

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 395/2010

of 7 May 2010

amending Commission Regulation (EC) No 1010/2009 as regards administrative arrangements on catch certificates

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1005/2008 ⁽¹⁾ of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, in particular Articles 12(4), 14(3), 20(4) and 52 thereof,

Whereas:

- (1) Administrative arrangements by which catch certificates are established, validated or submitted by electronic means or replaced by electronic traceability systems ensuring the same level of control by authorities are to be listed in Annex IX to Commission Regulation (EC) No 1010/2009 of 22 October 2009 laying down detailed rules for the implementation of Regulation (EC) No 1005/2008 ⁽²⁾. Since new administrative arrangements on catch certificates have been agreed, that Annex should be updated.
- (2) Regulation (EC) No 1010/2009 should be amended accordingly.

- (3) The administrative arrangements on catch certificates, set out in the Annex, are based on electronic traceability systems that have been in place prior to the entry into force of Regulation (EC) No 1005/2008 hence this Regulation should apply as from 1 January 2010.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1010/2009 is amended as follows:

Annex IX is amended as set out in the Annex to this Regulation.

Article 2

Entry into force

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

It shall apply from 1 January 2010.

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

Done at Brussels, 7 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 286, 29.10.2008, p. 1.

⁽²⁾ OJ L 280, 27.10.2009, p. 5.

ANNEX

The following Sections 4, 5 and 6 are added in Annex IX to Regulation (EC) No 1010/2009:

'Section 4**ICELAND**

CATCH CERTIFICATION SCHEME

In accordance with Article 12(4) of Regulation (EC) No 1005/2008, the catch certificate provided for in Article 12 and Annex II to that Regulation shall, as of 1 January 2010, be replaced — for fisheries products obtained from catches made by fishing vessels flying the Icelandic flag — by the Icelandic catch certificate, based on the Icelandic System on weighing and recording of catches, which is an electronic traceability system under the control of the Icelandic authorities ensuring the same level of control by authorities as required under the EU catch certification scheme.

A specimen of the Icelandic catch certificate is given in the Appendix.

Documents referred to in Article 14(1) and (2) of Regulation (EC) No 1005/2008 may be communicated by electronic means.

Iceland shall require a catch certificate for landings and imports to Iceland of catches made by fishing vessels flying the flag of a Member State of the European Union.

MUTUAL ASSISTANCE

Mutual assistance pursuant to Article 51 of Regulation (EC) No 1005/2008 shall be developed to facilitate the exchange of information and the assistance between the respective authorities in Iceland and in the Member States of the European Union, based on the detailed rules on mutual assistance laid down in Commission Regulation (EC) No 1010/2009.

Appendix

CATCH CERTIFICATE



Republic of Iceland

Directorate of Fisheries

Dalshraun 1, 220 Hafnarfjörður,
Iceland

Tel.+354 569 7900 Fax.+354 569 7990

www.fiskistofa.is

Reference No.

Catch Certificate No.

Country of dispatch: Iceland

Competent authority: Directorate of Fisheries

Inspection body: Directorate of Fisheries

I. Details identifying the fishery products

Description:

Product code	Description - Species (scientific name)	Processing	Packaging and nr. of	Net weight
				Sum
				S

II. Provenance of the fishery products

Registration number(s) and name(s) of the vessel(s) that caught the fishery product(s) authorized for exports by the competent authority, landing date(s) of the catch to be exported, fishing gear, fishing area, operator of the vessel and port of landing:

III. Destination of the fishery product

Name and address of consignor:

Name and address of consignee:

IV. Transportation details

Means of transport (please fill out the appropriate section)

Country of exportation: Iceland

Container no: _____ Vessel name and flag: _____

Flight no: _____ /airway bill no: _____

V. Attestation

The undersigned competent authority hereby certifies that:

The fishery products described above have been obtained from catches of the above Icelandic fishing vessel(s) legally operating in accordance with the Icelandic fisheries management control system (MCS).

Done at Hafnarfjörður, xxxxxx

Electronic identification of exporter

Directorate of Fisheries

Importer declaration, import control and re-export certificate (For EC use only)

Importer declaration				
Name and address of importer	Signature	Date	Seal	Product CN code
Documents under Articles 14(1), (2) of Regulation (EC) No 1005/2008	References			
Import control authority	Place	Importation authorised(*)	Importation suspended(*)	Verification requested date
Customs declaration (if issued)	Number		Date	Place

EUROPEAN COMMUNITY RE-EXPORT CERTIFICATE				
Certificate number	Date		Member State	
1. Description of re-exported product		Weight (kg)		
Species	Product code	Balance from total quantity declared in the catch certificate		
2. Name of re-exporter	Address	Signature	Date	
3. Authority				
Name/title	Signature	Date	Seal/stamp	
4. Re-export control				
Place	Re-export authorised (*)	Verification requested (*)	Re-export declaration number and date	
(*) Tick as appropriate.				

Section 5**CANADA****CATCH CERTIFICATION SCHEME**

In accordance with Article 12(4) of Council Regulation (EC) No 1005/2008, the catch certificate provided for in Article 12 and Annex II to that Regulation shall be replaced — for fisheries products obtained from catches made by fishing vessels flying the flag of Canada — by Canadian catch certificates based on the Canadian Fisheries Certificate System (FCS) (described in Appendix 3), which is an electronic traceability system under the control of the Canadian authorities ensuring the same level of control by authorities as required under the EU catch certification scheme.

Specimens of the Canadian catch certificates which shall replace the European Community Catch Certificate and Re-export Certificate as from 1 January 2010 are given in Appendices 1 and 2.

Catches stemming from aboriginal fishing techniques or from fishing vessels as defined in Article 6 of Commission Regulation (EC) No 1010/2009 shall be accompanied by a simplified Canadian catch certificate given in Appendix 2.

Documents referred to in Article 14(1) and (2) of Regulation (EC) No 1005/2008 may be communicated by electronic means.

MUTUAL ASSISTANCE

Mutual assistance pursuant to Article 51 of Regulation (EC) No 1005/2008 shall be developed to facilitate the exchange of information and administrative cooperation between respective competent authorities in Canada and Member States of the European Union, based on detailed rules on mutual assistance laid down in Commission Regulation (EC) No 1010/2009.

Appendix 1



Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne

Security Code / Code de sécurité :

Document Number Numéro du document	Validating Authority Autorité validante
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Identification

Issued and Validated Electronically by: / Émis et validé électroniquement par :

Name Nom	Address Adresse	Tel / Fax Tél / Téléc
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Fishing Vessel(s) / Navire(s) de pêche

Fishing Vessel Name Nom du navire de pêche	Flag Pavillon	Home Port Port d'attache	Call Sign Indicatif d'appel	IMO / Lloyds Number (if issued) Numéro Lloyd's / OMI (le cas échéant)
	Registration Number Numéro d'immatriculation			
Fishing License Number Numéro du permis de pêche	Valid to Valide jusqu'au	INMARSAT Number, Fax, Telephone, E-mail Address (if issued) Numéro, téléphone, télécopieur, courriel INMARSAT (le cas échéant)		

Product / Produit

Type of Processing Authorized on Board / Type de transformation autorisée à bord

Species / Espèces

References of applicable conservation and management measures / Références aux mesures applicables de conservation et de gestion						
Species (Taxonomic Serial Number - Common Name) Espèces (Numéro de série taxonomique - nom commun)	Product Code (Harmonized System) Code du produit (système harmonisé)	Product Weight Poids du produit (kg)	Catch Area(s) and Date Zone(s) et dates de capture	Estimated Live Weight Poids vif estimé (kg)	Est. Weight to be Landed Poids à débarquer estimé (kg)	Verified Weight Landed Poids débarqué vérifié (kg)

Master of Fishing Vessel / Capitaine du navire de pêche

Name of Master of Fishing Vessel: Nom du capitaine du navire de pêche :

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

**Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne**

Security Code / Code de sécurité :

Declaration of Transhipment at Sea / Déclaration de transbordement en mer

Name of Master of Fishing Vessel Nom du capitaine du navire de pêche	Signature and Date Signature et date	Transhipment Date / Area / Position Date / zone / position de transbordement		Est. Weight (kg) Poids estimé (kg)
Name of Master of Receiving Vessel Nom du capitaine du navire receveur	Signature	Vessel Name Nom du navire	Call Sign Indicatif d'appel	IMO / Lloyds Number (if issued) Numéro Lloyd's / OMI (le cas échéant)

Transhipment Authorization Within a Port Area / Autorisation de transbordement dans une zone portuaire

Name Nom	Authority Autorité	Signature	Address Adresse	Tel. Tél.	Port of Landing Port de débarquement	Date of Landing Date du débarquement	Seal Cachet
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Exporter / Exportateur

Name and Address Nom et adresse	Signature (if available / si disponible)	Date	Seal Cachet
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Flag of Authority Validation / Validation du pavillon autoritaire

Name - Title Nom - titre	Signature	Date	Seal Cachet
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ATTESTATION

The signatory attests that the catch identified in this catch and re-export certificate is validated as non-IUU in accordance with the Agreed Record of fisheries consultations between the European Community and Canada on the European Community regulation (No. 1005/2008), signed in November 2009, to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Le signataire affirme que la capture, identifiée sur ce certificat de capture et de réexportation, a été validée comme étant non-INN conformément à l'entente de collaboration des consultations sur les pêches entre la Communauté européenne et le Canada pour le règlement de la Communauté européenne (No. 1005/2008), signée en novembre 2009, afin de prévenir, décourager et éradiquer la pêche illicite, non déclarée et non réglementée (INN).

**CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER**

THIS CERTIFICATE MAY BE VERIFIED AT:
CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

**Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne**

Security Code / Code de sécurité :

Transport Details (See Appendix A) / Détails relatifs au transport (voir l'appendice A)

Importer Declaration / Déclaration de l'importateur

Name and Address of Importer Nom et adresse de l'importateur	Signature	Date	Seal Cachet	Product CN Code Code NC du produit
Documents under Articles 14(1), (2) of Regulation (EC No. 1005/2008) Documents relatifs des Articles 14(1), (2) du Règlement (EC No. 1005/2008)	References Références			

Import Control / Contrôle de l'importation

Import Control - Authority Contrôle à l'importation - Autorité	Place Lieu	Importation Authorized (*) Importation autorisée (*) <input type="checkbox"/>	Importation Suspended (*) Importation suspendue (*) <input type="checkbox"/>	Verification Requested - Date Vérification demandée - date
Customs Declaration (if issued) Déclaration des douanes (le cas échéant)	Number Numéro	Date		Place Lieu

(*) Check as appropriate / Cocher la case appropriée

**CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER**

**Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne**

Security Code / Code de sécurité :

Appendix A / Appendice A

Transport Details / Détails relatifs au transport

Country of Exportation Pays d'exportation	Name and Address Nom et adresse
Port - Airport - Other Place of Departure Port - aéroport - autre lieu de départ	
Vessel Name and Flag Nom et pavillon du navire	Exporter Signature Signature de l'exportateur
Flight Number - Airway Bill Number Numéro de vol - Numéro de lettre de transport aérien	Container Number(s) Numéro du (des) conteneur(s)
Truck Nationality and Registration Number Nationalité et numéro d'immatriculation du camion	
Railway Bill Number Numéro de lettre de voiture de train	
Other Transport Document Autre document de transport	

**CERTIFICATE - DO NOT COPY
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**Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne**

Security Code / Code de sécurité :

Information on Re-exportation / Information sur la réexportation

Certificate Number Numéro du certificat	Date	Member State État membre
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Description of Re-Exported Product Description du produit réexporté	Weight (kg) Poids (kg)
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Species Espèces	Product Code Code du produit	Balance from Total Quantity Declared in the Catch Certificate (kg) Écart par rapport à la quantité déclarée dans le Certificat de capture (kg)
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Name of Re-Exporter Nom du réexportateur	Address Adresse	Signature	Date
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Authority / Autorité

Name - Title Nom - Titre	Signature	Date	Seal - Stamp Cachet - Tampon
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Re-Export Control / Contrôle à la réexportation

Place Lieu	Re-Export Authorized (*) Réexportation autorisée (*) <input type="checkbox"/>	Verification Requested (*) Vérification demandée (*) <input type="checkbox"/>	Re-Exportation Declaration Number and Date Numéro et date de la déclaration de réexportation
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(*) Check as appropriate / Cocher la case appropriée

**CERTIFICATE - DO NOT COPY
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Appendix 2



Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne

Security Code / Code de sécurité :

Document Number Numéro du document	Validating Authority Autorité validante
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Identification

Issued and Validated Electronically by: / Émis et validé électroniquement par :

Name Nom	Address Adresse	Tel / Fax Tél / Téléc
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Group(s) / Groupe(s)

Fishing Group Name Nom du groupe de pêche	Flag Pavillon	Community / Fishing Licence Details Détails sur la communauté / le permis de pêche	Group Characteristic Caractéristique du groupe
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Species / Espèces

References of applicable conservation and management measures / Références aux mesures applicables de conservation et de gestion						
Species <small>(Taxonomic Serial Number - Common Name)</small> Espèces <small>(Numéro de série taxonomique - nom commun)</small>	Product Code <small>(Harmonized System)</small> Code du produit <small>(système harmonisé)</small>	Product Weight Poids du produit (kg)	Catch Area(s) and Date Zone(s) et dates de capture	Estimated Live Weight Poids vif estimé (kg)	Est. Weight to be Landed Poids à débarquer estimé (kg)	Verified Weight Landed Poids débarqué vérifié (kg)

Declaration of Transshipment at Sea (if applicable) / Déclaration de transbordement en mer (le cas échéant)

Name of Master of Fishing Vessel Nom du capitaine du navire de pêche	Signature and Date Signature et date	Transshipment Date / Area / Position Date / zone / position de transbordement		Est. Weight (kg) Poids estimé (kg)
Name of Master of Receiving Vessel Nom du capitaine du navire receveur	Signature	Vessel Name Nom du navire	Call Sign Indicatif d'appel	IMO / Lloyds Number (if issued) Numéro Lloyd's / OMI (le cas échéant)

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

**Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne**

Security Code / Code de sécurité :

Transshipment Authorization Within a Port Area (if applicable) /

Autorisation de transbordement dans une zone portuaire (le cas échéant)

Name Nom	Authority Autorité	Signature	Address Adresse	Tel. Tél.	Port of Landing Port de débarquement	Date of Landing Date du débarquement	Seal Cachet

Exporter / Exportateur

Name and Address Nom et adresse	Signature (if available / si disponible)	Date	Seal Cachet

Flag of Authority Validation / Validation du pavillon autoritaire

Name - Title / Nom - titre	Signature	Date	Seal Cachet

ATTESTATION

The signatory attests that the catch identified in this catch and re-export certificate is validated as non-IUU in accordance with the Agreed Record of fisheries consultations between the European Community and Canada on the European Community regulation (No. 1005/2008), signed in November 2009, to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Le signataire affirme que la capture, identifiée sur ce certificat de capture et de réexportation, a été validée comme étant non-INN conformément à l'entente de collaboration des consultations sur les pêches entre la Communauté européenne et le Canada pour le règlement de la Communauté européenne (No. 1005/2008), signée en novembre 2009, afin de prévenir, décourager et éradiquer la pêche illicite, non déclarée et non réglementée (INN).

**CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER**

Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne

Security Code / Code de sécurité :

Transport Details (See Appendix A) / Détails relatifs au transport (voir l'appendice A)

Importer Declaration / Déclaration de l'importateur

Name and Address of Importer Nom et adresse de l'importateur	Signature	Date	Seal Cachet	Product CN Code Code NC du produit
Documents under Articles 14(1), (2) of Regulation (EC No. 1005/2008) Documents relatifs des Articles 14(1), (2) du Règlement (EC No. 1005/2008)	References / Références			

Import Control / Contrôle de l'importation

Import Control - Authority Contrôle à l'importation - Autorité	Place Lieu	Importation Authorized (*) Importation autorisée (*) <input type="checkbox"/>	Importation Suspended (*) Importation suspendue (*) <input type="checkbox"/>	Verification Requested - Date Vérification demandée - date
Customs Declaration (if issued) Déclaration des douanes (le cas échéant)	Number Numéro	Date		Place Lieu

(*) Check as appropriate / Cocher la case appropriée

CERTIFICATE - DO NOT COPY
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**Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne**

Security Code / Code de sécurité :

Appendix A / Appendice A

Transport Details / Détails relatifs au transport

Country of Exportation Pays d'exportation	Name and Address Nom et adresse
Port - Airport - Other Place of Departure Port - aéroport - autre lieu de départ	
Vessel Name and Flag Nom et pavillon du navire	
Flight Number - Airway Bill Number Numéro de vol - Numéro de lettre de transport aérien	Exporter Signature Signature de l'exportateur
Truck Nationality and Registration Number Nationalité et numéro d'immatriculation du camion	Container Number(s) Numéro du (des) conteneur(s)
Railway Bill Number Numéro de lettre de voiture de train	
Other Transport Document Autre document de transport	

**CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER**

Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne

Security Code / Code de sécurité :

Information on Re-exportation / Information sur la réexportation

Certificate Number Numéro du certificat	Date	Member State État membre
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Description of Re-Exported Product Description du produit réexporté	Weight (kg) Poids (kg)
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Species Espèces	Product Code Code du produit	Balance from Total Quantity Declared in the Catch Certificate (kg) Écart par rapport à la quantité déclarée dans le Certificat de capture (kg)
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Name of Re-Exporter Nom du réexportateur	Address Adresse	Signature	Date
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Authority / Autorité

Name - Title Nom - Titre	Signature	Date	Seal - Stamp Cachet - Tampon
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Re-Export Control / Contrôle à la réexportation

Place Lieu	Re-Export Authorized (*) Réexportation autorisée (*) <input type="checkbox"/>	Verification Requested (*) Vérification demandée (*) <input type="checkbox"/>	Re-Exportation Declaration Number and Date Numéro et date de la déclaration de réexportation
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CERTIFICATE - DO NOT COPY
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Appendix 3

The Canadian Fisheries Certificate System (FCS) is designed to issue standard and simplified catch certificates.

The FCS will be used to issue and to validate a catch certificate for export consignments from Canada to the European Union of conventional fishery products including live, fresh, frozen, salted, canned and/or smoked and dried fish, using raw material from non-vessel fisheries, aboriginal fisheries, or small and large fishing vessels and/or involving production comprising several steps in the production process.

On simplified certificates, Canada will group certain vessels to maximise efficiency. However, the FCS will maintain a complete link to vessels contained in groupings and these vessels are further linked to their license or registration information and the declared catch on the certificate.

The grouping feature will be used for some product forms and, in particular, for fisheries using collector vessels which purchase from several fishing vessels and issue records of sales at sea, for non-vessel fisheries such as beach seine, beach clams, ice fishing, for some inshore fisheries, and for aboriginal fisheries where fisheries may occur at the community level. Groupings will be export company-specific and will be modified for each shipment, as required.

The grouping feature will enable Canada to produce a single certificate per shipment while keeping all the information behind the certificate (vessel license/registration) available in the database.

This information will be available to EU Member States authorities in importing countries through our website or through direct telephone line to our certificate office.

Third parties countries may also contact the certificate office for information on indirect exports.

Section 6**FAROE ISLANDS****CATCH CERTIFICATION SCHEME**

In accordance with Article 12(4) of Regulation (EC) No 1005/2008, the catch certificate provided for in Article 12 and Annex II to that Regulation shall be replaced — for fisheries products obtained from catches made by fishing vessels flying the Faroese flag — by the Faroese catch certificate based on the Faroese system of sales notes and logbooks which is a traceability system under the control of the Faroese authorities ensuring the same level of control by authorities as required under the EU catch certification scheme.

A specimen of the Faroese catch certificate, which shall replace the European Community Catch Certificates and Re-export Certificate as from 1 January 2010, is given in the Appendix.

Documents referred to in Article 14(1) and (2) of Regulation (EC) No 1005/2008 may be communicated by electronic means.

MUTUAL ASSISTANCE

Mutual assistance pursuant to Article 51 of Regulation (EC) No 1005/2008 shall be developed to facilitate the exchange of information and assistance between respective competent authorities of the Faroe Islands and Member States of the European Union, based on detailed rules on mutual assistance laid down in Commission Regulation (EC) No 1010/2009.

Appendix

Catch certification scheme for fishery products exported from Faroes to the European Community under Articles 12(4) and 20(4) of the Council Regulation EC 1005/2008 and the Commission Regulation EC 1010/2009 laying down the detailed rules for the implementation of the same Regulation to replace the European Community catch certificate.

Document number		1. Validating authority			Address		Tel.		Fax.			
2. Fishing Vessel name	Home port, registration number	Call sign	Fishing licence No - Valid to	3. Catch area	Start	End	Species	Product code	Verified landing weight (kg), (Estimated weight to be landed if direct landing in EC port)	4. Reference of applicable conservation and management measures	Number of fishing logbook	5. Name of master of fishing vessel
6. If transshipment at sea, date, area/position												
Name of receiving vessel		Call sign	IMO/Lloyds No (if issued)	Name of master of receiving vessel								Estimated weight (kg)
8. Name and address of exporter		Address of exporter		Signature								Date
9. Authority validation												
Validated by (name/title)						Date						
10. Transport details, country of exportation												
Port/airport/other place of departure												
Vessel name and flag		Container number(s): list attached										Name and address of exporter
Flight number/airway bill number												
Truck nationality and registration number												
Railway bill number												
Other transport documents												

11. Importer declaration									
Name and address of importer		Signature	Date	Seal		Product CN code			
Documents under Article 14(1),(2) of Regulation (EC 1005/2008)		References							
12. Import control - authority		Place		Importation authorised*	Importation suspended*	Verification requested - date			
Custom declaration (if issued)		Number		Date		Place			

* Tick as appropriate

EUROPEAN COMMUNITY RE-EXPORT CERTIFICATE				
Certificate number		Date		Member state
1. Description of re-exported product			Weight (kg)	
Species		Product code	Balance from total quantity declared in catch certificate	
Name of re-exporter		Address	Signature	Date
3. Authority				
Name/title		Signature	Date	Seal/stamp
4. Re-export control				
Place	Re-export authorised (*)	Verification requested (*)	Re-export declaration number and date	

(*) Tick as appropriate