Commission Implementing Regulation (EU) 2017/1345 of 18 July 2017 operating deductions from fishing quotas available for certain stocks in 2017 on account of overfishing in the previous years

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1345

of 18 July 2017

operating deductions from fishing quotas available for certain stocks in 2017 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 2016 have been established by:
- Council Regulation (EU) No 1367/2014[(2)],
- Council Regulation (EU) 2015/2072[(3)],
- Council Regulation (EU) 2016/72[(4)], and
- Council Regulation (EU) 2016/73[(5)].

(2) Fishing quotas for the year 2017 have been established by:
- Council Regulation (EU) 2016/1903[(6)],
- Council Regulation (EU) 2016/2285[(7)],
- Council Regulation (EU) 2016/2372[(8)], and
- Council Regulation (EU) 2017/127[(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.

(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) 2017/1345. (See end of Document for details)*

(5) Certain Member States have exceeded their fishing quotas for the year 2016. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2017 and, where relevant, in subsequent years, for the overfished stocks.

(6) Commission Implementing Regulations (EU) 2016/2226[(10)] and (EU) 2017/162[(11)] have provided for deductions from fishing quotas for certain countries and species for 2016. However, for certain Member States, the deductions to be applied for some species were higher than the respective quotas available in 2016 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 2017 and, where appropriate, from subsequent quotas.

(7) In the framework of Article 3(3) of Council Regulation (EC) No 847/96[(12)], by letter dated 16 November 2016, Belgium requested Commission's permission to land additional quantities of turbot and brill in Union waters of IIa and IV (T/B/2AC4-C) within the limits of 10 % of the quota. The additional quantities granted in 2016 under that procedure should be considered as exceeding permitted landings for the purpose of the deductions envisaged in Article 105 of Regulation (EC) No 1224/2009.

(8) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2017 quotas pursuant to Commission Implementing Regulation (EU) No 185/2013[(13)].

(9) 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) 2016/1903, (EU) 2016/2285, (EU) 2016/2372 and (EU) 2017/127 for the year 2017 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) 2017/1345. (See end of Document for details)*

[F1 ANNEX

DEDUCTIONS FROM QUOTAS FOR STOCKS WHICH HAVE BEEN OVERFISHED

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2017/2309 of 13 December 2017 operating deductions from fishing quotas available for certain stocks in 2017 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 2017/1345.

Member State	Species code	Area code	Species name	Area name	Initial quota 2016 (in kilograms)	Permitted landings 2016 (Total adapted quantity in kilograms)	Total catches 2016 (quantity in kilograms)	Quota consumption related to permitted landings (quantity in kilograms)[a]	Overfishing relation to permitted landings (quantity in kilograms)	Multiplying factor	Multiplying factor[d]	Outstanding deductions from previous years[e] (quantity in kilograms)	Deductions to apply in 2017 (quantity in kilograms)	Deductions already applied in 2017 (qty in kilograms)	To be deducted in 2018 and following year(s)[f] (qty in kilograms)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
BE	SOL	7FG.	Common sole	VIIf and VIIg	487 000	549 565	563 401	102,52 %	13 836	/	/	/	13 836	13 836	/
BE	SOL	8AB.	Common sole	VIIIa and VIIIb	42 000	281 638	287 659	102,14 %	6 021	/	C[h]	/	6 021	6 021	/
BE	SRX	07D.	Skates and rays	Union waters of VIId	87 000	86 919	91 566	105,35 %	4 647	/	/	/	4 647	4 647	/
BE	T/B	2AC4-C	Turbot and brill	Union waters of IIa and IV	329 000	481 000	514 275	106,92 %	33 275[i]	/	/	/	33 275	33 275	/
DE	DGS	2AC4-C	Picked dogfish	Union waters of IIa and IV	0	0	2 118	N/A	2 118	/	/	/	2 118	2 118	/
DE	MAC	2CX14-	Mackerel	VI, VII, VIIIa,	22 751 000	21 211 759	22 211 517	104,71 %	999 758	/	/	/	999 758	999 758	/

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/1345. (See end of Document for details)*

				VIIIb, VIIId and VIIIe; Union and international waters of Vb; international waters of IIa, XII and XIV											
DK	DGS	2AC4-C	Picked dogfish	Union waters of IIa and IV	0	0	1 350	N/A	1 350	/	/	/	1 350	1 350	/
DK	HER	1/2-	Herring	Union, Faroese, Norwegian and international waters of I and II	7 069 000	10 331 363	10 384 320	100,51 %	52 957	/	/	/	52 957	52 957	/
DK	JAX	4BC7D	Horse mackerel and associated	Union waters of IVb, IVc and VIId	5 519 000	264 664	265 760	100,42 %	1 096	/	/	/	1 096	1 096	/
DK	MAC	2A34-	Mackerel	IIa and IV; Union waters of IIa, IIIb, IIIc and	19 461 000	13 354 035	14 677 440	109,91 %	1 323 405	/	/	/	1 323 405	1 323 405	/

				Subdivisions 22-32										
DK	MAC	2A4AN	Mackerel	Norwegian waters of IIa and IVa	1 043 000	14 886 020	16 351 930	109,85 %	1 465 910	/	/	/	1 465 910	1 465 910	/
DK	NOP	04-N.	Norway pout	Norwegian waters of IV	0	0	22 880	N/A	22 880	/	/	/	22 880	22 880	/
DK	OTH	*2AC4C	Other species	Union waters of IIa and IV	3 018 300	3 994 920	4 508 050	112,84 %	513 130	1.2	/	/	615 756	615 756	/
DK	POK	1N2AB	Saithe	Norwegian waters of I and II	/	0	3 920	N/A	3 920	/	/	/	3 920	3 920	/
DK	PRA	N1GRN	Northern prawn	Greenland waters of NAFO 1	2 700 000	2 700 000	2 727 690	101,03 %	27 690	/	/	/	27 690	27 690	/
DK	SAN	04-N.	Sandeel	Norwegian waters of IV	0	0	19 860	N/A	19 860	/	/	/	19 860	19 860	/
DK	SAN	234_1	Sandeel	Union waters of sandeel management area 1	12 263 000	12 517 900	12 525 750	100,06 %	7 850	/	/	/	7 850	7 850	/
ES	ALB	AN05N	Northern albacore	Atlantic Ocean, north of 5° N	14 917 370	14 754 370	16 645 498	112,82 %	1 891 128	1.2	/	/	2 269 354	1 134 677[1]	1 134 677[1]
ES	ALF	3X14-	Alfonsinos	Union and international	67 000	86 159	79 185	91,90 %	– 6 974	/	/	817	0	0	/