

§ 9(2)(a) had been instructed to inspect a number of vessels in respect of carton weights and had profiled four vessel landings that he wanted to inspect.

§ 9(2)(b)(ii) landing 24/02/03  
§ 9(2)(b)(ii) landing 28/01/03  
§ 9(2)(b)(ii) landing 04/03/03  
§ 9(2)(b)(ii) landing 22/01/03

### Monday 17<sup>th</sup> March 2003

§ 9(2)(a) and § 9(2)(a) inspected a discharge at § 9(2)(b)(ii) in § 9(2)(b) from the § 9(2)(b)(ii). Board the vessel and carry out an inspection of the factory area.

§ 9(2)(a) speaks to § 9(2)(a). Manager of the § 9(2)(b)(ii) Coolstore at § 9(2)(b). He establishes that the product from both § 9(2)(b)(ii) vessels has already been loaded into containers and exported.

§ 9(2)(b)(ii) product available for inspection included the following product.

51 of 193 cartons Hake TRF (6.80 kg blocks)  
1769 cartons Hoki Fillet block (7.484 kg blocks)  
789 cartons Ling TSK (6.80 kg blocks)

§ 9(2)(b)(ii) product available for inspection included the following product.

175 of 474 cartons Hake TRF (6.80 kg blocks)  
1101 of 1225 cartons Ling TSK (6.80 kg blocks)  
195 cartons Black Oreo Dory DRE (6.80 kg blocks)

Sample weighing was then undertaken of the following product.

§ 9(2)(b)(ii)

30 cartons Hake TRF  
50 cartons Hoki Fillet block  
30 cartons Ling TSK

§ 9(2)(b)(ii)

30 cartons Hake FIL  
30 cartons Ling TSK  
30 cartons Black Oreo Dory DRE

As a result of sample weighing § 9(2)(a) then made a number of calculations based on the information gathered and estimated an amount that the cartons weighed in excess of that declared on the CLR. Unfortunately nearly all calculations contained some mistakes, which are listed for each species.

§ 9(2)(b)(ii)

Hoki

Estimated to be overweight by 1.42 kilograms per carton.

- 1 Wrong packaging weight calculated (Did not allow for three liners per carton was there fore 360 grams light)
- 2 Allowance made for glaze (The product is not glazed)
- 3 Used the wrong net weight in calculations 20.4 when it should have been 22.4?
- 4 Used the wrong conversion factor of 2.65 when the vessel has a vessel specific conversion factor of 2.45.

Ling

Estimated to be overweight by 0.97 kilograms per carton.

- 1 Wrong packaging weight calculated (Did not allow for three liners per carton was there fore 360 grams light)
- 2 Allowance made for glaze (The product is not glazed)
- 3 Used the wrong conversion factor 3.00 when the correct conversion factor was 2.85

Hake

Estimated to be overweight by 0.97 kilograms per carton.

- 1 Wrong packaging weight calculated (Did not allow for three liners per carton was there fore 360 grams light)
- 2 Allowance made for glaze (The product is not glazed)
- 3 Used the wrong conversion factor 2.75 when the vessel has a vessel specific conversion factor of 1.85

§ 9(2)(b)(ii)

Black Oreo Dory

Estimated to be overweight by 1.06 kilograms per carton.

- 1 Made no allowance for glaze when the product was glazed.

Ling

Estimated to be overweight by 1.34 kilograms per carton.

- 1 Wrong packaging weight calculated (Did not allow for three liners per carton was there fore 360 grams light)
- 2 Allowance made for glaze (The product is not glazed)
- 3 Used the wrong conversion factor 3.00 when the correct conversion factor was 2.85

Based on these calculations § 9(2)(a) believed that the product was overweight and had not been declared correctly on the CLR relevant for each vessel.

§ 9(2)(a) then approached § 9(2)(a) and advised him of the lines of product that he intended to seize.

The product was seized and a property record sheet prepared.

Product seized consisted of:

§ 9(2)(b)(ii) .

51 cartons Hake TRF  
1769 cartons Hoki Fillet block  
789 cartons Ling TSK

§ 9(2)(b)(ii) .

1101 cartons Ling TSK  
195 cartons Black Oreo Dory DRE

Total 3,905 cartons.

§ 9(2)(a) then went to § 9(2)(b)(ii) and advised them of the action she had taken and left a copy of the property record sheet with a § 9(2)(a) .

### **Tuesday 18<sup>th</sup> March 2003.**

Meeting held at Dunedin where § 9(2)(a) is briefed by § 9(2)(a) and § 9(2)(a) on the actions taken so far.

Wednesday 19<sup>th</sup> March 2003.

§ 9(2)(a) returns to § 9(2)(b)(ii) and speaks to § 9(2)(a) . Obtains unload dockets and purchase invoices for the two landings concerned.

### **Thursday 20<sup>th</sup> March 2003.**

Enquiries are initiated to see if either of the two vessels has a vessel specific conversion factor certificate issued for the species seized.

Establish that conversion factors for Ling as recorded in FIS and used by § 9(2)(a) are incorrect and have not been updated in line with latest regulation change.

### **Friday 21<sup>st</sup> March 2003.**

§ 9(2)(a) , § 9(2)(b)(ii) , rings to discuss situation. Asks if the ministry is aware that the § 9(2)(b)(ii) has a VSCF certificate.

Try to visit § 9(2)(b)(ii) on 27<sup>th</sup> March 2003 to conduct evidential weighing of product. Unable to attend at request of § 9(2)(a) , cool store is too busy.

### **Friday 28<sup>th</sup> March 2003**

Staff travel to § 9(2)(b)(ii) , Timaru, undertake first of the evidential Carton Weighing.

Weigh 195 Cartons Black Oreo Dory ex § 9(2)(b)(ii) .

Weigh 51 Cartons Hake, ex § 9(2)(b)(ii) .

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

Directive to produce documentation served on § 9(2)(a) .

Process used in evidential weighing as follows.

- § 9(2)(a) identifies random samples and creates list.
- Each carton is numbered (001 to however many) and photographed.
- Cartons then weighed across MFish scales and the serial number, pack date codes, and weights are recorded.
- Cartons then weighed across § 9(2)(b)(ii) scales.
- Cartons are opened and the fish inspected to ensure the contents are correct.
- Random samples placed on separate pallet
- Rest of the cartons are returned to main pallet and returned to freezer
- Random samples are taken to § 9(2)(b)(ii) at the end of the days weighing.

#### **Thursday 10<sup>th</sup> April 2003**

Staff travel to § 9(2)(b)(ii) , Timaru, undertake evidential Carton Weighing.

Weigh 630 Cartons Ling, ex § 9(2)(b)(ii) .

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

#### **Monday 14<sup>th</sup> April 2003**

§ 9(2)(a) , § 9(2)(a) and § 9(2)(a) travel to Timaru.

Board the vessel § 9(2)(b)(ii) . Factory inspection and then the bridge computer and the Marel computer are cloned to allow later examination. Issue with cloning of bridge computer.

Directive to produce documentation served on § 9(2)(a) , § 9(2)(b)(ii) .

#### **Wednesday 16<sup>th</sup> April 2003**

Staff travel to § 9(2)(b)(ii) , Timaru, undertake evidential Carton Weighing.

Weigh 159 Cartons Ling, ex § 9(2)(b)(ii) .

Weigh 326 Cartons Ling, ex § 9(2)(b)(ii) .

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

Bridge computer cloned by § 9(2)(a) .

Try to visit § 9(2)(b)(ii) on **22<sup>nd</sup> April 2003** to conduct evidential weighing of product. Unable to attend at request of § 9(2)(a), no staff available.

**Wednesday 30<sup>th</sup> April 2003**

Staff travel to § 9(2)(b)(ii), Timaru, undertake evidential Carton Weighing.

Weigh 612 Cartons Ling, ex § 9(2)(b)(ii).

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

**Thursday 1<sup>st</sup> May 2003**

Weigh 163 Cartons Ling, ex § 9(2)(b)(ii).

Weigh 504 Cartons Hoki, ex § 9(2)(b)(ii).

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

§ 9(2)(a) contacted by § 9(2)(a), § 9(2)(a), Barristers and Solicitors, § 9(2)(a) is to forward a letter outlining § 9(2)(b)(ii) stance.

**Friday 2<sup>nd</sup> May 2003**

Weigh 720 Cartons Hoki, ex § 9(2)(b)(ii).

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

**Tuesday 6<sup>th</sup> May 2003**

§ 9(2)(a) and § 9(2)(a) travel to Timaru.

Board the vessel § 9(2)(b)(ii). Marel computer and bridge computer cloned to allow later examination.

**Wednesday 7<sup>th</sup> May 2003**

Staff travel to § 9(2)(b)(ii), Timaru, undertake evidential Carton Weighing.

Weigh 545 Cartons Hoki, ex § 9(2)(b)(ii).

Samples identified as destructive samples delivered to § 9(2)(b)(ii) Timaru.

**Monday 12<sup>th</sup> May 2003**

Samples identified as destructive samples transferred from § 9(2)(b)(ii) Timaru to § 9(2)(b)(ii) Dunedin.

**Thursday 15<sup>th</sup> May 2003**

Identify issue with some of the photographs taken, some carton numbers are obscured, one film was not loaded into the camera properly and is blank.

### **Wednesday 28<sup>th</sup> May 2003**

§ 9(2)(a) requests one week delay for destructive sampling, having trouble locating staff. Delay made two weeks as § 9(2)(a) not available if delayed one week.

### **Wednesday 4<sup>th</sup>, Thursday 5<sup>th</sup> June 2003**

With § 9(2)(a), § 9(2)(b)(ii) and § 9(2)(a) view information stored on bridge computers of § 9(2)(b)(ii) and § 9(2)(b)(ii), obtained as a result of the cloning of computers.

Excel spreadsheets and access data bases identified as items of interest and copies obtained.

### **Wednesday 18<sup>th</sup> June 2003**

Destructive sampling of cartons undertaken at § 9(2)(b)(ii), Dunedin.

§ 9(2)(b)(ii) staff § 9(2)(a) and § 9(2)(a) present.

Destructively sample 118 cartons Ling, ex § 9(2)(b)(ii).

### **Thursday 19<sup>th</sup> June 2003**

Destructive sampling of cartons undertaken at § 9(2)(b)(ii), Dunedin.

§ 9(2)(b)(ii) staff § 9(2)(a) and § 9(2)(a) present.

Destructively sample 2 cartons Ling, ex § 9(2)(b)(ii).

Destructively sample 121 cartons Hoki, ex § 9(2)(b)(ii).

Destructively sample 51 cartons Hake, ex § 9(2)(b)(ii).

### **Tuesday 24<sup>th</sup> June 2003**

With § 9(2)(a), § 9(2)(b)(ii) and § 9(2)(a) attempt to view information held on the Marel Computer system, obtained as a result of the cloning of computers.

Method unsuccessful, the system requires it's home environment, ie onboard vessel to run properly.

### **Wednesday 25<sup>th</sup> June 2003**

Destructive sampling of cartons undertaken at § 9(2)(b)(ii), Dunedin.

§ 9(2)(b)(ii) staff § 9(2)(a) and § 9(2)(a) present.

Destructively sample 119 cartons Ling, ex § 9(2)(b)(ii) .

Destructively sample 20 cartons Black Oreo Dory, ex § 9(2)(b)(ii) .

### **Wednesday 2<sup>nd</sup> July 2003**

Letter forwarded to § 9(2)(a) advising him that the Ministry intends to release the seized fish that has been evidentially weighed and some of the seized fish that has been destructively sampled.

### **Monday 21<sup>st</sup> July 2003**

With § 9(2)(a) , § 9(2)(b)(ii) and § 9(2)(a) at Timaru board the § 9(2)(b)(ii) and view information held on the Marel Computer system, copies of information held for both journeys copied.

### **Thursday 7<sup>th</sup> August 2003**

Letters forwarded to § 9(2)(b)(ii) and § 9(2)(b)(ii) authorising the release of seized product that is no longer required.

A lot of time is spent during the month of August gathering, entering, checking and verifying the information obtained in destructive sampling.

### **Friday 29<sup>th</sup> August 2003**

Advise § 9(2)(a) that we would like to interview staff.

Vessel managers

Factory Managers

§ 9(2)(a)

§ 9(2)(a)

### **Tuesday 16<sup>th</sup> September 2003**

§ 9(2)(a) suggests dates of 15/16<sup>th</sup> October 2003 for interviews of § 9(2)(b)(ii) staff.

### **Tuesday 7<sup>th</sup> October 2003**

Copies of destructive sampling data forwarded to § 9(2)(a) .

Request to interview a member of the QC sampling team.

### **Wednesday / Thursday 15/16<sup>th</sup> October 2003**

Interviews conducted with:

§ 9(2)(a) , vessel manager § 9(2)(b)(ii)

§ 9(2)(a) , vessel manager § 9(2)(b)(ii)

§ 9(2)(a) , factory manager § 9(2)(b)(ii)

§ 9(2)(a) , factory manager § 9(2)(b)(ii)

§ 9(2)(a) , QC sampler, § 9(2)(b)(ii)  
§ 9(2)(a) , general hand, § 9(2)(b)(ii)  
§ 9(2)(a) Coolstore Manager, § 9(2)(b)(ii)

**Thursday 23<sup>rd</sup> October 2003**

Request further interviews of § 9(2)(b)(ii) staff made to § 9(2)(a) by § 9(2)(a) .

**Friday 24<sup>th</sup> October 2003**

Dates suggested by § 9(2)(a) 17/18<sup>th</sup> November 2003.

**Thursday 13<sup>th</sup> November 2003**

§ 9(2)(a) requests a delay for the interviews due to work commitments.

Dates extended to the 27/28<sup>th</sup> November 2003

**Thursday / Friday 27/28<sup>th</sup> November 2003**

Interviews conducted with:

§ 9(2)(a) , QC Supervisor, § 9(2)(b)(ii)  
§ 9(2)(a) , Vessel Unload Manager, § 9(2)(b)(ii)  
§ 9(2)(a) , Deepwater fleet manager, § 9(2)(b)(ii)  
§ 9(2)(a) , Quota Manager, § 9(2)(b)(ii)