COMMISSION REGULATION (EC) No 728/2003

of 25 April 2003

adapting certain fish quotas for 2003 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACIS and quotas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ([1]), as last amended by Regulation (EC) No 2846/98 ([2]), and in particular Article 23(1) 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 ([3]), as amended by Commission Regulation (EC) No 1957/98 ([4]), and in particular Article 4(2) thereof,

Whereas:

(1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 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 limitations in catch are required ([5]), as last amended by Regulation (EC) No 2256/2002 ([6]), stipulate which stocks may be subject to the measures foreseen by Regulation (EC) No 847/96.

(2) Council Regulation (EC) No 2341/2002 ([7]), as amended by Regulation (EC) No 671/2003 ([8]), fixes fish quotas for certain stocks in 2003.

(3) Within the terms of Article 4(2) of Regulation (EC) No 847/96, certain Member States have asked to withhold a fraction of their quotas to be transferred to the following year. Within the limits indicated in that Article, the quantities withheld shall be added to the quota for 2003.

(4) According to the information communicated to the Commission, certain Member States have fished in excess of permitted landings for some stocks in 2002. In accordance with Article 5(1) of Council Regulation (EC) No 847/96, deductions from national quotas for 2003 should be made at a level equivalent to the quantity fished in excess, without prejudice to the application of Article 5(2).

(5) In conformity with Article 5(2) of Council Regulation (EC) No 847/96, weighted deductions from national quotas for 2003 should be made in the case of overfishing of permitted landings in 2002 for those stocks identified as such in Article 5 of and Annex III to Regulation (EC) No 2555/2001.

(6) 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 2341/2002 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*.

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

Done at Brussels, 25 April 2003.

For the Commission

Franz FISCHLER

Member of the Commission

([1]) OJ L 261, 20.10.1993, p. 1.
([2]) OJ L 358, 31.12.1998, p. 5.
([3]) OJ L 115, 9.5.1996, p. 3.
([4]) OJ L 254, 16.9.1998, p. 3.
([5]) OJ L 347, 31.12.2001, p. 1.
([6]) OJ L 343, 18.12.2002, p. 19.
([7]) OJ L 356, 31.12.2002, p. 12.
([8]) OJ L 97, 15.4.2003, p. 11.

ANNEX I

TRANSFERS ONTO 2003 QUOTAS

Country	Stock	Penalties 2002 (*)	Species	Zone	Initial quantity 2002	Adapted quantity 2002	Catches 2002	% Adapted quantity	Transfers 2003	Initial quantity 2003	Revised quantity 2003
Belgium	ANF/07	n	Anglerfish	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	1 719	717	559,6	78,0	71,7	1 461	1 533
Belgium	ANF/8ABDE	n	Anglerfish	VIIIa), b), d), e	0	210	135,9	64,7	21	0	21
Belgium	LEZ/8ABDE	n	Megrims	VIIIa), b), d), e	0	15	4,4	29,3	1,5	0	2
Belgium	LEZ/07	n	Megrims	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	361	97	60,7	62,6	9,7	387	397
Belgium	SOL/24	y	Common sole	II, IV	1 333	1 537	1 368,6	89,0	153,7	1 321	1 475
Belgium	SOL/07A	y	Common sole	ICES division VIIa — Irish Sea	543	833	820,8	98,5	12,2	499	511
Belgium	SOL/07D	y	Common sole	ICES division VIId — eastern Channel	1 400	1 524	1 263,3	82,9	152,4	1 454	1 606
Germany	JAX/578/14	n	Horse mackerel	Vb(1), VI, VII, VIIIa), b), d), e), XII, XIV	10 371	14 752	13 274,1	90,0	1 475,2	9 428	10 903
Germany	SOL/24	y	Common sole	II, IV	1 067	1 158	756,1	65,3	115,8	1 057	1 173
Germany	SOL/3A/BCD	n	Common sole	IIIa); IIIb),c),d) (1)	24	17	10,8	63,5	1,7	17	19
Denmark	JAX/578/14	n	Horse mackerel	Vb(1), VI, VII, VIIIa), b), d), e), XII, XIV	12 975	13 148	10 093,8	76,8	1 314,8	11 796	13 111
Spain	ANE/08	n	European anchovy	ICES subarea VIII - Bay of Biscay	28 915	19 915	7 700,3	38,7	1 991,5	29 700	31 692
Spain	ANF/07	n	Anglerfish	ICES subarea VII — Irish Sea, West of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	683	2 973	2 513,4	84,5	297,3	581	878
Spain	ANF/8ABDE	n	Anglerfish	VIIIa), b), d), e	786	736	612,5	83,2	73,6	543	617

Country	Stock	Penalties 2002 (*)	Species	Zone	Initial quantity 2002	Adapted quantity 2002	Catches 2002	% Adapted quantity	Transfers 2003	Initial quantity 2003	Revised quantity 2003
Spain	ANF/8C3411	n	Anglerfish	VIIIc), IX, X; COPACE 34.1.1(1)	3 958	4 223	1 203,4	28,5	422,3	3 332	3 754
Spain	JAX/578/14	n	Horse mackerel	Vb(1), VI, VII, VIIIa), b), d), e), XII, XIV	14 163	4 163	2 797,4	67,2	416,3	12 875	13 291
Spain	JAX/8C9	n	Horse mackerel	VIIIc), IX	30 932	34 590	30 632,4	88,6	3 459	29 587	33 046
Spain	LEZ/07	n	Megrims	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	4 005	6 490	5 246,5	80,8	649	4 301	4 950
Spain	LEZ/8ABDE	n	Megrims	VIIIa), b), d), e	858	843	143,9	17,1	84,3	921	1 005
Spain	LEZ/8C3411	y	Megrims	VIIIc), IX, X; COPACE 34.1.1(1)	3 692	4 104	675,7	16,5	410,4	2 215	2 625
France	ANE/08	n	European anchovy	ICES subarea VIII — Bay of Biscay	3 300	12 300	8 346	67,9	1 230	3 300	4 530
France	LEZ/07	n	Megrims	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	4 861	3 367	2 353,3	69,9	336,7	5 220	5 557
France	LEZ/8ABDE	n	Megrims	VIIIa), b), d), e	692	872	553,4	63,5	87,2	743	830
France	LEZ/8C3411	y	Megrims	VIIIc), IX, X; COPACE 34.1.1(1)	185	208	14,2	6,8	20,8	111	132
United Kingdom	ANF/07	n	Anglerfish	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	3 345	3 825	3 400,2	88,9	382,5	2 843	3 226
United Kingdom	JAX/578/14	n	Horse mackerel	Vb(1), VI, VII, VIIIa), b), d), e), XII, XIV	14 026	13 041	10 728,9	82,3	1 304,1	12 751	14 055

Country	Stock	Penalties 2002 (*)	Species	Zone	Initial quantity 2002	Adapted quantity 2002	Catches 2002	% Adapted quantity	Transfers 2003	Initial quantity 2003	Revised quantity 2003
United Kingdom	LEZ/07	n	Megrims	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	1 914	2 099	1 714,5	81,7	209,9	2 055	2 265
United Kingdom	SOL/24	y	Common sole	II, IV	686	801	683,3	85,3	80,1	679	759
United Kingdom	SOL/07A	y	Common sole	ICES division VIIa — Irish Sea	244	241	168	69,7	24,1	224	248
United Kingdom	SOL/07D	y	Common sole	ICES division VIId — eastern Channel	1 000	1 089	975,5	89,6	108,9	1 038	1 147
United Kingdom	SOL/7FG	y	Common sole	VIIf), g)	301	319	317,6	99,6	1,4	349	350
Ireland	JAX/578/14	n	Horse mackerel	Vb(1), VI, VII, VIIIa), b), d), e, XII, XIV	33 763	36 596	33 426	91,3	3 170	30 693	33 863
Netherlands	HER/6AS7BC	n	Atlantic herring	VIa) South, VIIb), c	1 273	413	366,3	88,7	41,3	1 273	1 314
Netherlands	HER/7GK	n	Atlantic herring	VIIg), h), j), k	494	925	921,8	99,7	3,2	802	805
Netherlands	JAX/578/14	n	Horse mackerel	Vb(1), VI, VII, VIIIa), b), d), e), XII, XIV	49 479	55 958	49 705,4	88,8	5 595,8	44 981	50 577
Netherlands	SOL/24	y	Common sole	II, IV	12 038	13 340	12 099,7	90,7	1 240,3	11 925	13 165
Portugal	ANF/8C3411	n	Anglerfish	VIIIc), IX, X; COPACE 34.1.1(1)	788	923	499,2	54,1	92,3	663	755
Portugal	JAX/8C9	n	Horse mackerel	VIIIc), IX	26 174	26 174	14 948	57,1	2 617,4	25 036	27 653
Portugal	LEZ/8C3411	y	Megrims	VIIIc), IX, X; COPACE 34.1.1(1)	123	173	132,2	76,4	17,3	74	91

Legend:

(*) Annex III to Council Regulation (EC) No 2555/2001 (deductions of Article 5(2)).

ANNEX II

DEDUCTION ONTO 2003 QUOTAS

Country	Species	Area	Species	Zone	Penalties 2002 (*)	Adapted quantity 2002	Catches 2002	%	Deductions	Initial quantity 2003	Revised quantity 2003
Belgium	COD	7X7A34	Atlantic cod	VIIb, c, d, e, f, g, h, j, k, VIII, IX, X; COPACE 34.1.1(1)	y	393,00	575,50	146,438	– 212,27	289	77
Belgium	SOL	07E	Common sole	ICES division VIIe — western English Channel	y	19,00	31,40	165,263	– 12,40	19	7
Belgium	SOL	7FG	Common sole	VIIf, g)	y	648,00	694,40	107,160	– 46,40	775	729
Germany	COD	1N2AB	Atlantic cod	Norway zone (North of 62° N): I, IIa), b	n	1 985,00	1 985,70	100,035	– 0,70	1 976	1 975
Germany	C/H	05B1-F	Cod and haddock	Faroe zone: Vb(1)	n	12,00	12,30	102,500	– 0,30	10	10
Denmark	NEP	3A/BCD	Norway lobster	IIIa; IIIb, c, d(1)	n	3 282,00	3 299,60	100,536	– 17,60	3 307	3 289
Denmark	SOL	3A/BCD	Common sole	IIIa; IIIb, c, d(1)	n	526,00	567,40	107,871	– 41,40	291	250
Denmark	HER	1/2NEZ	Atlantic herring	I, II (Norwegian EEZ)	n	5 896,00	6 076,00	103,053	– 180,00	0	0
France	HER	4AB	Atlantic herring	IVa, IVb	y	14 730,00	14 731,80	100,012	– 1,80	16 412	16 410
France	HER	4CXB7D	Atlantic herring	IVc, VIId	y	9 569,00	9 753,20	101,925	– 184,20	15 448	15 264
France	COD	1N2AB	Atlantic cod	Norway zone (North of 62° N): I, IIa, b	n	1 813,00	1 819,20	100,342	– 6,20	1 814	1 808
France	COD	1/2B	Atlantic cod	I, IIb	y	1 114,00	1 115,10	100,099	– 1,10	1 114	1 113
France	HER	7GK	Atlantic herring	VIIg, h, j, k	n	801,00	802,70	100,212	– 1,70	802	800
France	HER	7EF	Atlantic herring	VIIe, f	n	498,00	499,80	100,361	– 1,80	500	498
France	ANF	07	Anglerfish	ICES subarea VII — Irish Sea, west of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea north and south, and south-west of Ireland — east and west	n	9 924,00	10 003,10	100,797	– 79,10	9 375	9 296
France	NEP	08C	Norway lobster	ICES division VIIIc — Bay of Biscay — South	y	14,00	17,40	124,286	– 3,40	7	4

Country	Species	Area	Species	Zone	Penalties 2002 (*)	Adapted quantity 2002	Catches 2002	%	Deduc-tions	Initial quantity 2003	Revised quantity 2003
France	PLE	7DE	European plaice	VIId, e	y	3 649,00	3 683,30	100,940	– 34,30	3 256	3 222
Ireland	SOL	07A	Common sole	ICES division VIIa — Irish Sea	y	102,00	103,90	101,863	– 1,90	123	121
Netherlands	HER	4AB	Atlantic herring	IVa, IVb	y	30 947,00	31 034,10	100,281	– 87,10	44 727	44 640
Netherlands	SRX	2AC4-C	Rays, stingrays, mantas nei	IIa(1), IV(1)	n	714,00	792,20	110,952	– 78,20	592	514
Netherlands	MAC	04A-C	Atlantic mackerel	IVa(1)	n	9 800,00	9 837,30	100,381	– 37,30	8 702	8 665
Portugal	COD	1N2AB	Atlantic cod	Norway zone (North of 62° N): I, IIa, b	n	2 205,00	2 205,10	100,005	– 0,10	2 204	2 204
Sweden	HER	03A	Atlantic herring	ICES division IIIa — Skagerrak and Kattegat	y	33 986,00	34 333,70	101,023	– 347,70	34 917	34 569

(*) Penalties 2002 = Annex III of Regulation (EC) No 2555/2001 column of deductions Article 5(2) of Regulation No 847/96.