

FISHERIES SERVICES

GERMANY

In Germany, services to the fishing industry are provided both by the public sector and by the private sector. Regarding provision by the public sector it must be borne in mind that, due to Germany's federal structure, competences are split between the Federal Government and the *Länder* (federal states) in many areas, which means that implementation and funding is also split. Regarding the following examples, it may therefore not always be assumed that the respective descriptions apply in the same way to all federal states.

Infrastructure

In Germany, most of the infrastructure is provided by the public sector. In some cases, a fee must be paid to use the infrastructure (e.g. motorway user charge for heavy goods vehicles), in other cases not (roads which are not part of the network of federal motorways are usually free of charge). The fisheries sector does not have a special position compared with the other economic sectors.

Fisheries monitoring

Monitoring of fisheries activities is jointly carried out by the Federal Government and the *Länder*. The regulatory basis for this is EU law. The fishing authorities of the *Länder* are responsible for fisheries monitoring and controls within 12 nautical miles, in ports and, in general, ashore. Outside the 12 nautical miles, the Federal Government is responsible, which transferred the associated tasks to the Federal Agency for Agriculture and Food (Bundesanstalt für Landwirtschaft und Ernährung; BLE). BLE is also responsible for the administration of fishing quotas and the general coordination of control activities.

The costs for fisheries monitoring are largely borne by the public sector. Part of the costs is, however, also borne by the fisheries sector itself, in particular the costs for the purchase and use of the devices needed for fisheries monitoring (VMS, electronic logbook, pinger). Whilst public aid can be granted for the purchase of these devices, the operating costs must be borne by the fisheries sector.

Initial marketing

In Germany, initial marketing is exclusively organised and financed by the private sector. Initial marketing via producer organisations, which sometimes have supply agreements with large retailers and processors, is most common. Auctions are of little importance.

Sales promotion / eco-labelling

In Germany, until 1998, the promotion of the sale of fishery products was subject to government regulation under the Fisheries Act entitled "Fischwirtschaftsgesetz". On the basis of this Act, the companies of the fishing sector had to pay compulsory contributions for the landing or initial purchase of fishery products, which were then used for measures to promote the sales of fish through the opening up and maintenance of the market.

This Fisheries Act was abolished in 1998. Since then, sales promotion has been organised exclusively by the private sector in Germany. In addition to sales-promoting activities of the individual companies,

there is also cross-company and cross-product public relations work for the fisheries sector. To this end, the companies and associations of the German fisheries sector established the Fish Information Centre (FIZ) in 1997, which is financed by the contributions of its members. The granting and use of eco-labels for fishery products is also organised exclusively by the private sector in Germany. In principle, both measures to promote sales and eco-labelling measures can, however, be funded from the European Fisheries Fund (EFF).

Data collection / statistics

Fisheries data are predominantly collected by public facilities and institutions, both at Federal and at *Länder* level. Detailed data collection is especially carried out with regard to catches, landings, prices, imports and exports. In contrast, economic data for the fisheries sector and the subsequent processing and marketing stages are only collected on a small scale.

The data collected are usually made available to the fisheries sector and other interested parties free of charge, in accordance with data protection requirements.

Research

In Germany, fisheries research is predominantly carried out by the public sector. Both the Federal Government and the *Länder* have research institutions which deal with the different aspects of the fishing sector. The results of general fisheries research are usually made available to the fisheries sector and other interested parties free of charge. In addition to the research carried out at research institutes owned by the Federal Government or the *Länder*, fisheries research is also done at some German universities.

Fisheries advice / training

Fisheries advice and training in the fisheries sector is largely performed by public institutions at *Länder* level in Germany. In some *Länder*, the Chambers of Agriculture (Landwirtschaftskammern), which are autonomous corporations under public law, play an important role in this context. The services offered by the public advisory bodies are sometimes subject to a charge.

Veterinary services

Veterinary services are performed by the public sector, with competences being split between the Federal Government and the *Länder*. The regulatory basis for this is EU law.

The basic tasks of the public veterinary services are the following:

- Prevention and control of diseases, in particular of transmissible animal diseases,
- Protection of people against dangers and damage caused by animal diseases,
- Protection against dangers and damage to human health and against deception and fraud in connection with food and products of animal origin,
- Protection of the live and wellbeing of animals and prevention of suffering,
- Maintenance and enhancement of the quality of food of animal origin,
- Protection of the environment against detrimental effects caused by animals, animal products and waste.

The veterinary services at **Federal Level** are responsible for making laws for all pertinent areas under public law, for maintaining contact with the veterinary administrations of other states and for pursuing the technical interests and tasks within the European Union (EU). In veterinary laws and ordinances, all

necessary measures resulting from the tasks of the public veterinary services are laid down for the territory of the Federal Republic of Germany and with respect to other states, and it is coordinated how these measures are to be carried out in cooperation with the *Länder*.

At *Länder level*, the supreme veterinary authorities of each *Land* are responsible for supervision, planning, governance, coordination and instruction in all areas pertaining to the public veterinary services within the respective *Land*. The intermediate veterinary authorities of the *Länder* are responsible for the supervision, including, if necessary, ordering measures, as well as for the coordination, governance, and instruction – in special cases also direct involvement – regarding the carrying out of the tasks at district level. They work together with all bodies of the intermediate administrative level which are to be involved and ensure the involvement of veterinarians to the extent necessary. The lower veterinary authorities perform the tasks of the public veterinary services at district level. They are responsible for the general duties, such as planning, organisation and administration, they coordinate veterinary affairs and carry out the measures, if necessary after consultation with the specialised health administration and agricultural administration and other involved bodies.

The costs for the veterinary services are borne both by the public sector and by the economic operators who must pay a fee in accordance with Article 26 et seq. of Regulation (EC) No. 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules. No difference is made here between fisheries products and other foodstuffs.

Sea rescue service

The German Maritime Rescue Service (Deutsche Gesellschaft zur Rettung Schiffbrüchiger; DGzRS) is responsible for search and rescue services within the German territorial waters and the German Exclusive Economic Zones in the North Sea and the Baltic Sea. The German Maritime Rescue Service is a non-profit aid organisation which is exclusively financed by donations and voluntary financial contributions; it does not receive government assistance.

Ports

Ports in Germany are usually governed by public law. The responsible public bodies either operate the ports themselves via subsidiary companies or they have contracts with other companies. There are, however, also private ports owned by fisheries cooperatives. Services are provided in principle by the private sector. Foreign service providers are not discriminated against.

In some fisheries, the fishing vessels are obliged to land in certain ports for reasons of better control (system of assigned ports). Domestic and foreign vessels are treated in the same way here. Irrespective of this, domestic and foreign fishing vessels may generally call at all ports, with the exception of IUU vessels.