COUNCIL REGULATION (EEC) No 800/85

of 26 March 1985

amending for the second time Regulation (EEC) No 1/85 fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1985 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources [1], and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 3 of Regulation (EEC) No 170/83, the Council is required to fix the total allowable catch for each stock or group of stocks, the share available to the Community and the specific conditions for taking these catches; whereas, under Article 4 of the same Regulation, the share available to the Community is to be distributed among the Member States;

Whereas Council Regulation (EEC) No 1/85 [2], as amended by Regulation (EEC) No 97/85 [3], fixes for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1985 and certain conditions under which they may be fished;

Whereas the trilateral consultations with Norway and Sweden concerning reciprocal fishing rights and the conditions governing them, in the Skaggerak and Kattegat in 1985 have now been concluded; whereas, consequently, it is possible to fix the total allowable catches for the stocks located in these waters;

Whereas the by-catch percentage for herring caught with small-meshed nets other than those caught during sprat fishing should be fixed for the Skagerrak and Kattegat;

Whereas the state of the herring stock in the Skagerrak and Kattegat makes it possible to increase the quantity available to the Community and to end the prohibition applied to fishing in this division for certain periods;

Whereas, pending further scientific advice on the conditions for sprat fishing in the Skagerrak and the Kattegat, there should be an extension of the deadline by which detailed rules must be laid down for fishing with small-meshed trawls,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1/85 is hereby amended as follows:

1. Article 5 (1) (iv) is replaced by the following:

   '(iv) for herring, they are within the limits laid down in paragraph 2,

   or';

2. Article 5 (2) is replaced by the following:

   '2. In areas other than the Skagerrak, the Kattegat and the Baltic Sea (ICES divisions III b, c, d) it shall be prohibited to retain on board catches of herring mixed with other species unless such catches are not sorted and unless the herring, if mixed with sprat only, does not exceed 10 % by weight of the total weight of herring and sprat combined.

   In areas other than the Baltic Sea, it shall be prohibited to retain on board catches of herring mixed with other species unless such catches are not sorted and unless the herring, if mixed with other species whether or not including sprat, does not exceed 5 % by weight of the total weight of the herring and other species combined.';

3. Article 6 (1) is deleted;

4. In the second subparagraph of Article 7 (1), '1 April 1985' is replaced by '15 June 1985';

5. Annex I is amended as follows:

   (a) the figures relating to cod, haddock, whiting, plaice, herring and sprat stocks in the Skagerrak and the Kattegat (ICES division III a) shall be replaced by those shown in Annex I to this Regulation;

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[1] OJ No L 24, 27. 1. 1983, p. 1.
[2] OJ No L 1, 1. 1. 1985, p. 1.
[3] OJ No L 13, 16. 2. 1985, p. 5.

(b) the following footnotes are added :

'([16]) Not including 2 000 tonnes allocated to Norway.

([17]) Excluding catches taken by Norway in the Norwegian fjords west of Lindesnes.' ;

6. In Annex II the figures relating to herring stocks in the Skagerrak and the Kattegat (ICES division III a) shall be replaced by those shown in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

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

Done at Brussels, 26 March 1985.

For the Council

The President

F. M. PANDOLFI

ANNEX I

TACs by stock and by area for 1985 — shares available to the Community

(tonnes)

Species	ICES division or NAFO zone	1985 TAC	Shares available to the Community for 1985
Cod	III a Skagerrak	29 000	23 920
Cod	III a Kattegat	16 000	9 650
Haddock	III a ; III b, c, d (EC zone)	11 500 (*)	9 930
Whiting	III a	22 150 (*)	19 650
Plaice	III a Skagerrak	12 000 (*)	11 280
Plaice	III a Kattegat	5 500 (*)	4 950
Sprat	III a	58 000 (*) (6) (17)	38 150 (4)
Herring	III a	115 000 (*) (16)	49 500

ANNEX II

(tonnes)

Species	Geographical region	ICES division or NAFO zone	Member State	Quota 1985
Herring	Skagerrak and Kattegat	III a	Belgium	
			Denmark	48 720 (1)
			Federal Republic of Germany	780 (2)
			Greece	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			United Kingdom	
			Available for Member States	
			EEC total	49 500