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

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

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 2013 have been established by:
- Council Regulation (EU) No 1262/2012[(2)],
- Council Regulation (EU) No 1088/2012[(3)],
- Council Regulation (EU) No 1261/2012[(4)],
- Council Regulation (EU) No 39/2013[(5)], and
- Council Regulation (EU) No 40/2013[(6)].

(2) Fishing quotas for the year 2014 have been established by:
- Regulation (EU) No 1262/2012,
- Council Regulation (EU) No 1180/2013[(7)],
- Council Regulation (EU) No 24/2014[(8)], and
- Council Regulation (EU) No 43/2014[(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 provide that such deductions shall 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) No 871/2014. (See end of Document for details)*

(5) Certain Member States have exceeded their fishing quotas for the year 2013. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2014 and, where appropriate, in subsequent years, for the overfished stocks.

(6) Considering that Denmark has overfished its total allowable catches for sandeel in Union waters of management areas 2 and 4 in 2013, it is required to operate deductions. In 2014, minimal catches have been allowed for sandeel in these waters in order to monitor the development of the stock and the recovery of the local populations. However, with the said deductions it is impossible to maintain the monitoring system advised by the International Council for the Exploration of the Sea (ICES) to manage sandeel. Therefore, deductions for the quotas overfished by Denmark in 2013 in these areas should be operated from sandeel management area 3.

(7) 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 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 NEP/93411 stock amounts to 25 tonnes in 2014 and 19 tonnes in 2015, without prejudice to any further quota adaptation.

(8) Commission Implementing Regulation (EU) No 770/2013[(10)] and Commission Implementing Regulation (EU) No 1402/2013[(11)] have provided for deductions from fishing quotas for certain countries and species for 2013. However, for certain Member States the deductions to be applied for some species were higher than the respective quotas available in 2013 and could therefore not be operated entirely in that year. To ensure that in such cases the full amount for the respective stocks will be deducted, the remaining quantities should be taken into account when establishing deductions for 2014 and, where appropriate, from subsequent quotas.

(9) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2014 quotas pursuant to Commission Regulation (EU) No 165/2011[(12)] and Commission Implementing Regulation (EU) No 185/2013[(13)].

(10) Since quotas are expressed in tonnes or entire pieces, deductions have been rounded down to the tonne or piece, and quantities below 1 tonne or one piece have not been considered,

HAS ADOPTED THIS REGULATION:

Article 1

1 The fishing quotas fixed in Regulations (EU) No 1262/2012, (EU) No 1180/2013, (EU) No 24/2014, and (EU) No 43/2014 for the year 2014 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.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 871/2014. (See end of Document for details)*

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) No 871/2014. (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) 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) 871/2014 as regards amounts to be deducted in future years.

Member State	Species code	Area code	Species name	Area name	Initial quota 2013	Permitted landings 2013 (Total adapted quantity in tonnes)[a]	Total landings 2013 (quantity consumed in tonnes)	Quota uptake related to permitted landings (%)	Overfishing to be deducted from permitted landings quantity (qty in tonnes)	Multiplying factor[b]	Additional multiplying factor[c]	Remaining balance to be deducted from 2013[d]	Quantity to be deducted in 2014[e] (qty in tonnes)	Deductions already applied in 2014 (qty in tonnes)	Deductions to be deducted in 2015 and following year(s) (qty in tonnes)
BE	HAD	7X7A	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	157,000	167,600	174,700	104,2	17,100	/	/	/	7	7	/
BE	HER	4CXB	Herring	IVc, VIId except Blackwater stock	9 285,0	14,000	22,200	158,58	8,200	/	/	/	8	8	/
BE	PLE	7FG.	Plaice	VIIf and VIIg	46,000	60,000	85,700	186,0	25,700	/	/	/	25	25	/
BE	SRX	07D.	Skates and rays	Union waters of VIId	72,000	75,300	87,700	116,4	12,400	/	/	/	12	12	/
BE	SRX	2AC4 C	Skates and rays	Union waters of IIa	211,000	208,800	229,800	105,0	31,000	/	/	/	11	11	/

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 871/2014. (See end of Document for details)*

				and IV												
DK	HER	*3BCD	Herring	Union waters of Subdivisions 22-32	1 972,72	1 272,72	2 039,2	103,37%	76,490	/	/	/	66	66	/
DK	MAC	2A34	Mackerel	Union waters of IIa and IV; Union waters of IIa, IIIb, IIIc and Subdivisions 22-32	15 072,07	16 780,39	17 943,0	101,53%	262,610	/	/	/	262	262	/
DK	NOP	04-N	Norway pout and associated by-catches	Norwegian waters of IV	0	0	4,980	N/A	4,980	/	/	/	4	4	/
DK	POK	1N2AB	Saithe	Norwegian waters of I and II	20,000	21,680	108,40%	0,680	/	/	/	1	1	/
DK	SAN	234_2	Sandeel	Union waters of sandeel management area 2	16 549,08	16 837,98	21 844,0	125,57%	7 306,02	1,4	/	/	/	6 028[i]	6 028[i]	/
DK	SAN	234_4	Sandeel	Union waters of sandeel management area 4	3 773,09	3 999,30	5 064,0	126,61%	2 064,7	1,4	/	/	/	1 490[i]	1 490[i]	/
EL	BFT	AE45W	Mediterranean tuna	Atlantic Ocean, east of 45° W,	129,070	107,521	107,521	100,00%	2,037	/	C	1,435	/	1,49	1,49	/