COMMISSION REGULATION (EC) No 762/2004

of 23 April 2004

adapting certain fish quotas for 2004 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy [1], and in particular Article 23(4) thereof,

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas [2], and in particular Articles 3(3), 4(2) and 5,

Whereas:

(1) Council Regulation (EC) No 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks [3] and Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required [4], specify which stocks may be subject to the measures provided for by Regulation (EC) No 847/96.

(2) Regulation (EC) No 2340/2002 and Council Regulation (EC) No 2287/2003 of 19 December fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required [5] fix quotas for certain stocks for 2004.

(3) Certain Member States have requested, pursuant to Regulation (EC) No 847/96, that part of their quotas be transferred to the following year. Within the limits indicated in that Regulation, the quantities withheld should be added to the quota for 2004.

(4) Regulation (EC) No 847/96 provides that deductions from national quotas for 2004 should be made at a level equivalent to the quantity fished in excess. Those deductions shall be applied taking into account also the specific provisions governing stocks falling within the scope of Regional Fisheries Organisations.

(5) Regulation (EC) No 847/96 also provides that weighted deductions from national quotas for 2004 should be made in the case of overfishing of permitted landings in 2003 for certain stocks identified in Regulation (EC) No 2340/2002 and in Regulation (EC) No 2341/2002.

(6) Certain Member States have requested, pursuant to Regulation (EC) No 847/96, permission to land additional quantities of fish of certain stocks. Those exceeding permitted landings should however be deducted from their quotas for 2004.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The quotas fixed in Regulation (EC) No 2340/2002 and in Regulation (EC) No 2287/2003 are increased as shown in Annex I or reduced as shown in Annex II.

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*.

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[1] OJ L 358, 31.12.2002, p. 59.
[2] OJ L 115, 9.5.1996, p. 3.
[3] OJ L 356, 31.12.2002, p. 1.
[4] OJ L 356, 31.12.2002, p. 12. Regulation as last amended by Regulation (EC) No 2192/2003 (OJ L 328, 17.12.2003, p. 1).
[5] OJ L 344, 31.12.2003, p. 1.

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

Done at Brussels, 23 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

TRANSFERS ON TO 2004 QUOTAS

Country	Stock	Penalties 2003 (*)	Species	Zone	Initial quantity 2003	Margin	Adapted quantity 2003	Catches 2003	Adapted quantity %	Transfers 2004	Deduc-tions 2004	Initial quantity 2004	Revised quantity 2004
BE	ANF/07	n	Anglerfish	VII	1 461		934	920,1	98,5	13,9	0	1 931	1 945
BE	ANF/8ABDE	n	Anglerfish	VIIIa,b,d,e	0		116	108,6	93,6	7,4	0	0	7
BE	LEZ/07	n	Megrims	VII	387		164	164,2	100,1	0	– 0,2	489	489
BE	LEZ/8ABDE	n	Megrims	VIIIa,b,d,e	0		17	0,6	3,5	1,7	0	0	2
BE	SOL/24	y	Sole	II, North Sea	1 321		1 588	1 538,1	96,9	49,9	0	1 417	1 467
BE	SOL/07A	y	Sole	VIIa	499		688	694,9	101,0	0	– 6,9	394	387
BEL	SOL/07D	y	Sole	VIId	1 454		1 606	1 267,1	78,9	160,6	0	1 588	1 749
BE	SOL/7FG	y	Sole	VIIf,g	775		729	689,2	94,5	39,8	0	656	696
DE	JAX/578/14	n	Horse Mackerel	Vb (EC), VI, VII, VIIIabde, XII, XIV	9 428		15 824	15 773,3	99,7	50,7	0	9 564	9 615
DE	SOL/24	y	Sole	II, North Sea	1 057		940	744,4	79,2	94	0	1 133	1 227
DE	SOL/3A/BCD	n	Sole	Skagerrak and Kattegat, IIIbcd (EC)	17		19	17,3	91,1	1,7	0	25	27
DK	JAX/578/14	n	Horse Mackerel	Vb (EC), VI, VII, VIIIabde, XII, XIV	11 796		13 111	10 866,1	82,9	1 311,1	0	11 966	13 277
DK	RNG/03-	n	Roundnose Grena-dier	III (EC + waters not under jurisd. TC)	1 769		1 699	1 210,4	71,2	169,9	0	1 769	1 939
DK	SOL/24	y	Common Sole	II, North Sea	604	60	766	712	93,0	54,0	0	588	642
DK	SOL/3A/BCD	n	Common Sole	Skagerrak and Kattegat, IIIbcd (EC)	291	29	294	297,7	101,3	0	– 3,7	407	403
ES	ANE/08	n	Anchovy	VIII	29 700		22 692	2 904,5	12,8	2 269,2	0	29 700	31 969
ES	ANF/07	n	Anglerfish	VII	581		1 815	1 912,4	105,4	0	– 97,4	768	671