

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

DIRECTOR-GENERAL

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Mr Hugo Andersson
NSRAC Secretariat
Woodhill House
Westburn Road
Aberdeen AB16 5GB
United Kingdom

Dear Mr Andersson,

Thank you for your letter of 2 September 2008 on the margin of tolerance. We have received similar letters from other RACs expressing their concern about this issue and their acknowledgement of previous abuse and manipulation of the 20% margin of tolerance.

During the discussions at Council level to adopt the cod recovery plan^[1], the first of a series of measures adopted for several stocks in accordance with Articles 5 and 6 of Council Regulation (EC) No 2371/2002^[2], it was pointed out that the state of those stocks was too serious to risk allowing the allocated quotas to be overfished. For that reason the margin of tolerance between logbook entry and landing declaration was reduced from 20% to 8%. Since that decision, all other management and recovery plans have adopted the same rule regarding the margin of tolerance.

The issue of the margin of tolerance will be addressed during the forthcoming discussions with Member States on the review of the Regulation establishing a control system applicable to the Common Fisheries Policy, due to start at the beginning of 2009. In this context, the Commission will define control standards applicable to all recovery and multi-annual management plans. The proposal will ensure uniformity in the implementation of the control policy, while respecting and considering diversity and the specific characteristics of different fleets. It establishes a level playing field for the industry by covering all stages, from capture to market.

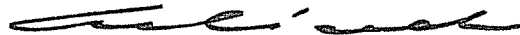
[1] Council Regulation (EC) No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks, OJ L 70, 9.3.2004, p.8.

[2] Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, OJ L 358, 31.12.2002, p. 59.

Regarding sanctions, the Commission considers it essential to establish a culture of compliance; therefore, it will propose the establishment of a Community penalty point system for infringements of the CFP rules.

In this context, the main objective of the review will be to simplify and strengthen the control rules, and I look forward to a fruitful debate with the RACs during the discussion on the reform of the control system.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fokion Fotiadis', written in a cursive style.

Fokion Fotiadis