

# STATES OF JERSEY



## **DRAFT SEA FISHERIES (LOG BOOKS AND LANDING DECLARATIONS) (JERSEY) REGULATIONS 200-**

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**Lodged au Greffe on 10th November 2006  
by the Minister for Planning and Environment**

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**STATES GREFFE**





Jersey

## **DRAFT SEA FISHERIES (LOG BOOKS AND LANDING DECLARATIONS) (JERSEY) REGULATIONS 200-**

### **REPORT**

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The Common Fisheries Policy is based on fisheries management measures that depend on the gathering of statistics relating to the amount of fishing effort and fish taken/landed. To facilitate this, legislation was introduced throughout the E.U. during 1993 that requires masters of certain fishing vessels to complete standard log books and landing declarations. In signing the Jersey/U.K. Fisheries Management Agreement in 1996 Jersey agreed to introduce these measures locally.

This legislation should have no impact on the fishing industry as local boats are already obliged to comply by licence condition and other vessels by their flag state legislation. It will however mean that Jersey Fishery Officers will be able to enforce the log book and landing declaration requirements on foreign vessels working in the Jersey territorial sea.

There are no financial or manpower implications for the States arising from these Draft Regulations.

## Explanatory Note

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These Regulations, if passed, will replace existing Regulations with more detailed record-keeping requirements based on those that apply to the European Union.

*Regulation 1* contains the interpretation provisions and *Regulation 2* applies Regulations 3-7 and the Schedules to fishing boats 10 metres or more in length and to any fishing boat that uses towed nets of more than one range of mesh sizes.

*Regulation 3* is the requirement to keep a logbook and applies to British and EU fishing boats. The form of the logbook is set out in *Part 1 of Schedule 1*, the form being the same as is used in the EU. Instructions as to the information to be given are in *Schedule 2*.

*Regulation 4* repeats the requirement for the master of a non-British fishing boat to give the Minister for Planning and Environment at least 4 hours' notice of when and where the master wishes to land the fish and the quantity of each species of sea fish to be landed.

*Regulation 5* is the requirement on all fishing boats to make a landing declaration, which must be made within 48 hours of landing any sea fish in Jersey or, in the case of a Jersey fishing boat, landing any sea fish in France. The declaration has to be either made on the same form that is used to keep the log (*Schedule 1, Part 1*) or in accordance with the form in *Part 2 of that Schedule*. Instructions as to the information to be given are in *Schedule 2*.

*Regulation 6* provides for a permitted margin of tolerance of 20% in estimates of sea fish retained on board and that the precise number of containers used for those fish is to be recorded.

*Regulation 7* provides for the maximum fines for offences under Article 4 of the Sea Fisheries (Jersey) Law 1994 of contravening these Regulations. These are £20,000 for a first offence and £40,000 for any subsequent offence.

*Regulation 8* makes consequential amendments to the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 2001. Inserted into those Regulations is a provision requiring nets of different mesh sizes that are not being used to be disconnected from associated equipment and stowed away. If this requirement is not complied with the nets are treated as being in use.

*Regulation 9* repeals the 2001 Regulations that these Regulations replace and *Regulation 10* names the Regulations and provides for them to come into force 7 days after they are made.



Jersey

## **DRAFT SEA FISHERIES (LOG BOOKS AND LANDING DECLARATIONS) (JERSEY) REGULATIONS 200-**

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Draft Sea Fisheries (Log Books and Landing Declarations)  
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Arrangement

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Jersey

## **DRAFT SEA FISHERIES (LOG BOOKS AND LANDING DECLARATIONS) (JERSEY) REGULATIONS 200-**

*Made* [date to be inserted]

*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Articles 2, 8 and 29 of the Sea Fisheries (Jersey) Law 1994<sup>1</sup>, and having consulted with the Secretary of State and obtained the Secretary of State's concurrence, have made the following Regulations –

### **1 Interpretation**

(1) In these Regulations unless the context otherwise requires –

“Community fishing boat” means a fishing boat that is registered in a member State of the European Communities (other than the United Kingdom);

“ICES area” means an area on the map in Table 2 indicated by a code comprising a number and letter combination;

“overall length” in respect of a fishing boat, has the meaning assigned by Regulation 1 of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003<sup>2</sup>.

(2) A reference in these Regulations to a Table by number is a reference to the Table of that number in Schedule 2.

### **2 Application**

Regulations 3 to 7 and the Schedules apply to any fishing boat for the time being within the territorial sea adjacent to Jersey –

(a) with an overall length of 10 metres or more; or

(b) that uses towed nets of more than one range of mesh sizes during the same voyage.

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**3 Requirement to keep Log Book**

- (1) The master of a British fishing boat or a Community fishing boat must keep a Log Book of the operations of that boat.
- (2) The Log Book, which may be in paper or electronic form, must be in the form set out in Part 1 of Schedule 1 and must be completed in accordance with the instructions set out in Schedule 2.

**4 Landing of catches by non-British fishing boats**

The master of a fishing boat other than a British fishing boat wishing to land any sea fish in Jersey must give the Minister at least 4 hours' notice of where in Jersey the master wishes to land the fish, the master's estimated time of arrival and the quantity of each species that the master proposes to land.

**5 Requirement to make landing declaration**

- (1) The master of a fishing boat or the master's agent, shall submit a declaration to the Minister –
  - (a) within 48 hours of landing any sea fish in Jersey; and
  - (b) in the case of a Jersey fishing boat, within 48 hours of landing any sea fish in France.
- (2) The declaration must be completed in either form set out in Schedule 1 and must be completed in accordance with the instructions set out in Schedule 2.

**6 Provisions supplementary to Articles 3 and 5**

- (1) Where estimates of the quantities in kilograms of sea fish that are retained on board are required to be given by these Regulations, a margin of tolerance of 20% is permitted.
- (2) Where such fish are held in boxes, baskets or other containers, the precise number of boxes, baskets or other containers used must be recorded.

**7 Maximum penalties**

For the purposes of Article 4(1) of the Sea Fisheries (Jersey) Law 1994, the maximum penalties for an offence of contravening these Regulations are –

- (a) £20,000 in respect of the first conviction; and
- (b) £40,000 in respect of a second or subsequent conviction.

**8 Amendments to the Sea Fisheries (Trawling, Netting and Dredging (Jersey) Regulations 2001**

In the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 2001<sup>3</sup> –



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- (a) in Regulation 1, in the definition “Log Book Regulations” for the word “2001” there shall be substituted the word “200-”;
  - (b) for Regulation 4(4) and (5) there shall be substituted the following paragraphs –
    - “(4) Where a fishing boat has towed nets on board that are not being used and that are a different range of mesh sizes from the towed nets that are being used, the master of that boat must ensure that –
      - (a) the nets that are not being used and their accompanying weights and sea fishing gear are disconnected from their trawl boards and towing and hauling wires and ropes; and
      - (b) any such nets that are on or above deck are securely lashed to some part of the superstructure of the boat.
    - (5) If the master contravenes paragraph (4) the nets that are not being used shall be taken to be in use for the purposes of paragraphs (2) and (3).”.

## **9 Repeal**

The Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 2001<sup>4</sup> are repealed.

## **10 Citation and commencement**

These Regulations may be cited as the Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 200- and shall come into force 7 days after they are made.





**SCHEDULE 2**

(Regulations 3(2) and (5(2)))

**INSTRUCTIONS CONCERNING THE LOG BOOK AND LANDING  
DECLARATION****1 How to complete the Log Book**

- (1) The Log Book must be completed daily by not later than 24.00 hours and at the time of arrival in port.
- (2) The Log Book must also be completed at the time of any inspection at sea.
- (3) All the information mentioned in paragraph (2) must be given unless it is expressed there as being optional.

**2 Information to be given in the Log Book**

The information to be filled in against the corresponding numbers on the page of the Log Book is as follows –

Reference No in Log Book (1):	Name of vessel and radio call signal if any.
Reference No in Log Book (2):	External identification.
Reference No in Log Book (3):	Name and address of master.
Reference No in Log Book (4):	Day, month, hour and port of departure
Reference No in Log Book (5):	Day, month, hour and port of return.
Reference No in Log Book (6):	Date and place of landing if different from (5).
Reference No in Log Book (7):	In the case of transshipment, date, name, radio call sign (if any), nationality and external identification of recipient vessel. In the case of pair-fishing the name of the second vessel, the name of its master and its external identification must be entered below those of the vessel in respect of which the Log Book is being kept. The master of the other vessel must also keep a Log Book indicating the quantities caught and kept on board in such a way that there is no double counting of catches.

Reference No in Log Book (8):	Fishing gear. The type of gear must be indicated using the code in Column 1 of Table 1.
Reference No in Log Book (9):	Mesh size in millimetres. If static nets are used, all the mesh ranges used must be recorded.
Reference No in Log Book (10):	Capacity of the gear in accordance with the specifications in Column 2 of Table 1 (optional).
Reference No in Log Book (11):	Date, corresponding to each day at sea.
Reference No in Log Book (12):	Number of fishing operations in accordance with the specifications in Column 3 of Table 1 (optional).
Reference No in Log Book (13):	Fishing time (optional), equalling the number of hours spent at sea including time spent searching for fish but excluding time spent travelling to, from and between fishing grounds, dodging, inactive or waiting for repair.
Reference No in Log Book (14):	Position by reference to the ICES area.
Reference No in Log Book (15):	Catches of an amount greater than 50 kg of live-weight equivalent retained on board. Use names of species or appropriate species code from Table 3. Give the unit used (basket, box, etc) and the net weight in kg live-weight of the unit used. Alternatively give the total weight of each species in kg live-weight, using the conversion factors set out in Table 4. (Use a new page if the number of columns is insufficient).
Reference No in Log Book (16):	Specify the quantity of fish discarded, in kg live weight or in another unit as defined in (15) (optional - information for scientific purposes only and not taken into account for calculation of quotas).

### 3 Spacing of Log Book entries

- (1) A new line must be filled in for each day at sea.
- (2) A new page must be filled in –
  - (a) when using different gear or a net with a mesh size different from that of the previous net used; and
  - (b) for any fishing done after a transhipment or an intermediate landing.

**4 Information to be given in the landing declaration**

- (1) The information to be filled in against the corresponding numbers on the page of the Log Book relating to the landing declaration is as follows –

Reference No in Log Book (17):	Presentation of fish. "Presentation" means the way fish has been processed. Indicate the nature of this processing if any: GUT for gutting, HEAD for heading, FILLET for filleting, etc. Where no processing has taken place, WHOLE for whole fish.
Reference No in Log Book (18):	Measurement unit for landed quantities. Give the unit of weight used (e.g. basket, box, etc.) for landing fish and the weight of the unit in kg. This unit may be different from that used in the Log Book.
Reference No in Log Book (19):	Total weight by species landed: give the weight in kg or quantities actually landed or transhipped for all species. The weight should correspond to the weight of fish as landed, i.e. after any processing on board.
Reference No in Log Book (20):	Indicate on each line the ICES area where the catches were taken.

- (2) Where the landing declaration is completed in the form set out in Schedule 2 the information to be filled in is the same as set out in subparagraph (1) and as set out in paragraph 2 in respect of reference numbers (4), (5), and (6) in the Log Book.

**5 General requirements relating to Log Books and landing declarations**

- (1) Entries in the Log Book and on the landing declaration must be legible and indelible.
- (2) No entry in the Log Book or on the landing declaration may be erased or altered. If a mistake is made, the incorrect entry shall be struck out with a line and followed by a new entry initialled by the master or the master's agent.
- (3) At least one landing declaration must be completed by each vessel.
- (4) Each line in the Log Book must be initialled by the master and each page of the Log Book must be signed by the master.
- (5) The landing declaration must be signed by the master or the master's agent.
- (6) If the landing declaration relates to a number of Log Book pages only the landing declaration on the last page need be completed.
- (7) The master of the vessel must certify by means of initials and signature that the estimated quantities entered in the Log Book are reasonable.

- (8) The master of the vessel must certify by means of initials and signature that the non-quantitative entries in the Log Book, together with all entries on the landing declaration, are true.
- (9) The copies of the Log Book must be kept for one year.

## TABLES

TABLE 1 – GEARS AND FISHING OPERATIONS

Type of gear	Column 1 Code	Column 2 Size/number (metre)	Column 3 Number of shoots each day
Bottom otter trawl	OTB	Model of trawl <sup>(1)</sup>	Number of times gear is shot
Beam trawl	TBB	Beam length × number of beams	
Dredge	DRB	Width × number of dredge	
Bottom pair trawl	PTB	Model of trawl <sup>(1)</sup>	
Danish seine (anchor)	SDN	Overall length of seine lines	
Scottish seine (fly-dragging)	SSC	Overall length of seine lines	
Mid-water otter trawl	OTM	Model of trawl <sup>(1)</sup>	Number of times gear is shot
Mid-water pair trawl	PTM	Model of trawl <sup>(1)</sup>	
Purse seine	PS	Length, height	Number of times gear is shot
Gillnets	GN	Length, height	Number of times nets shot during the day
Gillnets (set)	GNS	Length, height	
Gillnets (drift)	GND	Length, height	
Trammel net	GTR	Length, height	
Longlines	LL	Number of hooks and lines shot during the day	
Longlines (set)	LLS		
Longlines (drifting)	LLD		
Handlines and pole-lines	LHP	Total number of hooks/lines shot during the day <sup>(2)</sup>	
Pots (non Jersey vessels)	FPO	Number of pots shot during the day	
Parlour pots (Jersey vessels)	P	Number of parlour pots shot during the day	
D pots (Jersey vessels)	D	Number of D pots shot during the day	
Inkwell pots (Jersey vessels)	I	Number of Inkwell pots shot during the day	
Whelk pots (Jersey vessels)	W	Number of whelk pots shot during the day	
Other pots (Jersey vessels)	O	Number of pots not in the above categories shot during the day	
Miscellaneous gear	MIS		
<sup>(1)</sup> Specify the model of trawl as named by the net manufacturer. Alternatively, the perimeter of the opening = number of meshes × size of mesh may be given if this figure is known.			
<sup>(2)</sup> Give the number of hooks and the number of lines separated by a dash.			



TABLE 2 – ICES AREAS

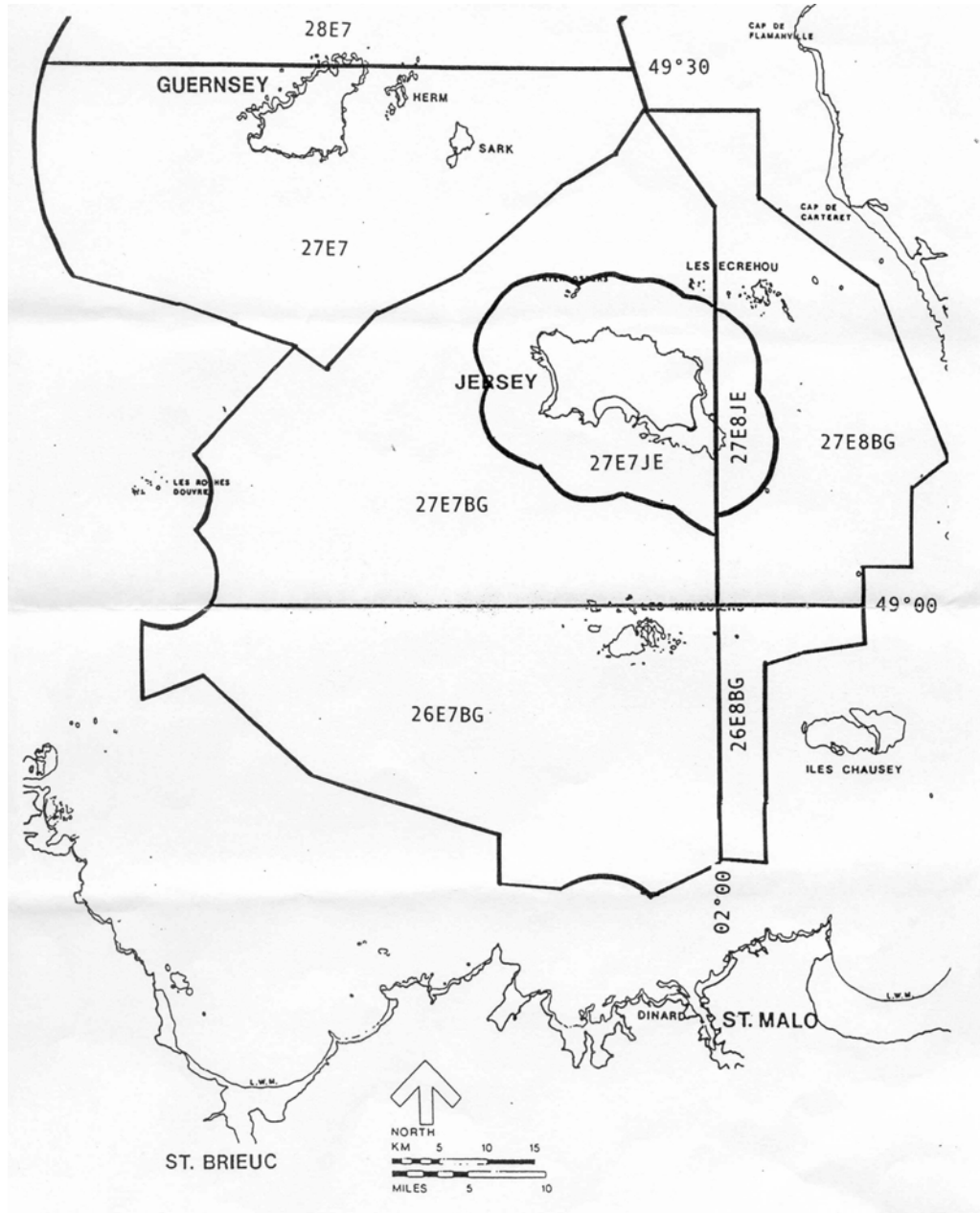


TABLE 3 – CODES FOR THE RECORDING OF SPECIES IN LOG BOOKS

FAO CODE	List of species	Scientific name
a) Demersal		
ANF	Anglerfish nei	<i>Lophiidae</i>
ARG	Argentines	<i>Argentina sphyraena</i>
HAL	Atlantic halibut	<i>Hippoglossus hippoglossus</i>
BSS	Bass	<i>Dicentrarchus labrax</i>
ANK	Black belled angler	<i>Lophius budegassa</i>
BSF	Black scabbardfish	<i>Aphanopus carbo</i>
BRB	Black seabream	<i>Spondylisoma cantharus</i>
BLI	Blue ling	<i>Molva dipterygia</i>
BOG	Bogue	<i>Boops boops</i>
BLL	Brill	<i>Scophthalmus rhombus</i>
CAT	Catfish	<i>Anarhichas spp.</i>
COD	Cod	<i>Gadus morhua</i>
SOX	Common sole	<i>Solea spp.</i>
COE	Conger eel	<i>Conger conger</i>
DAB	Dab	<i>Limanda limanda</i>
SYX	Dogfish	<i>Scyliorhinidae</i>
DGX	Dogfish, sharks nei	<i>Squalidae</i>
ELE	Eel	<i>Anguilla anguilla</i>
HKE	European hake	<i>Merluccius merluccius</i>
FLX	Flatfishes nei	<i>Pleuronectiformes</i>
FLE	Flounder	<i>Platichthys flesus</i>
GFB	Greater forked beard	<i>Phycis blennoides</i>
WEG	Greater weever	<i>Trachinus draco</i>
GHL	Greenland halibut	<i>Reinhardtius hippoglossoides</i>
GUG	Grey gurnard	<i>Eutrigla gurnardus</i>
GUX	Gurnards nei	<i>Triglidae</i>
HAD	Haddock	<i>Melanogrammus aeglefinus</i>
JOD	John dory	<i>Zeus faber</i>
LEM	Lemon sole	<i>Microstomus kitt</i>
LIN	Ling	<i>Molva molva</i>
PLA	Long rough dab	<i>Hippoglossoides platessoides</i>
LUM	Lumpsucker	<i>Cyclopterus lumpus</i>
LEZ	Megrims	<i>Lepidorhombus spp.</i>
MUL	Mulletts nei	<i>Mugilidae</i>

NOP	Norway pout	<i>Trisopterus esmarki</i>
PIC	Picarels	<i>Spicara spp. (Spicara smaris)</i>
PLE	Plaice	<i>Pleuronectes platessa</i>
POC	Polar cod	<i>Boreogadeus saida</i>
POL	Pollock	<i>Pollachius pollachius</i>
POD	Poor cod	<i>Trisopterus minutus</i>
BIB	Pout	<i>Trisopterus luscus</i>
POA	Ray's bream	<i>Brama brama</i>
SRX	Rays, skates	<i>Raja spp.</i>
SBR	Red bream	<i>Pagellus bogaraveo</i>
GUR	Red gurnard	<i>Aspitrigla cuculus</i>
MUX	Red mullets	<i>Mullus spp.</i>
RED	Redfish	<i>Sabastes spp.</i>
RNG	Roundnose grenadier	<i>Corypaenoides rupestris</i>
POK	Saithe	<i>Pollachius virens</i>
SAL	Salmon	<i>Salmo salar</i>
SAN	Sandeel	<i>Ammonoavtidae</i>
SAN	Sandeels, sandlances	<i>Ammodytes spp.</i>
SBX	Sea breams porgies	<i>Sparidae</i>
TRS	Sea trout	<i>Salmo trutta</i>
SHD	Shads	<i>Alosa spp.</i>
SFS	Silver scabbardfish	<i>Lepidopus caudatus</i>
SOL	Sole	<i>Solea solea</i>
DGS	Spiny dogfish	<i>Squalus acanthias</i>
SWO	Swordfish	<i>Xipheas gladius</i>
TUR	Turbot	<i>Psetta maxima</i>
USK	Tusk, cusk	<i>Brosme brosme</i>
WHG	Whiting	<i>Merlangius merlangus</i>
WIT	Witch flounder	<i>Glyptocephalus cynoglossus</i>
WRA	Wrasse	<i>Labridae spp</i>
SMA	Mako shark	<i>Isurus oxyrinchus</i>
POR	Porbeagle shark	<i>Lamna nasus</i>
SBG	Giltheaded bream	<i>Sparus auratus</i>
TRI	Triggerfish	<i>Balistidae</i>
<b>b) Crustaceans</b>		
AES	Aesop shrimp	<i>Pandalus montagui</i>
CSH	Common shrimp	<i>Crangon crangon</i>
CRR	Deepwater red crab	<i>Chaceon affinis</i>
CRE	Edible crab	<i>Cancer pagurus</i>
LBE	Lobster	<i>Homarus gammarus</i>
PRA	Northern prawn	<i>Pandalus borealis</i>
NEP	Norway lobster	<i>Nephrops norvegicus</i>

PAL	Palaemonid shrimps	<i>Palaemonidae</i>
PEN	Penaeus shrimps	<i>Penaeus spp.</i>
PAN	Pink shrimps	<i>Pandalus spp.</i>
SCR	Spinous spider crab	<i>Maia squinado</i>
LDM	Stone crab	<i>Lithodes maja</i>
MLP	Velvet crabs	<i>Liocarcinus puber</i>
<b>c) Molluscs</b>		
CTC	Common cuttlefish	<i>Sepia officinalis</i>
SCE	Common scallop	<i>Pecten maximus</i>
CTL	Cuttlefishes	<i>Sepia spp.</i>
SCX	King scallop	<i>Pecten maximus</i>
QSC	Queen scallop	<i>Chlamys opercularis</i>
SQI	Short finned squids	<i>Ommastrephidae</i>
SQU	Squids nei	<i>Loliginidae</i>
CLV	Venus clams	<i>Venus spp.</i>
WHE	Whelk	<i>Buccinum undatum</i>
MUS	Mussel	<i>Mytilus edulis</i>
COC	Cockle	<i>Cardium edule</i>
<b>d) Pelagic species</b>		
ALB	Albacore	<i>Thunnus alalunga</i>
ANE	Anchovy	<i>Engraulis encrasicolus</i>
MAC	Atlantic mackerel	<i>Scomber scombrus</i>
BET	Bigeye tuna	<i>Thunnus obesus</i>
WHB	Blue whiting	<i>Micromesistius poutassou</i>
CAP	Capelin	<i>Mallotus villosus</i>
GAR	Garfish	<i>Belone belone</i>
HER	Herring	<i>Clupea harengus</i>
JAX	Jacks and horsemackerels	<i>Trachurus spp.</i>
BFT	Northern bluefin tuna	<i>Thunnus thynnus</i>
PIL	Sardine	<i>Sardina pilchardus</i>
SME	Smelt	<i>Osmerus eperlanus</i>
MAS	Spanish mackerel	<i>Scomber japonicus</i>
SPR	Sprat	<i>Sprattus sprattus</i>

**TABLE 4 - CONVERSION FACTORS**

Species	Presentation			
	Whole Fish	Gutted, head on	Fillets	Parts of Fish
Anglerfish	1	1.28		3.00 <sup>1</sup>
Bass	1	1.125	2.7	
Blue Ling	1	1.15	2.8	1.32 <sup>2</sup>
Bream	1	1.13	2.7	
Brill	1	1.05	2.7	
Catfish	1	1.18		
Cockles	1			8.33
Cod	1	1.17	2.6	1.52 <sup>2</sup>
Conger Eel	1	1.125	2.7	
Crabs - Brown (Edible)	1			4.00
Dabs	1	1.08		
Dogfish - Other	1	1.37		
Dogfish Portugese	1	1.37	2.7	2.52
Dogfish - Spotted	1	1.37		
Dogfish Spur	1	1.37	2.7	2.52
Flounder	1	1.08	2.7	
Forkbeard	1	1.13		
Haddock	1	1.16	2.6	1.46 <sup>2</sup>
Hake	1	1.16	2.6	1.34 <sup>2</sup>
Halibut	1	1.08	2.7	
Halibut - Greenland	1	1.08	2.7	
John Dory	1	1.13		
Ling	1	1.15	2.8	1.32 <sup>2</sup>
Ling-Blue	1	1.15	2.8	1.32 <sup>2</sup>
Megrims	1	1.05	2.5	
Mullet	1	1.125	2.7	
Nephrops	1			3.00 <sup>1</sup>
Other flatfish	1	1.04		
Other or mixed Demersal	1	1.14		
Plaice	1	1.07	2.7	
Pollack	1	1.14	2.7	1.36 <sup>2</sup>
Red Mullet	1	1.125	2.7	
Roundnose Grenadier	1	1.13		
Saithe	1	1.19	2.9	1.44 <sup>2</sup>
Sea Bream	1	1.125	2.7	
Sharks	1	1.37		
Skates & Rays	1	1.13		2.09 <sup>3</sup>
Sole - Lemon	1	1.04	2.5	
Sole or Dover Sole	1	1.05	2.5	
Spurdogs	1	1.37	2.7	2.52 <sup>4</sup>
Squid	1			1.28
Turbot	1	1.07	2.7	
Tusk	1	1.13		
Whiting	1	1.13	2.7	1.41 <sup>2</sup>
Witches	1	1.04	2.7	

**Footnotes**

<sup>1</sup> Tail      <sup>2</sup> Head off gutted      <sup>3</sup> Wings      <sup>4</sup> Skinned

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- <sup>1</sup> *chapter 14.825*
  - <sup>2</sup> *chapter 14.825.56*
  - <sup>3</sup> *chapter 14.825.88*
  - <sup>4</sup> *chapter 14.825.64*