

Message 001

Communication from the Commission - TRIS/(2025) 3476

Directive (EU) 2015/1535

Notification: 2025/0726/NL

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20253476.EN

1. MSG 001 IND 2025 0726 NL EN 04-12-2025 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën

Belastingdienst/Douane centrale dienst voor in- en uitvoer

3B. Ministerie van Economische Zaken en Klimaat,

Directie Wetgeving en Juridische Zaken

Afdeling Landbouw en Voedselkwaliteit

4. 2025/0726/NL - C10A - Fishing

5. Regulation of the State Secretary for Agriculture, Fisheries, Food Security and Nature amending the Fisheries Implementing Regulations in connection with the regulatory requirements of a monitoring system for shrimp fishing in coastal waters

6. Fish caught by shrimp trawlers

7.

8. Shrimp fishermen fishing in Dutch coastal waters, the fishing zone and the sea area up to 3 nautical miles are required to acquire a black box system by 1 April 2026 and to install it on board and have it operational by 1 September 2026. The black box system will record the location, fishing and navigation activity of a fishing vessel and share it with enforcing authorities for the purpose of effective control and enforcement.

The first and second paragraphs of Article 10c of the proposed regulation may contain technical requirements. Pursuant to these paragraphs, a black box system must be acquired and installed on board fishing vessels. A black box system must comply with a Netherlands Technical Agreement (NTA): NTA 8390:2025. This is a technical specification for a product, which qualifies as a technical regulation.

A subsidy scheme for the black box system was previously set up. This scheme has already been notified: 2025/0189/NL "Subsidy scheme for shrimp trawler black box".

The ninth paragraph of Article 10c of the proposed regulation includes a provision on mutual recognition. This provision is necessary because requiring a mandatory black box system that complies with an NTA standard may restrict the free movement of goods.

9. For shrimp trawlers wishing to fish in Natura 2000 areas, having a working black box system on board has long been a requirement for obtaining and maintaining a nature permit. However, the current black box system was found by enforcement authorities not to be sufficiently reliable. For this reason, a new black box system has been tested by means of a practical test. This has resulted in a Dutch Technical Agreement (NTA): NTA 8390:2025, which sets out the requirements for the new system.

The old black-box system made it difficult to determine whether fishing was taking place with a sufficient degree of accuracy. Monitoring bodies need this data for effective monitoring of national and European fisheries regulations. For example, it can be established whether a fisherman is fishing in an area closed to fishing. Practical testing has shown that the black box system described in the aforementioned NTA standard is, in fact, suitable for the purpose of determining with sufficient precision whether fishing is taking place. For this reason, a black box system that complies with this standard needs to be prescribed.

The objectives of fisheries legislation are to protect fish stocks and the marine environment. Effective monitoring, which enables the prescribed black box system, contributes to this goal. The technical requirement is, therefore, in the interest of fish stocks and the marine environment and is necessary and appropriate in order to achieve the objective. The provision is proportionate to this objective and is the least restrictive means of achieving this objective because the black box system is a relatively small investment that is largely subsidised. In addition, this system builds on an existing system that is already used by many shrimp trawlers. Therefore, the measure is proportionate.

The technical requirement makes no direct or indirect distinction regarding the Member State where the black box system is produced and, therefore, does not have any discriminatory effects. Where a company produces a black-box system in one Member State, in accordance with the applicable national technical rules of that Member State, it may supply this system to shrimp trawlers subject to the requirement, without

having to adapt it to the NTA standard, if the national technical rules are at least equivalent to the NTA standard.

10. Numbers or titles of the basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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