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PROPOSAL FOR NEW INSPECTION METHODS OF FISH QUALITY AND SAFETY IN ESTONIA

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The fisheries inspection system in Estonia is reviewed in the light of Estonia inception into the EU. A comparison is made between the Danish and the Icelandic fisheries inspection systems in order to better understand and appreciate of the Estonian system. A proposal is put forward for an improved inspection system and cooperation of competent authorities in Estonia, where the main emphases is on better registration of vessels and reduction in the number of landing sites. The role of different competent authorities is better defined within in a new inspection system.

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1 INTRODUCTION

1.1 Estonia

Estonia is a Parliamentary Republic, which lies on the coast of the Baltic Sea with an area of 45,000 sq km. The population of Estonia is around 1.4 million.

Estonia is situated between Russia and the countries of Western Europe so the geographical position and long coastline have been the main factors in the international relations of Estonia.

In 1995 Estonia applied to become a member of the EU and since then the following steps have been taken:

Between 1995-2002 negotiations were held.

On 13 December 2002 negotiations were concluded. (negotiations with respect to fisheries are in Appendix 1.)

In 2003 the Treaty of Accession was signed and a referendum was held in Estonia.

A majority of Estonians expressed their support for membership of the European Union. Following the ratification of the Treaty of Accession Estonia will join the EU on 1 May 2004. Estonia has to implement all the requirements and commitments arising from the negotiations (EU 2003).

The motive for writing this project is due to the variable and vague situation of the Estonian fishery sector with respect to inspection. The responsibility for surveillance of the fish distribution chain is divided between many authorities and it is hard to get an overview of the inspections.

After Estonia becomes a member of the EU from May 2004 control over fish will decrease on the borders between the EU and Estonia. Control in every member state has to be well organised and equivalent. The importance of harmonising sanitary requirements to EU standards is still a topical issue. The inspection of the entire production chain, from fishing vessels to the final sale should be the responsibility of the relevant competent national health authorities.

This project will provide an overview of the official controls in Estonia. The first step of the project will research the whole inspection system of fish and fish products.

Since legislation framework is important, this will be the next step analysed in the project. Comparison of requirements and inspections will give a better overview of the whole system. I

The inspection systems of Iceland and Denmark will also be considered and compared. Iceland is a country with a well-organised fishery management, and Denmark is a member state of the EU and also a country with a well-developed fishing industry.

By comparing two different inspection systems the new methods for inspection and cooperation between authorities in Estonia will be proposed.

Harmonisation of inspections is one of the important issues and will also be analysed in the project. The result of the project should provide inspection methods so that all links in the fish distribution chain will be covered.

1.2 The state of the fishery in Estonia

The fishery sector is important to the Estonian economy and is a source of subsistence for about 10,000 inhabitants in coastal areas. The Estonian fishery developed as a part of the huge fisheries of the former USSR. The first years of independence in 1992 have been very destructive and hard for the Estonian fishery sector. World demand for fish and fish products has been constantly increasing, and as a consequence, Estonia as a coastal country has made strong efforts to modernise its fishing fleet and establishments.

76% of the Estonian fishing fleet operates in the waters of Baltic Sea as seen in Figure 1. Main fish species are Baltic Sprats and Baltic Herring. Nearly 50% of fishery establishments get their raw material from the Baltic Sea. The total catch of all fisheries in 2002 was 101,414 tons. (MOE 2003). Estonian fishery products have gained confidence in EU markets and are also successful in markets of Eastern European countries.

The fishery of Estonia is composed of three different types of fisheries:

- a) The distant- water fishery
- b) The Baltic Sea fishery
- c) The freshwater fishery

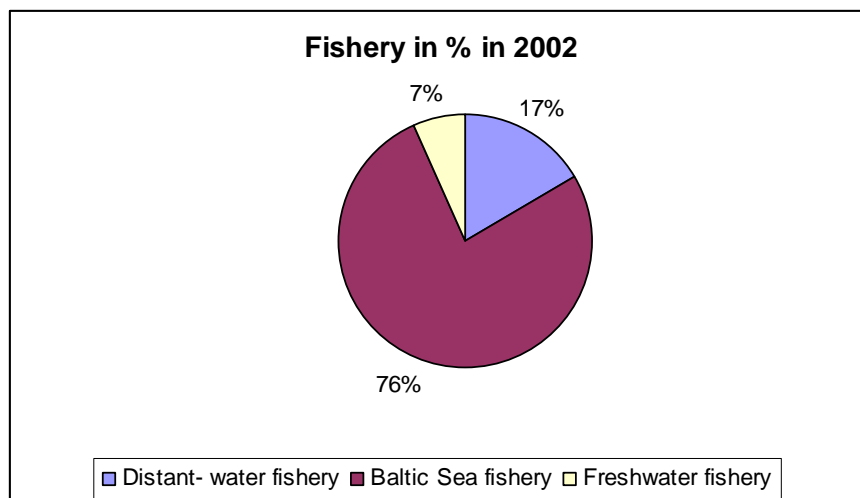


Figure 1: Estonian Fishery in 2002 in percentages (%).

1.2.1 Estonian distant water fisheries

After the reinstatement of Estonian independence, the Estonian distant water fleet had 95 vessels, 75 of which were owned by the Estonian state. In 2004 the Estonian distant water fleet is comprised of only nine vessels (factory vessels) which are all owned by Estonian private companies. The total catch in 2002 was 17,817 tons (MoE 2003). All factory-vessels are the responsibility of the Veterinary and Food Board and are inspected annually. All the factory vessels have approval numbers. The distant-water fleet lands fish in different ports of the world. Cod is mostly landed in Denmark and shrimp is mostly landed in Canada and Iceland. Some of the fish is also landed in Spain. Estonian establishments use only very small quantities of raw fish obtained from distant water fisheries.

1.2.2 Baltic Sea fisheries

There are two types of fisheries in the Baltic- Sea, namely inshore/coastal fishing and fishing outside the coastal waters.

Open boats less than 12 m long primarily undertake the coastal fishery. These vessels are mainly built in Russia and Latvia. The trawlers of Soviet origin are old and need to be repaired or even exchanged for newer ones. The quality of fish which they supply varies between boats.

The total catch of the Baltic fleet was 83,597 tons in 2002(MoE 2003)

In Figure 3 there is a plan of a Soviet TP type trawler, which is the most common in Baltic fleet as seen in Figure 2.

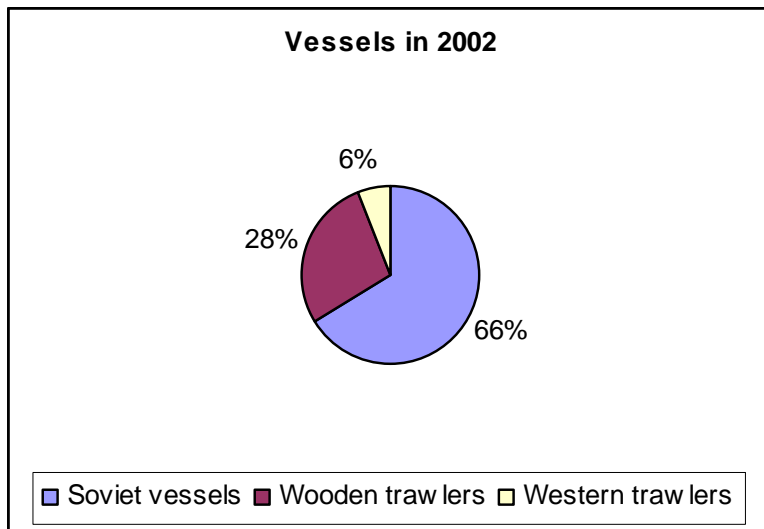


Figure 2: Different types of vessels in the Estonian Baltic Sea Fleet.

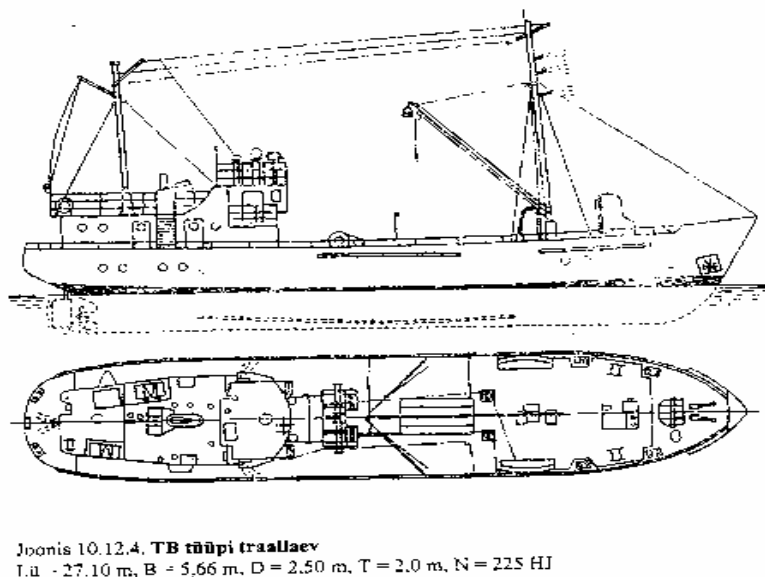


Figure 3: Soviet, TB type trawler.

A fishing vessel register (registration) is now under construction and will be finished soon. The fishing vessels register gives information about the international number, vessel name, IRCS, tonnage and power amongst other things. The Fisheries Department in the Ministry of the Environment maintains the fishing vessels register. The vessel information is taken from the Maritime Board of Estonia. The register now consists of around 800 vessels but is expected to have around 1000 vessels when finished.

1.2.3 Ports and landing sites in Estonia

Fish is landed at different landing sites. Examples of landing sites are shown in Figures 4 and 5. The ports and landing sites are not registered.

Registration of landing sites is needed to check the conditions of landing and first sale, as required by Council Directive 91/493/EEC of 22 July laying down the health conditions for the production and the placing on the market of fishery products. There are around 41 landing sites for trawlers in Estonia but only 33 were used in 2002. For fishing boats there are around 64 landing sites and in 2002, 52 sites were used for landing fish.



Figure 4: Landing sites at Leppneeme (right) and Miiduranna (left).

Conditions of fish landing sites are very different, especially with respect to hygiene. Only a few ports have cold storage facilities for fish that is not sold soon after landing. Ice is not commonly available at landing sites. Fishermen do not land fish in landing sites that are not suitable. The number of fish landing sites is already decreasing. Some ports store and load wood, peat and old metal near the fish-landing site. Plans to decrease the number of landing sites in Estonia will partly solve the problem of inappropriate landing sites and ice supply.



Figure 5: Fish (Baltic Herring) landing in Port of Miiduranna in Estonia.

1.2.4 Freshwater fisheries

In freshwater fisheries, the hygienic conditions of the boats vary enormously and so does the quality of the ice used. The pieces of ice used are mainly too big and do not cover the fish properly which also contributes to the low quality of the fish.

The conditions of landing sites and the ice supplied there also vary greatly. There are 12 landing sites for inland fisheries and in 2002 fish was landed at 7 of those landing sites. Figure 6 shows one such site. The number of landing sites for the inland fisheries has increased in the past years. Only one landing site is approved by the Veterinary and Food Board. It is owned by a fish producing establishment. That landing site is in good condition and the plant also supplies ice to the fishermen.

Freshwater vessels/boats will also be included in the register of the fishing fleet of Estonia.



Figure 6: Fish landing in Lake Peipsi.

1.3 Inspection authorities in Estonia

Since 1990 the authorities responsible for monitoring the fisheries have changed several times. Some of the authorities have been removed and new authorities formed. The structure shown in Figure 7 shows the current situation.

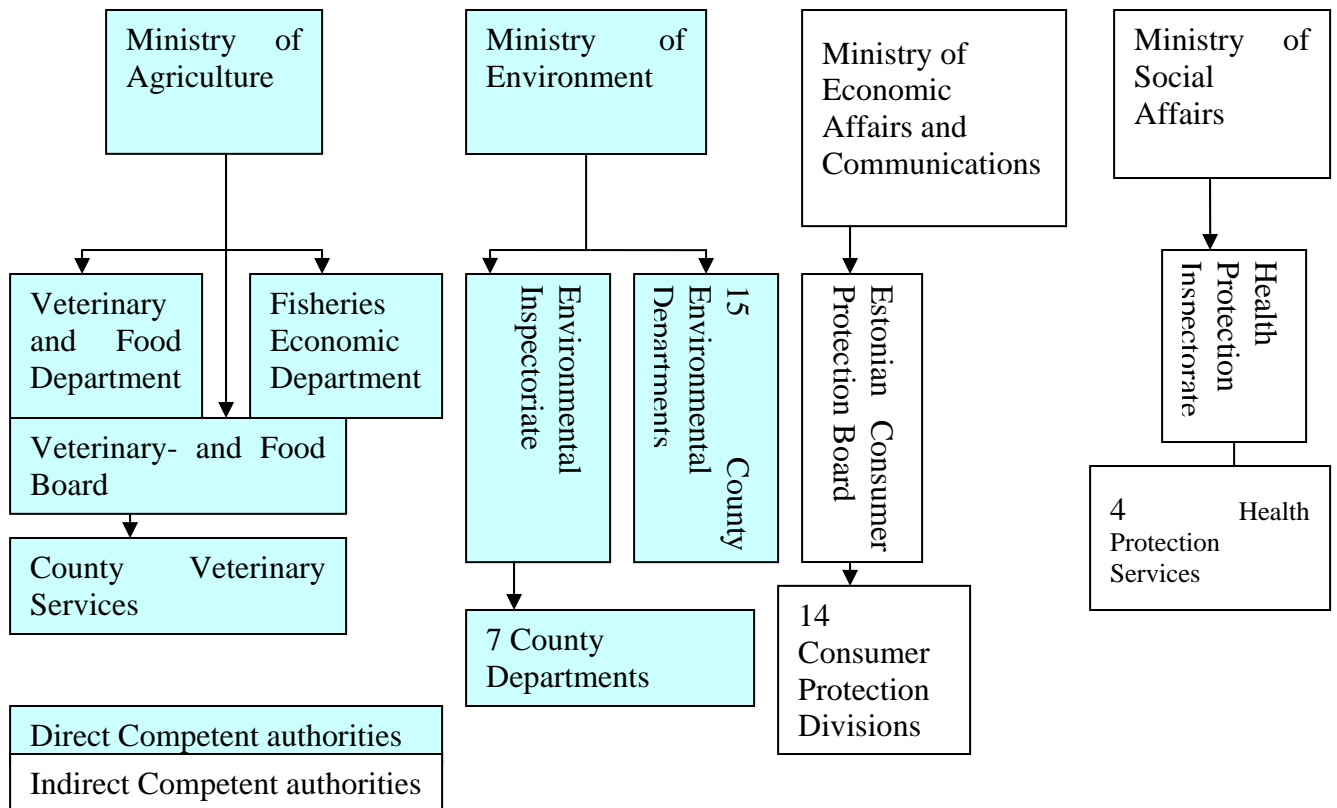


Figure 7: Structure of authorities, which are responsible for inspection of fish and fish products in the whole fish distribution chain in Estonia.

All authorities are governmental bodies, which have to inspect fish and fish products directly or indirectly. More information about the various responsibilities can be found in Appendix 2.

1.4 The Estonian fish distribution chain

It is important to know the flow of fish. A fish distribution chain will show the handling links of fish. Also it is important to create the fish distribution chain for the creation of a traceability system of fish in Estonia.

The distribution chain in the Estonian fisheries begins when the fish is landed or brought across borders to consumers. An example of the chain is seen in Figure 8.

It is also easy to get an overview of inspections through a fish distribution chain.

The distribution chain of Estonia has three different first links:

- Wild captured fish
- Aquaculture
- Imports

Fish is distributed to consumers through different links:

- Wholesale markets
- Different processors
- Retailers
- Supermarkets
- Catering
- Institutions (hospitals, schools, etc)

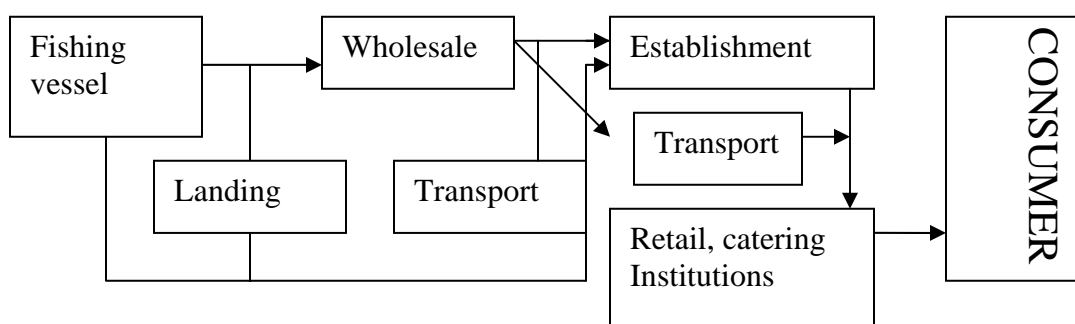


Figure 8: Fish distribution chain, which starts from a fishing vessel.

2 FISHERIES IN ICELAND AND DENMARK

2.1 Fisheries in Iceland

Iceland is a country with a population of around 280,000 people. The average annual catch between 1994 and 2001 was 1.8 million tons per year, which puts Icelandic fisheries in the top 15 fisheries countries in the world. Fishing is therefore one of the main economic components in Iceland. The fisheries management is very well organised and well developed. The Ministry of Fisheries regulates the fisheries in Iceland.

The Directorate of Fisheries is an Icelandic governmental institution under the ultimate responsibility of the Minister of Fisheries. The Directorate is responsible for implementing government policy on fisheries management and handling of seafood products. The Directorate enforces laws and regulations regarding fisheries management, monitoring of fishing activities and imposition of penalties for illegal catches.

Furthermore the Directorate is the competent authority responsible for enforcing laws and regulations regarding the handling, processing and distribution of marine products and is responsible for the operation of border inspection posts, controlling imports of fishery products into the European Economic Area.

2.1.1 Structure of the inspection system in Iceland

When Iceland joined the European Economic Area in 1992, the Directorate of Fisheries became responsible as the competent authority in Iceland for verification that the requirements of Council Directive 91/493/EEC on Health Conditions for the Production and the Placing on the Market of Fishery products are met (EU 2004). The Directorate forwards a list of approved establishments and their official numbers to the proper authorities of the EU as required by the same Directive. The approval numbers are categorised to indicate the type of processing and location of the license holder. The list is updated systematically. Collection, processing and publication of fisheries data are also the responsibility of the Directorate of Fisheries in collaboration with Statistics Iceland (Fiskistofa 2004).

The Directorate of Fisheries and the Ministry of Fisheries are inspected by ESA, which is the surveillance authority of EFTA (Figure 9). To have a common inspection system and to guarantee the competent surveillance the Directorate of Fisheries has inspection manuals for the inspection bodies. Inspection bodies use inspection manuals as guidelines and write reports after every inspection. Inspection manuals are written in the Directorate of Fisheries.

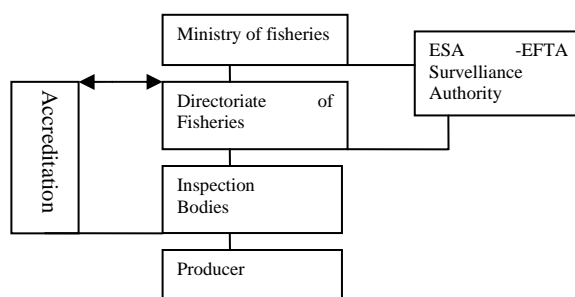


Figure 9: The structure of the Icelandic inspection system

2.1.2 Inspection manual

Inspection manuals are one of the tools to harmonise inspections. Manuals are written in by the Directorate of Fisheries, department of Quality Management. Before the final confirmation of manuals, several meetings with producers and fisherman are held. Cooperation between authority and companies is significant. Manuals are made from interpretations of EU requirements. Changes in regulations will be easily changed also in inspection manuals. Framework with regulation is regular. Staff from the quality department is updated with the new requirements provided by EU legislation.

2.1.2.1 Chapters in the manuals

Manuals have different chapters. In every chapter competent people try to interpret different requirements from legislation.

The chapters are:

- Fishery products
- Own checks system
- Processes
- Personnel
- Pest control
- Cleaning and disinfecting
- Substances

2.1.2.2 Structure of manuals

The manuals are structured in such a way, that the inspector first gets an overview of requirements, then methods for inspection. For harmonisation the allowed limits are discussed in the manuals. Rating system of inspection is also explained in the manuals.

- Interpretation of demands
- Method of inspection
- Procedure
- Limits
- Rating

2.1.3 *Registration and inspection of the fishing fleet in Iceland*

The first registration of a vessel is done by the Icelandic Maritime Administration. Information about fishing vessels is sent daily to the Directorate of Fisheries. If vessels have a certificate of seaworthiness they can apply for a fishing license. Two departments of the Directorate of Fisheries update the register of fishing vessels/boats. When one applies for a license from the Seafood safety division a fishing license and a contract with the inspection body has to be presented. Inspection bodies are accredited companies for inspection of fish producing premises and vessels. Inspection bodies are accredited by the accreditation service of Iceland and controlled by the Directorate of Fisheries. If a vessel fulfils all requirements, fishing for human consumption is allowed. Hygiene inspection of small boats is done once a year and inspections of bigger vessels are done twice a year.

2.1.4 *Fisheries management and monitoring of fishing and processing*

Key factors in the responsible harvesting of marine resources are strong fisheries management and an active control of fishing and fish processing. The role of the Directorate of Fisheries is to implement laws and regulations on fisheries management and production, and to control all aspects of fishing and fish processing. All of Iceland's

processing plants on land and fishing vessels which process on board are required to have a numbered processing license issued by the Directorate of Fisheries. The conditions for approval of processing facilities are that they meet all requirements concerning appropriate facilities, equipment, sanitation procedures and a documented own check system based on HACCP principles. Furthermore each processor must have a formal contract with an approved inspection body.

2.2 Fisheries inspection in Denmark

2.2.1 Legislation

The legal basis regarding foodstuff in Denmark is the Food Law drafted by the Danish Veterinary and Food Administration (DVFA) under Ministry of Food Agriculture and Fisheries, (Lov nr.471 af 1 juli 1998 om fodervarer m.m ændret ved lov. Nr 351 af 2 juni 1999 og lovr 279 af 25 april 2001).

Specific requirements regarding fishery products- as laid down in Council Directives 91/493/EEC and 92/48/EEC have been through orders in Danish legislation.

The requirements in Council Directive 80/778/EEC concerning potable water are transposed in an order of Ministry of environmental Affairs.

The standards prescribed by this act are incorporated in both orders nr. 155(1998) and No. 806 (1997).

2.2.2 There are several authorities, which are competent for controls. The structure of the authorities is shown in Figure 10. Competent authorities in Denmark

The Danish Ministry of Food, Agriculture and Fisheries
The Department

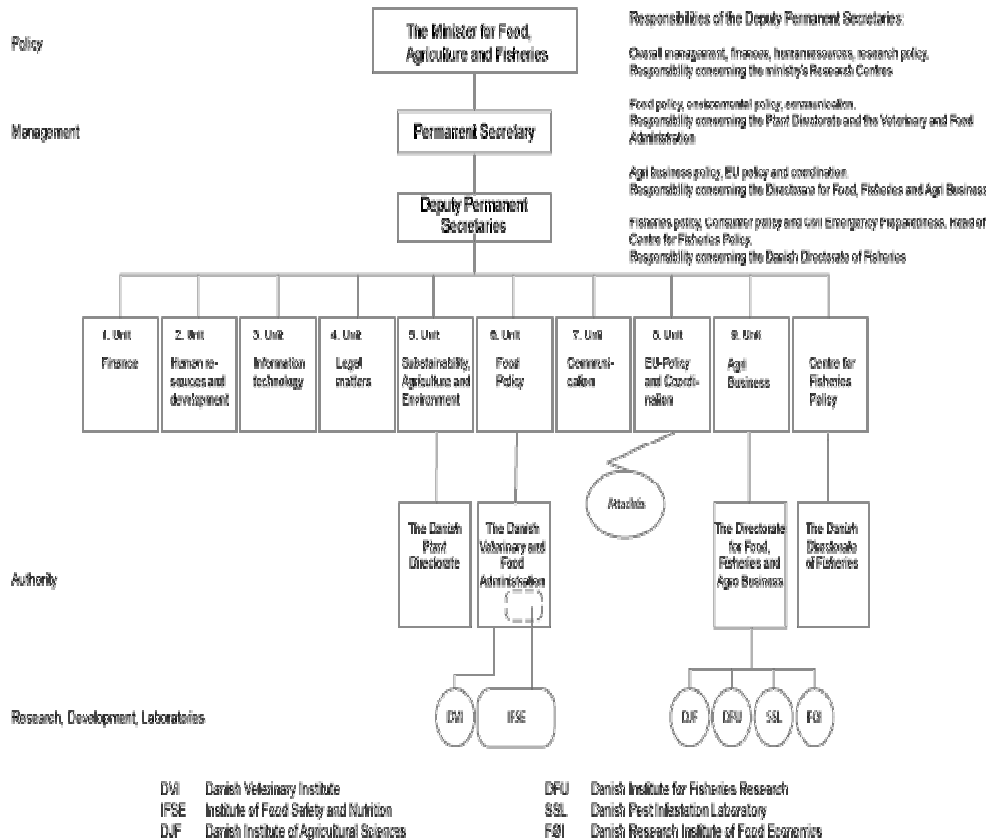


Figure 10: Structure of authorities in Denmark (Denmark 2004).

The Danish Veterinary and Food Administration is the competent authority at the central level. It has responsibilities in ensuring that required conditions are applied through the official supervision at regional level over fishery products.

The DVFA has a supervisory role on the implementation in the regions of the relevant legislation and has to report on the outcome of such activity. The DVFA is coordinating the official controls. A formal agreement (Aftale of 22 March 2000) is laid down and signed by both the DVFA and Directorate of Fisheries (DF). Inspectors of DF control the landing sites, the auction markets, and fishing vessels and carry out sensory evaluations of the fish, which is traded through auction market. Checks are carried out before first sale, also in establishments with direct deliverance from fishing vessels or commercial sorting. They also check facilities of the auction markets and of the fishing vessels. The

Regional Offices of the DVFA are responsible for the control over the establishments, auction markets, dispatch/purification centres, and approved or authorised fishing vessels. Freezer vessels, shrimp cookers, and seawater chilling vessels are approved by the RO of the DVFA.

2.2.3 *Official controls*

2.2.3.1 Fishing vessels

The routine control of the fishing vessels is the responsibility of DF inspectors. The RO of DVFA carry out an annual inspection of the fishing vessels authorised by them and listed in the official list, which is routinely sent to the Commission Services.

2.2.3.2 Auctions

Inspectors of DF regularly visit the auction halls, mainly for the control of species caught and their quantity and size. They also carry out sensory evaluation of fish. If fish is not judged as fit for human consumption they have the power to confiscate it or to destine it to industrial use (fishmeal, fish oil).

2.2.3.3 Sensory evaluation

The official inspectors of the Directorate of Fisheries (DF) carry out sensory evaluation of the fresh fish, when fish is placed on the market through auctions (Report of FVO mission carried out 14 to 22 May 2001).

2.3 **Comparison of the Danish and Icelandic inspection systems**

Iceland and Denmark have different inspection systems. The legislative basis and sanitary and safety requirements are the same but the methods for inspection are different.

Iceland uses third party inspections of its system. The third party inspection is an accredited independent private company and a governmental unit controls its inspection.

In Iceland authorities only make the rules but are not involved in the inspection and are therefore not related to the companies (inspection bodies). Systematic control of inspectors prevents grafts in the whole inspection systems. On the other hand the Danish inspections are conducted by authorities, which are governmental units. There the cooperation between authorities is assured with by a formal agreement. The system covers all needed controls. EU requirements are implemented. Despite the differences between the systems in Iceland and Denmark, both systems are well recognised in the EU.

3 EUROPEAN ECONOMIC AREA

The European Economic Area (EEA) Agreement entered into force on 1 January 1994. The EEA was maintained because of the wish of the three remaining EFTA states - Norway, Iceland and Liechtenstein - to participate in the Single Market of EU, while not assuming the full responsibilities of membership of the EU. The Agreement gives them the right to be consulted by the Commission during the formulation of Community legislation, but not the right to have a say in the decision-making, which is kept exclusively for Member States. All new Community legislation in areas covered by the EEA is integrated into the Agreement through a Joint Committee Decision and subsequently made part of the national legislation of the EEA EFTA States. Through the double impact of this participation in the decision shaping and this close integration of Community acquis into their national laws, the EEA EFTA States are, out of all the countries associated with the Union, technically the most closely linked to it. Politically their "arms length" policy distinguishes them from the Candidate countries, which, have not integrated the Community legislation into their national law but are committed to do so in all policy areas. The Agreement is concerned principally with "four freedoms - freedom of movement of goods (but agriculture and fisheries are included in the Agreement only to a very limited extent), freedom of movement of persons, of services and of capital. Horizontal provisions relevant to these four freedoms in the areas of Social Policy, Consumer Protection, Environment, Company Law and Statistics complete the extended Internal Market. It is in these areas that the EEA EFTA States take over the Union's rules (EEA 2004).

Food safety has become one of the main priorities of the European Union in recent years. As part of the development of the EU internal market, a significant body of legislation relating to all stages of the food chain has been established. Norwegian and Icelandic experts take part in the work of the Standing Committee on the Food Chain and Animal Health, as well as in numerous working and expert groups. The related legislation is implemented into the EEA Agreement on a continuous basis. The working groups prepare legislation covering all stages of the food chain. The responsibility for legislation that covers the food chain is DG Health and Consumer Protection (DG Sanco). The European Food Safety Authority (EFSA) was established in 2002 to assist the Commission in matters relating to food safety (EEA 2004).

3.1 Surveillance in the EEA

Food and Veterinary Office is the authority which ensures that Community legislation on food safety, animal health, plant health and animal welfare is properly implemented and enforced. The main task of the EFTA Surveillance Authority is to ensure that EEA rules are properly enacted and applied by the EFTA States. These rules include for example, the general principles for the free movement of goods, persons, services and capital, covering fields such as foodstuffs, veterinary and phytosanitary matters, energy, intellectual property rights, the environment, mutual recognition of diplomas, social security, consumer protection, financial services and transport. Specific rules apply to trade in fish and in processed agricultural products (EFTA 2004)

The structure of the surveillance structure is shown in Figure 11.

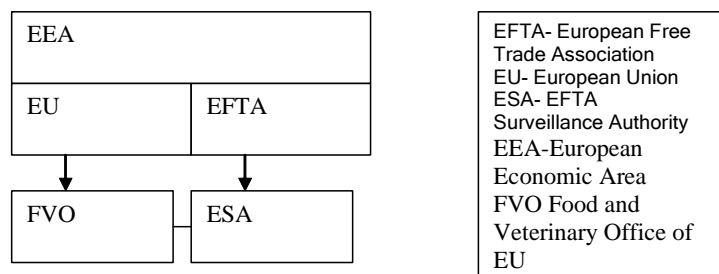


Figure 11: Structure of surveillance in EEA.

4 FISHERIES POLICIES AND MANAGEMENT IN THE EU

4.1 Common Fisheries Policy of EU

The Common Fisheries Policy (CFP) is the European Union's instrument for the management of fisheries and aquaculture. It was created to manage a common resource and to meet the obligation set in the original Community Treaties. Because fish are a natural and mobile resource they are considered common property. In addition, the Treaties that created the Community stated that there should be a common policy in this area, that is, common rules adopted at Community level and implemented in all Member States. The first common measures in the fishing sector date from 1970. They set rules for access to fishing grounds, markets and structures. It was agreed that, in principle, Community fishermen should have equal access to Member States' waters. However, in order to ensure that smaller vessels could continue to fish close to their homeports, a coastal band has been reserved for local fishermen who have traditionally fished these areas. Measures were also adopted for a common market in fisheries products. A structural policy was set up to coordinate the modernisation of fishing vessels and on-shore installations. The CFP has to take into account the biological, economic and social dimension of fishing. It can be divided into four main areas dealing with conservation of fish stocks, structures (such as vessels, port facilities and fish processing plants), the common organisation of the market and an external fisheries policy which includes fishing agreements with non-Community members and negotiations in international organisations (EU 2004).

One very important tool for harmonising the quality of fish is the requirement of organisation producer organisations.

Producer organisations are a fundamental feature of the market organisation in fishery products. Through them the industry itself seeks to organise and stabilise the market. Producer organisations are set up voluntarily by fishermen or fish farmers to apply

measures that will ensure the best marketing conditions for their products. Membership of such organisations is not compulsory, but only members can qualify for financial compensation and assistance when stabilisation measures are taken in line with market regulation rules. The objective of these organisations is to conserve fish stocks and remain competitive; producers must anticipate markets needs not only in terms of quantity, but also of quality and regularity of supply. Producer organisations receive official recognition from their national authorities.

Over the years organisation in fishery and aquaculture products has been considerably revised in the EU. Amendments and additions have been made to cater to the evolving environment and growing complexity of the EU market: fish stocks are declining, consumer habits changing, world trade expanding and the EU processing industry is increasingly dependent on imports for both fresh products and raw material.

The individual measures that make up the market organisation reflect these changes and have been adapted accordingly.

Common marketing standards are essential prerequisites if a single internal market for certain categories of produce is to be created. These set harmonised commercial characteristics for fisheries and aquaculture products throughout the Union.

They facilitate marketing operations by making it possible to establish common prices for each class of item and define quality levels. Figures 12 and 13 show quality grading of fish and shellfish in Denmark.



Figure 12: Fish quality grading in Denmark. Figure 13: Shellfish quality grading in Denmark.

5 THE ESTONIAN INSPECTION SYSTEM

5.1 Inspections of vessels

Veterinary and Food Board (VFB) authorise factory vessels. Inspection of vessels is done annually. The Environmental Inspectorate (EI) also inspects fishing vessels along with fish.

EI has inspectors on board the distant- water vessels and also controls fish on landings.

Fishing vessels have to inform EI before every landing.

Very tenuous cooperation exists between VFB and EI and a discussion of changing the inspection system is going on. It is planned to increase the information flow between authorities.

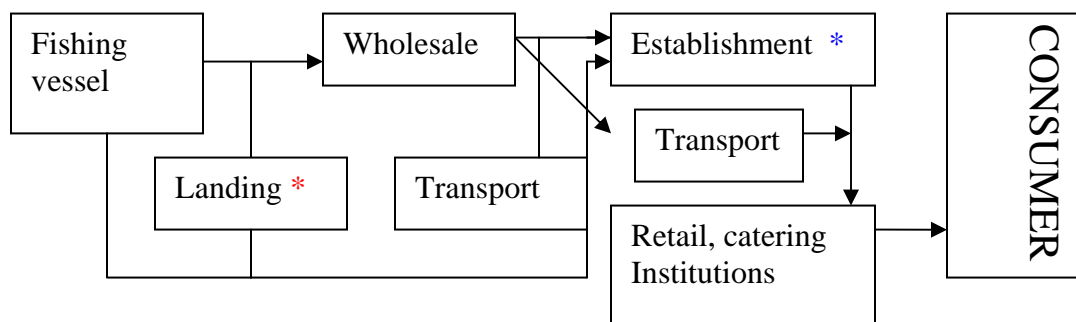
5.2 Inspections of establishments

Inspection of establishments is done annually. All inspections are regarding implementation of EU requirements. Inspectors of County Veterinary Centres are responsible for inspections of establishments. Inspectors are mostly trained for HACCP and Food hygiene issues. There is no harmonisation of inspectors and the level of specialisation of inspectors is different in the counties.

In the whole system, there are two manuals for inspectors. One of the manuals is for inspectors, who take samples from establishments. The second manual is for fish imports and is used at the country's Border Inspection Posts.

5.3 Inspection of fish grading according to Estonian standards

The fish distribution chain in Estonia is shown in Figure 14.



* Random check by Environmental Inspectorate

* Check by quality control of establishments

Figure 14: Fish distribution chain, where is marked using of quality grading according to standards.

Estonian standards for quality and size grading will be used until 1 May 2004 when Estonia becomes a member of the EU. After that the Common Standard of the EU will be used. Standards are needed for increasing the quality of supplied fresh fish. Price and quality of fish is related. Higher quality fish can be sold at a higher price, lower quality fish have to be sold correspondingly at a lower price. Fish which is inappropriate for human consumption will have to be removed or diverted to animal feed production.

The Environmental Inspectorate is currently the authority controlling fish freshness and size grading. Each fisherman has to issue a document called first sell voucher. Size and quality grades are marked on this document. This document is produced in triplicate. The Ministry of Environment gets one copy, the second goes to the buyer, and the third is given to the seller.

6 APPROPRIATE INSPECTION SYSTEM FOR ESTONIA

Registration and inspection of fishing vessels (as regards to the health and hygienic rules) in accordance with Council Directive 92/48 has been under discussion in Estonia. It is necessary to organise cooperation between the Veterinary and Food board and Environmental Inspectorate. More operational exchange of information will help to develop a good inspection system of vessels.

Registration of vessels is also needed for traceability of fish products from Estonia, in accordance with Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 (EU 2002).

Fishing vessels that comply with the rules will have better possibilities of selling good quality fish for a better price. The producers will have better quality raw material and are therefore more likely to produce high quality final products which will give them a higher price. The inspection system will bring changes to all the fisheries and the fish industry and the result will be a product of a higher quality in the end. Producer organisations must be organised. Authorisation of producer organisations will be one of the tools for increasing the quality and value of captured fish.

New training and support programs for the fishery sector would be a good solution for resolving peacefully disagreements that can arise during change. Training will also help to win over unsatisfied fishermen.

6.1 Proposal for structure and cooperation of authorities

For better and more effective surveillance, regular exchange of information between authorities is needed. After the fishing vessel register is completed the Veterinary and Food Board will have an overview of vessels and landing sites. Registration and decreasing the number of landing sites will help to improve the surveillance of the supply of fresh fish.

Special notation for vessels and landing sites should be one of the tools for more productive cooperation. If the Veterinary and Food Board do not inspect the vessel, then other inspection authorities could inform the Veterinary and Food Board about those vessels.

Also inspectors from the Veterinary and Food Board should inform other authorities about violations.

Regarding Council Directive 92/48 and Estonian Regulation of the Minister of Agriculture No. 29 general hygiene conditions applicable for fishery products on board of fishing vessel must be implemented (framework with regulations is in Appendix 5).

The Health Protection Board and the Consumer Protection Board should inform on a regular basis about non-compliance of fish and fish products in retail and catering institutions.

The Veterinary and Food Board should inform the Health Protection Board and Consumer Protection Board about new establishments or about penalties issued.

The proposed structure is set out in Figure 15 below.

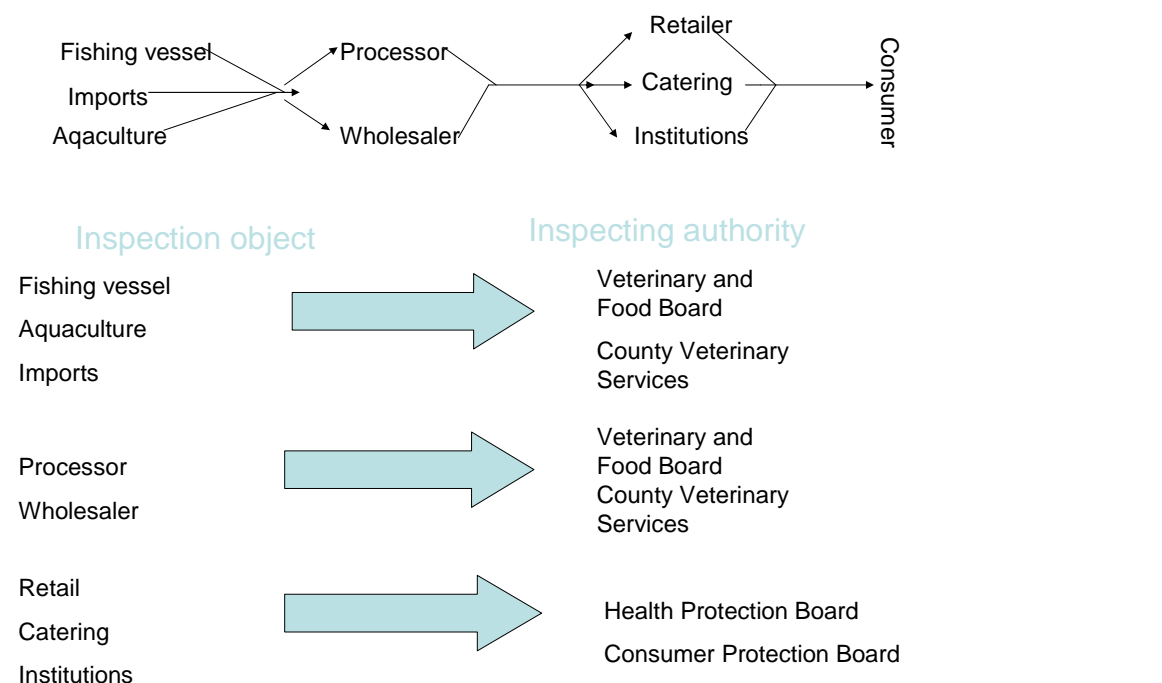


Figure 15: Proposed structure of official controls in Estonia.

6.2 Proposed inspection methods

The Veterinary and Food Board delegates inspection of implementation of this Regulation to County Veterinary Services. However, the Veterinary and Food Board should decide the frequency of the inspection.

Before inspection, each inspector should determine the risk category by using Table 1.

Table 1 : Determination of risk categories (Felicia Cow, personal comments).

Type of fish products	Low Risk	High Risk
Fresh fish/fillets	*(If not ready to eat)	* (If ready to eat)
Frozen fish/fillets	*(If not ready to eat)	* (If ready to eat)
Canned fish		*
Salted fish		*
Smoked		*
Crab imitations(Surimi)		*
Marinated products		*
Breaded frozen products	*	
Preserved fish		*
Dried fish		*
Frozen shrimps		*
Cooked peeled frozen shrimps		*
Cooked peeled shrimps in brine		*
Packing	*	

In this table two categories are used. High-risk products are products, which are ready to eat. If consumers mainly eat the product cooked, but there is a possibility for using the product as it is then this product is considered a high-risk product.

The risk category should be marked on the inspection report. Before inspection risk descriptions should be defined. For that Table 2 would be used.

Table 2: Description of category of risk (Felicia Cow, personal comments).

Category of risks	Description
Critical	Forbidden dangerous chemicals or substances on the place Failure in labelling requirements. Inadequate temperature Inadequate water supply
Serious	Inadequate washing program Ineffective pest control Failure in labelling of chemicals at the establishment Failure in calibration procedures Absence of documentation for own check. (Except fishing vessels) Failure in following good manufacturing practices
Minor	Condition of premises is not good, but not unsafe yet Inadequate drainage Inadequate lighting Inadequate training program

After that, inspection ranges should be used. Table 3 is used for that.

Table 3: Categorising ranges by the numbers of defects (Felicia Cow personal comments).

Inspection Ranges	Minor	Serious	Critical
A	Min 0 Max 5	0	0
B	Min 6 Max 9	Min 1 Max 2	0
C	Min 10 Max 11	Min 3 Max 4	0

In this table inspectors could assign category A, B, or C to an establishment.

Grade A means that the factory is in acceptable condition, and it is not necessary to inspect the factory very often. As a result inspectors can pay more attention to companies, which get a grade C.

Table 4: Table for determination of inspection frequency (Felicia Cow, personal comments).

Risk Category	A	B	C
Low	6 month	4 month	2 month
High	4 month	1 month	2 weeks

After categorising risk and rating the frequency of inspection would be equivalent in every county.

Inspectors and specialists in a central authority should fill out the tables together. This is the most difficult part and must be worked out accurately. In these tables HACCP thinking is most important.

6.3 Proposed inspection report

For inspection, inspectors should use special report forms, which contain the following information.

- Name and address of establishment
- Facility owner
- Product concerned
- Name and number of inspector
- Name and Title of accompanying individual
- Phone/Fax/ e-mail
- Date of inspection
- Product category High/Low risk
- Next inspection

Provision	Critical (C)	Serious (S)	Minor (M)	Notes
HACCP				
Processing plant				

All provisions provided in the inspection manuals must be included in the inspection report.

If an inspector sees a defect, then it must be categorised in accordance with Table 6.

If there are notes, then the inspector should number them and describe them in the next part of the inspection report.

The next part of report would be notes, as follows:

Note number	Comment

After writing notes, the inspector should summarise the defects. The next part of report should be a summary:

Summary	C	S	M
Total number of each category			

A special table for comments from each side is needed, and also a space for signatures for affirmation of inspection.

General comments from inspector		Date. Name. Signature.....
General comments from representative		Date. Name. Signature.....

After inspection, the inspector can count all the defects and can write in the report the date for the next report. Copy of reports must be sent to the Veterinary and Food Board within 24 hours.

6.4 Manuals needed for inspection fishery sector

A manual is a very important method for inspections. It is one of the best methods for harmonising work of inspectors.

Three to four different manuals are needed in Estonia:

- Manual for inspection of fishing vessels.
- Manual for inspection of factory vessels.
- Manual for inspection of establishments.
- Manual for inspection of landing sites.

Manuals must to be written in accordance with legislative requirements. In order to achieve this a framework should be drawn up of requirements as shown in Table 5.

Table 5: Table for framework with legislation.

Nr	Requirement	No. of Regulation	Manual	Provision in Manual

Penalties should be included in another table, as shown below in Figure 6.

Table 6: Table for framework with regulations for penalties.

Requirement	Provision in manual	Regulation no.	Provision in Food law

Once the framework has been provided it will be easier to monitor its application and to sanction companies which do not follow the requirements. Regulations are often too complicated to read or to understand for inspectors in the field. Inspection manuals are a means for the competent authority to interpret the legislation. They should be written in such a way that reading and interpreting them is easy. An effort should be made to structure the manuals and inspection reports in the same way.

6.4.1 Provisions in inspection manuals

Provisions to be included in manuals to be used for the inspection of establishments:

- HACCP
- Processing plant
- Facilities of processing plant
- Safety of water and ice
- Cleaning and disinfecting
- Personnel hygiene and health
- Prevention of cross contamination
- Maintenance of facilities for personal hygiene
- Protection of food from adulterants
- Waste management
- Recalls and traceability
- Training
- Pest control
- Labelling and safe storage
- Transport and storage
- Provisions for manual for inspection of fishing vessels
- Facilities of fish storage
- Personnel
- Pest control
- Cleaning and disinfecting
- Substances
- Provisions for manual for inspection of landing sites
- Own checks system
- Processes
- Personnel
- Pest control
- Cleaning and disinfecting
- Substances

For control of fish, standards have to be used. For a better understanding short guidelines on the sensory evaluation of fish have to be created. Guidelines must be based on Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products (Council Regulation EC 1996).

6.5 Proposed training

New training and support programs for the fishery sector would be a good solution for peacefully resolving disagreements that can occur as a result of changes. Training will also educate fisherman. Producer organisations should be established and provide workshops for fisherman informing the of the changes..

Training should cover legislation, inspection, and sensory evaluation for standards. Also training of staff in CVS and in Environmental Inspectorate legislation. Training for evaluating fish, by using different standards and methods (EU scheme, Torry scheme, QIM). Practical tests with sensory evaluation should be organised.

6.6 Harmonisation

It would be important to harmonise the inspections in different counties. This could be achieved by forming a special workgroup for working out the inspection rating system. Cooperation between authorities in inspection quality standards would be invaluable. The Environmental Inspectorate could determine quality grades after special training. If quality of the fish is so low that it is not appropriate for human consumption, then inspectors from County Veterinary Service(C V S) must come to withdraw the fish.

Also the inspector of CVS could designate the proper ways of handling the fish. This inspection system should improve the quality of fish in the whole distribution chain. The producers get better quality raw material from which they can produce better quality final product. Fair competition of fishery products probably helps to improve profitability of production.

Also cooperation between the Health Protection Board and the Consumer Protection Board should be established with special agreements.

7 CONCLUSION

Fish has been and will be very important nourishment on the menu of people. Free movement of goods will provide good trade possibilities for companies. On the other hand the responsibilities of the companies and the authorities will increase. The main task- protection of rights and interests of final consumer- will always be the responsibility of the country where the fish is landed..

The final consumers expect safe food of an acceptable quality.

The companies bear that responsibility but it is the relevant competent authority which must control and make sure that the companies accept their responsibilities.

Through comparison and gathering of data, the project has proposed new methods and a possible inspection structure for the relevant competent authority in Estonia. Training and harmonising are other very important issues for an inspection system. The proposed methods will be of benefit for the authorities and producers.

Fishing vessel and landing site registers would be a first step in developing a traceability system in the Estonian fish distribution chain. It will reduce the number of vessels and landing sites. Vessels that do not comply with the regulations will be removed from the Estonian fishing fleet.

The next steps would be the creation of a training program for the staff of the authorities. Also a training program for the staff of fish producing companies is needed. Manuals for inspections have to be written as soon as possible. Then the whole inspection system of Estonia should be harmonised with the legislation of the European Community.

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APPENDIX 1: SOME OF THE AGREEMENTS REACHED AT ESTONIA'S ACCESSION NEGOTIATIONS WITH THE EUROPEAN UNION.

The following overview summarizes the results of Estonia's accession negotiations with the European Union – all transitional measures, derogations and other exceptions are grouped by negotiation chapters. All following agreements are based on European Union law – *acquis communautaire* adopted and enforced until 1 November 2002. Legislative acts with no transitional measures or other exceptions agreed upon will be adopted in full and implemented upon accession to the European Union.

Legislative acts adopted after 1 November 2002 were not subject to these negotiations. Estonia will formulate its position regarding these during the pre-accession period (interim period) through information and consultation procedures (see chapter 31 – p. 28). Estonia is ready to adopt in full and implement the *acquis* with no transitional measures in the chapters of Company Law; Competition Policy; Economic and Monetary Union; Statistics; Social Policy and Employment; Industrial Policy; Small and Medium-sized Enterprises; Science and Research; Education and Training; Telecommunications and Information Technologies; Culture and Audiovisual Policy; Regional Policy and Coordination of Structural Instruments; Consumer and Health Protection; Cooperation in the Fields of Justice and Home Affairs; Customs Union; External Relations; Common Foreign and Security Policy; Financial Control; Financial and Budgetary Provisions; Institutions as well as Other issues. However, the following overview includes also the chapters of EMU and Justice and Home Affairs as accession to the European Monetary Union and the full implementation of Schengen regime does not take place upon accession but in due course when the relevant conditions have been met and decisions taken.

CHAPTER 1: FREE MOVEMENT OF THE GOODS

Dioxin in fish from Baltic Sea

Estonia may apply for a transitional period until 31.12.2006 with respect to maximum levels of content of dioxin in fish and fish products established in section 5.2. of Annex I of Regulation (EC) No 466/2001 (as amended by Regulation (EC) No 2375/2001). This request is to be submitted on the same basis and conditions as provided in Regulation (EC) No 466/2001 Article 1(1a) (as amended by Regulation (EC) No 2375/2001) (Sweden and Finland).

CHAPTER 8: FISHERIES

Access to resources

Access to resources is determined on the basis of the principle of relative stability. Relative stability to be applied to Estonia as a Member State was fixed, that will ensure the continuation of Estonia's fishing activities in Community waters, as well as in waters of third countries and in waters covered by regional fisheries organizations.

Estonia's fishing rights and obligations under international conventions and agreements
Estonia requested to maintain its specific fishing rights and obligations under the following international conventions and agreements:

1. International Baltic Sea Fisheries Commission, IBSFC

2. Northwest Atlantic Fisheries Organization, NAFO
3. North-East Atlantic Fisheries Commission, NEAFC
4. Agreement on Fisheries Relations between the European Community and the Republic of Estonia
5. Agreement between the Government of the Republic of Estonia and the Government of the Russian Federation on Fisheries
6. Agreement between the Government of the Republic of Estonia and the Government of the Russian Federation on co-operation in the conservation and management of fish stocks in Peipsi, Lämmi and Pihkva Lake area
7. Agreement between the Government of the Republic of Estonia and the Government of the United States of America concerning fisheries off the coast of the United States
8. Svalbard Agreement

An agreement was reached concerning Estonia's shares in different regional fisheries' organizations and the continuation of Estonia's fishing rights.

1. As from the date of accession, fisheries agreements concluded by Estonia with third countries shall be managed by the Community.
2. Estonia's rights and obligations resulting from the agreements referred to in paragraph 1 shall not be affected during the period in which the provisions of those agreements are provisionally maintained.
3. As soon as possible, and in any event before the expiry of the agreements referred to in paragraph 1, appropriate decisions for the continuation of fishing activities resulting from those agreements shall be adopted in each case by the Council acting by qualified majority on a proposal from the Commission, including the possibility of extending certain agreements for periods not exceeding one year.

Regulation (EEC) No 3760/92 shall apply to Estonia subject to the following specific provisions.

The share of Community fishing opportunities to be allocated to Estonia for stocks, which are regulated by a catch limits shall be established as follows, by species and by zone:

Species	ICES or IBSFC Area	Shares for Estonia (%)
Herring	III b, c, d(1), except Management Unit 3 of IBSFC	10,761
Sprat	III b, c, d(1)	11,455
Salmon	III b, c, d(1), excluding Sub-Division 32 of IBSFC	2,106
Salmon	III d Sub-Division 32 of IBSFC(1)	10,254
Cod	III b, c, d1)	1,874

(1) Community Waters

These shares shall be used for the first allocation of fishing opportunities to Estonia in accordance with the procedure provided for in Article 8(4) of Regulation (EEC) No 3760/92.

Additionally, Estonia's share of the Community's fishing possibilities in the NAFO Regulatory Area will be determined by the Council acting by a qualified majority on a proposal from the Commission, on the basis of the balance in force within NAFO during a period immediately preceding the date of accession.

Size categories applicable to Baltic herring

Through technical adaptations in the Accession Treaty, it will be provided for that Estonia can maintain its traditional fishing of small size Baltic Herring for human consumption, caught in traditional waters. Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products, as amended by Commission Regulation (EC) No 2495/2001 of 19.12.2001, will be amended as follows:

In Appendix II, the entries in the table of size categories applicable to herring (*Clupea harengus*) are replaced by the following:

[Scale of weights				Minimum sizes to be observed in the conditions laid down in the Regulations referred to in Article 7	
Species	Size	Kg/fish	Number of fish/kg	Region	Geographic area
"Atlantic herring (<i>Clupea harengus</i>)	1	0,250	4 or less	1	ICES Vb (EC zone) (a) (b)
	2	and over	5 to 8	2	
	3	0,125 to	9 to 11		
	4(a)	0,250	12 to 20	3	
		0,085 to 0,125			
		0,050 to 0,085			

Baltic herring (Clupea harengus) caught and landed, south of 59° 30'	4(b)	0,036 to 0,085	12 to 27			
Baltic herring (Clupea harengus) caught and landed, north of 59° 30'	4(c) 5 6	0,057 to 0,085 0,031 to 0,057 0,023 to 0,031	12 to 17 18 to 32 33 to 44			
Baltic herring (Clupea harengus) caught and landed in waters under the sovereignty and jurisdiction of Estonia and Latvia	7 (a) 7(b)	0,023 to 0,036 0,014 to 0,023	28 to 44 45 to 70			

Baltic herring (Clupea harengus) caught and landed in the Gulf of Riga	8	0,010 to 0,014	71 to 100		
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CHAPTER 31: OTHER ISSUES

Arrangements for the Interim Period

The period between the formal conclusion of the accession negotiations (13.12.2002) and entry into force of the Treaty of Accession (the “interim period”) includes two distinct phases: a “pre-signature” stage and a “post-signature” stage during which the information and consultation procedure is implemented similarly to earlier enlargements.

The pre-signature stage lasts from the conclusion of the accession negotiations in December 2002 until signing of the Treaty of Accession on April 16, 2003. The involvement of future Member States in the Council’s work takes into account the fact that work on finalizing the Treaty is ongoing and the European Parliament’s assent is still pending.

The post-signature stage covers the period between the signature of the Treaty of Accession in April 2003 and its entry into force in 2004. As from the signature of the Accession Treaty, the acceding countries will enjoy in addition to the information and consultation procedure, active observer status in the Council bodies. However, the Council reserves the possibility of meeting without the participation of the acceding countries. This can also be applied to activities within the CFSP and Justice and Home Affairs.

The acceding countries will receive copies of all Council documents and participate in the Council and all preparatory bodies as active observers with a right to speak on matters related to evolution of the acquis or on items likely to have an impact after the entry into force of the Treaty of Accession.

Information and consultation procedure enfold possibilities to indirectly influence the legislative process of the EU. Consultations shall take place pursuant to a reasoned request by an acceding State, which shall set out expressly therein its interests as a future member of the Union and its observations. Consultations will take place within an Interim Committee composed of representatives of the Union and of the acceding States. Consultations shall normally take place as soon as the preparatory work carried out at Union level with a view to the adoption of decisions by the Council has produced common guidelines enabling such consultations to be usefully arranged.

APPENDIX 2. AUTHORITIES IN ESTONIA

Ministry of Agriculture

The Department of Veterinary and Food analyses and co-ordinates development lines in the fields of animal health and protection and food safety, quality and treatment; elaborates the respective development plans and government measures and manages their implementation. The department manages the inspection of the conformity of food and its treatment and issues import licenses.

Department of Fisheries Economic

The main objectives of the Strategy Department are: to organize and co-ordinate the marketing environment of fishery; to participate in the organization and co-operation of international collaboration in the field of fishery according to internationally and nationally recognized practices; to participate in monitoring the performance of obligations under fishery conventions and international fishery agreements.

Veterinary and Food Board

The Veterinary and Food Board (hereinafter referred as VFB) is the governmental agency within the area of government of the [Ministry of Agriculture](#) responsible for the co-ordination of implementations and implementation of the legislation governing veterinary medicine, food safety, market management, animal protection and farm animals breeding, as well as the provision of state supervision and application of national forcing methods on the bases and to the extent prescribed by law. This includes the inspection of live animals, producers and processors of food as well as of wholesale services and transport. VFB is accountable directly to the Minister of Agriculture.

Within its areas of activity, the VFB is performing the following functions:

- 1) arrangement and provision of the control of infectious animal diseases
- 2) protection of the health of humans from the diseases common to humans and animals
- 3) protection of the animals from activity which endangers or may endanger the health or well-being of animals
- 4) provision of the control of the safety of raw material for food and food at the stage of production, processing, transportation and wholesale of these
- 5) provision of the state supervision over the handling of raw material for food and food in the establishments dealing with the production, processing, transportation and wholesale of the food
- 6) provision of the state supervision over the processing of the organically farmed raw material for food and food (organic processing)
- 7) arrangement of the laboratory examinations in order to diagnose animal diseases and assess the quality of food, feeding stuffs and drinking water
- 8) regulation and execution of approval of persons responsible for classification of carcasses
- 9) state supervision over the identification and registration of animals
- 10) protection of the environment from the harmful factors related to keeping of

animals and animal diseases

- 11) control over the use of medicinal products and medicated feeding stuffs by veterinarians and animal-keepers manufacturing animal products
- 12) provision of the control over the animals, products of animal origin, raw material for food and food at their importation to the Republic of Estonia
- 13) provision of the state supervision over the breeding of farm animals
- 14) VFB is managed by the Director General. VFB has central office, based in Tallinn, and 16 local offices – 15 county veterinary centers and Border Service of the VFB. This is fully state-operated and state-financed system.

Central office has four major structural units, called departments - Animal Health and Welfare Department, Animal Breeding Department, Food Department and General Department. Each department consists of specialized offices. As the main task for the central office is the co-ordination of the veterinary and food control activities, the local offices are the structural units responsible for execution of the state supervision. The Border Service of VFB is responsible for the inspections of live animals, raw material for food and food at the border.

The overall number of employees in VFB is app. 330. Around 40 of them are working for central office and little bit more than 100 in the Border Service of the VFB. In addition to abovementioned state employees there are 200 authorized veterinarians – the veterinarians who hold an activity license and who, pursuant to the procedure provided for in the [Veterinary Activities Organization Act](#) are granted the authority to inspect the state of objects of veterinary and food supervision. All the supervisory activities of the authorized veterinarians are financed from the state budget by VFB.

As a part of supervision, VFB is using the services of the [Veterinary and Food Laboratory](#), laboratories authorized pursuant to the [Veterinary Activities Organization Act](#), laboratories with an activity license of a veterinary laboratory, and laboratories authorized pursuant to the [Food Act](#).

From whole system 12 inspectors and 1 main specialist are involved in fish inspection.
Ministry of Environment

The scope of matters that Estonian Ministry of the Environment has to regulate is ample. It is responsible for regulating the questions concerning the protection of nature and environment, solving the tasks concerning the land-use (with keeping the national land cadastre), including co-ordination of the elaboration of regional plans, managing the use, protection and accounting of the natural resources, as well as surveillance over the use of environmentally hazardous compounds. Through its various programs, the Ministry of the Environment organizes environmental monitoring, meteorological, geological, and constructional and geodetic surveys and research in natural history. It arranges the environmental impact assessments of the projects of national importance and co-ordinates international relations in environmental matters. The Ministry of the Environment formulates national policies in its field of activities and prepares the bills of respective legal acts.

The Ministry of the Environment is led by the [Minister of Environment](#), whose primary responsibility is to guarantee the accordance of the work of the Ministry with the Constitution and other laws and legal acts. The chief executive of the Ministry is the Secretary General who is in charge of managing the work of the subunits of the Ministry and co-coordinating the activities of the institutions governed by the Ministry. Directly subjected to the Secretary General are four Deputy General Secretaries, having special fields of competence.

The Fish Resources Department, established in 2001 to replace the Fisheries Board and the Fisheries Department, manages and co-ordinates research, assessment, exploitation, reproduction and protection of fish resources.

The Fisheries Department is trusted with shaping the national fisheries policy. Its main objective is to create a competitive yet sustainable field of economy meeting the requirements of the EU Common Fisheries Policy. To that end the Fisheries Department manages and adjusts:

- development and amending of the Fishing Act and its sub-acts;
- international fisheries co-operation;
- within its competence, the fisheries co-operation in view of accession to the EU (adoption of EU legislative acts, preparation of programs, etc.);
- scientific research of fish resources and reproduction;
- fishing-related accounting, fish protection and surveillance;
- fishing efforts and assessment of the use of resources, based on which the regular and special fishing permits are issued; limited fishing permits and permits for recreational fishing are issued by the County Environmental Departments;
- in co-operation with the County Environmental Departments, plans for and conducts surveys on implementation of Section 014,55, of the "Fishing Permit Fees" of the national budget;
- development of the specialized environmental program's subprograms for fisheries and ensures precise and sustainable use of the funds assigned to it.

The County Environmental departments implement national environmental, nature protection, forest and fisheries programs and action plans in the counties;

- co-ordinate and manage protection and use of the counties' natural environment,
- issue, if necessary, permits for the use of environmental and natural resources and manage relevant data bases;
- manage information gathering and reporting in the field of environment and nature use;
- submit the relevant reports to the Ministry and the County Governor;
- administrate protected natural objects designated by the Government of the Republic;
- manage protection of rare fossils and minerals as well as registration and protection of rare species and their habitats;
- participate in the development of Natura 2000, the Pan-European protected areas

network;

- review and give replies to forestry notices;
- perform expert analyses on forest protection and assessment of stands suitable for forest seed mobilization;
- select key habitats and propose to the Ministry conclusion of habitat protection contracts;
- manage transactions with private forest affairs in transition until establishment of a new owner;
- assess forest renewal and propose forest renewal works to be funded from the state budget;
- manage the development of the counties' waste management plans,
- draft programs for renewal and protection of fish resources;
- propose fishing gear prohibitions, fishing limitations and desired fishing permit fees;
- manage the collection of fishing and fisheries renewal data;
- manage the protection of ground water quality and resources including bored wells and important springs;
- keep and maintain registers of still and flowing water bodies;
- keep and maintain registers of the counties' mineral resources;
- participate, if so provided, in environmental impact assessments;
- review and give opinions on designs and plans, if and to the extent provided by law;
- notify the Ministry's management, the County Governor, the Environmental Inspectorate and the public of any accidents having impact on the nature;
- manage activities in the field of public mobilization, environmental education and publicity;
- counsel the county-based government agencies and local municipalities on matters within their competence;
- propose amendments to environmental legislation;
- review applications for state funding of environmental constructions;
- propose inclusion of the county's financing needs in the specific research program and manage financing of the approved program.

Environmental Inspectorate

EI is the Governmental unit working under the Ministry of Environment.

The main task of authority is to protect the marine environment and coordinate and manage the utilization of natural resources of the sea-bed.

Environmental Inspectorate has 7 County Departments.

Estonian Consumer Protection Board

The CPB is a national authority under the Ministry of Economic Affairs and Communications the main task of which is to protect the legitimate rights of consumers and to represent their interests, to develop and implement consumer policy in accordance with the provisions of the UN Guidelines The CPB is a national authority the main task of which is to protect the legitimate rights of consumers and to represent their interests, to develop and implement consumer policy in accordance with the provisions of the UN Guidelines, of the Consumer Protection Act and of European Union consumer policy.

ECPB has 14 Consumer Protection Divisions around Estonia.

The Health Protection Inspectorate

Government agency in the area of government of the Ministry of Social Affairs whose main task is to exercise state supervision and apply enforcement powers pursuant to procedures and to the extent prescribed by law.

The area of activity of the Inspectorate includes the safety of foodstuffs transferred to the final consumer and its handling. Control of quality of drinking water. Materials that come into direct contact with foodstuffs and drinking water. Cosmetic products, chemicals transferred to the final consumer. Different products for children, child care, educational, social welfare, health care institutions and pharmacies, beaches and bathing water. Controlling noise and non-ionizing radiation level and epidemiological surveillance- the prevention of diseases and control of communicable diseases are also competence of Health Protection Inspectorate.

The Inspection organizes and executes health protection state supervision and applies enforcement powers pursuant to procedures and to the extent prescribed by law;

The Health Protection Inspectorate includes the following local agencies:

Tallinn Health Protection Service,
Tartu Health Protection Service,
Virumaa Health Protection Service,
Pärnu Health Protection Service.

APPENDIX 3: FOOD HYGIENE LEGISLATION FOR FISHERY PRODUCTS IN EU

Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve mollusks.

Official Journal L 268 , 24/09/1991 P. 0001 – 0014

Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products Official Journal L 268 , 24/09/1991 P. 0015 - 0034 Finnish special edition: Chapter 4 Volume 3 P. 0192

Council Directive 95/71/EC of 22 December 1995 amending the Annex to Directive 91/493/EEC laying down the health conditions for the production and the placing on the market of fishery products Official Journal L 332 , 30/12/1995 P. 0040 – 0041

Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3 (1) (a) (i) of Directive 91/493/EEC Official Journal L 208 , 24/07/1992 p. 0034

93/25/EEC: Commission Decision of 11 December 1992 approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods Official Journal L 016 , 25/01/1993 P. 0022 – 0023

93/51/EEC: Commission Decision of 15 December 1992 on the microbiological criteria applicable to the production of cooked crustaceans and molluscan shellfish Official Journal L 013 , 21/01/1993 p. 0011 – 0013

93/140/EEC: Commission Decision of 19 January 1993 laying down the detailed rules relating to the visual inspection for the purpose of detecting parasites in fishery products Official Journal L 056 , 09/03/1993 p. 0042 – 0042

93/351/EEC: Commission Decision of 19 May 1993 determining analysis methods, sampling plans and maximum limits for mercury in fishery products Official Journal L 144 , 16/06/1993 P. 0023 – 0024

93/383/EEC: Council Decision of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins Official Journal L 166 , 08/07/1993 P. 0031 – 0033

94/356/EC: Commission Decision of 20 May 1994 laying down detailed rules for the application of Council Directive 91/493/EEC, as regards own health checks on fishery products (Text with EEA relevance) Official Journal L 156 , 23/06/1994 p. 0050 – 0057

95/328/EC: Commission Decision of 25 July 1995 establishing health certification for fishery products from third countries which are not yet covered by a specific decision Official Journal L 191 , 12/08/1995 P. 0032 – 0035

96/333/EC: Commission Decision of 3 May 1996 establishing health certification of live bivalve molluscs, echinoderms, tunicates and marine gastropods from third countries which are not covered by a specific decision (Text with EEA relevance) Official Journal L 127 , 25/05/1996 P. 0033 – 0038

97/20/EC: Commission Decision of 17 December 1996 establishing the list of third countries fulfilling the equivalence conditions for the production and placing on the market of bivalve molluscs, echinoderms, tunicates and marine gastropods . Official Journal L 239 , 30/08/1997 P. 0060 - 0060 DA DE FI

97/296/EC: Commission Decision of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorized for human consumption Official Journal L 122 , 14/05/1997 P. 0021 – 0023

2001/675/EC: Commission Decision of 20 August 2001 amending Decision 97/20/EC establishing the list of third countries fulfilling the equivalence conditions for the production and placing on the market of bivalve molluscs, echinoderms, tunicates and marine gastropods Official Journal L 236 , 05/09/2001 P. 0016 – 0017

2001/635/EC: Commission Decision of 16 August 2001 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorized for human consumption Official Journal L 221 , 17/08/2001 P. 0056 – 0059

Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products Official Journal L 334 , 23/12/1996 P. 0001 – 0015

Council Regulation (EC) No 1093/94 of 6 May 1994 setting the terms under which fishing vessels of a third country may land directly and market their catches at Community ports Official Journal L 121 , 12/05/1994 p. 0003 – 0005

Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of Good Council Directive 91/493/EEC of 22 July 1991

Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption Official Journal L 330 , 05/12/1998 P. 0032 – 0054

Laboratory Practice (GLP) Official Journal L 145 , 11/06/1988 P. 0035 – 0037

European Parliament and Council Directive No 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners Official Journal L 061 , 18/03/1995 P. 0001 – 0040

2001/487/EC: Commission Decision of 18 June 2001 modifying Decision 2000/159/EC on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC Official Journal L 176 , 29/06/2001 P. 0068 – 0074

Commission Regulation (EC) No 2065/2001 of 22 October 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products (OJ L 278 of 23.10.2001) Official Journal L 010 , 12/01/2002 P. 0082 - 0082

Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption

Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs Official Journal L 175 , 19/07/1993 P. 0001 - 0011 Official Journal L 013 , 21/01/1993 p. 0011 – 0013

Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market Official Journal L 395 , 30/12/1989 P. 0013 – 0022

Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organization of the markets in fishery and aquaculture products

Commission Regulation (EC) No 2813/2000 of 21 December 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of private storage aid for certain fishery products

Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

APPENDIX 4: LEGISLATION FOR FISHERY PRODUCTS IN ESTONIA

The national legislation is transposed from European Community legislation.

National Legislation:

Food Act (entered into force 1 of January 2000, [RT I 1999, 30, 415](#); [2002, 13, 81](#); [61, 375](#); [63, 387](#); [102, 603](#))

Fish Market Regulation Act (entered into force 1 of January 2004) RTI, 29.12.2003, 88, 593

Regulation of the Minister of Agriculture No. 31 of 21 October 1999 “Hygiene requirements for fish and fishery products” (RTL 1999, 150, 2137; 2000, 138, 2198; 2001, 112, 1557; 2002, 74, 1129)

Regulation of the Minister of Agriculture No 430 of 23.12.2002

Quality Requirements and Labeling Requirements for certain fish species.

Regulation of the Minister of Agriculture No. 29 of 21 October 1999 “Hygiene requirements for processing fish and fishery products on factory and fish vessels” (RTL 1999,

Regulation of the Minister of Agriculture No. 27 of 21 October 1999 “Hygiene requirements for live bivalve mollusks” (RTL 1999, 150, 2134);

Regulation of the Government No. 329 of 2 November 1999 “Approval of food hygiene requirements” (RT I 1999, 84, 766; 2000, 97, 625; 2003, 55, 376);

Regulation of the Government No. 445 of 30 December 1999 “The procedure for conducting shelf life test” (RT I 2000, 3, 17);

Regulation of Government No. 330 of 2 November 1999 “Rules for the sampling and laboratory analysis of food samples taken in course of official food control” (RT I 1999, 84, 767);

Regulation of the Government No. 106 of 28 March 2000 “Special requirements for handling and labeling of frozen food” (RT I 2000, 27, 162);

Regulation of the Government No. 166 of 25 May 2000 “Microbiological requirements for food groups” (RT I 2000, 42, 266; 2002, 7, 37; 65, 396; 2003, 14, 77);

Regulation of the Government No. 175 of 22 May 2001 “Method of sampling and analysis for the control of the temperatures of frozen food” (RT I 2001, 49, 272);

Regulation of the Government No 153 of 14 May 2003 “Requirements for the border inspection posts authorized for the import and export of animals and animal products, food and raw materials, feeding stuffs and rules for the making of list BIPs” (RT I 2003, 42, 295; 62, 415);

Regulation of the Government No. 390 of 21 December 1999 “Approval of requirements for labeling of food and procedure for labeling and presentation of information in any other manner and procedure for informing of origin of raw material” (RT I 1999, 98, 866; 2002, 74, 444);

Regulation of the Government No. 444 of 30 December 1999 “The procedure for the proceedings of approval of food businesses engaged in different spheres of handling” (RT I 2000, 2, 14; 2002, 28, 164; 103, 607);

Regulation of the Minister of Agriculture No 56 of 20 June 2002 “Requirements for laboratory analyzing samples taken with the purpose of self-checking” (RTL 2002, 74, 1130);

Regulation of the Minister of Agriculture No 66 of 5 August 2002 “The storage requirements for food” (RTL 2002, 92, 1418);

Regulation of the Minister of Agriculture No 1 of 6 January 2003 “Requirements of the monitoring of contaminants in food of animal origin and methods of sampling and analysis” (RTL 2003, 11, 123).

APPENDIX 5: FRAMEWORK OF LEGISLATION

Requirements for applying of common marketing standards.

Table 1

Nr	Regulation	Requirement	Implementation
1	104/2000 TITLE I CHAPTER 1 Article 3	Products for which common marketing standards have been adopted shall be subject to inspection by Member States for conformity with these standards.	Fish Market Regulation Act Article 11,
2	104/2000 TITLE I Article3	Not later than one month after the entry into force of each marketing standard, Member States shall notify the other Member States and the Commission of the name and address of the bodies entrusted with the inspection of each product or group of products for which a standard has been adopted.	Will be after joining EU
3	Regul.2406/96 General provisions Article 7	For the purposes of control by the competent authorities, the species covered by marketing standards shall respect the minimum biological sizes as laid down and which are set out in Annex II.	Will be after joining EU
4	Regul.2406/96 A. General provisions Article 6	5. When products are being classified by freshness category, without prejudice to the health rules applicable, the presence of visible parasites and their possible effect on the quality of the product shall also be taken into consideration, allowance being made for the type of product and its presentation.	Government of the Republic Regulation nr 430
5	Regul.2406/96 E. Final provisions Article 13	Each Member State shall provide the other Member States and the Commission, not later than one month before this Regulation enters into force, with a list of the names and addresses of the experts and trade organizations referred to in Article 12. The other Member States and the Commission shall be informed of any amendments to the list.	-----
6	104/2000 TITLE I ARTICLE 2	Common marketing standards and the scope of such standards may be determined for the products listed in	Fish Market Regulation Act Section

Article 1 or groups of these products; these standards may, in particular, cover classification by quality, size or weight, packing, presentation and labeling.

2. Where marketing standards have been issued, the products to which they apply may not be displayed for sale, offered for sale, sold or otherwise marketed unless they conform to these standards, subject to special rules which may be adopted for trade with third countries.

11	323/97 Article 1	In Annex II to Regulation EC 2406/96 The scale of size categories applicable for Baltic Herring (<i>Clupea Harengus</i>) are hereby amended with annex of this Regulation	Government of the Republic Regulation nr 430
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Requiements for vessels
Table 2

NR	Requirement for vessels	Interpretation in Estonian legislation
92/48	All vessels	Regulation of Minister of Agriculture nr.29 from 21.10.1999
I Annex Point 1	The sections of vessels or the containers reserved for the storage of fishery products must not contain objects or products liable to transmit harmful properties or abnormal characteristics to the foodstuffs. These sections or containers must be so designed as to allow them to be cleaned easily and to ensure that melt water cannot remain in contact with the fishery products.	
92/48	When used, the sections of vessels or the containers reserved for the storage of fishery products must be completely clean and, in particular, must not be capable of being contaminated by the fuel used for the propulsion of the vessel or by bilge water	Regulation of Minister of Agriculture nr.29 from 21.10.1999
I Annex Point 2		
92/48	As soon as they are taken on board, the fishery products must be protected firm contamination and from the effects of the sun or any other source of heat. When they are washed, the water used must be either fresh water or clean	Regulation of Minister of Agriculture nr.29 from 21.10.1999
I Annex Point 3		

	seawater, so as not to impair their quality or wholesomeness.	
92/48 I Annex Point 4	The fishery products shall be handled and stored in such a way as to prevent bruising. The use of spiked instruments shall be tolerated for the moving of large fish or fish which might injure the handler, provided the flesh of these products is not damaged.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 I Annex Point 5	Fishery products other than those kept alive must undergo cold treatment as soon as possible after loading.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 I Annex Point 6	Ice used for the chilling of products must be made from drinking water or clean seawater. Before use, it must be stored under conditions which prevent its contamination.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 I Annex Point 7	After the fishery products have been unloaded, the containers, equipment and sections of vessels which are directly in contact with the fishery products must be cleaned with drinking water or clean seawater.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 I Annex Point 8	Where fish is headed and/or gutted on board, such operations must be carried out hygienically and the products must be washed immediately and thoroughly with drinking water or clean seawater. The viscera and parts which may pose a threat to public health must be removed and set apart from products intended for human consumption. Livers and roes intended for human consumption must be refrigerated or frozen.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 I Annex Point 9	Equipment used for gutting, heading and the removal of fins, and containers and equipment in contact with the fishery products, must be made of or coated with a material which is waterproof, resistant to decay, smooth and easy to clean and disinfect. When used they must be completely clean.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 I Annex Point 10	Staff assigned to the handling of fishery products shall be required to maintain a high standard of cleanliness for themselves and their clothes.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48	+24 h	

II Annex Point 92/48	Fishing vessels must be equipped with holds, tanks or containers for the storage of refrigerated or frozen fishery products at the temperature laid down by Directive 91/493/EEC. These holds shall be separated from the machinery space and the quarters reserved for the crew by partitions which are sufficiently impervious to prevent any contamination of the stored fishery products.	Regulation of Minister of Agriculture nr.29 from 21.10.1999	
II Annex Point 1	91/49 3 Annex Chapt er VII Point 1	- frozen fishery products, with the exception of frozen fish in brine intended for the manufacture of canned foods, must be kept at an even temperature of -18 o C or less in all parts of the product, allowing for the possibility of brief upward fluctuations of not more than 3 o C, during transport;	Regulation of Minister of Agriculture nr.31 from 21.10.1999
92/48 II Annex Point 2	The inside surface of the holds, tanks or containers shall be waterproof and easy to wash and disinfect. It shall consist of a smooth material or, failing that, smooth paint maintained in good condition, not being capable of transmitting to the fishery products substances harmful to human health.	Regulation of Minister of Agriculture nr.29 from 21.10.1999	
92/48 II Annex Point 3	The holds shall be designed to ensure that melt water cannot remain in contact with the fishery products.	Regulation of Minister of Agriculture nr.29 from 21.10.1999	
92/48 II Annex Point 4	Containers used for the storage of products must ensure their preservation under satisfactory conditions of hygiene and, in particular, allow drainage of melt water. When used they must be completely clean.	Regulation of Minister of Agriculture nr.31 from 21.10.1999	
92/48 II Annex Point 5	The working decks, the equipment and the holds, tanks and containers shall be cleaned each time they are used. Drinking water or clean seawater shall be used for this purpose. Disinfection, the removal of insects or rat extermination shall be carried out whenever necessary.	Regulation of Minister of Agriculture nr.29 from 21.10.1999	
92/48	Cleaning products, disinfectants, insecticides	Regulation of Minister of Agriculture	

<p>II Annex Point 6</p>	<p>and all potentially toxic substances shall be stored in locked premises or cupboards. Their use must not present any risk of contamination of the fishery products</p>	<p>nr.29 from 21.10.1999</p>
<p>92/48 II Annex Point 7</p>	<p>If fishery products are frozen on board, this operation must be carried out in accordance with the conditions laid down in Chapter IV (II) (1) and (3) of the Annex to Directive 91/493/EEC. Where freezing in brine is used, the brine shall not be a source of contamination for the fish.</p>	<p>Regulation of Minister of Agriculture nr.29 from 21.10.1999</p>
<p>91/493 Annex Chapter IV (II) (1)</p>	<p>1. Plants(Vessels) must have: (a) freezing equipment sufficiently powerful to achieve a rapid reduction in the temperature so that the temperatures laid down to in this Directive can be obtained in the product; (b) freezing equipment sufficiently powerful to keep products in storage rooms at a temperature not exceeding those laid down in this Directive, whatever the ambient temperature may be. However, for technical reasons related to the method of freezing and to the handling of such products, for whole fish frozen in brine and intended for canning, higher temperatures than those laid down in this Directive are acceptable although they may not exceed -9 o C.</p>	<p>Regulation of Minister of Agriculture nr.29 from 21.10.1999</p>
<p>91/493 Annex Chapter IV (II) (3)</p>	<p>Storage rooms must have a temperature recording device in a place where it can easily be read. The temperature sensor of the recorder must be located in the area furthest away from the cold source, i.e. where the temperature in the storage room is the highest. Temperature charts must be available for inspection by the supervisory authorities at least during the period in which the products are stored.</p>	<p>Regulation of Minister of Agriculture nr.29 from 21.10.1999</p>
<p>92/48 II Annex Point 8</p>	<p>Vessels equipped for chilling of fishery products in cooled seawater, either chilled by ice (CSW) or refrigerated by mechanical means (RSW), shall comply with the following requirements: (a) tanks must be equipped with adequate</p>	<p>Regulation of Minister of Agriculture nr.29 from 21.10.1999</p>

seawater filling and drainage installations and must incorporate devices for achieving uniform temperature throughout the tanks;

(b) tanks must have a means of recording temperature connected to a temperature sensor positioned in the section of the tank where temperatures are highest;

(c) the operation of the tank or container system must secure a chilling rate which ensures the mix of fish and seawater reaches 3° C at the most six hours after loading and 0° C at the most after sixteen hours;

(d) after each unloading, the tanks, circulation systems and containers must be completely emptied and thoroughly cleaned using drinking water or clean seawater. They should only be filled with clean seawater;

(e) the date and the number of the tank must be clearly indicated on the temperature recordings which must be kept available for the control authorities.

92/48 II Annex Point 9	The competent authority shall keep up to date for control purposes a list of the vessels equipped in accordance with points 7 or 8, with the exception however of vessels equipped with removable containers which, without prejudice to point 5, second sentence of Annex I, are not engaged regularly in preserving fish in chilled seawater.	Regulation of Minister of Agriculture nr.29 from 21.10.1999
92/48 II Annex Point 10	Ship-owners or their representatives shall take all the measures necessary to prevent persons liable to contaminate fishery products from working on hand handling them, until there is evidence that such persons can do so without risk. Check of fishing vessels	Regulation of Minister of Agriculture nr.29 from 21.10.1999
91/493 Annex Chapter V	a check on the fishing vessels, on the understanding that such a check may be carried out during the stay in port;	Regulation of Minister of Agriculture nr.29 from 21.10.1999

APPENDIX 6: MAIN INDUSTRIAL FISHES IN ESTONIA



Zander, Pike-Perch, *Lucioperca lucioperca*



Northern Pike, *Esox lucius*



Perch, *Perca fluviatilis*



Carp Bream, *Abramis brama (L)*



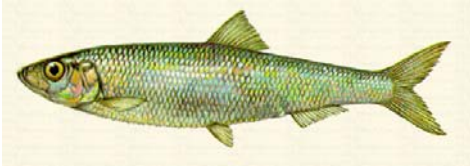
Burbot, *Lota lota*



European eel, *Anguilla anguilla*



Baltic Sprat , *Sprattus sprattus Balticus*



Baltic Herring, *Clupea harengus membras*



Vendace, European whitefish, *Coregonus albula*