Commission Implementing Regulation (EU) 2018/1969 of 12 December 2018 operating deductions from fishing quotas available for certain stocks in 2018 on account of overfishing in the previous years

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1969

of 12 December 2018

operating deductions from fishing quotas available for certain stocks in 2018 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 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 the year 2017 have been established by:
- Council Regulation (EU) 2016/1903[(2)],
- Council Regulation (EU) 2016/2285[(3)],
- Council Regulation (EU) 2016/2372[(4)], and
- Council Regulation (EU) 2017/127[(5)].

(2) Fishing quotas for the year 2018 have been established by:
- Council Regulation (EU) 2016/2285,
- Council Regulation (EU) 2017/1970[(6)],
- Council Regulation (EU) 2017/2360[(7)], and
- Council Regulation (EU) 2018/120[(8)].

(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.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1969. (See end of Document for details)*

(5) Certain Member States have exceeded their fishing quotas for the year 2017. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2018 and, where relevant, in subsequent years, for the overfished stocks.

(6) In 2016, Spain overfished its quota for albacore in the Atlantic Ocean, North of 5° N (ALB/AN05N). At the request of Spain, the corresponding deduction was equally spread over two years (2017 and 2018). By Commission Implementing Regulation (EU) 2017/2309[(9)], the first half of the deduction, namely 1 134,677 tonnes, was operated on the 2017 Spanish quota. For 2018, the Spanish initial quota for northern albacore in the Atlantic Ocean, North of 5° N (ALB/AN05N), as fixed by Regulation (EU) 2018/120, already reflected a deduction of 945,560 tonnes. Therefore, a remaining quantity of 189,117 tonnes should be deducted from the Spanish 2018 quota.

(7) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2018 quotas pursuant to Commission Implementing Regulation (EU) No 185/2013[(10)].

(8) Since quotas are expressed in tonnes, overfishing involving quantities of less than 1 tonne should not be considered,

HAS ADOPTED THIS REGULATION:

Article 1

1 The fishing quotas fixed in Regulations (EU) 2016/2285, (EU) No 2017/1970, (EU) 2017/2360 and (EU) 2018/120 for the year 2018 shall be reduced as set out in the Annex to this Regulation.

2 Paragraph 1 shall apply without prejudice to deductions provided for in 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*.

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

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1969. (See end of Document for details)*

[F1 ANNEX

DEDUCTIONS FROM 2018 FISHING QUOTAS

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2019/479 of 22 March 2019 operating deductions from fishing quotas available for certain stocks in 2018 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 2018/1969.

Member State	Species code	Area code	Species name	Area name	Initial quota 2017 (in kilograms)	Permitted landings 2017 (Total ramp in quantity in kilograms)[a]	Total catches 2017 (quantity in kilograms)	Quota consumption related to permitted landings	Overfishing relation to permitted landings (quantity in kilograms)	Multiplying factor[b]	Multiplying factor[c]	Quota deductions from previous year(s) (quantity in kilograms)[d]	Deductions from fishing quotas for 2018[e] and subsequent years (quantity in kilograms)	Deductions from fishing quotas for the overfished stocks[f] (quantity in kilograms)	Deductions from fishing quotas for alternative stocks[g] in accordance with Annex I to Implementing Regulation (EU) 2019/479[h] (quantity in kilograms)	Deductions from fishing quotas for 2019 and subsequent year(s) (quantity in kilograms)
BE	RJU	07D.	Undulate ray	Union waters of VIId	2 000	2 000	5 648	282,40	3 % 648	1,00	/	/	3 648	1 031	/	2 617
BE	SRX	07D.	Skates and rays	Union waters of VIId	96 000	91 353	95 695	104,74	4 % 342	/	/	/	4 342	4 342	/	/
BE	SRX	67AKXD.	Skates and rays	Union waters of VIa, VIb, VIIa-c and VIIe-k	762 000	907 100	919 333	101,35	12 % 233	/	/	/	12 233	12 233	/	/

DK	MAC2A34-	Mackerel	IIa and IV; Union waters of IIa, IIIb, IIIc and Subdivisions 22-32	22 031	17 525 756	17 992 741	102,66 %	466 985	/	/	/	466 985	466 985	/	/
DK	MAC2A4A-N	Mackerel	Norwegian waters of IIa and IVa	16 904	14 538 090	14 801 414	101,82 %	263 324	/	/	/	263 324	263 324	/	/
DK	MAC2CX14-	Mackerel	VI, VII, VIIIa, VIIIb, VIIId and VIIIe; Union and international waters of Vb; international waters of IIa, XII and XIV	/	5 341 916	5 342 930	100,02 %	1 014	/	/	/	1 014	1 014[1]	/	/
DK	NOP 04-N.	Norway pout and associated by-catches	Norwegian waters of IV	0	0	16 298	N/A	16 298	1,00	A	/	24 447	/	24 447	/
DK	OTH 1N2AD-	Other species	Norwegian waters of I and II	/	0	9 979	N/A	9 979	1,00	/	/	9 979	/	9 979	/
DK	POK 1N2AB-	Saithe	Norwegian waters of I and II	/	0	9 508	N/A	9 508	1,00	/	/	9 508	/	9 508	/

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1969. (See end of Document for details)*

ES	ALB	AN0SN	Northern albacore	Atlantic Ocean, north of 5° N	14 981 130	13 961 453	13 940 306	99,85 %	21 147[j]	/	/	189 117[k]	189 117	189 117	/	/
ES	GHL	1N2AG	Greenland halibut	Norwegian waters of I and II		19 200	36 090	187,97 %	16 890	1,00	A	/	25 335	/	25 335	/
ES	GHL	N3LMN	Greenland halibut	NAFO 3LMNO	4 067 000	4 061 001	4 072 229	100,28 %	11 228	/	C[i]	/	11 228	11 228	/	/
ES	POK	1N2AS	Saithe	Norwegian waters of I and II		86 500	88 150	101,91 %	1 650	/	/	/	1 650	/	1 650	/
ES	YFT	IOTC	Yellowfin tuna	IOTC Area of Competence	45 682 000	45 682 000	48 147 520	105,40 %	2 465 520	/	/	/	2 465 520	327 060	/	2 138 460
FR	GHL	1N2AG	Greenland halibut	Norwegian waters of I and II		0	6 868	N/A	6 868	1,00	/	/	6 868	/	6 868	/
FR	YFT	IOTC	Yellowfin tuna	IOTC Area of Competence	29 501 000	29 651 000	29 960 730	101,04 %	309 730	/	/	/	309 730	309 730	/	/
IE	HKE	8ABDE	Hake	VIIIa, VIIIb, VIIId and VIIIe		0	1 300	N/A	1 300	1,00	C[i]	/	1 300	/	1 300	/
IE	MAC	2CXIM	Mackerel	VI, VII, VIIIa, VIIIb, VIIId and VIIIe; Union and international waters of	86 426 000	86 319 537	86 520 982	100,23 %	201 445	/	/	/	201 445	201 445	/	/