

## Investigation Report

### DSIFCA 03\_26 – Retention of lobster (berried), Retention of lobster (undersized)

Date of offence: 15/01/2026

Trigger: Premises inspection

#### Details / Synopsis / Facts of the case

On the 15<sup>th</sup> January Officers conducted an inspection of catch landed to Brixham Fish Market consisting of 2 boxes of Octopus and 1 box containing 33 Lobster. The Fishing Vessel was known to operate within the inshore areas of Cornwall.

2 lobsters were found to measure 89mm, less than the Minimum Conservation Reference Size (MCRS) of 90mm.

2 lobsters were found to be fully berried.

The 4 lobsters were seized and released alive to sea unharmed.

#### Relevant legislation

*Cornwall Inshore Fisheries and Conservation Authority (CIFCA) Lobster Byelaw 2011.*

*Statutory Instrument 2000/874 The Lobsters and Crawfish (Prohibition of Fishing and Landing) Order 2000 as amended*

#### Previous infringements

- Has the owner been found guilty by a court, or accepted a FAP or Simple Caution for the same category of offence within the last two years?  Yes  No
- Has the master been found guilty by a court, or accepted a FAP or Simple Caution for the same category of offence within the last two years?  Yes  No

#### Outcome

The Authority has reviewed all the evidence in the case and has determined that; in relation to the 2 lobsters measuring below the MCRS the Evidential threshold has not been met and No Further Action was taken.

In relation to the 2 berried lobsters, the Evidential threshold has been met. The Authority considered the public interest test and in line with the Authority's Compliance and Enforcement Strategy, an Official Written Warning was issued.