

**Fishing Vessel Circular Letter No. 062**  
**08 December 2023**  
**Series: GEN-2023**

To: All Ship Owners, Operators, Deputy Registrars, Resident Agents, Representatives, and other Stakeholders

Subject: **DUAL USE FISH HOLDS**

Reference: Issued in accordance with Part VIII, Section 50(1)(c) of the High Seas Fishing Act, 2013

Circular Superseded: FVC-022/2017, Issued 13<sup>h</sup> October 2017

## **BACKGROUND**

In an audit series conducted by the Health and Food Safety Directorate General of the European Union, it was observed that freezer vessel for tuna fishing, normally purse seine vessels use the same fish holds to store fuel (diesel) and later, after cleaning, to freeze and store frozen tuna, hereinafter referred to as “dual use fish holds”. The reason for using fish holds to store additional fuel is to provide operators with the possibility of extending the duration of their fishing trips for maximum economic efficiency of the vessel. This practice is apparently widespread in the tuna industry. The dual use of fish holds is an illegal practice under the EU food safety rules. As a result, fishery products stored in this way cannot be exported to EU markets or used in the manufacture of fishery products intended for the EU.

## **MANAGEMENT MEASURES**

1. All vessels that export to EU markets shall ensure that they do not have dual use fish holds, or
2. If they are equipped with functional dual holds, that fish in those holds are excluded from the EU export chain. Only fish stored in fish holds compliant with the EU food safety rules can be used in the EU export chain.

3. Failure and/or inability to meet these requirements precludes exports from such vessels to the EU.
4. This practice breaches several provisions of the EU legislation on the hygiene of food items as follows:
  - a. **Regulation (DC) No.852/2004** – Chapter IV Point 2 of Annex II: “receptacles in vehicles and/or containers are not to be used for transporting anything other than food items where this may result in contamination”.
  - b. **Regulation (EC) No.853/2004** – Chapter I, point 1 (A.1), of Section VIII of Annex III: “vessels must be designed and constructed so as not to cause contamination of the products with..... fuel”
  - c. **Regulation (EC) No.854/2004** – Point 1(c) of Chapter 1 of Annex III: “official controls on the production and placing on the market of fishery products are to include, in particular, checks on storage and transport conditions”.

## **APPLICABILITY**

Circulars setting out mandatory requirements shall be construed to have the same effect and applicability of rules and policies under the provisions of the HSFA 2013. Each circular is applicable to all Belize flagged fishing vessels engaged in fishing and related activities. The owner, operator and master of every Belize flagged fishing vessel shall be familiar with all applicable Circulars applying to their vessel and it shall be no defense that any person in breach of any Circular was not aware of it or has not been advised of it.

## **MAINTENANCE**

Ship owners, and operators shall ensure that all Circulars are disseminated to their master and crew as well as any other person affected by or having an interest in the subject matter in a language understood by all. A Circular once issued shall be disseminated electronically to all stakeholders and a listing of ALL Circulars shall be published on the BHSFU website [www.bhsfu.gov.bz](http://www.bhsfu.gov.bz) for future reference.

## **COMPLIANCE AND ENFORCEMENT**

Failure to comply with any Circular shall result in disciplinary actions taken in accordance with Belize’s Sanction Regulations S.I. 32 of 2014

## IMPLEMENTATION

This circular shall take effect immediately.

## FOR MORE INFORMATION

For more information direct all inquiries about this Circular to the Director of High Seas Fisheries of the Belize High Seas Fisheries Unit, Ministry of Finance, Government of Belize.

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Issued by

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