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

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.

(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[(10)] and Commission Implementing Regulation (EU) No 1360/2014[(11)] 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[(12)] and Commission Implementing Regulation (EU) No 185/2013[(13)].

(9) Since quotas are expressed in tonnes or entire pieces, quantities below 1 tonne or one piece should not been 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*.

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) 2015/1801. (See end of Document for details)*

[F1ANNEX

DEDUCTIONS FROM QUOTAS FOR STOCKS WHICH HAVE BEEN OVERFISHED

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2015/2404 of 16 December 2015 operating deductions from fishing quotas available for certain stocks in 2015 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 2015/1801.

Member State	Species code	Area code	Species name	Area name	Initial quota 2014 (in kilograms)	Permitted landings 2014 (Total admissible quantity in kilograms)[a]	Total catches consumed 2014 (quantity in kilograms)	Quota related to permitted landings	Over-fishing related to catches (quantity in kilograms)	Multiplying factor	Additional Multiplying factor[b]	Remaining deduction from 2014[c] (quantity in kilograms)	Quantity standing to balance (quantity in kilograms)	Deductions to apply in 2015 (qty in kilograms)	Deductions already applied in 2015 (qty in kilograms)	Deductions to be applied in 2016 and following year(s) (qty in kilograms)
BE	PLE	7HJK	Plaice	VIIh, VIIj and VIIk	8 000	1 120	3 701	330,45 %	2 581	/	/	/	/	2 581	2 581	/
BE	SOL	8AB.	Common sole	VIIIa and VIIIb	447 000	327 900	328 823	100,28 %	923	/	C	/	/	1 385	1 385	/
BE	SRX	07D.	Skates and rays	Union waters of VIId	72 000	60 000	69 586	115,98 %	9 586	/	/	/	/	9 586	8 489	1 097
BE	SRX	67AK	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	5 738	/
DK	COD	03AN	Cod	Skagerrak	3 177 000	3 299 380	3 408 570	103,31 %	109 190	/	C	/	/	163 785	163 785	/

DK	HER	03A.	Herring	IIa	19 357 000	15 529 000	15 641 340	100,72 %	112 340	/	/	/	/	112 340	112 340	/
DK	HER	2A47D	Herring	IV, VIId and Union waters of IIa	12 526 000	12 959 000	13 430 160	103,64 %	471 160	/	/	/	/	471 160	471 160	/
DK	HER	4AB.	Herring	Union and Norwegian waters of IV north of 53° 30′ N	80 026 000	99 702 000	99 711 800	100,19 %	9 800	/	/	/	/	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	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 %	7 513 430	2	/	/	/	7 026 860	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	1 158 410	/
ES	ALF	3X14-	Alfonsinos	EU and international waters of III, IV, V, VI, VII, VIII, IX, X,	67 000	67 000	79 683	118,93 %	12 683	/	A	3 000	/	22 025	5 866	16 159

				XII and XIV												
ES	BSF	5671-3	Black scabbard-fish	EU and international waters of V, VI, VII and XII	226 000	312 500	327 697	104,86 %	65 197	/	A	/	/	22 796	22 796	/
ES	BSF	8910-1	Black scabbard-fish	EU and international waters of VIII, IX and X	12 000	6 130	15 769	257,29 %	9 639	/	A	27 130	/	41 589	11 950	29 639
ES	BUM	ATLANBIT	Blue marlin	Atlantic Ocean	27 200	27 200	124 452	457,59 %	97 252	/	A	27 000	/	172 878	0	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	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	14 437	/
ES	GFB	89-	Greater forkbeard	EU and international waters of VIII	242 000	216 750	237 282	109,42 %	20 532	/	A	17 750	/	48 548	48 548	/