

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation amending Regulation (EC) No 2555/2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required

*(2002/C 331 E/01)**COM(2002) 442 final**(Submitted by the Commission on 1 August 2002)***EXPLANATORY MEMORANDUM**

Council Regulation (EC) No 2555/2001 fixes the fishing opportunities and associated conditions for certain fish stocks and groups of stocks applicable in Community waters and for Community vessels, in waters where limitations in catch are required for 2002. Amendments of the Regulation are required following decisions recently reached in international fora, new scientific advice and a ruling by the Court of Justice:

1. Various conservation and enforcement measures to be applied in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO) are laid down in the Regulation. The Community is a Contracting Party to NAFO and has to implement measures adopted by the Organisation. At a Special Meeting in February 2002 NAFO adopted the following measures:
 - (a) To introduce increased mesh size of nets in the skate fishery. The mesh size shall be 280 mm in the codend (from 1 July 2002).
 - (b) To introduce a reporting system for catches of shrimp in NAFO Division 3L.
 - (c) To extend the closed period for fishing for shrimp in certain defined areas of NAFO Division 3M from 1 June to 30 September 2002 to 1 June to 31 December 2002.
 - (d) To increase the maximum number of fishing days for shrimp in certain defined areas of NAFO Division 3M.
 - (e) To increase the TAC of Greenland halibut in NAFO Division 3LMNO.
2. Consultations between the Community, on behalf of Sweden, and the Russian Federation concerning cooperation in fisheries for 2002 were concluded on 14 February 2002. The conclusions of such consultations, which concern exchange of fishing opportunities in the form of quotas and licences, need now to be implemented in Community legislation so fishermen can make use of the new fishing possibilities.
3. During the Fisheries Consultations between the EU and Norway on the regulation of fisheries in Skagerrak and Kattegat for 2002 the Parties agreed that: 'In view of the special circumstances surrounding the plaice advice for 2002, the Parties agreed that ICES should be requested to re-evaluate its advice for the stock for 2002 when official statistics of plaice catches for 2001 become available'. ICES concludes in its advice for plaice in Skagerrak and Kattegat that 'the 2001 information suggests a 32 % higher status quo prediction for 2002 than presented in 2001, implying that the 2002 TAC could be increased by up to 32 % without significant additional risk to the stock'. The TAC has been amended accordingly. As regards Skagerrak Norway has agreed to the increased TAC.
4. An agreement has been reached between the European Community and Norway whereby 15 000 tonnes of sandeel in Community waters of ICES Subdivision IIa and the North Sea has been transferred to Norway and 1 500 tonnes of plaice in the same area has been transferred from Norway to the Community.
5. The Council and the Commission at the Council meeting in December 2001 agreed to seek further scientific advice from ICES and STECF on the state of the stock of sole in ICES Subdivisions VIIIa, b and appropriate catches for 2002. Neither ICES nor STECF found any basis to revise the previous ICES advice.

The Commission last year, when developing TAC and quota proposals for recovery stocks, selected the TACs equal to the landings that, according to ICES catch forecasts, would give for cod and sole a 30 % increase in SSB and for hake a 15 % increase. If this implied a reduction in the TAC of more than 50 % the proposed TAC was set equal to 50 % of the 2001 TAC. The proposed TAC was, however, never set at a level that would result in a fishing mortality higher than the Fpa.

Following the ICES advice and applying the same principles as used when developing the that TAC last year the TAC will be 2 710 tonnes for sole in ICES Subdivisions VIIIa,b for the whole year 2002 (Fpa rule).

6. ICES has in a new scientific advice on management of herring in ICES Subdivisions VII g,h,j,k recommended that the fishing mortality in 2002 should be at or below 0,35 corresponding to catches of no more than 11 000 tonnes for the whole year. The TAC has been amended accordingly.
7. The Court of Justice has in case C-61/96 ruled that allowing Portugal under the TAC for anchovy in ICES Divisions IX, X, CECF 34.1.1 to fish part of its quota allocated in the aforementioned zone in ICES Division VIII will distort the relative stability in Division VIII. The transfer must therefore be discontinued.
8. During the Annual Meeting of ICCAT from 12 to 19 November 2001, tables were adopted for the first time showing the under-utilisation and over-utilisation by the ICCAT Contracting Parties of their fishing possibilities agreed in ICCAT. In this context, ICCAT adopted a decision showing that during 2000, the European Community under-exploited its quota by 1 696 tonnes for South Atlantic blue-fin tuna and by 2 tonnes for South Atlantic swordfish as well as over-exploited its quota of North Atlantic swordfish by 147,5 tonnes. In order to respect the adjustments to the Community quotas established by ICCAT, and taking into account the under-utilisation and the over-utilisation attributed to the European Community resulting from the under-exploitation of South Atlantic blue-fin tuna and swordfish and the over-exploitation by certain Member States of the 2000 fishing possibilities of North Atlantic swordfish established by ICCAT, it is necessary that the distribution of under-utilisation and over-utilisation is carried out on the basis of the respective contribution of each Member State towards the under-utilisation and over-utilisation without modifying the distribution key established under Article 3 (1) of Regulation (EC) No 2555/2001 concerning the annual allocation of TACs.
9. At the extraordinary meeting of the International Commission for the Conservation of Atlantic Tuna (ICCAT) in November 2000 it was recommended that quotas should be introduced for white marlin and blue marlin in the Atlantic Ocean. The recommendations entered into force 26 June 2001. The Community as a Contracting Party has to implement them.
10. In accordance with Article 10 (1) of Regulation (EC) No 973/2001 the number of Community fishing vessels that are fishing for Northern Albacore as a target species has to be fixed, based on the average number of fishing vessels fishing for Northern Albacore during the period 1993 and 1995. The total number is 1 253 distributed among Member States as follows: Ireland 25, Spain 751, France 155, United Kingdom 12 and Portugal 310. The total number may not be exceeded.

In accordance with Article 10 (4) of Regulation (EC) No 973/2001 the total number of vessels fixed in accordance with Article 10 (1) shall be distributed among Member States. The vessels intended to participate in the Northern Albacore fishery during 2002, notified by the Member States to the Commission, is higher than 1 253. In accordance with a declaration made by Spain, France and Ireland, made at the adoption of the Regulation, Spain and France will renounce up to 25 vessels in favour of Ireland if it is deemed necessary for the application of Article 10 (4). The reduction will be made in proportion to their number of vessels determined in accordance with Article 10 (1). This means that Spain has to reduce the number of vessels with 21 to 730 and France with 4 to 151 and Ireland will increase the number of vessels from 25 to 50.

11. Various conservation and enforcement measures to be applied in the Baltic Sea fishery are laid down in the Regulation. These measures are recommended by the International Baltic Sea Fishery Commission (IBSFC). The Community as a Contracting Party has to implement them. The IBSFC, at an Extraordinary Session in March 2001, made a recommendation on increased gear selectivity in the cod trawl fishery. The specification relating to twine thickness for the 130 mm trawl should be inserted in Annex V to the Regulation.

The Council is requested to adopt this proposal as soon as possible in order to allow fishermen to plan their activities for this fishing season.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In February 2002 the Northwest Atlantic Fisheries Organisation (NAFO) adopted various amendments to its conservation and enforcement measures regarding mesh size for fishing for skate, catch reporting requirements for the shrimp fishery in Division 3L, the extension of the closed period for the fishing for shrimp in certain defined areas in Division 3M, a change of the maximum number of fishing days for shrimp in Division 3M and the total allowable catches (TAC) for Greenland halibut.
- (2) In accordance with the procedure provided for in Article 3 of the Agreement on fisheries of 11 December 1992 concluded between the Government of the Kingdom of Sweden and the Government of the Russian Federation, the Community, on behalf of the Kingdom of Sweden, held consultations with the Russian Federation concerning their respective fishing rights for 2002.
- (3) In accordance with the most recent scientific evidence and in agreement with Norway, the TAC for plaice in ICES ⁽²⁾ Subdivision IIIa (Kattegat and Skagerrak) for 2002 can be increased.
- (4) An agreement has been reached between the European Community and Norway whereby 15 000 tonnes of sandeel in Community waters of ICES Subdivision IIa

and the North Sea has been transferred to Norway and 1 500 tonnes of plaice in the same area has been transferred from Norway to the Community.

- (5) According to the most recent scientific evidence, the TAC for sole in ICES Subdivisions VIIa,b should be reduced. The TAC for herring in ICES Subdivisions VIIg,h,j,k should be set for the whole year 2002 taking into account new scientific advice from ICES.
- (6) Following the judgement of the Court of Justice of 18 April 2002 in case C-61/96 footnote 2 on the entry concerning anchovy in Zone IX, X, CECAF 34.1.1 should be deleted.
- (7) During the Annual Meeting of ICCAT from 12 to 19 November 2001, tables were adopted for the first time showing the under-utilisation and over-utilisation by the ICCAT Contracting Parties of their fishing possibilities agreed in ICCAT. In this context, ICCAT adopted a decision showing that during 2000, the European Community under-exploited its quota by 1,696 tonnes for South Atlantic blue-fin tuna and by 2 tonnes for South Atlantic swordfish as well as over-exploited its quota of North Atlantic swordfish by 147,5 tonnes.
- (8) In order to respect the adjustments to the Community quotas established by ICCAT, and taking into account the under-utilisation and the over-utilisation attributed to the European Community resulting from the under-exploitation of South Atlantic blue-fin tuna and swordfish and the over-exploitation by certain Member States of the 2000 fishing possibilities of North Atlantic swordfish established by ICCAT, it is necessary that the distribution of under-utilisation and over-utilisation is carried out on the basis of the respective contribution of each Member State towards the under-utilisation and over-utilisation without modifying the distribution key established under Article 3 (1) of Regulation (EC) No 2555/2001 concerning the annual allocation of TACs.

⁽¹⁾ OJ L 389, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 1181/98 (OJ L 164, 9.6.1998, p. 1).

⁽²⁾ International Council for the Exploration of the Sea.

- (9) In accordance with Article 10 (1) of Council Regulation (EC) No 973/2001 of 14 May 2001 laying down certain technical measures for the conservation of certain stocks of highly migratory species ⁽¹⁾ the number of Community fishing vessels that are fishing for Northern Albacore as a target species should be determined, based on the average number of fishing vessels fishing for this species during the period 1993 and 1995. That number of vessels should be distributed among the Member States.
- (10) At its extraordinary meeting in November 2000, the International Commission for the Conservation of Atlantic Tunas (ICCAT) recommended that quotas should be introduced for white marlin and blue marlin in the Atlantic Ocean.
- (11) The International Baltic Sea Fishery Commission (IBSFC), recommended technical conservation measures in March 2001 for the cod trawl fishery. Therefore point 3 of Annex V of Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽²⁾ has to be changed.
- (12) Regulation (EC) No 2555/2001 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2555/2001 is amended as follows:

1. The first paragraph of Article 17 (1) is replaced by the following:

'The use of trawl net having in any section thereof net meshes of dimensions less than 130 mm shall be prohibited for direct fishing of the species referred to in Annex IX. This mesh size may be reduced to minimum 60 mm for direct fishing of short-finned squid (*Illex illecebrosus*). For direct fishing of skates (*Rajidae*) this mesh size shall be increased to minimum 280 mm in the cod-end from 1 July 2002.'

2. In Article 18, the following paragraph 5 is added:

'5. Member States shall report to the Commission daily the quantities of Northern prawns (*Pandalus borealis*) caught in Division 3L of the NAFO Regulatory Area by vessels flying the flag of a Member State and registered in the Community.'

3. Annex IA is amended in accordance with Annex I to this Regulation.
4. Annex IB is amended in accordance with Annex II to this Regulation.
5. Annex ID is amended in accordance with Annex III to this Regulation.
6. Annex IE is amended in accordance with Annex IV to this Regulation.
7. Annex IF is amended in accordance with Annex V to this Regulation.
8. In Annex V, point 3 is replaced by the following:

'3. By way of derogation from the provisions of Annex IV of Council Regulation (EC) No 88/98, the minimum mesh size for fishing for cod with trawls, Danish seines and similar nets shall be 130 mm. The maximum twine thickness shall be 6 mm if single twine is used and 4 mm if double twine is used. The said mesh size and twine thickness shall apply to any cod-end or extension piece found on board a fishing vessel and attached to or suitable for attachment to any towed net.'

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ L 137, 19.5.2001, p. 1.

⁽²⁾ OJ L 347, 31.12.2001, p. 1.

ANNEX I

Annex IA to Regulation (EC) No 2555/2001 is amended as follows:

1. The entry concerning the species Sprat in zone 'IIIbcd (EC waters)' is replaced by the following:

Species: Sprat <i>Sprattus sprattus</i>		Zone: IIIbcd (EC waters)
Denmark	33 705	(1) To be counted against the Estonian share of the IBSFC TAC. (2) To be counted against the Latvian share of the IBSFC TAC. (3) A maximum of 5 % in weight of herring is allowed as by-catch. (4) To be counted against the Lithuanian share of the IBSFC TAC. (5) To be fished in the Swedish zone of EC waters and by-catches of other species shall be counted against this quota.
Germany	21 353	
Finland	17 644	
Sweden	76 158	
EC	148 860	
Estonia	0 (1)	(5) To be fished in the Swedish zone of EC waters and by-catches of other species shall be counted against this quota.
Latvia	8 000 (2) (3)	
Lithuania	4 000 (4)	
Russian Federation	1 000 (5)	
TAC	380 000	

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

	Estonian waters	Latvian waters	Lithuanian waters
EC	0	8 000	4 000'

2. The following entry is added:

Species: Sprat <i>Sprattus sprattus</i>		Zone: IIId (Russian Federation waters)
Sweden	1 000	
EC	1 000	
TAC	380 000'	

ANNEX II

In Annex IB to Regulation (EC) No 2555/2001, the entries concerning the species Sandeel in zone 'IIa, North Sea', the species Plaice in zones 'Skagerrak', 'Kattegat' and zone 'IIa (EC waters), North Sea' are replaced by the following:

Species: Sandeel <i>Ammodytidae</i>		Zone: IIa ⁽¹⁾ , North Sea ⁽¹⁾
Denmark	799 388	⁽¹⁾ Community waters excluding waters within 6 miles of UK baselines at Shetland, Fair Isle and Foula. ⁽²⁾ Except Denmark, Finland, Spain, Portugal and the United Kingdom. ⁽³⁾ This quota consists of any mixture of sandeel, Norway pout and blue whiting. No more than 500 tonnes of Norway pout may be taken in VIa north of 56°30' N. ⁽⁴⁾ This quota consists of sandeel, Norway pout, a maximum of 2 000 tonnes of sprat and unavoidable by-catches of blue whiting. Sprat and a maximum of 6 000 tonnes of Norway pout may be taken in VIa north of 56°30' N. Such Norway pout catches shall be subject to the provision, on request by the Commission, of details on the quantity and composition of any by-catch taken.
United Kingdom	17 473	
All Member States	31 139 ⁽²⁾	
EC	848 000	
Norway	50 000 ⁽³⁾	
Faroe Islands	20 000 ⁽⁴⁾	
TAC	918 000	
Species: Plaice <i>Pleuronectes platessa</i>		Zone: Skagerrak
Belgium	50	⁽¹⁾ TAC agreed in the framework of Fisheries Consultations between the European Community and Norway on Fisheries in the Skagerrak and Kattegat for 2002. The parties' shares of the TAC are: EC: 8 279 tonnes; Norway: 169 tonnes.
Denmark	6 578	
Germany	34	
The Netherlands	1 265	
Sweden	352	
EC	8 279	
TAC	8 448 ⁽¹⁾	
Species: Plaice <i>Pleuronectes platessa</i>		Zone: Kattegat
Denmark	1 880	
Germany	21	
Sweden	211	
EC	2 112	
TAC	2 112	

Species: Plaice <i>Pleuronectes platessa</i>		Zone: IIa (EC waters), North Sea
Belgium	4 591	⁽¹⁾ May only be taken in IV(EC waters). Catches taken within this quota are to be deducted from Norway's share of the TAC. ⁽²⁾ TAC agreed in the framework of Fisheries Consultations between the European Community and Norway for 2002. The parties' shares of the TAC, after swaps, are: EC: 74 610 tonnes, Norway: 2 390 tonnes.
Denmark	14 922	
Germany	4 305	
France	861	
The Netherlands	28 696	
United Kingdom	21 235	
EC	74 610	
Norway	2 390 ⁽¹⁾	
TAC	77 000 ⁽²⁾	

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

	Norwegian waters
EC	31 500'

ANNEX III

Annex ID to Regulation (EC) No 2555/2001 the entries concerning the species Herring in zone 'VII g,h,j,k', the species Anchovy in zone 'IX, X, CECAF 34.1.1 (Community waters)' and the species Common sole in zone 'VIII a,b' are replaced by the following:

Species: Herring <i>Clupea harengus</i>		Zone: VII g,h,j,k ⁽¹⁾
Germany	122	⁽¹⁾ ICES Division VII g,h,j,k is increased by the area added to the Celtic Sea bounded: — to the north by latitude 52°30'N, — to the south by latitude 52°00'N, — to the west by the coast of Ireland, — to the east by the coast of the United Kingdom.
France	679	
Ireland	9 506	
The Netherlands	679	
United Kingdom	14	
EC	11 000	
TAC	11 000	
Species: Anchovy <i>Engraulis encrasicolus</i>		Zone: IX, X, CECAF 34.1.1 (Community waters)
Spain	3 826 ⁽¹⁾	⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.
Portugal	4 174 ⁽¹⁾	
EC	8 000	
TAC	8 000	
Species: Common sole <i>Solea solea</i>		Zone: VIII a,b
Belgium	34 ⁽¹⁾	⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of France, or in the international waters of the zone concerned. ⁽²⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of Spain, or in the international waters of the zone concerned.
Spain	6 ⁽²⁾	
France	2 484 ⁽¹⁾	
The Netherlands	186 ⁽¹⁾	
EC	2 710	
TAC	2 710	

ANNEX IV

In Annex IE to Regulation (EC) No 2555/2001, the entries concerning the species Northern prawn in zone 'NAFO 3M' and the species Greenland halibut in zone 'NAFO 3LMNO' are replaced by the following:

Species: Northern prawn <i>Pandalus borealis</i>	Zone: NAFO 3M ⁽¹⁾																																																			
TAC ⁽²⁾	<p>⁽¹⁾ Vessels may also fish this stock in Division 3L in the box bounded by the following coordinates:</p> <table><tr><td>Point No</td><td>Latitude</td><td>Longitude</td></tr><tr><td>1</td><td>47°20'0</td><td>46°40'0</td></tr><tr><td>2</td><td>47°20'0</td><td>46°30'0</td></tr><tr><td>3</td><td>46°00'0</td><td>46°30'0</td></tr><tr><td>4</td><td>46°00'0</td><td>46°40'0</td></tr></table> <p>When conducting a fishery for shrimp in this box, vessels shall, whether or not crossing the line separating NAFO Divisions 3L and 3M, report in accordance with point 1.3 of the annex to Regulation (EC) No 189/92 (OJ L 21, 30.1.1992, p. 4).</p> <p>Moreover, fishing for shrimp shall be prohibited from 1 June to 31 December 2002 in the area bounded by the following coordinates:</p> <table><tr><td>Point No</td><td>Latitude N</td><td>Longitude W</td></tr><tr><td>1</td><td>47°55'0</td><td>45°00'0</td></tr><tr><td>2</td><td>47°30'0</td><td>44°15'0</td></tr><tr><td>3</td><td>46°55'0</td><td>44°15'0</td></tr><tr><td>4</td><td>46°35'0</td><td>44°30'0</td></tr><tr><td>5</td><td>46°35'0</td><td>45°40'0</td></tr><tr><td>6</td><td>47°30'0</td><td>45°40'0</td></tr><tr><td>7</td><td>47°55'0</td><td>45°00'0</td></tr></table> <p>⁽²⁾ Not relevant. Fishery managed by limitations in fishing effort. The Member States concerned shall issue special fishing permits for their fishing vessels engaging in this fishery, and shall notify those permits to the Commission prior to the commencement of the vessel's activity, in accordance with Regulation (EC) No 1627/94. By way of derogation from Article 8 of that regulation, permits will only become valid if the Commission has not objected within five working days following the notification.</p> <p>The maximum number of vessels and fishing time allowed shall be:</p> <table><tr><td>Member State</td><td>Maximum number of vessels</td><td>Maximum number of fishing days</td></tr><tr><td>Denmark</td><td>2</td><td>131</td></tr><tr><td>Spain</td><td>10</td><td>257</td></tr><tr><td>Portugal</td><td>1</td><td>69</td></tr></table> <p>Each Member State shall, within 25 days following the calendar month in which the catches are made, report monthly to the Commission the fishing days spent in Division 3M and in the area defined in footnote ⁽¹⁾ above.</p>	Point No	Latitude	Longitude	1	47°20'0	46°40'0	2	47°20'0	46°30'0	3	46°00'0	46°30'0	4	46°00'0	46°40'0	Point No	Latitude N	Longitude W	1	47°55'0	45°00'0	2	47°30'0	44°15'0	3	46°55'0	44°15'0	4	46°35'0	44°30'0	5	46°35'0	45°40'0	6	47°30'0	45°40'0	7	47°55'0	45°00'0	Member State	Maximum number of vessels	Maximum number of fishing days	Denmark	2	131	Spain	10	257	Portugal	1	69
Point No	Latitude	Longitude																																																		
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Species:	Greenland halibut <i>Reinhardtius hippoglossoides</i>	Zone: NAFO 3LMNO
Germany	896	
Spain	12 060	
Portugal	5 090	
EC	18 046	
TAC	32 604'	

ANNEX V

Annex IF to Regulation (EC) No 2555/2001 is amended as follows:

1. The entries concerning the species Bluefin tuna in zone 'Atlantic Ocean', East of longitude 45 °W, and 'Mediterranean', the species swordfish in zones 'Atlantic Ocean, north of latitude 5 °N' and 'Atlantic Ocean, south of latitude 5 °N' and the species Northern Albacore in zone 'Atlantic Ocean, north of latitude 5 °N' are replaced by the following:

Species:	Bluefin tuna <i>Thunnus thynnus</i>	Zone: Atlantic Ocean, east of longitude 45° W, and Mediterranean
Greece	395,5	(1) Except Greece, Spain, France, Italy and Portugal, and only as by-catch.
Spain	6 497	
France	6 461	
Italy	6 105	
Portugal	803,5	
All Member States	60 (1)	
EC	20 286	
TAC	29 500	

Species:	Swordfish <i>Xiphias gladius</i>	Zone: Atlantic Ocean, north of latitude 5° N
Spain	4 087,5	(1) Except Spain and Portugal, and only as by-catch.
Portugal	763	
All Member States	75 (1)	
EC	4 925,5	
TAC	10 200	

Species:	Swordfish <i>Xiphias gladius</i>	Zone: Atlantic Ocean, south of latitude 5° N
Spain	5 850	
Portugal	385	
EC	6 235	
TAC	14 620	

Species: Northern Albacore <i>Germo alalunga</i>		Zone: Atlantic Ocean, north of latitude 5° N														
Ireland	3 158 ⁽¹⁾ ⁽³⁾	⁽¹⁾ It is prohibited to use any gill net, bottom set gill net, trammel net and entangling net. ⁽²⁾ The number of Community fishing vessels fishing for Northern Albacore as a target species is fixed to 1 253 vessels in accordance with Article 10 (1) of Regulation (EC) No 973/2001. ⁽³⁾ The distribution between the Member States of the maximum number fishing vessels flying the flag of a Member State authorised to fish for Northern Albacore as a target species in accordance with Article 10 (4) of Regulation (EC) No 973/2001:														
Spain	17 801 ⁽¹⁾ ⁽³⁾															
France	5 599 ⁽¹⁾ ⁽³⁾															
United Kingdom	201 ⁽¹⁾ ⁽³⁾															
Portugal	1 953 ⁽³⁾															
EC	28 712 ⁽¹⁾ ⁽²⁾															
TAC	34 500															
		<table><tr><td>Member States</td><td>Maximum number of vessels</td></tr><tr><td>Ireland</td><td>50</td></tr><tr><td>Spain</td><td>730</td></tr><tr><td>France</td><td>151</td></tr><tr><td>United Kingdom</td><td>12</td></tr><tr><td>Portugal</td><td>310</td></tr><tr><td>EC</td><td>1 253'</td></tr></table>	Member States	Maximum number of vessels	Ireland	50	Spain	730	France	151	United Kingdom	12	Portugal	310	EC	1 253'
Member States	Maximum number of vessels															
Ireland	50															
Spain	730															
France	151															
United Kingdom	12															
Portugal	310															
EC	1 253'															

2. The following entries concerning the species Blue marlin and White marlin in zone 'Atlantic Ocean' are inserted:

Species: Blue marlin <i>Makaira nigricans</i>		Zone: Atlantic Ocean
EC	106,5	
TAC	Not relevant	
Species: White marlin <i>Tetrapturus alba</i>		Zone: Atlantic Ocean
EG	46,53	
TAC	Not relevant'	