

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1801**of 7 October 2015****operating deductions from fishing quotas available for certain stocks in 2015 on account of overfishing in the previous years**

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 ⁽¹⁾, and in particular Article 105(1), (2) and (3) thereof,

Whereas:

(1) Fishing quotas for the year 2014 have been established by:

- Council Regulation (EU) No 1262/2012 ⁽²⁾,
- Council Regulation (EU) No 1180/2013 ⁽³⁾,
- Council Regulation (EU) No 24/2014 ⁽⁴⁾, and
- Council Regulation (EU) No 43/2014 ⁽⁵⁾.

(2) Fishing quotas for the year 2015 have been established by:

- Council Regulation (EU) No 1221/2014 ⁽⁶⁾,
- Council Regulation (EU) No 1367/2014 ⁽⁷⁾,
- Council Regulation (EU) 2015/104 ⁽⁸⁾, and
- Council Regulation (EU) 2015/106 ⁽⁹⁾.

(3) According to Article 105(1) 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, the Commission is to operate deductions from future fishing quotas of that Member State.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) No 1262/2012 of 20 December 2012 fixing for 2013 and 2014 the fishing opportunities for EU vessels for certain deep-sea fish stocks (OJ L 356, 22.12.2012, p. 22).

⁽³⁾ Council Regulation (EU) No 1180/2013 of 19 November 2013 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea (OJ L 313, 22.11.2013, p. 4).

⁽⁴⁾ Council Regulation (EU) No 24/2014 of 10 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea (OJ L 9, 14.1.2014, p. 4).

⁽⁵⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

⁽⁶⁾ Council Regulation (EU) No 1221/2014 of 10 November 2014 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulations (EU) No 43/2014 and (EU) No 1180/2013 (OJ L 330, 15.11.2014, p. 16).

⁽⁷⁾ Council Regulation (EU) No 1367/2014 of 15 December 2014 fixing for 2015 and 2016 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks (OJ L 366, 20.12.2014, p. 1).

⁽⁸⁾ Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014 (OJ L 22, 28.1.2015, p. 1).

⁽⁹⁾ Council Regulation (EU) 2015/106 of 19 January 2015 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea (OJ L 19, 24.1.2015, p. 8).

- (4) Article 105(2) and (3) of Regulation (EC) No 1224/2009 provides that such deductions have to be operated in the following year or years by applying the respective multiplying factors as set out therein.
- (5) Certain Member States have exceeded their fishing quotas for the year 2014. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2015 and, where appropriate, in subsequent years, for the overfished stocks.
- (6) Spain has overfished in 2012 its quota for the stock of Norway lobster in area IX and X; EU waters of CECAF 34.1.1 (NEP/93411). The deduction of 75,45 tonnes that resulted from this overfishing was applicable in 2013 and was spread at Spain's request over three years starting in 2013. The remaining annual deduction applicable to the Spanish quota for the NEP/93411 stock amounts to 19 tonnes in 2015, without prejudice to any further quota adaptation.
- (7) Commission Implementing Regulation (EU) No 871/2014 ⁽¹⁾ and Commission Implementing Regulation (EU) No 1360/2014 ⁽²⁾ have provided for deductions from fishing quotas for certain countries and species for 2014. However, for certain Member States the deductions to be applied for some species were higher than the respective quotas available in 2014 and could therefore not be operated entirely in that year. To ensure that in such cases the full amount for the respective stocks be deducted, the remaining quantities should be taken into account when establishing deductions for 2015 and, where appropriate, from subsequent quotas.
- (8) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2015 quotas pursuant to Commission Regulation (EU) No 165/2011 ⁽³⁾ and Commission Implementing Regulation (EU) No 185/2013 ⁽⁴⁾.
- (9) Since quotas are expressed in tonnes or entire pieces, quantities below 1 tonne or one piece should not be considered,

HAS ADOPTED THIS REGULATION:

Article 1

1. The fishing quotas fixed in Regulations (EU) No 1221/2014, (EU) No 1367/2014, (EU) 2015/104 and (EU) 2015/106 for the year 2015 shall be reduced as set out in the Annex to this Regulation.
2. Paragraph 1 shall apply without prejudice to deductions provided for in Regulation (EU) No 165/2011 and Implementing Regulation (EU) No 185/2013.

Article 2

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

⁽¹⁾ Commission Implementing Regulation (EU) No 871/2014 of 11 August 2014 operating deductions from fishing quotas available for certain stocks in 2014 on account of overfishing in the previous years (OJ L 239, 12.8.2014, p. 14).

⁽²⁾ Commission Implementing Regulation (EU) No 1360/2014 of 18 December 2014 operating deductions from fishing quotas available for certain stocks in 2014 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) No 871/2014 as regards amounts to be deducted in future years (OJ L 365, 19.12.2014, p. 106).

⁽³⁾ 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 (OJ L 48, 23.2.2011, p. 11).

⁽⁴⁾ Commission Implementing Regulation (EU) No 185/2013 of 5 March 2013 providing for deductions from certain fishing quotas allocated to Spain in 2013 and subsequent years on account of overfishing of a certain mackerel quota in 2009 (OJ L 62, 6.3.2013, p. 62).

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

Done at Brussels, 7 October 2015.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

DEDUCTIONS FROM QUOTAS FOR STOCKS WHICH HAVE BEEN OVERFISHED

Member State	Species code	Area code	Species name	Area name	Initial quota 2014	Permitted landings 2014 (Total adapted quantity in tonnes) ⁽¹⁾	Total catches 2014 (quantity in tonnes)	Quota consumption related to permitted landings (%)	Over-fishing related to permitted landing (quantity in tonnes)	Multiplying factor ⁽²⁾	Additional Multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2014 ⁽⁵⁾	Outstanding balance ⁽⁶⁾	Deductions to apply in 2015 (qty in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
BE	PLE	7HJK.	Plaice	VIIIh, VIIj and VIIIk	8,000	1,120	3,701	330,45	2,581	/	/	/	/	2,581
BE	SOL	8AB.	Common sole	VIIIa and VIIIb	47,000	327,900	328,823	100,28	0,923	/	C	/	/	1,385
BE	SRX	07D.	Skates and rays	Union waters of VIId	72,000	60,000	69,586	115,98	9,586	/	/	/	/	9,586
BE	SRX	67AKXD	Skates and rays	Union waters of VIa, VIb, VIIa-c and VIIe-k	725,000	765,000	770,738	100,75	5,738	/	/	/	/	5,738
DK	COD	03AN.	Cod	Skagerrak	3 177,000	3 299,380	3 408,570	103,31	109,190	/	C	/	/	163,785
DK	HER	03A.	Herring	IIIa	19 357,000	15 529,000	15 641,340	100,72	112,340	/	/	/	/	112,340
DK	HER	2A47DX	Herring	IV, VIId and Un- ion waters of IIa	12 526,000	12 959,000	13 430,160	103,64	471,160	/	/	/	/	471,160

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
DK	HER	4AB.	Herring	Union and Norwegian waters of IV north of 53° 30' N	80 026,000	99 702,000	99 711,800	100,10	9,800	/	/	/	/	9,800
DK	PRA	03A.	Northern prawn	IIIa	2 308,000	2 308,000	2 317,330	100,40	9,330	/	/	/	/	9,330
DK	SAN	234_2	Sandeel	Union waters of sandeel management area 2	4 717,000	4 868,000	8 381,430	172,17	3 513,430	2	/	/	/	7 026,860
DK	SPR	2AC4-C	Sprat and associated bycatches	Union waters of IIa and IV	122 383,000	126 007,000	127 165,410	100,92	1 158,410	/	/	/	/	1 158,410
ES	ALF	3X14-	Alfonsinos	EU and international waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	67,000	67,000	79,683	118,93	12,683	/	A	3,000	/	22,025
ES	BSF	56712-	Black scabbard-fish	EU and international waters of V, VI, VII and XII	226,000	312,500	327,697	104,86	15,197	/	A	/	/	22,796
ES	BSF	8910-	Black scabbard-fish	EU and international waters of VIII, IX and X	12,000	6,130	15,769	257,24	9,639	/	A	27,130	/	41,589

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
ES	BUM	ATLANT	Blue marlin	Atlantic Ocean	27,200	27,200	124,452	457,54	97,252	/	A	27,000	/	172,878
ES	DWS	56789-	Deep-sea sharks	EU and international waters of V, VI, VII, VIII and IX	0	0	3,039	N/A	3,039	/	A	/	/	4,559
ES	GFB	567-	Greater forkbeard	EU and international waters of V, VI and VII	588,000	828,030	842,467	101,74	14,437	/	/	/	/	14,437
ES	GFB	89-	Greater forkbeard	EU and international waters of VIII and IX	242,000	216,750	237,282	109,47	20,532	/	A	17,750	/	48,548
ES	GHL	1N2AB.	Greenland halibut	Norwegian waters of I and II	/	0	22,685	N/A	22,685	/	/	/	/	22,685
ES	HAD	5BC6A.	Haddock	Union and international waters of Vb and VIa	/	2,840	18,933	666,65	16,093	/	A	12,540	/	36,680
ES	HAD	7X7A34	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	/	0	3,075	N/A	3,075	/	A	/	/	4,613
ES	NEP	9/3411	Norway lobster	IX and X; Union waters of CECAF 34.1.1	55,000	33,690	24,403	72,43	- 9,287	/	/	19,000 (?)	/	9,713

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
ES	OTH	1N2AB.	Other species	Norwegian waters of I and II	/	0	26,744	N/A	26,744	/	/	/	/	26,744
ES	POK	56-14	Saithe	VI; Union and international waters of Vb, XII and XIV	/	4,810	8,703	180,94	3,893	/	/	/	/	3,893
ES	RNG	5B67-	Roundnose grenadier	EU and international waters of Vb, VI, VII	70,000	111,160	125,401	112,81	14,241	/	/	/	/	14,241
ES	SBR	678-	Red seabream	EU and international waters of VI, VII and VIII	143,000	133,060	136,418	102,52	3,358	/	/	/	/	3,358
ES	SOL	8AB.	Common sole	VIIIa and VIIIb	9,000	8,100	9,894	122,15	1,794	/	A+C	2,100	/	4,791
ESP	SRX	89-C.	Skates and rays	Union waters of VIII and IX	1 057,000	857,000	1 089,241	127,10	232,241	1,4	/	/	/	325,137
ES	USK	567EI.	Tusk	Union and international waters of V, VI and VII	26,000	15,770	15,762	99,95	- 0,008	/	/	58,770	/	58,762
ES	WHM	ATLANT	White marlin	Atlantic Ocean	30,500	25,670	98,039	381,92	72,369	/	/	0,170	/	72,539
FR	SRX	07D.	Skates and rays	Union waters of VIId	602,000	627,000	698,414	111,39	71,414	/	/	/	/	71,414
FR	SRX	2AC4-C	Skates and rays	Union waters of IIa and IV	33,000	36,000	48,212	133,92	12,212	/	/	/	/	12,212

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
IE	PLE	7HJK.	Plaice	VIIIh, VIIj and VIIIk	59,000	61,000	78,270	128,31	17,270	/	A	/	/	25,905
IE	SOL	07A.	Common sole	VIIa	41,000	42,000	43,107	102,64	1,107	/	/	/	/	1,107
IE	SRX	67AKXD	Skates and rays	Union waters of VIa, VIb, VIIa-c and VIIe-k	1 048,000	1 030,000	1 079,446	104,80	49,446	/	/	/	/	49,446
LT	GHL	N3LMNO	Greenland halibut	NAFO 3LMNO	22,000	0	0	N/A	0	/	/	46,000	/	46,000
LV	HER	03D.RG	Herring	subdivision 28.1	16 534,000	19 334,630	20 084,200	103,88	749,570	/	/	/	/	749,570
NL	HKE	3A/BCD	Hake	IIIa; Union waters of Subdivisions 22-32	/	0	1,655	N/A	1,655	/	C	/	/	2,482
NL	RED	1N2AB.	Redfish	Norwegian waters of I and II	/	0	2,798	N/A	2,798	/	/	/	/	2,798
PT	ANF	8C3411	Anglerfish	VIIIc, IX and X; Union waters of CECAF 34.1.1	436,000	664,000	676,302	101,85	12,302	/	/	/	/	12,302

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
PT	BFT	AE45WM	Bluefin tuna	Atlantic Ocean, east of 45° W, and Mediterranean	235,500	235,500	243,092	103,22	7,592	/	C	/	/	11,388
PT	HAD	1N2AB	Haddock	Norwegian waters of I and II	/	0	26,816	N/A	26,816	/	/	/	344,950	371,766
PT	POK	1N2AB.	Saithe	Norwegian waters of I and II	/	18,000	11,850	65,83	- 6,150	/	/	/	185,000	178,850
PT	SRX	89-C.	Skates and rays	Union waters of VIII and IX	1 051,000	1 051,000	1 059,237	100,78	8,237	/	/	/	/	8,237
SE	COD	03AN.	Cod	Skagerrak	371,000	560,000	562,836	100,51	2,836	/	C	/	/	4,254
UK	DGS	15X14	Spurdog/dogfish	Union and international waters of I, V, VI, VII, VIII, XII and XIV	0	0	1,027	N/A	1,027	/	A	/	/	1,541
UK	GHL	514GRN	Greenland halibut	Greenland waters of V and XIV	189,000	0	0	N/A	0	/	/	1,000	/	1,000
UK	HAD	5BC6A.	Haddock	Union and international waters of Vb and VIa	3 106,000	3 236,600	3 277,296	101,26	40,696	/	/	/	/	40,696

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
UK	MAC	2CX14-	Mackerel	VI, VII, VIIIa, VIIIb, VIIIc and VIIIe; Union and international waters of Vb; international waters of IIa, XII and XIV	179 471,000	275 119,000	279 250,206	101,50	4 131,206	/	/	/	/	4 131,206
UK	NOP	2A3A4.	Norway pout	IIIa; Union waters of IIa and IV	/	0	14,000	N/A	14,000	/	/	/	/	14,000
UK	PLE	7DE.	Plaice	VIIIc and VIIf	1 548,000	1 500,000	1 606,749	107,12	106,749	1,1	/	/	/	117,424
UK	SOL	7FG.	Common sole	VIIIc and VIIf	282,000	255,250	252,487	98,92	(- 2,763) ⁽⁸⁾	/	/	1,950	/	1,950
UK	SRX	07D.	Skates and rays	Union waters of VIIIc	120,000	95,000	102,679	108,08	7,679	/	/	/	/	7,679
UK	WHB	24-N	Blue whiting	Norwegian waters of II and IV	0	0	22,204	N/A	22,204	/	/	/	/	22,204

⁽¹⁾ 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 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council (OJ L 354, 28.12.2013, p. 22), quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3) or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009.

⁽²⁾ As set out in Article 105(2) of Regulation (EC) No 1224/2009. Deduction equal to the overfishing × 1,00 shall apply in all cases of overfishing equal to, or less than, 100 tonnes.

⁽³⁾ As set out in Article 105(3) of Regulation (EC) No 1224/2009.

⁽⁴⁾ Letter 'A' indicates that an additional multiplying factor of 1,5 has been applied due to consecutive overfishing in the years 2012, 2013 and 2014. Letter 'C' indicates that an additional multiplying factor of 1,5 has been applied as the stock is subject to a multiannual plan.

⁽⁵⁾ Remaining quantities that could not be deducted in 2014 pursuant to Regulation (EU) No 871/2014 because there was no or not sufficient quota available.

⁽⁶⁾ Remaining quantities related to overfishing in years preceding the entry into force of Regulation (EC) No 1224/2009 and that cannot be deducted from another stock.

⁽⁷⁾ At Spain's request, the pay-back due in 2013 was spread over three years.

⁽⁸⁾ This quantity is no longer available following United Kingdom's transfer request made pursuant to Regulation (EC) No 847/96 and applicable following Commission Implementing Regulation (EU) 2015/1170 (OJ L 189, 17.7.2015, p. 2).