



# THE UPDATE

## Captain's Blog



### Landing a solution to returns

Submissions closed last Sunday on the most significant changes to New Zealand fishing law proposed in 30 years, but industry is still far from agreement on the final form of those changes.

The Fisheries New Zealand (FNZ) discussion paper covers issues such as landings and returns to the sea and the penalty regime - issues that have been a thorn in the industry's side for decades.

FNZ admit that the current law is inconsistent, unclear, and hard to comply with.

So, despite the paper's shortfalls we should be relishing a chance to get these issues sorted.

Three options are offered around landings and returns but the industry see none of those options as the complete answer. It is suggesting a hybrid of those options be developed and industry discussion on this be undertaken with urgency.

The current 'option one' is to tighten the rules around returning fish to the sea (discarding). All Quota Management System (QMS) stock would have to be landed, unless they had no economic value – for example, ammoniating sharks. This option would also necessitate removing the Minimum Legal-Size (MLS) requirement and smaller fish that were dead would still have to be landed. It would also mean all catch would be covered by your Annual Catch Entitlement (ACE) and therefore disincentivise fishers taking small fish, presumably through new, improved fishing methods.

'Option two' appears to be less favoured by FNZ but offers increased flexibility for fishers to return fish to the sea. MLS would be retained for those fish currently covered and

extended to new species. The rules around which fish could be legally returned to the sea under Schedule 6 would be reviewed to enable fish of lower economic value, compared to the rest of the catch, to be returned.

'Option three' is the status quo, which is not an option. With the rollout of electronic monitoring and reporting and the likely introduction of some form of cameras on vessels, the current regime is untenable.

On the issue of the penalties, FNZ proposes to introduce infringements notices for lesser offences, rather than the current system which requires lengthy and expensive court cases in illegal discarding cases.

Currently, a fisher may return fish to the sea in certain circumstances or when permitted by an onboard official. The paper proposes removing the ability of fisheries officers or observers to authorise returns.

It has also proposed a new defence to allow returns to the sea in order to save a protected species. This was sparked by a 2017 incident where a Sanford purse-seiner dumped 30 tonnes of mackerel in order to save a pod of dolphins that had become caught in the net.

The discussion paper is a good start with good components, but no single option works.

A hybrid 'option four' that incorporates reporting all catch, returning to the sea where practicable and adjustment of the TACC accordingly is the most sensible approach.

Timing is tight, but we have been talking about these issues for ten years or so and a good amount of work was done by a working party over several years that was subsequently discontinued.

We strongly urge that there be a further opportunity for the affected parties to respond prior to when legislation is drafted later this year, as proposed.

There is likely to be a formidable amount of operational detail to deal with. This will impact primarily on those fishers at sea but also could have significant implications for quota holders, ace fishers, licensed fish receivers, retailers and the regulator.

In some cases, different fishing methods or alterations to gear may be required.

These are complex matters and it is in everyone's interest to have practical long-term solutions and a well-considered and agreed transition process.

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## New Zealand Seafood Industry Conference and Technical Day

### Registrations open

Registrations for the 2019 New Zealand Seafood Industry Conference and Technical Day are now open.

This year the conference will move to New Zealand's tourism capital Queenstown, with the technical day taking place on Thursday 8 August and the conference on Friday 9 August.

The theme for this year's seafood conference is Blue Growth – Charting Seafood's Future, looking at how one of the New Zealand's key primary sectors can best position itself for future growth and success

We have a great array of speakers, details of the full programme will be available soon on the Seafood New Zealand website [www.seafood.co.nz/conference-2019](http://www.seafood.co.nz/conference-2019).

Seafood New Zealand has negotiated accommodation rates at the conference venue and neighbouring hotels. Details are on the [Information](#) page of the website along with links to Air New Zealand for group flight bookings.

Get in quick to secure accommodation and flights at reasonable prices.

[Register now](#)

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### A seafood label that sticks

DNA barcoding has shown that less than one percent of Marine Stewardship Council (MSC) products are mislabelled.

The result comes after a report found 30 percent of global seafood was not the species identified on the label or menu.

Published in the *Current Biology* journal, the results emphasise the efficacy of MSC's ecolabelling and Chain of Custody programme as a deterrent for species substitution and fraud.

MSC accessibility manager Jaco Barendse said there has been widespread concern for seafood supply chains which are vulnerable to deliberate species mislabelling.

“In the past, this has included some of the most loved species such as cod being substituted by farmed catfish, which can seriously undermine consumer trust and efforts to maintain sustainable fisheries.”

TRACE Wildlife Forensics Network and Science and Advice for Scottish Agriculture (SASA) used DNA barcoding to identify the species in 1402 MSC certified fish products from 18 countries, between 2009 and 2016.

“This represents the largest DNA testing effort and assessments of MSC products,” Barendse said.

Of these products, 1389 were correctly labelled. The 13 that were not, were found in European fresh and frozen pre-packed products and restaurants, with one case in the United States. All mislabelling occurred in whitefish and flatfish products.

Barendse said mislabelling can occur for several reasons, from misidentification of species when the fish is caught, to mix ups during processing, or ambiguities in product naming such as the use of catchall trade names like “snapper” or “skate”.

“Fraud, on the other hand, occurs when there is intentional substitution mainly for financial gain.”

MSC’s Chain of Custody certification ensures each product can be traced back through the supply chain. Every distributor, processor and retailer that trades certified seafood has a documented traceback system that separates certified and non-certified seafood and correctly identifies MSC products.

Using this system, MSC traced the 13 mislabelled products back through the supply chain and found only two that were fraudulent substitutions.

“The use of DNA tools to detect substitution in the fish supply chain is well-documented but until now has essentially revealed a depressing story,” said TRACE technical director Rob Ogden.

“Our research flips this on its head and demonstrates how we can apply similar technology to validate the success of eco-labels in traceable, sustainable fishing.”

MSC are now looking to invest in state-of-the-art gene sequencing and isotopic and trace element profiling – allowing products to be traced back to the fish stock they came from.



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## Dropping the benefits of seabirds on reefs

Guano, commonly known as bird droppings, contains important nutrients that could boost the health of coral.

Researchers from University of Otago found corals that absorbed guano experienced greater growth, placing even more emphasis on the importance of protecting our seabirds, they said.

“Bird guano is known for its qualities as a fertiliser, however the impact it had on coral growth has been unknown until now,” said research author Candida Savage.

In a one-year experiment, researchers compared the Fijian corals of Namena Island, an area plentiful in breeding seabirds, with the corals of Cousteau – an island devoid of seabirds.

Natural chemical tracers in coral tissues showed that coral growing near the roosting seabirds took up guano nutrients. At the end of the experiment, it was found that Namena’s corals grew at four times the rate of Cousteau’s.

“I was astounded at how much of a difference the presence of guano had in promoting growth.”

Five hundred million people rely on coral reefs for the food they harbour, coastal protection and for employment. In developing countries, reefs contribute one quarter of the total fish catch, providing food to an estimated one billion people in Asia alone.

The findings have important implications for catchment-to-reef connectivity and demonstrate that coral conservation should also consider catchment management in addition to marine protection, Savage said.

“This could be in the form of protection of established seabird nesting grounds or promoting new seabird habitats by enhancing natural vegetation on land alongside protecting marine areas.

"If the birds are there, the benefits of their droppings will be too."



Comparison of staghorn corals grown for one year without the influence of seabird guano (three corals on left) with corals grown near a seabird colony (three corals on right). Photo, Candida Savage.

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## Deepwater Group is moving

As of April 1, DWG's new office address will be:

**Level 12**  
**36 Kitchener Street**  
**Auckland 1010**

PO Box and phone numbers will remain unchanged.

Please update your records and contact DWG if you have any further questions.

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## Pic of the week

Salve Zame (far right) of Gisborne Fisheries competing in the Surf Lifesaving Nationals for Wainui.

Thanks to Richard Kibblewhite for the picture.



## News

New Zealand's primary sector exports continue to exceed expectations with revenue forecast to grow 6.9 percent on the previous financial year. The Ministry for Primary Industries released its Situation and Outlook report for March 2019, forecasting primary industry revenue will reach \$45.6 billion for the year to June 2019 – 3 percent more than December's forecast. Minister of Agriculture Damien O'Connor said primary industry export performance is up nearly \$3 billion on the previous year. "This export performance is all the more impressive considering there is a more modest outlook for the global economic environment and high degrees of uncertainty generated by trade tensions." Fisheries Minister Stuart Nash said he was heartened by the forecasts of higher export volumes for seafood in key markets. "Growth in seafood export earnings from China has been phenomenal in the past four years. China is a key market for our rock lobster, orange roughy, squid and mussels. It's also encouraging to see mussel production and exports have recovered from problems with algal bloom in the Marlborough Sounds in mid-2018."

Fishing company Amaltal has denied 14 charges relating to trawling in an unauthorised area of the Tasman Sea, *Stuff* reported. The Ministry for Primary Industries (MPI) is prosecuting the company for the incident involving its vessel *Apollo* on May 2018. The charges relate to failing to comply with the conditions of a high seas fishing permit under the Fisheries Act. The master of *Apollo* also faces 14 charges. Not guilty pleas were entered to all charges in front of a registrar in the Nelson District Court on Wednesday. The company defended its position, stating that the error was a technical one that was made based on out of date information provided by an MPI observer onboard the vessel. The

fishing ground had been historically and lawfully fished by the vessel in previous times. Forest & Bird and Extinction Rebellion (a global climate protest group established in November) gathered outside the courthouse on Wednesday. The case will have its next hearing in the Nelson District Court on June 12.

Three siblings are facing fines of up to \$250,000 after being caught with hundreds of undersized paua, *Stuff* reported. Paige Holden Honor Doughty and her two step-brothers gathered paua from Kawaroa reef in New Plymouth on September 11, 2018, where they were stopped by a fisheries officer who conducted inspections of their bags. A total of 98 undersized paua were found inside Doughty's bag. The 18 year old said she was "unaware" of the legal size requirements and the daily limits, adding that her intention was to eat the paua but "didn't have a clue" on how many she had collected. Doughty's 17 year old stepbrother, Sayden Andrew Garlick, gathered 163 paua, with all but one that was undersized, and also claimed he was unaware of the rules. Garlick's brother, who was with him at the time, was also searched and found to be in breach of fisheries regulations. Doughty and Garlick appeared in New Plymouth District Court, where they both pleaded guilty to two charges related to the offending. Community magistrate Terry Bourke recorded the pleas and remanded them both to reappear before a judge on March 28. The third sibling's case has been transferred to a court outside of the region.

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