

COMMISSION IMPLEMENTING REGULATION (EU) 2021/252**of 29 January 2021****operating a deduction from the Portuguese fishing quota available for anchovy, on account of overfishing 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 Union 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 anchovy (*Engraulis encrasicolus*) in International Council for the Exploration of the Sea (ICES) zones 9 and 10 and Union waters of Committee for Eastern Central Atlantic Fisheries (CECAF) area 34.1.1 (ANE/9/3411) have been established by Council Regulation (EU) 2019/124 ⁽²⁾, for the period from 1 July 2019 to 30 June 2020.
- (2) Fishing quotas for anchovy (*Engraulis encrasicolus*) in ICES zones 9 and 10 and Union waters of CECAF area 34.1.1 (ANE/9/3411) have been established by Council Regulation (EU) 2020/123 ⁽³⁾, for the period from 1 July 2020 to 30 June 2021.
- (3) Pursuant 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.
- (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) Portugal has exceeded its fishing quota for anchovy (*Engraulis encrasicolus*) in ICES zones 9 and 10 and Union waters of CECAF area 34.1.1 (ANE/9/3411) for the period from 1 July 2019 to 30 June 2020.
- (6) It is therefore appropriate to operate a deduction on the fishing quota allocated to Portugal for the period from 1 July 2020 to 30 June 2021 and, where relevant, in subsequent years, for the overfished stock,

HAS ADOPTED THIS REGULATION:

Article 1

The fishing quota allocated to Portugal for anchovy (*Engraulis encrasicolus*) in International Council for the Exploration of the Sea (ICES) zones 9 and 10 and Union waters of Committee for Eastern Central Atlantic Fisheries (CECAF) area 34.1.1 (ANE/9/3411), for the period from 1 July 2020 to 30 June 2021, fixed in Regulation (EU) 2020/123, shall be reduced as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2019/124 of 30 January 2019 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 29, 31.1.2019, p. 1).

⁽³⁾ Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.1.2020, p. 1).

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*.

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

Done at Brussels, 29 January 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Member State	Species code	Area code	Species name	Area name	Initial quota for the period 1 July 2019 – 30 June 2020 (in kilograms)	Permitted landings for the period 1 July 2019 – 30 June 2020 (Total adapted quantity in kilograms) ⁽¹⁾	Total catches for the period 1 July 2019 – 30 June 2020 (quantity in kilograms)	Quota consumption related to permitted landings (%)	Overfishing related to permitted landings (quantity in kilograms)	Multi-plying factor ⁽²⁾	Additional Multi-plying factor ⁽³⁾ ⁽⁴⁾	Out-standing deductions from previous year(s) ⁽⁵⁾ (quantity in kilograms)	Deductions to apply to the period 1 July 2020 – 30 June 2021 (quantity in kilograms)
PT	ANE	9/3411	Anchovy	ICES zones 9 and 10; Union waters of CECAF area 34.1.1	5 343 000	3 779 330	3 858 005	102,08	78 675	/	/	/	78 675

⁽¹⁾ Quotas available to a Member State pursuant to Regulation (EU) 2019/124 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 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22), quota transfers from 2018 to 2019 in accordance with Article 4(2) of Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3) and with Article 15(9) of Regulation (EU) No 1380/2013, or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union 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 (OJ L 343, 22.12.2009, p. 1).

⁽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 and provided that the extent of overfishing exceeds 10 %.

⁽⁴⁾ Letter 'A' indicates that an additional multiplying factor of 1,5 has been applied because the Member State has repeatedly overfished its quota over the previous 2 years. 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 from previous year(s).