

## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) No 1016/2011

of 23 September 2011

**operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of those stocks in the previous year**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 <sup>(1)</sup>, and in particular Article 105(1) and (2) thereof,

Whereas:

(1) Fishing quotas for the year 2010 have been established by:

- Council Regulation (EC) No 1359/2008 of 28 November 2008 fixing for 2009 and 2010 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks <sup>(2)</sup>,
- Council Regulation (EC) No 1226/2009 of 20 November 2009 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2010 <sup>(3)</sup>,
- Council Regulation (EC) No 1287/2009 of 27 November 2009 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2010 <sup>(4)</sup>, and

— Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009 <sup>(5)</sup>.

(2) Fishing quotas for the year 2011 have been established by:

- Council Regulation (EU) No 1124/2010 of 29 November 2010 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea <sup>(6)</sup>,
- Council Regulation (EU) No 1225/2010 of 13 December 2010 fixing for 2011 and 2012 the fishing opportunities for EU vessels for fish stocks of certain deep-sea fish species <sup>(7)</sup>,
- Council Regulation (EU) No 1256/2010 of 17 December 2010 fixing the fishing opportunities for certain fish stocks applicable in the Black Sea for 2011 <sup>(8)</sup>, and
- Council Regulation (EU) No 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters <sup>(9)</sup>.

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 1.

<sup>(2)</sup> OJ L 352, 31.12.2008, p. 1.

<sup>(3)</sup> OJ L 330, 16.12.2009, p. 1.

<sup>(4)</sup> OJ L 347, 24.12.2009, p. 1.

<sup>(5)</sup> OJ L 21, 26.1.2010, p. 1.

<sup>(6)</sup> OJ L 318, 4.12.2010, p. 1.

<sup>(7)</sup> OJ L 336, 21.12.2010, p. 1.

<sup>(8)</sup> OJ L 343, 29.12.2010, p. 2.

<sup>(9)</sup> OJ L 24, 27.1.2011, p. 1.

- (3) According to paragraph 1 of Article 105 of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, it shall operate deductions from future fishing quotas of that Member State.
- (4) Paragraphs 2 and 3 of Article 105 of Regulation (EC) No 1224/2009 provide that such deductions shall be operated in the following year or years by applying certain multiplying factors as set out therein.
- (5) Certain Member States have exceeded their fishing quotas for the year 2010. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2011 and, where appropriate, in subsequent years, for the overfished stocks.
- (6) Commission Regulation (EU) No 1004/2010<sup>(1)</sup> has operated deductions from fishing quotas for 2010. However, for certain Member States the deductions to be applied were higher than their respective 2010 quota and could therefore not be operated entirely in that year. To ensure that also in such cases the full amount be deducted, the remaining quantities should be taken into account when establishing deductions from 2011 and, where appropriate, subsequent quotas.
- (7) Deductions provided for by this Regulation should apply without prejudice to deductions applicable to 2011 quotas pursuant to:
- Commission Regulation (EC) No 147/2007 of 15 February 2007 adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>(2)</sup>,
  - Commission Regulation (EC) No 635/2008 of 3 July 2008 adapting the cod fishing quotas to be allocated to Poland in the Baltic Sea (Subdivisions 25-32, EC Waters) from 2008 to 2011 pursuant to Council Regulation (EC) No 338/2008<sup>(3)</sup>,
  - Commission Regulation (EU) No 165/2011 of 22 February 2011 providing for deductions from certain mackerel quotas allocated to Spain in 2011 and subsequent years on account of overfishing in 2010<sup>(4)</sup>, and
  - Commission Implementing Regulation (EU) No 1021/2011 of 14 October 2011 operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of other stocks in the previous year<sup>(5)</sup>,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- The fishing quotas fixed in Regulations (EU) No 1124/2010, (EU) No 1225/2010, (EU) No 1256/2010, and (EU) No 57/2011 for the year 2011 are reduced as shown in the Annex.
- Article 2*
- The fishing quotas that may be allocated to Member States in 2012 and, where appropriate, in subsequent years shall be reduced as shown in the Annex.
- Article 3*
- Articles 1 and 2 shall apply without prejudice to reductions provided for in Regulations (EC) No 147/2007, (EC) No 635/2008, (EU) No 165/2011 and Implementing Regulation (EU) No 1021/2011.
- Article 4*
- This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 23 September 2011.

For the Commission  
The President

José Manuel BARROSO

<sup>(1)</sup> OJ L 291, 9.11.2010, p. 31.

<sup>(2)</sup> OJ L 46, 16.2.2007, p. 10.

<sup>(3)</sup> OJ L 176, 4.7.2008, p. 8.

<sup>(4)</sup> OJ L 48, 23.2.2011, p. 11.

<sup>(5)</sup> See page 16 of this Official Journal.

## ANNEX

## Deductions on account of overfishing and outstanding balances from 2010

| MS  | Species code | Area code | Species name    | Area name                          | Initial Quota 2010       | Permitted landings 2010 (Total adapted qty) <sup>(6)</sup> | Total catches 2010 | Over-fishing related to permitted landing (%) | Overfishing related to permitted landing (quantity in t) | Multi-plying factor 105(2) | Multi-plying factor 105(3) | Deductions 2011 | Remaining deduction from 2010 (Regulation (EU) No 1004/2010) | Initial quota 2011       | Revised Qty 2011 | Outstanding balance |
|-----|--------------|-----------|-----------------|------------------------------------|--------------------------|--|--------------------|---|--|----------------------------|----------------------------|-----------------|--|--------------------------|------------------|---------------------|
| (1) | (2)          | (3)       | (4)             | (5)                                | (6)                      | (7)  | (8)                | (9)   | (10)   | (11)                       | (12)                       | (13)            | (14)   | (15)                     | (16)             | (17)                |
| BEL | SRX          | 2AC4-C    | Skates and rays | EU waters of IIa and IV            | 235,00 <sup>(1)</sup>    | 299,00   | 304,80             | 1,94  | 5,80   | 1                          | 1                          | - 5,80          |  | 235,00 <sup>(4)</sup>    | 229,20           |                     |
| BEL | WHG          | 2AC4.     | Whiting         | EU waters of IIa and IV            | 250,00 <sup>(1)</sup>    | 129,00   | 139,10             | 7,83  | 10,10  | 1                          | 1                          | - 10,10         |  | 286,00 <sup>(4)</sup>    | 275,90           |                     |
| DNK | DGS          | 03A-C.    | Spurdog/dogfish | EU waters of IIIa                  | 0,00 <sup>(1)</sup>      | 0,00   |                    |   |  |                            |                            |                 | - 12,00  | 0,00                     | 0,00             | 12,00               |
| DNK | WHG          | 2AC4.     | Whiting         | EU waters of IIa and IV            | 1 082,00 <sup>(1)</sup>  | 154,00   | 156,40             | 1,56  | 2,40   | 1                          | 1                          | - 2,40          |  | 1 236,00 <sup>(4)</sup>  | 1 233,60         |                     |
| DEU | COD          | 3BC+24    | Cod             | EU waters of subdivisions 22-24    | 3 777,00 <sup>(2)</sup>  | 4 232,00   | 4 256,50           | 0,58  | 24,50  | 1                          | 1,5                        | - 36,75         |  | 4 012,00 <sup>(4)</sup>  | 3 975,25         |                     |
| DEU | HAD          | 2AC4.     | Haddock         | EU waters of IIa and IV            | 876,00 <sup>(1)</sup>    | 634,00   | 637,90             | 0,62  | 3,90   | 1                          | 1                          | - 3,90          |  | 858,00 <sup>(4)</sup>    | 854,10           |                     |
| DEU | HER          | 4AB.      | Herring         | EU waters of IV north of 53° 30' N | 14 147,00 <sup>(1)</sup> | 2 455,00   | 2 477,60           | 0,92  | 22,60  | 1                          | 1                          | - 22,60         |  | 17 423,00 <sup>(4)</sup> | 17 400,40        |                     |
| DEU | SAN          | 2A3A4.    | Sandeel         | EU waters of IIa, IIIa and IV      | 166,00 <sup>(1)</sup>    | 12 975,00  | 13 015,10          | 0,31  | 40,10  | 1                          | 1                          | - 40,10         |  | 511,00 <sup>(4)</sup>    | 470,90           |                     |

| (1) | (2) | (3)    | (4)          | (5)   | (6)                     | (7)      | (8)      | (9)   | (10)   | (11) | (12) | (13)     | (14)     | (15)                    | (16)     | (17)  |
|-----|-----|--------|--------------|---|-------------------------|----------|----------|-------|--------|------|------|----------|----------|-------------------------|----------|-------|
| EST | COD | N3M.   | Cod          | NAFO 3M   | 61,00 <sup>(1)</sup>    | 30,00    | 42,20    | 40,67 | 12,20  | 1    | 1    | - 12,20  |          | 111,00 <sup>(4)</sup>   | 98,80    |       |
| IRL | COD | 7XAD34 | Cod          | VIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1   | 825,00 <sup>(1)</sup>   | 917,00   | 927,80   | 1,18  | 10,80  | 1    | 1,5  | - 16,20  |          | 825,00 <sup>(4)</sup>   | 808,80   |       |
| IRL | HER | 07A/MM | Herring      | VIIa  | 1 250,00 <sup>(1)</sup> | 0,00     | 16,00    | n/a   | 16,00  | 1    | 1    | - 16,00  |          | 1 374,00 <sup>(4)</sup> | 1 358,00 |       |
| IRL | WHB | 1X14   | Blue whiting | EU and international waters of I, II, III, IV, V, VI, VII, VIIIA, VIIb, VIIId, VIIe, XII and XIV      | 7 843,00 <sup>(1)</sup> | 8 279,00 | 8 324,00 | 0,54  | 45,00  | 1    | 1    | - 45,00  |          | 1 187,00 <sup>(4)</sup> | 1 142,00 |       |
| ESP | BLI | 67-    | Blue ling    | EU waters and international waters of Vb, VI, VII   | 67,00 <sup>(1)</sup>    | 0,00     |          |       |        |      |      |          | - 103,00 | 62,00 <sup>(4)</sup>    | 0,00     | 41,00 |
| ESP | COD | N3M.   | Cod          | NAFO 3M   | 796,00 <sup>(1)</sup>   | 916,00   | 919,30   | 0,36  | 3,30   | 1    | 1    | - 3,30   |          | 1 448,00 <sup>(4)</sup> | 1 444,70 |       |
| ESP | RED | N3M.   | Redfish      | NAFO 3M   | 233,00 <sup>(1)</sup>   | 846,00   | 891,20   | 5,34  | 45,20  | 1    | 1    | - 45,20  |          | 233,00 <sup>(4)</sup>   | 187,80   |       |
| ESP | USK | 567EI. | Tusk         | EU and international waters of V, VI and VII  | 14,00 <sup>(1)</sup>    | 16,00    | 19,70    | 23,13 | 3,70   | 1    | 1    | - 3,70   |          | 14,00 <sup>(4)</sup>    | 10,30    |       |
| FRA | HER | 4CXB7D | Herring      | VIIId; IVc  | 5 235,00 <sup>(1)</sup> | 6 560,00 | 6 747,40 | 2,86  | 187,40 | 1    | 1    | - 187,40 |          | 6 447,00 <sup>(4)</sup> | 6 259,60 |       |
| FRA | SBR | 678-   | Red seabream | EU waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII | 9,00 <sup>(3)</sup>     | 66,00    | 85,40    | 29,39 | 19,40  | 1    | 1    | - 19,40  |          | 9,00 <sup>(5)</sup>     | 0,00     | 10,40 |

| (1) | (2) | (3)    | (4)                | (5)  | (6)          | (7)      | (8)      | (9)  | (10)   | (11) | (12) | (13)     | (14)    | (15)         | (16)     | (17)  |
|-----|-----|--------|--------------------|--|--------------|----------|----------|------|--------|------|------|----------|---------|--------------|----------|-------|
| FRA | WHG | 2AC4.  | Whiting            | EU waters of IIa and IV  | 1 627,00 (1) | 2 367,00 | 2 593,40 | 9,56 | 226,40 | 1,1  | 1    | - 249,04 |         | 1 857,00 (4) | 1 607,96 |       |
| LTU | PRA | N3L.   | Northern prawn     | NAFO 3L.   | 334,00 (1)   | 334,00   | 339,90   | 1,77 | 5,90   | 1    | 1    | - 5,90   |         | 214,00 (4)   | 208,10   |       |
| NLD | BSF | 56712- | Black scabbardfish | EU and international waters of V, VI, VII and XII  |              | 0,00     |          |      |        |      |      |          | - 5,00  | 0,00         | 0,00     | 5,00  |
| NLD | SBR | 678-   | Red seabream       | EU and international waters of VI, VII and VIII  |              | 0,00     |          |      |        |      |      |          | - 6,00  | 0,00         | 0,00     | 6,00  |
| POL | GHL | 1N2AB  | Greenland halibut  | Norwegian waters of I and II   |              | 0,00     |          |      |        |      |      |          | - 1,00  | 0,00         | 0,00     | 1,00  |
| POL | COD | 1N2AB  | Cod                | Norwegian waters of I and II   |              | 1 390,00 | 1 389,10 |      |        |      |      |          | - 2,00  | 0,00         | 0,00     | 2,00  |
| POL | RED | 514GRN | Redfish            | Greenland waters of V and XIV  |              | 0,00     |          |      |        |      |      |          | - 1,00  | 0,00         | 0,00     | 1,00  |
| POL | HAD | 2AC4   | Haddock            | IV; EU waters of IIa   |              | 1,00     |          |      |        |      |      |          | - 16,00 | 0,00         | 0,00     | 16,00 |
| POL | WHB | 1X14   | Blue whiting       | EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV |              | 0,00     |          |      |        |      |      |          | - 8,00  | 0,00         | 0,00     | 8,00  |
| POL | MAC | 2A34   | Mackerel           | IIIa and IV; EU waters of IIa, IIIb, IIIc and Subdivisions 22-32                                   |              | 0,00     |          |      |        |      |      |          | - 5,00  | 0,00         | 0,00     | 5,00  |

| (1) | (2) | (3)                         | (4)               | (5)  | (6)                   | (7)      | (8)      | (9)    | (10)  | (11) | (12) | (13)    | (14)     | (15)                  | (16)   | (17)   |
|-----|-----|-----------------------------|-------------------|--|-----------------------|----------|----------|--------|-------|------|------|---------|----------|-----------------------|--------|--------|
| PRT | ALF | 3X14-                       | Alfonsinos        | EU waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII and XIV | 214,00 <sup>(3)</sup> | 224,00   | 231,90   | 3,53   | 7,90  | 1    | 1    | - 7,90  |          | 214,00 <sup>(5)</sup> | 206,10 |        |
| PRT | ANF | 8C3411                      | Anglerfish        | VIIIc, IX and X; EC waters of CECAF 34.1.1   | 248,00 <sup>(1)</sup> | 277,00   | 280,80   | 1,37   | 3,80  | 1    | 1    | - 3,80  |          | 260,00 <sup>(4)</sup> | 256,20 |        |
| PRT | BFT | AE045W                      | Bluefin tuna      | Atlantic Ocean, east of 45°W, and Mediterranean  | 237,66 <sup>(1)</sup> | 57,70    | 63,30    | 9,71   | 5,60  | 1    | 1,5  | - 8,40  |          | 226,84 <sup>(4)</sup> | 218,44 |        |
| PRT | GHL | 1N2AB                       | Greenland halibut | Norwegian waters of I and II   |                       | 0,00     |          |        |       |      |      |         | - 11,00  | 0,00                  | 0,00   | 11,00  |
| PRT | HAD | 1N2AB                       | Haddock           | Norwegian waters of I and II   | 0,00                  | 200,00   | 64,90    |        |       |      |      |         | - 458,00 | 0,00                  | 0,00   | 458,00 |
| PRT | POK | 1N2AB                       | Saithe (=Pollock) | Norwegian waters of I and II   |                       | 0,00     |          |        |       |      |      |         | - 294,00 |                       | 0,00   | 294,00 |
| PRT | RED | 51214.<br>(new code 51214D) | Redfish           | EU and international waters of V; international waters of XII and XIV  | 896,00 <sup>(1)</sup> | 1 416,00 | 1 420,00 | 0,28   | 4,00  | 1    | 1    | - 4,00  |          | 757,00 <sup>(4)</sup> | 753,00 |        |
| GBR | BET | ATLANT                      | Bigeye Tuna       | Atlantic Ocean   |                       | 0,00     |          |        |       |      |      |         | - 10,00  | 0,00 <sup>(4)</sup>   | 0,00   | 10,00  |
| GBR | BLI | 245-<br>(new code 24-)      | Blue ling         | EU waters and waters not under the sovereignty or jurisdiction of third countries of II, IV and V                                  | 15,00 <sup>(3)</sup>  | 16,00    | 33,00    | 106,25 | 17,00 | 1    | 1    | - 17,00 |          | 15,00 <sup>(5)</sup>  | 0,00   | 2,00   |

| (1) | (2) | (3)    | (4)             | (5)  | (6)                     | (7)      | (8)      | (9)  | (10)  | (11) | (12) | (13)    | (14) | (15)                    | (16)     | (17) |
|-----|-----|--------|-----------------|--|-------------------------|----------|----------|------|-------|------|------|---------|------|-------------------------|----------|------|
| GBR | DWS | 56789- | Deep-sea sharks | EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII and IX | 0,00 <sup>(3)</sup>     | 18,70    | 20,00    | 6,95 | 1,30  | 1    | 1    | - 1,30  |      | 5,60 <sup>(5)</sup>     | 4,30     |      |
| GBR | WHG | 2AC4.  | Whiting         | EU waters of IIa and IV  | 4 317,00 <sup>(1)</sup> | 7 782,00 | 7 798,10 | 0,21 | 16,10 | 1    | 1    | - 16,10 |      | 8 933,00 <sup>(4)</sup> | 8 916,90 |      |

<sup>(1)</sup> Quantity as fixed by Regulation (EU) No 53/2010.

<sup>(2)</sup> Quantity as fixed by Regulation (EC) No 1226/2009.

<sup>(3)</sup> Quantity as fixed by Regulation (EC) No 1359/2008.

<sup>(4)</sup> Quantity as fixed by Regulation (EU) No 57/2011.

<sup>(5)</sup> Quantity as fixed by Regulation (EU) No 1225/2010.

<sup>(6)</sup> Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Council Regulation (EC) No 2371/2002, quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009.