imports arriving by other means than fishing vessels (e.g. by containers, trucks); validation and verifications of re-exports.
a)	internal co-operation (between local/regional authorities and head-quarter);
	Please explain and describe this cooperation: the assessment is done by the AGES GmbH (Austrian Agency for Health and Food Safety), final decisions are made by the Federal Office for Food Safety (BAES)
b)	co-operation with other authorities and allocation of tasks for various authorities in the implementation of the IUU Regulation (Fisheries, Health, Customs, Coast Guard, Navy, etc.);
	Please explain and describe this cooperation: we've a cooperation with the customs, which is available for our detailed questions and which send us the taken CC's
c)	how many officials are involved in the implementation of the catch certification scheme?
	Please specify the number of officials expressed in Full Time Equivalent (FTE): 3 FTE
d)	Do the authorities of your country have the possibility to audit/verify a company for the purposes laid down in the IUU Regulation?
	$\boxtimes Yes$ \square No
exe of	wes, which and how many audits/verifications have they undertaken since the last reporting recise covering the period 2014-2015? Please detail the results: Sample taken from a delivery Pacific Saury- fishing on 10/07/2017 according to the CC from 2014. Result: no

Information on legal framework¹

Section 1.

¹ This section 1 is to be filled-in by all Member States i.e. coastal and landlocked Member State. ² This section 2 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

•	•	freezones/freeports ³ g of fishery products ar			relevant	to
\Box Yes	$\boxtimes No$)				
	ssels ⁴ (including	ct landings and trans information on port				
		d ports for direct landi country fishing vessels				iery
\square Yes	\square No					
v	•	designated ports (inc ons requirements) and	~ .	-		mal
•		oments in designated peen 1 January 2016		•		

inspections has your country carried out and how many infringements have been detected?

Please fill-in the table below (2016):

Type of operation	X 7 P	E: (2016)		Flag of	f the third	d country	vessel(s)	*
	Vessels	ls Figures (2016)	Ex. NO	FS1	FS2	FS3	FSx	Total
using MS designar	Non EII	Number of landings	100					
	vessels	Number of inspections	10					
	_	% of inspections / landings	10%					
		Number of infringements	3					
vessels using MS designat	Non-EU vessels	Number of transhipments in ports	2					
	_	Number of inspections	0					
	designat ed ports	% of inspections / transhipments	0					
	_	Number of	0					

³ https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en

⁵ This section 3 refers to Chapter II (Articles 4 to 11) of the IUU Regulation and is applicable to coastal Member States. Landlocked Member States should not fill in this section.

⁴ Fishing vessels as defined in article 2.5 of the IUU Regulation

⁶ Please note that ports designated under Regional Fisheries Management Organisations must also be designated under the IUU Regulation with restrictions if necessary (species etc.)

infringements			

^{*}Use ISO Alpha-2 country codes

	Inspections of third country vessels in Member States ports (2017)							
Type of operation				Flag of the third country vessel(s)*				
	Vessels	Figures (2017)	Ex. NO	FS1	FS2	FS3	FSx	Total
Non-EU vessels using MS designated ports	Non Ell	Number of landings	100					
	vessels	Number of inspections	10					
	designated	% of inspections / landings	10%					
		Number of infringements	3					
Transplant Non-EU vessels using MS designated ports	Number of transhipments in ports	2						
	vessels	Number of inspections	2					
	designated ports	% of inspections / transhipments	100%					
		Number of infringements	0					

^{*}Use ISO Alpha-2 country codes

3.3. From the figures above, in the cases where your country detected infringements by third country vessels between 1 January 2016 and 31 December 2017, please specify the flag, the vessel's name, the type of infringement and the measures taken (Article 11 of the IUU Regulation).

Please fill-in the table below (2016):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			
FSx			

^{*}Use ISO Alpha-2 country codes

Please fill-in the table below (2017):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			

FSx		

*Us	e ISO Alpha-2 country	codes
		roblems with third country fishing vessels when implementing Articles orisation) of the IUU Regulation?
	Yes	\square No
If ye	es, please detail the natu	are of the problems:
In 2	2016:	
In 20	017:	
serv		your country denied access to its ports to a fishing vessel for porting or transhipment of fishery products based on the conditions of the
	Yes	\square No
If ye	es, please detail the natu	are of the problem, the number of vessels concerned and their flags:
In 20	016:	
In 20	017:	
		fishing vessel landings in transit in your country with final destination Article 19.3 of the IUU Regulation]
	'es	\square No
If ye	es, please indicate the n	umber of landings in transit per year:
In 20	016:	
In 20	017:	
		ases for port inspection, does your country use risk assessment criteria spections, Article 4 of Regulation (EC) No1010/2009]?
	Yes	\square No
\square N	Not applicable (e.g. in th	ne absence of landings/transhipments from third countries)
If ye	es, please detail:	

Section 4. Information on catch certification scheme for $\underline{\text{importation}}$ for the purpose of the IUU Regulation⁷

4.1. How many <u>catch certificates</u> from non-EU countries were presented to the authorities of your country from 1 January 2016 until 31 December 2017?

Flag State (non-EU)	2016	2017
Belize	2	0
Canada	12	23
China	8	9
Chile	4	0
Ecuador	1	2
Ghana	18	7
Indien	7	10
Indonesien	152	37
Korea	18	20
Malediven	0	2
Marokko	20	15
Norwegen	12	5
Panama	2	0
Papua Neuguinea	4	12
Philippinen	40	49
Peru	0	1
Seychellen	0	1
Taiwan	7	5
Thailand	5	5
Türkei	11	13
USA	14	17
Vietnam	39	25
Total	376	258

4.2. From the number above, how many recognised <u>RFMO catch certificates</u> accompanied imports into your country? *Please detail per RFMO certificate and year*.

RFMO document	2016	2017
ICCAT (electronic)-bluefin tuna catch document	-	-
Dissostichus spp. (CCAMLR)	-	-

⁷ Section to be filled-in by all Member States. Article 2.11 of the IUU Regulation – "importation means the introduction of fishery products into the territory of the Union, including for transhipment purposes at ports in its territory"

RFMO document	2016	2017
CCSBT CDS	-	-
Total	-	-

4.3. Has your country received	processing statements from 1 January 2016 until 31 December 2017?
\boxtimes Yes	\square No

If yes, how many <u>processing statements</u> under Article 14.2 accompanied imports into your country? If possible, please provide details per year and per processing country. Please only report processing statements received from non-EU countries:

Processing non-EU State	2016	2017
China	4	6
Cote d'Ivoir	1	2
Ecuador	1	-
Ghana	2	-
India	1	-
Korea	4	8
Papua New Guinea	13	10
Serbia	5	3
Thailand	19	25
Turkey	5	5
Vietnam	3	3
TOTAL	76	62

	ate if the information in <u>processing statements</u> referring s retained and recorded:	to the corresponding catch
\boxtimes Yes	\square No	
\square <i>Not applic</i> 2016-2017)	cable (e.g. in the absence of processing statements received	d from non-EU countries in
4.5. Has your cou	untry received requests to authorise APEO ⁸ s in 2016-2017?	,
\square Yes	oxtimes No	
If yes, how authorised?	w many requests has your country received and how	many APEOs have been

 $^{^8}$ Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

	Has your country ac in 2016-2017?	lopted administ	rative rules referring to	the management	and control of APEO
	\square Yes	\square No			
	☑ Not applicable (e.g. absence of APEO request)				
	If yes, please detail:				
	Has your country va 31 December 2017?		rt certificates for produc	ts imported from	1 January 2016 until
	$\boxtimes Yes$	\square No			
	If yes, how many country:	re-export certif	icates? Please detail per	year and, if pos	ssible, per destination
	Destination country (non- EU)		2016		2017
	Switzerland	24		34	
	Total	24		34	
	Does your country certificate actually le		e catches for which yo	ur country has	validated a <u>re-export</u>
	\boxtimes Yes	\square No			
	☐ Not applicable (e.g. in the abser	nce of validation of re-ex	port certificates i	in 2016-2017)
	If yes, please detail	:			
	2016: 46; 2017:122	2			
4.9.	Has your country statements accompa		IT tools to monitor	the catch certific	cates and processing
	$\boxtimes Yes$	\square No			
	If yes, does it include	de a module for	re-exportation of impor	ted catches?	
	$\boxtimes Yes$	\square No			
4.10). Does your country entry or the place of	_	provisions regarding tra	ansit under Articl	le 19.2 at the point of
	\boxtimes At the point of ϵ	entry	\Box At the place of destin	nation	☐ Not implemented

Sec	tion 5. Information	ation on catch certification scheme f	For exportation ⁹
5.1		stablished a procedure for validation essels in accordance with Article 15?	of catch certificates for exportation of
	\square Yes	$\boxtimes No$	
	□ □ Not applicable	e (e.g. in the absence of validation of c	atch certificates for exportation in 2016
	If yes, please explain	n briefly the established procedure and	1 answer questions 5.2 to 5.5.
5.2	. Has your country va	lidated catch certificates for exportation	on in 2016-2017?
	\square Yes	$\boxtimes No$	
		•	ate from 1 January 2016 to 31 December aird country/country of destination in the
	Destination	y	Year
	State	2016	2017
	Third Country 1		
	Third Country 2		
	Third Country x		
	Total		
5.3	. Has your country e stemming from own	-	e catch certificates validated for exports
	\square Yes	oxtimes No	
5.4	Does your country ractually leave the E	•	er country has validated catch certificates
	\square Yes	oxtimes No	
	□ Not applicable (2017)	e.g. in the absence of validation of co	atch certificates for exportation in 2016
5.5	. Has your country r December 2017?	efused the validation of a catch cert	ificate between 1 January 2016 and 31
	\square Yes	\square No	
	\boxtimes Not applicable (ein 2016-2017)	e.g. in the absence of request for valid	ation of catch certificates for exportation

⁹ Section to be filled-in by flag Member States.

If yes, please detail:		
Number (per year): .	 	
Reason:	 	
Follow-up:	 	

Information on verifications of catch certificates for importation according to Article 17.1 to 5 of IUU Regulation¹⁰

6.1. Has your countraccordance with	•	for verification of catch certificates for importation in
\boxtimes Yes	\square No	
7 *	tail: we're taking samples	and make a verification of all documents and request to

6.2. How many catch certificates have been verified by your administration from 1 January 2016 until 31 December 2017? Please specify, separately for each year:

Flag State of origin (EU or non-EU)	Number of	verifications	Number of verifications	
(Se of non Se)	2016		2017	
	No of basic document-based verifications ¹¹	No of in-depth verifications ¹²	No of basic document-based verifications	No of in-depth verifications
Belize	-	2	-	-
Canada	10	2	15	8
Chile	-	4	-	-
Ecuador	1	-	2	-
France	1	-	-	-
Ghana	-	18	-	7
India	-	7	-	10
Indonesia	-	152	-	37
South Korea	-	18	-	20
Maledives	-	-	-	2
Morocco	-	20	-	15

Section to be filled-in by all Member States
 See fields CC1 to CC6 (*Preliminary overview checks "helicopter view"*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

¹² See fields CC7 to CC32 (Verify and cross-check information related to the form, flag state, validating authority, fishing vessel, product(s), transhipment operations) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

Flag State of origin (EU or non-EU)	Number of verifications		Number of verifications	
(20 or non 20)	2016		2017	
	No of basic document-based verifications ¹¹	No of in-depth verifications ¹²	No of basic document-based verifications	No of in-depth verifications
Norway	10	2	5	-
Panama	-	2	-	-
Papua New Guinea	-	4	-	12
Peru	-	-	-	1
Philippines	-	40	-	49
Seychelles	-	-	-	1
Spain	3	2	4	-
Taiwan	-	7	-	5
Thailand	-	5	-	5
Turkey	-	11	-	13
United Kingdom	-	2	-	-
USA	8	6	12	5
Vietnam	-	39	-	25
TOTAL	33	343	38	215

United Kingdom	-	2	-	-
USA	8	6	12	5
Vietnam	-	39	-	25
TOTAL	33	343	38	215
1010/2009); EFCA r EFCA risk assessment ongoing discussion	I (e.g. EU criteria risk assessment methodology is and new informatio opinion, for this talways have	for verifications and along the second secon	(Article 31 of Corcriteria). gside with experier Os, media and diffixed criteria is use eye for ne	nmission Regulation nce, consideration of erent ressources like ful but it is equally w developments.

If yes, please detail:
Number (per year): 1-2
Method of selection: taking samples
Follow-up:

Section 7. Verification requests to flag States¹³

7.1. Has your country sent requests for verifications under Article 17.6 of the IUU Regulation to other countries authorities in 2016-2017?

 \boxtimes Yes \square No

If yes, how many requests for verifications? *Note: please provide separate data for 2016 and 2017*:

Flag States	No of requests for verifications 2016	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-	No of requests for verifications 2017	Justifications (Articles 17.4 and 17.6 of the IUU Regulation
Canada	1		-	
Chile	1	Validity of CC in question	-	
Ecuador	1	Validity of CC in question	-	
Ghana	-		1	Validity of CC in question
Indonesia	2	Data missing about transhipments	-	
South Korea	-		1	Validity of CC in question
Maledives	-		1	Validity of CC in question
Panama	1	Validity of CC/Annex IV in question	-	Validity of CC in question
Papua New Guinea	2	Missing data about transhipments	1	Missing data about transhipments
Peru	-		1	Validity of CC in question
Philippines	-		4	Unclear VMS positions, data missing about transhipments, questions about freezing vessel capacity and catch weight, questions about product code

 $^{^{13}}$ Section to be filled-in by all Member States

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Flag States	No of requests for verifications 2016	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-	No of requests for verifications 2017	Justifications (Articles 17.4 and 17.6 of the IUU Regulation
Seychelles	-		1	Validity of CC in question
Taiwan	-		3	Questions about fishing vessels (VMS positions), weight of catches
Thailand	-		1	Weight differences CC - AnnexIV
USA	1	Unclear information in US-online system/status of CC not clear	2	Unclear information in US- online system/status of CC not clear
Total	9		16	

Total	9		16				
7.2. How many requests for verification were not replied to by the other countries' authorities within the deadline provided in Article 17.6 of the IUU Regulation? Does your country in these situations send a reminder to the authorities of the country in question? [Please provide separate data for							
2016 and	2016 and 2017]						
2016	2016all requests were replied within deadline						
2017	2017 all requests were replied within deadline						
7.3. Was the	7.3. Was the quality of the answers provided overall sufficient to satisfy the request?						
\boxtimes Yes		No					

Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)¹⁴

8.1. Has your country refused any only consider refusals based Customs legislation, etc.	-			-
$\boxtimes Yes$ $\square No$				
If yes, please provide details in	the table below:			
Reason for refusal of 2016 2017				
importation	Flag State	No.	Flag State	No.
Non-submission of a catch certificate for products to be imported.				
The products intended for importation are not the same as those mentioned in the catch certificate.				
The catch certificate is not validated by the notified public authority of the flag State				
The catch certificate does not indicate all the required information.	France	1		
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14.1 or 2.				
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the Union IUU vessel list or in the IUU vessel lists referred to in Article 30.				
The catch certificate has been validated by the authorities of a flag State identified as a non-cooperating State in accordance with Article 31				
Further to the request for verification (Article 18.2)				
8.2. If the answer to 8.1 is yes, we fishery products?	what measures were ta	ken by you	r authorities towards th	e refused
The consignement was destroyed under supervision of custom-officers and not placed on the market				

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¹⁴ Section to be filled-in by all Member States

country?	refusal of importation, did the operators contest the decision of the authorities of your
\square Yes	oxtimes No
If yes, ple	ase detail:
Section 9.	Information on trade flows ¹⁵
	country note a change ¹⁶ of imports of fishery products since the last reporting exercise the period 2014-2015?
$\boxtimes Yes$	\square No
of CCs fro 2017: the	ease detail: 2016: the number of CCs from Indonesia has increased threefold, the number om Vietnam is doubled. But the CCs from Turkey are reduced by two thirds; number of CC from Indonesia are clearly reduced just as the number of CC's from
	ovide information, deriving from your country's statistical data, concerning change of erns in imports of fishery products into your country:
Section 10.	Information on mutual assistance ¹⁷
10.1. Since th	Information on mutual assistance ¹⁷ e last reporting exercise covering the period 2014-2015, how many mutual assistance s of the Commission has your country replied to?
10.1. Since th	e last reporting exercise covering the period 2014-2015, how many mutual assistance
10.1. Since the message Please p	e last reporting exercise covering the period 2014-2015, how many mutual assistance s of the Commission has your country replied to?
10.1. Since the message Please p	e last reporting exercise covering the period 2014-2015, how many mutual assistance s of the Commission has your country replied to? rovide separate data for 2016 and 2017 (if any)
10.1. Since the message Please p 2016	e last reporting exercise covering the period 2014-2015, how many mutual assistance s of the Commission has your country replied to? rovide separate data for 2016 and 2017 (if any) 12
10.1. Since the message Please processes and the second processes and the second processes are second processes are second processes and the second processes are	e last reporting exercise covering the period 2014-2015, how many mutual assistance s of the Commission has your country replied to? **rovide separate data for 2016 and 2017 (if any)** 12
10.1. Since the message Please p 2016	e last reporting exercise covering the period 2014-2015, how many mutual assistance s of the Commission has your country replied to? **rovide separate data for 2016 and 2017 (if any)** 12

¹⁵ Section to be filled-in by all Member States
16 For example: new kinds of fishery products, new trade patterns or significant and sudden increase in trade volume for a certain species and/or certain third countries.
17 Section to be filled-in by all Member States

		a cooperation with third countries
11.1	exchange with third coun such as follow-up of case fishing licencing, as well (Article 42)?	and refusals under Articles 17 and 18, has your country had information tries on issues related to the implementation of the IUU Regulation, as concerning nationals, consignments, trade flows, operators, private as the investigation of criminal activities and serious infringements
	\square Yes	$oxed{\boxtimes} No$
	If yes, please detail (please	e provide separate data for 2016 and 2017, if any.
Sect	ion 12. Information or	n nationals ¹⁹
12.1	or modified existing mea	tercise covering the period 2014-2015, has your country implemented sures to ensure that your country can take appropriate action with olved in IUU fishing in accordance with Article 39 of the IUU
	\square Yes	$\boxtimes No$
	If yes, please detail:	
12.2	. What measures has your interests in third country v	country taken to encourage nationals to notify any information on essels (Article 40.1)?
12.3		oured to obtain information on arrangements between nationals and flagging of their vessels in accordance with Article 40.4?
	\square Yes	$oxed{\boxtimes} \Box \mathit{No}$
	If yes, please detail:	
12.4	If yes to any of the ab administrative or penal fol	bove, how many cases have your country dealt with and which low-up was given?
	Please provide details:	
12.5		ace procedures to ensure that nationals do not sell or export any fishing lived in the operation, management or ownership of fishing vessels (vessel list (Article 40.2)?
	\square Yes	$\boxtimes No$
	If yes, please provide detail	ils:
12.6		e of Article 40.3 and removed public aid under national aid regimes or rators involved in the operation, management or ownership of fishing ion IUU vessel list?
	\square Yes	oxtimes No

¹⁸ Section to be filled-in by all Member States
19 Section to be filled-in by all Member States

(Chapter X of the II			IX of the	IUU Reg	gulation) ar	nd Sighting
. Has your country detected serious infringements as defined in Article 42 of the IUU Regulation from 1 January 2016 until 31 December 2017?						
\square Yes \boxtimes No						
If yes, please detail sanctions applied:	separately fo	or each year	the number	of serious	infringement	s, nature an
Flag State of the vessel or nationality of the		Serious infringements detected in 2016:		Serious infringements detected in 2017:		
operator (EU and non-EU)	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
Country 1						
Country 2						
Country x						
Total					1	
. Has your country applied or adapted its levels of administrative sanctions in accordance with Article 44? □ Yes □ No If yes, please detail: IUU Fischerei Verordnung BGBl. II Nr.382/2009						
Article 44? ⊠ <i>Yes</i> If yes, plea	ase detai		Fischere	ei Veroi	dnung	BGBl. l
Article 44? ⊠ <i>Yes</i> If yes, plea	ase detai				J	
Article 44? ⊠ Yes If yes, plea Nr.382/2009	ase detai				J	
Article 44?	ued sighting	reports from	1 January 20	16 until 31 I	December 20	17?
Article 44?	ued sighting	reports from	1 January 20 ed by your c	16 until 31 I	December 20	o17? 2016 until 3 ports issued

²⁰ Section to be filled-in by all Member States

	Flag State of the sighted vessel (EU and non-EU)	No of sighting reports issued in 2016	No of sighting reports issued in 2017			
	Country 2					
	Country x					
	Total					
13.4.	13.4. Since the last reporting exercise covering the period 2014-2015, has your country received any sighting reports for its own vessels from other competent authorities?					
	☐ Yes	⊠ No				
	If yes, please detail follow-up (in accordance with Article 50 of the IUU Regulation).					
Secti	ion 14. General					
14.1.		od 2016/2017, what have been the menting the IUU Regulation, includin	nain difficulties that your country has g the catch certification scheme?			
it ne		requests. Împorters often lack knowle	es and also by authorities of MS make edge of the catch certification scheme			
14.2.	Which improvement implementation smooth		the Regulation that would make			
We	We do hope that the IT-system will be implemented soon and make fewer requests necessary.					
Secti	ion 15. Any other	comments				

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