

Eastern IFCA Enforcement Policy – Regulation 2(5): use of bags etc. to contain catch

Wash Fishery Order (1992) Mussel Relaying Fishery 2018

Regulation 2 of the Wash Fishery Order 1992 (WFO) requires that all catch of mussel (and cockle) must be contained within bags, boxes or bins.

Typically fishers operating in a mussel relaying fishery transport mussel catch from the mussel bed to a WFO Shellfish lay over a single high-tide. Mussel 'seed' is relayed directly from the holds of vessels, often using shoots which release the mussel into the water. Regulation 2(5) would preclude fishers from undertaking this activity in an efficient manner.

Other fishers who land catches of mussel seed in order to transport it via road to a shellfish lay typically use mesh sacks to contain mussels.

Policy

Where a licenced vessel is fishing for and depositing mussel seed onto lays without landing catch within the mussel relaying fishery 2018, fishers will not be required to use bags, bins or boxes and Eastern IFCA will not take enforcement action against fishers who are not compliant with Regulation 2(5) in this regard.

Regulation 2(5) does apply to any fisher landing catch to be transported by land to be relayed.

Rationale and mitigation

Requiring fishers to contain mussel catch in the context of a mussel seed fishery is considered to be disproportionate given the practice of fishing and relaying over a single high-tide. The time taken to pack the catch into bags etc. would likely preclude fishers from having the time to relay the mussels onto their lay and return to port before low water (noting that the ports of King's Lynn and Boston – the principle ports from which fishers will operate – are tidal).

Requiring fishers to contain catch in bags is an effective enforcement tool in other fisheries. For example, within the cockle fishery so called 'standard bags' are used which are of a known dimension to enable IFCOs to visually detect where catches are in excess of the daily quota. To mitigate against the risk of fishers taking mussel in excess of the daily quota, fishers will be required to have their holds inspected and measured by IFCOs prior to fishing. During seaborne inspections, IFCOs will estimate the volume of cockles within the hold using the known dimensions of the hold. Where IFCOs suspect a fisher has removed mussels in excess of the daily quota, powers can be used to undertake a more complete inspection of the catch including requiring vessels to return to port.

Where fishers are landing catch which is to be transported via road, catch will be required to be contained in bags, boxes or bins as per Regulation 2(5).

Eastern IFCA will undertake engagement with the industry to ensure that fishers are aware of the policy and its limitations.