Ministero delle politiche agricole alimentari, forestali e del turismo

DIPARTIMENTO DELLE POLITICHE COMPETITIVE,
DELLA QUALITA' AGRAOALIMENTARE, IPPICHE E DELLA PESCA
DIREZIONE GENERALE DELLA PESCA MARITTIMA
E DELL'ACQUACOLTURA

Joint Recommendation of the Italian Member State

Discard Plan for the mollusc bivalve Venus spp (*Chamelea gallina*) in the Italian territorial waters for 2020-2022

Following Article 15 of the Basic Regulation, the Italian Member State is proposing a JR for a new discard plan for the mollusc bivalve Venus spp. (*Chamelea gallina*) that applies only to Italian territorial waters and to the Italian fleet.

On the basis of the findings of the "**Report of the activity carried out after the entry into force of the Commission Delegated Regulation 2016/2376 (2017-2019)**" (**Annex A**) which analyses in detail the first two years of the current national discard management plan, and in particular taking into due account the fact that the sieving system allows for a relatively wide selection range, by way of derogation from the minimum conservation reference size established in Annex III to Regulation (EC) No 1967/2006, the minimum conservation reference size of *Chamelea gallina* is set at 22 mm.

This JR includes the documentation to fulfil the conditions for granting high survivability derogation for a three years period 2020-2022.

Italy, as the single Member State with a direct management interest in the mollusc bivalve Venus spp. fisheries, in the Italian territorial waters, developed and submitted a recommendation to the Commission (Italian Ministerial Decree (DM), 27 december 2016) in accordance with the procedure of Article 18 of Regulation (EU) No 1380/2013.(See the explanatory memorandum in **Annex B**). This recommendation was submitted in the form of a national management plan for discard of the Venus spp. stock, after consultation of the Mediterranean Advisory Council (MEDAC, ref.281/AV, 21 December 2015).

As result of the process the Commission delegated Regulation (EU) 2016/2376 of 13 October 2016, establishing a discard plan for mollusc bivalve Venus spp. in the Italian territorial waters, was adopted.

The Italian Member State drafted and submitted this new Recommendation for the discard plan taking into account the views of the MEDAC opinion (ref.71/2019, 11 March 2019). In parallel, the Italian Member State is associating the request for this discard plan, to the current dredge plan, and it is in the process to update the Italian dredge management plan.

The new version is based on the high survivability of the *Chamelea gallina* supported by additional data provided in **Annex C.** Moreover, the Italian Ministry for Food, Agriculture, Fisheries and Tourism Policies recently financed projects to improve the selectivity of dredging fishery and to study the survivability of clams rejected after sorting.

1. Objectives of implementing CFP, landing obligation

I. As a result of the reform of the Common Fisheries Policy (Regulation (EU) No 1380/2013), concluded in 2013 and effective from 1st January 2014, there is now a provision under Article 18 for Member States to elaborate joint recommendations for regional management measures specific to their fisheries and submit these to the European Commission for adoption via delegated acts.

II. The scope of these recommendations is provided for in Article 18 of Regulation (EU) No 1380/2013 by way of reference to Article 15(6) thereof, which outlines the process for adoption of a specific discard plan by the European Commission for a period of no more than three years, to contain any of the specifications referred to in points (a) to (e) of Article 15(5).

III. Under Article 15(6) of Regulation (EU) No 1380/2013, Member States may cooperate, in accordance with Article 18 thereof, in the drawing up of a specific discard plan with a view to the Commission adopting such a plan by means of delegated or implementing acts or via the Ordinary Legislative Procedure.

IV. The adoption of such specific discard plans is considered important to the successful implementation of the landing obligation as specified in the reformed Common Fisheries Policy.

V. As such, this discard plan will establish provisions for any of the specifications referred to in points (a) to (e) of Article 15(5) of Regulation (EU) No 1380/2013, including specific descriptions of any exemptions gained. Discard plan will be allowed to introduce technical measures which are strictly linked to the implementation of the landing obligation and aim to increase selectivity and reduce as far as possible unwanted catches.

VI. It is desirable that any technical, control or compliance measures adopted for the mollusc bivalve Venus spp. (*Chamelea gallina*) in the Italian territorial waters and to the Italian fleet be efficient, proportional, and enforceable across all vessels operating under this discard plan.

VII. It is the position of the Member State that increased selectivity, where possible, is the most desirable way to deliver compliance with the landing obligation. However due to the specific characteristics of the fishery in the Italian territorial waters the Italian Member State considers very important to keep the derogation as its lack will imply a serious risk for the economic sustainability of the Italian fishery industry and the coastal regions.

2. Definitions

a. For the purposes of this discard plan the definitions used shall be those specified in Article 4 of Regulation (EU) Nº 1380/2013.

b. ‘Italian territorial waters’ means GFCM Geographical Sub-Areas 9, 10, 17, 18.

3. Duration and adaptation

I. As per Article 15.6 of Regulation (EU) Nº 1380/2013, this specific discard plan shall have duration of no more than three years, ending on the 31st of December 2022.

II. The discard plan details the implementation of the landing obligation for the specie, with minimum conservation reference size, listed in Annex III of the Regulation (EC) 1967/2006. It might be amended through forthcoming regional recommendations.

III. Indeed, it is considered to be the joint responsibility of the Commission and Member State to maintain oversight of the implementation of the provisions of this discard plan and to call into question any element which may be in need of revision and adaptation at any time.

IV. In particular, this discard plan shall remain open to the later inclusion of exemptions under high survival and de minimis, and to the inclusion of specific provisions for MCRS or technical measures to be specified at any time.

4. Geographical scope and fisheries covered

This specific discard plan will be applicable to mollusc bivalve Venus spp. (*Chamelea gallina*) in the Italian territorial waters, comprising GFCM Geographical Sub-Areas 9, 10, 17,18.

5. Management measures

The components and phases of this National Discard plan are:

a. Confirmation of 22 mm as the minimum conservation reference size for the clam *Chamelea gallina* at 22 mm;
b. Harvesting of 40 sacks (400 Kg) per vessel per day;
c. Harvesting four days per week;
d. After the clams have been harvested with the hydraulic dredge, the first stage of on-board screening is carried out;
e. All of the product screened and kept on board is put into sacks and landed at the landing points that have been authorised by the management consortia, where a screening sieve of appropriate dimensions has been installed;
f. After landing, the product is subjected to a second screening in the facilities identified and managed by these same consortia;

g. Once the second screening has been carried out, under the responsibility of the CoGeVo, the product that meets the criteria for compliance is certified by the consortia as that resulting from the second screening. Any vessels that do not belong to the CoGeVo are also required to certify compliance with the required minimum size through the same management consortia.
h. The certified product above the new minimum conservation reference size is returned to the fishing vessel;
i. The CoGeVo assembles all the clams below the minimum reference size that are in the landed product and which are detected during the second screening;
j. The undersized specimens deriving from the second screening procedure are transferred by the CoGeVo to the designated restocking areas, which are identified according to the quantity and seeding density defined in the single management and production plans of the Consortia;
k. The procedures established by the Management Consortia for relocating the undersized specimens at sea, must be indicated in advance by the CoGeVo to the Maritime Authority responsible for the area, which will issue a specific order banning fishery activities for the vessels in the areas in question. The police will be entrusted with the task of enforcing the measures adopted;
l. The results of the restocking activities are subsequently verified to monitor growth after three months, survival and minimum size with the support of the research institutes that collaborate with the CoGeVo to ascertain whether the specimens have grown in the observation period and if they have reached the minimum conservation reference size.

6. Technical measures to increase selectivity

The knowledge of the selectivity of a fishing gear, on different species and on different sizes, represents a crucial point to guarantee rational management of marine resources. The selectivity of gear has, for half a century now, been one of the main technological aspects considered indispensable by modern population dynamics, to achieve correct levels of exploitation of fishery resources.

Control and improvement of selectivity, in synergy with responsible management of fishing effort, represent the necessary, but the only, conditions to achieve the aim of correct management of resources.

The Italian Ministry for Food, Agriculture, Fisheries and Tourism Policies (MiPAAFT) recently financed projects to improve the selective performance of the gear as whole: the cage, where the first selection of the product occurs, and the vibrating sieve, where most of the section occur.

To achieve this, the European Maritime and Fisheries Fund (EMFF), with specific reference to art.39 of Reg. (EU) 508/2014 “Innovation linked to the conservation of marine biological resources”, may support interventions aimed at developing or introducing new technical or organisational knowledge that reduce the impact of fishery activities on the environment, including more effective and increased selectivity of fishing gear.

In order to pursue the objectives defined in the CFP and in particular those related to the implementation of conservation measures and the development of sustainable models of stock exploitation, the MiPAAFT has financed 15 initiatives for the realisation of project proposals, aimed at increasing the selectivity of screening equipment in relation to the national discard management plan for clam resources, adopted with Italian Ministerial Decree (DM) 03/12/2018.

These projects are ongoing.

The following table shows the Consortia authorised to carry out the projects proposed to increase the selectivity of screening equipment, financed by MiPAAFT through Measure 1.39 “Innovation linked to the conservation of marine biological resources” of the EMFF 2014-2020.

Table- Pilot projects to increase the selectivity of the on-board screening equipment financed by MIPAAFT.

Pilot projects to increase the selectivity of the on-board screening equipment		
Management Consortium	*Protocol reference*	*Amount eligible for funding*
Co.Ge.Mo. Monfalcone	n. 15650 of 13/07/2018	EUR 298 872.46
Co.Ge.Vo. Venezia	n. 15648-15649 of 13/07/2018	EUR 600 00.00
Co.Ge.Vo. Chioggia	n. 15647-15651 of 13/07/2018	EUR 600 00.00
Co.Ge.Mo. Ravenna	n. 15732 of 16/07/2018	EUR 282 950.00
Co.Ge.Mo. Rimini	n. 15731 of 16/07/2018	EUR 239 600.00
Co.Ge.Mo. Pesaro	n. 15730-15733 of 16/07/2018	EUR 510 800.00
Co.Ge.Vo. Ancona	n. 15635 of 13/07/2018	EUR 299 817.00
Co.Ge.Vo. Civitanova Marche	x	x
Co.Vo.Pi. San Benedetto del Tronto	n. 15588 of 12/07/2018	EUR 136 000.00
Co.Ge.Vo. Abruzzo Pescara	n. 11340 of 23/05/2018	EUR 299 493.00
Co.Ge.Vo. Frentano Ortona	x	x
Co.Ge.Vo. Termoli	n. 15632 of 13/07/2018	EUR 298 312.00

Pilot projects to increase the selectivity of the on-board screening equipment		
Consorzio Molluschi Nord Gargano	x	x
Co.Ge.Mo. Il Colosso di Barletta	n. 15774 of 17/07/2018	EUR 300 00.00
Co.Ge.Mo. Napoli	x	x
Co.Ge.Mo. Gaeta	x	x
Co.Ge.Mo. Roma	n. 15634 of 13/07/2018	EUR 298 312.00

7. High survivability

Situations where the landing obligation shall not apply are specified in Article 15.4 (b), (c) and (d) of Regulation (EU) No 1380/2013. This refers to species for which scientific evidence demonstrates high survival rates as outlined in Article 15.4(b) of Regulation (EU) No 1380/2013.

Regarding high survivability, as detailed in Article 15.4(b) of Regulation (EU) No 1380/2013, species caught by certain gears and taking into account the ecosystem and fishing practices already aiming to sell alive shellfishes, may be exempted from the landing obligation based on scientific evidence of high survival associated with release good practices

Mollusc bivalve Venus spp. is among the species with a high survival rate, which justifies for a request for derogation form the landing obligation for the discarded fraction of the catch.

Studies on survivability of clams after release are ongoing both in captivity and in commercial situation (end of projects December 2019). Previous studies carried out on calms caught and sorted by the sieve on board demonstrated that clams survived and were able to actively rebury. (**Annex C**)

8. Derogation from MCRS

The long-term objective of the landing obligation in the Common Fishery Policy is to reduce and limit unwanted catches, and particularly catches below Minimum Conservation Reference Size (MCRS).

A reduction of a minimum conservation reference size from 25 mm to 22 mm is not incompatible with the length at maturity, so it should not have a significant impact on the protection of the juvenile organisms. It is predicted to lead to only a small reduction of the reproductive potential of the stock, which is not considered to have any important impact on the stock.

Article 18a of Regulation (EC) No 2015/812 empowers the Commission to establish, for the purpose of adopting discard plans and for the species subject to the landing obligation, a minimum conservation reference size with the aim of ensuring the protection of juveniles of marine organisms. Minimum conservation reference sizes may derogate, where appropriate, from the sizes established in Annex III to EU Regulation No 1967/2006.

The adoption of the Discard Plan for clam produces positive economic benefits. The reduction of daily fishing hours reduces costs for fuel while it enables to better manage the rotation of fishing areas. Nevertheless, if the derogation would not be granted there would be a heavy economic impact on the sector as a whole. (**Annex D**)

Therefore, the Italian Member State recommends the continuation until 31 December 2022 of the MCRS derogation from 25 mm to 22 mm that have been granted for 2017-2019, in the Commission Delegated Regulation (EU) 2016/2376, for the mollusc bivalve Venus spp. (*Chamalea gallina*)

ANNEXES

***Annex A**: "Report of the activity carried out after the entry into force of the Commission Delegated Regulation 2016/2376 (2017-2019)"*
***Annex B**: Explanatory Memorandum*
***Annex C**: High_survivability.*
***Annex D**: Economic impact*