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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 746/95

of 31 March 1995

amending Regulation (EC) No 3362/94 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1995 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture [1], and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Community and Norway agreed to fix their mutual fishing rights for the period until 31 March 1995 and to hold consultations on their mutual fishing rights for the whole of the year as early as possible in 1995;

Whereas these consultations have been successfully concluded; whereas it is therefore possible to fix the TACs, the Community shares and the quotas for joint stocks and where necessary, for other stocks, for the whole year of 1995;

Whereas, in the framework of the decisions taken at the Council meeting of 22 December 1994, certain Member States committed themselves to exchange part of their fishing possibilities; whereas these exchanges should be facilitated with a view to better utilizing fishing possibilities;

Whereas, in order to ensure a better utilization of fishing possibilities for anchovy, transfers of a part of a quota from the zone of allocation to an adjacent zone should be allowed;

Whereas Council Regulation (EC) No 3362/94 [2] lays down, for certain fish stocks, and groups of fish stocks, the total allowable catches for 1995 and certain conditions under which they may be fished;

Whereas the stock of prawns (*Penaeus* spp.) of French Guiana has to be included in Regulation (EC) No 3362/94; whereas it may be subject to a precautionary TAC which, according to the Scientific, Technical and Economic Committee for Fisheries, can be the same as for 1994;

Whereas Regulation (EC) No 3362/94 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3362/94 is hereby amended as follows:

1. Annex I to this Regulation shall replace the corresponding elements of the Annex;
2. Annex II to this Regulation shall be inserted in the Annex.

Article 2

This Regulation shall enter into force on the 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, 31 March 1995.

For the Council

The President

F. BAYROU

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[1] OJ No L 389, 31. 12. 1992, p. 1.

[2] OJ No L 363, 31. 12. 1994, p. 1.

ANNEX I

Species : Herring *(Clupea harengus)*		**Zone** III a
België/Belgique		(*) Precautionary TAC.
Danmark	58 600 (1)	(1) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Deutschland	940 (2)	(2) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Ελλάδα		
España		
France		
Ireland		
Italia		
Luxembourg		
Nederland		
Österreich		
Portugal		
Suomi/Finland		
Sverige	61 290 (1)	
United Kingdom		
EC	120 830	
TAC	140 000 (*)	

Species : Herring *(Clupea harengus)*		**Zones** II a (1) and IV a and b
België/Belgique		(1) Community waters.
Danmark	73 020	(2) May only be fished in IV a and IV b
Deutschland	45 920	(3) Of which no more than 50 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway.
Ελλάδα		(4) Member States must inform the Commission of their landings of herring, distinguishing between ICES Divisions II a, IV a and IV b.
España		
France	14 370	
Ireland		
Italia		
Luxembourg		
Nederland	62 270	
Österreich		
Portugal		
Suomi/Finland		
Sverige	4 480 (2)	
United Kingdom	62 340	
EC	262 400 (3) (4)	
TAC	390 000	

Species : Herring *(Clupea harengus)*		**Zones** IV c (1) and VII d
België/Belgique	9 020	(*) Precautionary TAC.
Danmark	790	(1) Except Blackwater stock : reference is to the herring stock in the maritime region of the Thames estuary within a zone delimited by a line running due south from Landguard Point (51° 56′ N, 1° 19,1′ E) to latitude 51° 33′ N and thence due west to a point on the coast of the United Kingdom.
Deutschland	790	
Ελλάδα		
España		
France	19 880	
Ireland		
Italia		
Luxembourg		
Nederland	15 550	
Österreich		
Portugal		
Suomi/Finland		
Sverige		
United Kingdom	3 970	
EC	50 000	
TAC	50 000 (*)	

Species : Herring *(Clupea harengus)*		**Zones** V b (1), VI a, N (2) and VI b
België/Belgique		(1) Community waters.
Danmark		(2) Reference is to herring stock in ICES Division VI a, north of 56° 00′ N and in that part of VI a which is situated east of 7° 00′ W and north of 55° 00′ N, excluding the Clyde.
Deutschland	6 720	(*) Precautionary TAC.
Ελλάδα		
España		
France	1 270	
Ireland	9 080	
Italia		
Luxembourg		
Nederland	6 720	
Österreich		
Portugal		
Suomi/Finland		
Sverige		
United Kingdom	46 350	
EC	70 140	
TAC	77 000 (*)	

Species : Anchovy *(Engraulis encrasicolus)*		**Zones** IX and X, CECAF 34.1.1 (1)
België/Belgique		(*) Precautionary TAC.
Danmark		(1) Community waters.
Deutschland		(2) May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or international waters of the zone concerned.
Ελλάδα		(3) Notwithstanding note (2), up to 5 008 tonnes may be fished in waters of ICES sub-area VIII under the sovereignty or within the jurisdiction of France
España	5 740 (2)	
France		
Ireland		
Italia		
Luxembourg		
Nederland		
Österreich		
Portugal	6 260 (2) (3)	
Suomi/Finland		
Sverige		
United Kingdom		
EC	12 000	
TAC	12 000 (*)	

Species : Cod *(Gadus morhua)*		**Zone** III a Skagerrak
België/Belgique	50 (1)	(*) Precautionary TAC.
Danmark	16 000 (2)	(1) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Deutschland	400 (1)	(2) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Ελλάδα		
España		
France		
Ireland		
Italia		
Luxembourg		
Nederland	100 (1)	
Österreich		
Portugal		
Suomi/Finland		
Sverige	2 800 (2)	
United Kingdom		
EC	19 350	
TAC	20 000 (*)	

Species : Cod *(Gadus morhua)*		**Zones** II a (1) and IV
België/Belgique	3 870	(1) Community waters.
Danmark	22 210	(2) Of which no more than 50 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway.
Deutschland	14 080	
Ελλάδα		
España		
France	4 780	
Ireland		
Italia		
Luxembourg		
Nederland	12 550	
Österreich		
Portugal		
Suomi/Finland		
Sverige	150	
United Kingdom	50 960	
EC	108 600 (2)	
TAC	120 000	

Species : Haddock *(Melanogrammus aeglefinus)*		**Zones** III a and III b, c and d (1)
België/Belgique	30 (2)	(1) Community waters.
Danmark	5 540 (3)	(2) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Deutschland	350 (2)	(3) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Ελλάδα		(4) Excluding an estimated 3 000 tonnes of industrial by-catch.
España		(*) Precautionary TAC.
France		
Ireland		
Italia		
Luxembourg		
Nederland	10 (2)	
Österreich		
Portugal		
Suomi/Finland		
Sverige	650 (3)	
United Kingdom		
EC	6 580 (4)	
TAC	10 000 (*)	

Species : Haddock *(Melanogrammus aeglefinus)*		**Zones** II a (1) and IV
België/Belgique	930	(1) Community waters.
Danmark	6 370	(2) Excluding an estimate of 6 000 tonnes of industrial by-catch.
Deutschland	4 050	(3) Of which no more than 53 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway.
Ελλάδα		
España		
France	7 070	
Ireland		
Italia		
Luxembourg		
Nederland	700	
Österreich		
Portugal		
Suomi/Finland		
Sverige	450	
United Kingdom	67 830	
EC	87 400 (2) (3)	
TAC	120 000	

Species : Whiting *(Merlangius merlangus)*	**Zone** III a
België/Belgique Danmark 3 985 (2) Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland 10 (3) Österreich Portugal Suomi/Finland Sverige 430 (2) United Kingdom EC 4 425 (1) TAC 15 200 (*)	(1) Excluding an estimated 10 500 tonnes of industrial by-catch. (2) No fishing of this quota may take place, in the Skagerrak within 4 miles of the baselines of the Kingdom of Norway. (3) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway. (*) Precautionary TAC.
Species : Whiting *(Merlangius merlangus)*	**Zones** II a (1) and IV
België/Belgique 1 740 Danmark 7 540 Deutschland 1 960 Ελλάδα España France 11 330 Ireland Italia Luxembourg Nederland 4 360 Österreich Portugal Suomi/Finland Sverige 10 United Kingdom 30 060 EC 57 000 (2) (3) TAC 81 000	(1) Community waters. (2) Excluding an estimated 15 900 tonnes of industrial by-catch. (3) Of which no more than 25 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway.
Species : Hake *(Merluccius merluccius)*	**Zones** VIII c, IX and X, CECAF 34.1.1 (1)
België/Belgique Danmark Deutschland Ελλάδα España 6 400 (2) France 610 (3) Ireland Italia Luxembourg Nederland Österreich Portugal 2 990 (4) Suomi/Finland Sverige United Kingdom EC 10 000 TAC 10 000	(1) Community waters. (2) May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned, except for 850 tonnes which may be fished in the waters under the sovereignty or within the jurisdiction of Portugal. (3) Of which no more than 430 tonnes may be fished in waters under the sovereignty or within the jurisdiction of Portugal. (4) May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned, except for 850 tonnes which may be fished in the waters under the sovereignty or within the jurisdiction of Spain.

Species : Blue whiting *(Micromesistius poutassou)*	**Zones** V b (1), VI and VII
België/Belgique	(1) Community waters.
Danmark	(2) Of which 5 000 tonnes may be fished either in ICES division V b (EC zone), VI, VII or VIII a, b and d.
Deutschland	(3) Available to all Member States, except Spain, Portugal, Sweden and Finland.
Ελλάδα	(4) Excluding quantities allocated to Portugal pursuant to Council Regulation (EC) No 3293/94 (OJ No L 341, 30. 12. 1994, p. 5).
España 20 000 (2)	(*) Precautionary TAC.
France	
Ireland	
Italia	
Luxembourg	
Nederland	
Österreich	
Portugal	
Suomi/Finland	
Sverige	
United Kingdom 73 000 (3) (4)	
EC 93 000 (4)	
TAC 340 000 (4) (*)	

Species : Northern prawn *(Pandalus borealis)*	**Zone** III a
België/Belgique	(1) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway
Danmark 3 890 (1)	
Deutschland	
Ελλάδα	
España	
France	
Ireland	
Italia	
Luxembourg	
Nederland	
Österreich	
Portugal	
Suomi/Finland	
Sverige 2 090 (1)	
United Kingdom	
EC 5 980	
TAC 11 200	

Species : Plaice *(Pleuronectes platessa)*	**Zone** III a Skagerrak
België/Belgique 70 (1)	(*) Precautionary TAC.
Danmark 8 716 (2)	(1) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Deutschland 40 (1)	(2) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Ελλάδα	
España	
France	
Ireland	
Italia	
Luxembourg	
Nederland 1 680 (1)	
Österreich	
Portugal	
Suomi/Finland	
Sverige 470 (2)	
United Kingdom	
EC 10 976	
TAC 11 200 (*)	

Species : Plaice *(Pleuronectes platessa)*		**Zones** II a (1) and IV
België/Belgique	6 580	(1) Community waters.
Danmark	21 390	(2) Of which no more than 40 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway.
Deutschland	6 170	
Ελλάδα		
España		
France	1 230	
Ireland		
Italia		
Luxembourg		
Nederland	41 140	
Österreich		
Portugal		
Suomi/Finland		
Sverige		
United Kingdom	30 440	
EC	106 950 (2)	
TAC	115 000	

Species : Saithe *(Pollachius virens)*		**Zones** II a (1), III a, III b, c and d (1) and IV
België/Belgique	40 (2)	(1) Community waters.
Danmark	4 440 (3)	(2) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Deutschland	11 200 (2)	(3) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Ελλάδα		(4) Of which no more than 45 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway.
España		
France	26 370 (2)	
Ireland		
Italia		
Luxembourg		
Nederland	110 (2)	
Österreich		
Portugal		
Suomi/Finland		
Sverige	610 (3)	
United Kingdom	8 590 (2)	
EC	51 360 (4)	
TAC	107 000	

Species : Mackerel *(Scomber scombrus)*		**Zones** II a (1), III a, III b, c and d (1) and IV
België/Belgique	590 (2)	(1) Community waters.
Danmark	15 445 (3)(4)(5)	(2) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Deutschland	610 (2)	(3) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Ελλάδα		(4) Of which 2 320 tonnes may be fished from 1 October to 31 December 1995 in EC waters between latitudes 59° N and 62° N and longitudes 4° W and 6° W.
España		(5) Of which no more than 3 800 tonnes may be fished in ICES divisions III a and IV b and c.
France	1 850 (2) (6)	(6) Of which no more than 300 tonnes may be fished in ICES divisions III a and IV b and c.
Ireland		(7) No part of this quota may be fished in divison IV c.
Italia		(8) Including 1 865 tonnes accruing from conditions defined in footnote (4) the Annex to the Agreed Records of Conclusions of Fisheries Consultations between the European Community, Sweden and Norway, Brussels, 1 December 1994.
Luxembourg		(9) Of which no more than 2 165 tonnes may be fished in ICES divisions III a and IV b and c.
Nederland	1 860 (2) (6)	
Österreich		
Portugal		
Suomi/Finland		
Sverige	5 230 (3)(7)(9)	
United Kingdom	1 720 (6)	
EC	27 305 (8)	
TAC	78 185 (8)	

Species : Mackerel *(Scomber scombrus)*	**Zones** II a (1), V b (2), VI, VII, VIII a, b, d and e, XII and XIV
België/Belgique	(1) Except Community waters.
Danmark	(2) Community waters.
Deutschland 23 710 (3) (4)	(3) May not be fished in the waters under the sovereignty or jurisdiction of Spain.
Ελλάδα	(4) Of which 4 160 tonnes may be fished from 1 October to 31 December 1995 in EC waters of ICES division IV a.
España 20 (5)	(5) May be fished only in the waters under the sovereignty or jurisdiction of Spain.
France 15 810 (3) (6)	(6) Of which 2 770 tonnes may be fished from 1 October to 31 December 1995 in EC waters of ICES division IV a.
Ireland 79 030 (3) (7)	(7) Of which 13 860 tonnes may be fished from 1 October to 31 December 1995 in EC waters of ICES division IV a.
Italia	(8) Of which 6 060 tonnes may be fished from 1 October to 31 December 1995 in EC waters of ICES division IV a.
Luxembourg	(9) Of which 38 150 tonnes may be fished from 1 October to 31 December 1995 in EC waters of ICES division IV a.
Nederland 34 580 (3) (8)	
Österreich	
Portugal	
Suomi/Finland	
Sverige	
United Kingdom 217 350 (3) (9)	
EC 370 500	
TAC 391 540	

Species : Sprat *(Sprattus sprattus)*	**Zone** III a
België/Belgique	(1) Includes all by-catches of all other species which are caught when fishing for sprat and which are landed unsorted notwithstanding Article 5 (2) of this Regulation and Article 5 (1) and (2) of Council Regulation (EEC) No 3094/86 7 October 1986 (OJ No L 288, 11. 10. 1986, p. 1).
Danmark 28 810 (1) (2)	(2) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway.
Deutschland 60 (1) (3)	(3) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway.
Ελλάδα	(*) Precautionary TAC.
España	
France	
Ireland	
Italia	
Luxembourg	
Nederland	
Österreich	
Portugal	
Suomi/Finland	
Sverige 10 900 (1) (2)	
United Kingdom	
EC 39 770 (1)	
TAC 43 000 (1) (*)	

Species : Sprat *(Sprattus sprattus)*	**Zones** II a (1) and IV (1)
België/Belgique 1 500	(1) Community waters.
Danmark 1 500	(2) Available to all Member States except Spain, Portugal, Sweden and Finland.
Deutschland 1 500	(3) Including sandeel.
Ελλάδα	(*) Precautionary TAC.
España	
France 1 500	
Ireland	
Italia	
Luxembourg	
Nederland 1 500	
Österreich	
Portugal	
Suomi/Finland	
Sverige 1 330 (3)	
United Kingdom 1 500	
139 370 (2)	
EC 150 000	
TAC 175 000 (*)	

ANNEX II

Species : 'Penaeus' shrimps (*Penaeus* spp.)		**Zone** French Guiana
België/Belgique		(1) Fishing for shrimps *Penaeus subtilis* and *Penaeus brasiliensis* is prohibited in waters less than 30 m deep.
Danmark		(*) Precautionary TAC.
Deutschland		
Ελλάδα		
España		
France	4 000	
Ireland		
Italia		
Luxembourg		
Nederland		
Österreich		
Portugal		
Suomi/Finland		
Sverige		
United Kingdom		
EC	4 000	
TAC	4 108 (*) (1)	