
Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 404/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX XIX

**METHODOLOGY FOR ESTABLISHING THE SAMPLING PLANS FOR
WEIGHING OF LANDINGS OF FISHERIES PRODUCTS IN MEMBER STATES
REFERRED TO IN ARTICLE 60(1) OF THE CONTROL REGULATION**

This Annex lays down the methodology for Member States to establish sampling plans in accordance with Article 60(1) of the Control Regulation.

1. The aim of the sampling plan shall be to ensure accurate weighing of fisheries products on landing.
2. The size of the sample to be weighed shall be determined on the basis of the risk of non compliance with the rules of the Common Fisheries Policy for the port/location/region in the Member State where the landing(s) take place.
3. Member States shall establish risk at the following levels ‘very low’, ‘low’, ‘medium’, ‘high’ and ‘very high’.
4. In establishing the level of risk of non compliance with the rules of the Common Fisheries Policy, Member States shall take account of all relevant criteria. These shall include, but not be limited to:
 - levels of landings at the port/location/region involving all regulated stocks,
 - level of previously detected infringements linked to landings at the port/location/region,
 - total number of inspections carried out at the port/location/region,
 - availability of quota to those vessels landing at the port/location/region,
 - use of standardized boxes.

As appropriate:

- fluctuation of market price levels for the landed fisheries products,
 - risk of fraud at port/location/region.
5. The sampling shall be representative and at least as efficient as Simple Random Sampling.
 6. Where fisheries products are landed in standardized boxes, the minimum number boxes to be sample weighed shall be proportionate to the risk levels identified by Member States. Preferably, Member States shall indicate the number of boxes to be weighed by means of tables for the different risk levels, as in the example below:

Number of boxes landed by species	Number of boxes to be weighed subject to risk level				
	Very Low	Low	Medium	High	Very High
0-25	1	1	1	1	2
25-50	1	2	3	4	5
50-100	1	3	4	5	6
100-200	2	4	5	6	7

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Every additional 100	1	1	2	3	4
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7. The sampling plan shall also include information on measures taken in order to ensure that:
- operators comply with established sampling levels,
 - the results of weighing determined from sampling plans are used for the purposes mentioned in Article 60(5) of the Control Regulation,
 - a selected number of landings of fisheries products, to be determined by each Member State on the basis of its risk analysis, are weighed in the presence of officials of the competent authorities.
8. Any risk analysis, data assessment, validation procedure, audit procedure, or other documents supporting the establishment, and further amendments, of the sampling plan shall be documented and made available for audits and inspection.

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Changes and effects yet to be applied to :

- Regulation continued by [S.I. 2019/739 reg. 5\(1\)](#)
- Annex 19 point 2 words omitted by [S.I. 2019/739 reg. 5\(111\)\(c\)\(ii\)](#)
- Annex 19 heading words substituted by [S.I. 2019/739 reg. 5\(111\)\(a\)](#)
- Annex 19 words substituted by [S.I. 2019/739 reg. 5\(111\)\(b\)](#)
- Annex 19 point 2 words substituted by [S.I. 2019/739 reg. 5\(111\)\(c\)\(i\)](#)
- Annex 19 point 3 words substituted by [S.I. 2019/739 reg. 5\(111\)\(d\)](#)
- Annex 19 point 4 words substituted by [S.I. 2019/739 reg. 5\(111\)\(e\)\(i\)](#)
- Annex 19 point 4 words substituted by [S.I. 2019/739 reg. 5\(111\)\(e\)\(ii\)](#)
- Annex 19 point 6 words substituted by [S.I. 2019/739 reg. 5\(111\)\(f\)\(i\)](#)
- Annex 19 point 6 words substituted by [S.I. 2019/739 reg. 5\(111\)\(f\)\(ii\)](#)
- Annex 19 point 7 words substituted by [S.I. 2019/739 reg. 5\(111\)\(g\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Title 10 s. 3 omitted by [S.I. 2019/739 reg. 5\(102\)](#)
- Title 10 s. 4 omitted by [S.I. 2019/739 reg. 5\(102\)](#)
- Title 10 s. 5 omitted by [S.I. 2019/739 reg. 5\(102\)](#)
- Art. 2(1) omitted by [S.I. 2019/739 reg. 5\(3\)\(a\)](#)
- Art. 2(2) omitted by [S.I. 2019/739 reg. 5\(3\)\(a\)](#)
- Art. 2(4) omitted by [S.I. 2019/739 reg. 5\(3\)\(b\)](#)
- Art. 2(12) words substituted by [S.I. 2019/739 reg. 5\(3\)\(c\)](#)
- Art. 2(14) omitted by [S.I. 2019/739 reg. 5\(3\)\(d\)](#)
- Art. 2(15) words substituted by [S.I. 2019/739 reg. 5\(3\)\(e\)](#)
- Art. 2(17) words omitted by [S.I. 2019/739 reg. 5\(3\)\(f\)](#)
- Art. 2(19) inserted by [S.I. 2019/739 reg. 5\(3\)\(g\)](#)
- Art. 7(1)(e) words substituted by [S.I. 2019/739 reg. 5\(9\)\(b\)\(iii\)](#)
- Art. 18(2)(a) words substituted by [S.I. 2019/739 reg. 5\(15\)\(c\)\(ii\)](#)
- Art. 23(c) words substituted by [S.I. 2019/739 reg. 5\(20\)\(c\)](#)
- Art. 33(1)(c) words substituted by [S.I. 2019/739 reg. 5\(30\)](#)
- Art. 39(2)(a) words substituted by [S.I. 2019/739 reg. 5\(35\)\(b\)\(i\)](#)
- Art. 39(2)(e) words substituted by [S.I. 2019/739 reg. 5\(35\)\(b\)\(ii\)](#)
- Art. 42(1)(a) words substituted by [S.I. 2019/739 reg. 5\(38\)\(a\)\(ii\)](#)
- Art. 42(1)(b) word substituted by [S.I. 2019/739 reg. 5\(38\)\(a\)\(iii\)](#)
- Art. 42(1)(c) word substituted by [S.I. 2019/739 reg. 5\(38\)\(a\)\(iii\)](#)
- Art. 47(1)(e) words substituted by [S.I. 2019/739 reg. 5\(43\)\(a\)\(iii\)](#)
- Art. 62(1)(b) words omitted by [S.I. 2019/739 reg. 5\(52\)\(a\)\(iv\)](#)
- Art. 62(1)(c) words substituted by [S.I. 2019/739 reg. 5\(52\)\(a\)\(v\)](#)
- Art. 67(13)(a) words omitted by [S.I. 2019/739 reg. 5\(54\)\(c\)](#)
- Art. 80(1)(d) words substituted by [S.I. 2019/739 reg. 5\(63\)\(b\)\(iv\)](#)
- Art. 99(d) omitted by [S.I. 2019/739 reg. 5\(76\)](#)
- Art. 105(1)(b) words substituted by [S.I. 2019/739 reg. 5\(78\)\(a\)](#)
- Art. 113(2)(a) words substituted by [S.I. 2019/739 reg. 5\(84\)\(b\)](#)