COUNCIL REGULATION (EC) No 867/2004
of 29 April 2004

amending Regulation (EC) No 2287/2003 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 limitations in catch are required

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the 2003 Act of Accession, in particular Article 24 and Annex XII thereof,

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 20 thereof,

Having regard to the proposal from the Commission,

[1] OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 639/2004 (OJ L 102, 7.4.2004, p. 9).

Whereas:

(1) The International Baltic Sea Fisheries Commission (IBSFC) adopted a recommendation at its Annual meeting on 3 October 2003 on the allocation of herring in the Gulf of Riga. The necessary measures should be taken at Community level in order to implement that recommendation in Community legislation on the day following the date of accession of Estonia, Latvia, Lithuania and Poland.

(2) The IBFSC adopted a recommendation allowing an increase of the TAC for cod in the Baltic Sea in March 2004. Implementation of that recommendation in Community legislation order should be ensured.

(3) Within the framework of its bilateral fisheries Agreement with the Russian Federation, Latvia has obtained an arrangement on reciprocal access concerning cod and sprat. These arrangements only concern the Latvian zone of EC waters. The necessary measures should be taken to implement these arrangements in Community legislation.

(4) The Community's fishing opportunities in Norwegian waters and the Norway's fishing opportunities in Community waters for 2004 are laid down provisionally in Annexes IB, C and VII to Regulation (EC) No 2287/2003 [1] pending the conclusion of fisheries consultations with Norway for 2004. In the Agreed Record of Conclusions of Fisheries Consultations between the Community and Norway of 24 January it was agreed to recommend to the respective authorities the fishing opportunities for 2004 in their respective waters. The necessary measures should be taken to implement the results of the consultations in Community legislation.

(5) Quota flexibility for sole in zone II, North Sea should be allowed to improve the compatibility of quotas for flatfish in the North Sea and reduce discards.

(6) In accordance with Annex XII to the 2003 Accession Treaty Poland is entitled to a herring quota in zones I and II.

(7) In accordance with the procedure provided for the Agreement on fisheries between the European Economic Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part [2];the Community has held consultations with the Faroe Islands on access to fishing for Atlanto-Scandian herring in waters north of 62°N.

[1] OJ L 344, 31.12.2003, p. 1.
[2] OJ L 226, 29.8.1980, pp. 12-15.

(8) In order to guarantee that towed nets with a BACOMA exit window are the only gear type used in the cod fishery in Community waters of the Baltic Sea it should not be permitted to keep other type of gear on board.

(9) In order to avoid unnecessary social and economic hardship, fishing activities that do not catch cod should be permitted within the area closed for cod fishing to the west of Scotland, so long as such activities are clearly defined, enforceable, and do not cause an additional risk to the remaining stock of cod.

(10) New information on the distribution of catches of cod and haddock indicates that some areas of high abundance of haddock but relatively low abundance of cod were inappropriately included in the "cod protection area" defined in Annex IV. Also, some areas of relatively high cod abundance had been inappropriately excluded. An amendment to the geographical extent of the cod protection area is therefore required.

(11) Conservation measures should not hinder the collection of scientific information appropriate for management purposes. Therefore, fishing for scientific purposes should be allowed in areas where fishing operations are prohibited.

(12) Some calculation errors have been corrected and drafting improvements have been made.

(13) In order to ensure the livelihood of Community fishermen, it is important that the fisheries be available as soon as possible. Therefore, it is imperative to grant an exception to the six-week period mentioned in paragraph I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaty establishing the European Community.

(14) Regulation (EC) No 2287/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes IA, IB, IC, II, IV and VII to Regulation (EC) No 2287/2003 shall be amended in accordance with the Annex to this Regulation.

Article 2

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

Point 1 of the Annex shall apply on the day following the date of accession of Estonia, Latvia, Lithuania and Poland.

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

Done at Luxembourg, 29 April 2004.

For the Council
The President

M. McDOWELL

ANNEX

The Annexes to Regulation (EC) No 2287/2003 shall be amended as follows:

1. In Annex IA:

a) The entry concerning the species Herring in zone III bcd shall be replaced by the following:

"

"Species:	Herring Clupea Harengus	Zone:	IIIbcd (EC waters), except Management Unit 3 and Gulf of Riga
Denmark	8 279		
Germany	25 106		
Estonia	10 406 (1)		
Finland	9 386		
Latvia	2 704 (1)		
Lithuania	2 568		
Poland	28 870		
Sweden	36 499		
EC	123 820		
TAC	132 090		

(1) May be fished in the Gulf of Riga (HER/03D–RG)

"

(b) The following entry shall be inserted after the entry concerning Herring in zone III bcd:

"

"Species:	Herring Clupea harengus	Zone:	Gulf of Riga HER/03D-RG
Estonia	18 130		
Latvia	21 130		
EC	39 260		
TAC	39 260		

"

(c) The entry concerning the species Cod in zone Subdivisions 25-32 (EC waters) shall be replaced by the following:

"

"Species:	Cod Gadus morhua	Zone:	Sub-divisions 25-32 (EC waters) COD/25/32-
Denmark	12 040 (1)		
Germany	5 265 (1)		
Estonia	781 (1)		
Finland	625 (1)		
Latvia	2 968 (1)(2)		
Lituania	1 951 (1)		
Poland	9 251 (1)		
Sweden	8 770 (1)		
EC	41 650		
TAC	45 400	Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.	

_____

(1) May be fished in sub-division 22-24.
(2) Of which 350 tons may be fished in the waters of the Russian Federation in zone IIId.

"

d) The entry concerning the species Sprat in zone III bcd (EC waters) shall be replaced by the following:

"

"Species:	Sprat Sprattus sprattus	Zone:	IIIbcd (EC waters) SPR/3BCD-C
Denmark	37 254		
Germany	23 601		
Estonia	43 260		
Finland	19 501		
Latvia	52 249		
Lithuania	18 901		
Poland	110 880		
Sweden	72 019		
EC	377 665		
Russian Federation	3 000 (1)		
TAC	420 000	Analytical TAC where deductions of Art. 5(2) of Regulation (EC) No 847/96 apply.	

(1) To be fished in the Latvian zone of EC waters, including up to 150 tonnes of by-catches of herring.

"

2. In Annex IB:

(a) The entry concerning the species Sandeel in zone IIa, Skagerrak, Kattegat, North Sea shall be replaced by the following:

"

"Species:	Sandeel Ammodytidae	Zone:	IIa [1], Skagerrak, Kattegat, North Sea [1] SAN/24.
Denmark	727 472		
United Kingdom	15 901		
All Member States	27 826 [2]		
EC	771 200		
Norway	45 000 [3]		
Faroe Islands	20 000 [3] [4]		
TAC	836 200	Precautionary TAC where Articles 3 and 4 of Regulation (EC) No 847/96 apply.	

(1) EC waters excluding waters within 6 miles of UK baselines at Shetland, Fair Isle and Foula.
(2) Except Denmark and the United Kingdom.
(3) To be taken in the North Sea.
(4) Includes Norway pout and a maximum of 4 000 tonnes of sprat. The sprat and a maximum of 6 000 tonnes of Norway pout may be fished in division VIa north of 56°30'N.

"

(b) The entries concerning the species Herring in zones: Skagerrak and Kattegat, Norwegian waters south of 62° N

shall be replaced by the following:

"

"Species:	Herring (1) Clupea harengus	Zone:	Skagerrak and Kattegat HER/03A.
Denmark	29 177 (3)		
Germany	467 (3)		
Sweden	30 521 (3)		
EC	60 164		
Faroe Islands	500 (2)		
TAC	70 000	Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.	

(1) Landed as the entire catch or sorted from the remainder of the catch.
(2) To be taken in Skagerrak.
(3) Of which 50%, as an ad hoc measure for 2004, may be fished in the North Sea (EC waters) south of 60°N and east of 4°E. "

"Species:	Herring Clupea harengus	Zone:	Norwegian waters south of 62° N HER/04-N.
Sweden	1 076 (1)		
EC	1 076		
TAC	Not relevant		

(1) By-catches of cod, haddock, pollack and whiting and saithe shall be counted against the quota for these species.

"

(c) The entry concerning the species Cod in Norwegian waters south of 62° N shall be replaced by the following:

"

"Species:	Cod Gadus morhua	Zone:	Norwegian waters south of 62° N COD/04-N.
Sweden	516 (1)		
EC	516 (1)		
TAC	Not relevant		

(1) Accruing from the Agreed Records of Consultations between the European Community, on behalf of Sweden, and Norway, for 2004.

"

(d) The entries concerning the species Haddock in zones: Skagerrack and Kattegat, IIIbcd (EC Waters), IIa (EC waters), North Sea, Norwegian waters, south of 62° N

shall be replaced by the following:

"

"Species:	Haddock Melanogrammus aeglefinus	Zone:	Skagerrak and Kattegat, IIIbcd (EC waters) HAD/3A/BCD
Belgium	18		
Denmark	3 096		
Germany	197		
The Netherlands	4		
Sweden	366		
EC	3 681 (1)		
TAC	4 755		

(1) Excluding an estimated 874 tonnes of industrial by-catch.

"Species:	Haddock Melanogrammus aeglefinus	Zone:	IIa (EC waters), North Sea HAD/2AC4.
Belgium	625		
Denmark	4 300		
Germany	2 736		
France	4 769		
The Netherlands	469		
Sweden	303		
United Kingdom	45 773 (1)		
EC	58 975 (2)		
Norway	15 391		
TAC	77 000		

(1) Of which 29 500 tonnes to be caught and landed by vessels holding special fishing permits under the provisions of Paragraph 17 of Annex IV.
(2) Excluding an estimate of 2 634 tonnes of industrial by-catch.

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

	Norwegian waters (HAD/04-NFS)
EC	45 828"

"Species:	Haddock Melanogrammus aeglefinus	Zone:	Norwegian waters, south of 62° N HAD/04-N.
Sweden	956		
EC	956		
TAC	Not relevant		

"

(e) The entry concerning the species Northern prawn in zone Norwegian waters, south of 62° N shall be replaced by the following:

"

"Species:	Northern prawn Pandalus borealis	Zone:	Norwegian waters, south of 62° N PRA/04-N.
Denmark	900		
Sweden	151 (1)		
EC	1 051		
TAC	Not relevant		

(1) By-catches of cod, haddock, pollack, whiting and saithe shall be counted against the quotas for these species."

"

(f) The entry concerning the species Plaice in zone IIa (EC waters), North Sea shall be replaced by the following:

"

"Species:	Plaice Pleuronectes platessa	Zone:	IIa (EC waters), North Sea PLE/2AC4.
Belgium	3 624		
Denmark	11 778		
Germany	3 397		
France	680		
The Netherlands	22 649		
United Kingdom	16 761		
EC	58 889		
Norway	2 111		
TAC	61 000		Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

	Norwegian waters (PLE/04-NFS)
EC	30 000"

"

(g) The entry concerning the species Saithe in zone Norwegian waters south of 62°N shall be replaced by the following:

"

"Species:	Saithe Pollachius virens	Zone:	Norwegian waters south of 62°N POK/04-N.
Sweden	1 190		
EC	1 190		
TAC	190 000		

"

(h) The entry concerning the species Mackerel in zone IIa (EC waters), Skagerrak and Kattegat, IIIb,c,d (EC waters), North Sea shall be replaced by the following:

"

"Species:	Mackerel Scomber scombrus	Zone:	IIa (EC waters), Skagerrak and Kattegat, IIIb,c,d (EC waters), North Sea MAC/2A34-
Belgium	453		
Denmark	11 951		
Germany	473		
France	1 428		
The Netherlands	1 437		
Sweden	4 262 (1) (2) (3)		
United Kingdom	1 331		
EC	21 335 (2)(4)(5)		
Norway	37 246 (6)		
TAC	545 500 (7)		Analytical TAC where Articles 3 and 4 of Regulation (EC) No 847/96 apply.

_____

(1) Including a fishery by this Member State of 1 865 tonnes of mackerel in ICES Division IIIa and in EC waters of ICES Division IVab (MAC/3A/4AB).

(2) Including 214 tonnes to be taken in Norwegian waters of ICES Sub-area IV(MAC/04-N.).

(3) When fishing in Norwegian waters, by-catches of cod, haddock, pollack and whiting and saithe shall be counted against the quotas for these species.

(4) Including 1 865 tonnes accruing from conditions defined in footnote 2 of the Annex of the Agreed Records of Conclusions of Fisheries Consultations between the European Community and Norway, Brussels, 9 December 1995.

(5) Including 636 tonnes accruing from the arrangement between the European Community and Norway for 2004 on the Management of the joint EU-Norway share of the NEAFC allowable catch.

(6) To be deducted from Norway's share of the TAC (access quota). This quota may be fished in division IVa only, except for 3 000 tonnes that may be fished in division IIIa.

(7) TAC agreed by the EC, Norway and Faroe Islands for the northern area.

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

	IIIa MAC/03A.	IIIa, IVb,c MAC/3A/4BC	IVb MAC/04B.	IVc MAC/04C.	IIa (non-EC waters), VI, from 1 January to 31 March 2004 MAC/2A6.
Denmark		4 130			4 020
France		440			
The Netherlands		440			
Sweden			340	10	
United Kingdom		440			
Norway	3 000				

"

(i) The entry concerning the species Common sole in zone II, North Sea shall be replaced by the following:

"

"Species:	Common sole Solea solea	Zone:	II, North Sea SOL/24.
Belgium	1 417		
Denmark	648		
Germany	1 133		
France	283		
The Netherlands	12 790		
United Kingdom	729		
EC	17 000		
TAC	17 000		Analytical TAC where Articles 3 and 4 of Regulation (EC) No 847/96 apply."

"

(j) The entry concerning the species Other species in EC waters of zones IIa, IV, VIa north of 56° 30'N shall be replaced by the following:

"

Species:	Other species	Zone:	EC waters of zones IIa, IV, VIa north of 56° 30'N OTH/2A46AN
EC	Not subject to restriction		
Norway	5 000 (1)		
Faroe Islands	400 (2)		
TAC	Not relevant		

(1) Limited to IIa and IV. Includes fisheries not specifically mentioned; of which up to 350 tonnes of sole may be fished.

(2) Limited to by-catches of whitefish in IV and VIa.

"

(k) All footnotes with the text "Provisional quota, pending the conclusion of fisheries consultations with Norway for 2004" shall be deleted.

3. In Annex IC:

(a) The entry concerning the species Herring in zone I, II (EC waters and International waters) shall be replaced by the following:

"

"Species:	Herring Clupea harengus	Zone:	I, II (EC waters and International waters) HER/1/2.
Belgium	25		
Denmark	24 946		
Germany	4 368		
Spain	82		
France	1 076		
Ireland	6 458		
The Netherlands	8 927		
Poland	1 262		
Portugal	82		
Finland	386		
Sweden	9 244		
United Kingdom	15 948		
EC	72 804		
Faroe Islands	6997[1]		
TAC	Not relevant		

[1] May be fished in EC waters

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zone specified.

	II, Vb north of 62° N (Faroes waters) HER/2A5B-F
Belgium	2
Denmark	2 398
Germany	420
Spain	8
France	103
Ireland	621
The Netherlands	858
Poland	121
Portugal	8
Finland	37
Sweden	888
United Kingdom	1 533

"

(b) The entry with the species Cod in zone I, II (Norwegian waters) shall be replaced by the following:

"

"Species:	Cod Gadus morhua	Zone:	I, II (Norwegian waters) COD/1N2AB-
Germany	2 404		
Greece	293		
Spain	2 640		
Ireland	293		
France	2 206		
Portugal	2 640		
United Kingdom	9 324		
EC	19 800 (1)		
TAC	486 000		

(1) Quota to be reviewed following the adoption of the Protocol modifying the 4th Protocol laying down the conditions relating to the agreement on fisheries between the Community and Greenland.

"

(c) The entry concerning the species Capelin in zone V, XIV (Greenland waters) shall be replaced by the following:

"

"Species:	Capelin Mallotus villosus	Zone:	V, XIV (Greenland waters) CAP/514GRN
All Member States	40 985		
EC	95 985 (1)		
TAC	Not relevant		

(1) Of which 15 000 tonnes are allocated to Norway, 30 000 tonnes to Iceland and 10 000 tonnes to Faroe Islands. The Community share represents 70% of the capelin TAC for the season. Upon revision of this TAC in the course of 2004, the Community quota shall be revised accordingly.

"

(d) The entry concerning the species Haddock in zone I, II (Norwegian waters) shall be replaced by the following:

"

"Species:	Haddock Melanogrammus aeglefinus	Zone:	I, II (Norwegian waters) HAD/1N2AB-
Germany	428		
France	257		
United Kingdom	1 315		
EC	2 000		
TAC	Not relevant		

"

(e) The entry concerning the species Northern prawn in zone V, XIV (Greenland waters) shall be replaced by the following:

"

"Species:	Northern prawn Pandalus borealis	Zone:	V, XIV (Greenland waters) PRA/514GRN
Denmark	848		
France	848		
EC	5 675 (1)		
TAC	Not relevant		

_____

(1) Of which 2 830 tonnes are allocated to Norway and 1 150 tonnes to Faroe Islands.

"

(f) The entry concerning the species Greenland halibut in zone V, XIV (Greenland waters) shall be replaced by the following:

"

"Species:	Greenland halibut Reinhardtius hippoglossoides	Zone:	V, XIV (Greenland waters) GHL/514GRN
Germany	4 037		
United Kingdom	213		
EC	4 800 (1)		
TAC	Not relevant		

_____

(1) Of which 400 tonnes are allocated to Norway and 150 tonnes are allocated to Faroe Islands. Quota to be reviewed following the adoption of the Protocol modifying the 4th Protocol laying down the conditions relating to the agreement on fisheries between the Community and Greenland.

"

(g) The entry concerning the species Mackerel in zone IIa (Norwegian waters) shall be replaced by the following:

"

"Species:	Mackerel Scomber scombrus	Zone:	IIa (Norwegian waters) MAC/02A-N.
Denmark	11 100 (1)		
EC	11 100 (1)		
TAC	Not relevant		

(1) May also be fished in sub-area IV (Norwegian waters) and in Division IIa (non-EC waters).

"

(h) The entry concerning the species Redfish in zone V, XIV (Greenland waters) shall be replaced by the following:

"

"Species:	Redfish Sebastes spp.	Zone:	V, XIV (Greenland waters) RED/514GRN
Germany	19 533		
France	99		
United Kingdom	138		
EC	25 500 (1)(2)(3)		
TAC	Not relevant		

(1) A maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately. May be fished East or West.

(2) 5 230 tonnes to be fished with pelagic trawl are allocated to Norway.

(3) 500 tonnes are allocated to the Faroe Islands. Catches from the bottom trawl and pelagic trawl fisheries shall be reported separately.

"

(i) All footnotes with the text "Provisional quota, pending the conclusion of fisheries consultations with Norway for 2004" shall be deleted.

4. In Annex II

The entry concerning the species Herring in zone IIa (EC waters), North Sea, VIId shall be replaced by the following:

"

Species:	Herring (1) *Clupea harengus*	Zone:	IIa(EC waters), North Sea, VIId HER/2A47DX
Belgium	214		
Denmark	41 356		
Germany	214		
France	214		
The Netherlands	214		
Sweden	202		
United Kingdom	786		
EC	43 200		
TAC	43 200		

Notes:

(1) By-catches of herring taken in fisheries for species other than herring and landed unsorted.

"

5. In Annex IV:

(a) The following Point shall be inserted :

"1.1.3 One net rule

When a towed net with exit windows is used, no other type of gear shall be kept on board.'

(b) Point 6 shall be deleted.

(c) Point 13 shall be replaced by the following:

"13 Restrictions on fishing for Cod in West of Scotland

(a) Until 31 December 2004, it shall be prohibited to conduct any fishing activity within the area enclosed by sequentially joining with straight lines the following geographical coordinates:

– 59°05'N, 06°45'W
– 59°30'N, 06°00'W
– 59°40'N, 05°00'W
– 60°00'N, 04°00'W
– 59°30'N, 04°00'W
– 59°05'N, 06°45'W.

(b) By way of derogation from (a), it shall be permitted to conduct fishing activities using pots and creels, provided that

(i) no fishing gear other than pots and creels are carried on board, and

(ii) no fish other than shellfish and crustacea are retained on board.

(c) By way of derogation from (a), it shall be permitted to conduct fishing activities using nets of mesh size less than 55mm, provided that

(i) no net of mesh size greater than or equal to 55mm is carried on board, and

(ii) no fish other than herring, mackerel, horse mackerel, blue whiting, pilchard/sardine, sardinelles, sprat and argentines are retained on board."

(d) In point 17:

(i) section (a) shall be replaced with the following:

"(a) For the purposes of this point, "cod protection area" means that part of ICES Division IV included in the following ICES rectangles that lies further than 12 miles from coastal baselines

49E6, 48E6, 47E6, 50E7, 49E7, 48E7, 50E8, 51E9, 50E9, 49E9, 50F0, 49F0, 48F0, 47F0, 46F0, 45F0, 51F1, 50F1, 49F1, 48F1, 47F1, 46F1, 45F1, 44F1, 50F2, 49F2, 48F2, 47F2, 46F2, 45F2, 44F2, 46F3, 45F3, 44F3, 45F4, 44F4, 43F5, 43F6, 43F7, 42F7, 38E9, 37E9, 37F0.";

(ii) the following section shall be inserted:

"(e) A Member State may record haddock catches caught in the period 1 January 2004 to 21 April 2004 on the basis of whether they were taken inside or outside the area defined in sub-point (a)."

(e) The following point shall be added:

"18. Scientific monitoring

(a) The measures referred to in Points 5, 7, 13 and 16 shall not apply to fishing operations conducted solely for the purpose of scientific investigations which are carried out with the permission and under the authority of the Member State concerned, and of which the Commission and the Member State in whose waters the research is carried out have been informed in advance.

(b) Marine organisms caught for the purposes referred to in (a) may be sold, stored, displayed or offered for sale, provided that:

— they meet the standards laid down in Annex XII to Regulation (EC) No 850/98 and the marketing standards adopted pursuant to Article 2 of Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the market in fishery and aquaculture products *, or

— they are sold directly for purposes other than human consumption."

---

* OJ L 17, 21.1.2000, p. 22. Regulation as amended by the 2003 Act of Accession."

(f) Appendix 2 shall be replaced by the following:

"Appendix 2 to Annex IV

TOWED GEARS: *Skagerrak and Kattegat*

Mesh size ranges, target species and required catch percentages applicable to the use of a single mesh size range

Species	Mesh size range (millimetres)							
	<16	16-31		32-69	32-69	35-69	70-89[5]	≥90
	Minimum percentage of target species							
	50%[6]	50%[6]	20%[6]	50%[6]	20%[6]	20%[7]	30%[8]	none
Sandeel (*Ammodytidae*)[3]	x	x	x	x	x	x	x	x
Sandeel (*Ammodytidae*) [4]		x		x	x	x	x	x
Norway pout (*Trisopterus esmarkii*)		x		x	x	x	x	x
Blue whiting (*Micromesistius poutassou*)		x		x	x	x	x	x
Greater weever (*Trachinus draco*) [1]		x		x	x	x	x	x
Molluscs (except *Sepia*) [1]		x		x	x	x	x	x
Garfish (*Belone belone*) [1]		x		x	x	x	x	x
Gray gurnard (*Eutrigla gurnardus*) [1]		x		x	x	x	x	x
Argentine (*Argentina spp.*)				x	x	x	x	x
Sprat (*Sprattus sprattus*)		x		x	x	x	x	x
Eel (*Anguilla, anguilla*)			x	x	x	x	x	x
Common shrimp/Baltic shrimp (*Crangon spp., Palaemon adspersus*) [2]			x	x	x	x	x	x
Mackerel (*Scomber spp.*)				x			x	x
Horse mackerel (*Trachurus spp.*)				x			x	x
Herring (*Clupea harengus*)				x			x	x
Northern shrimp (*Pandalus borealis*)						x	x	x
Common shrimp/Baltic shrimp (*Crangon spp., Palaemon adspersus*) [1]					x		x	x
Whiting (*Merlangius merlangus*)							x	x
Norway lobster (*Nephrops norvegicus*)							x	x
All other marine organisms								x

(1) Only within four miles from the baselines.
(2) Outside four miles from the baselines.
(3) From 1 March to 31 October in Skagerrak and from 1 March to 31 July in Kattegat.
(4) From 1 November to the last day of February in Skagerrak and from 1 August to the last day of February in Kattegat.
(5) When applying this mesh size range the codend and the extension piece shall be constructed of square meshed netting.
(6) The catch retained on board shall consist of no more than 10% of any mixture of cod, haddock, hake, plaice, witch, lemon sole, turbot, brill, flounder, mackerel, megrim, whiting, dab, saithe, Norway lobster and lobster.
(7) The catch retained on board shall consist of no more than 50% of any mixture of cod, haddock, hake, plaice, witch, lemon sole, turbot, brill, flounder, herring, mackerel, megrim, whiting, dab, saithe, Norway lobster and lobster.
(8) The catch retained on board shall consist of no more than 60% of any mixture of cod, haddock, hake, plaice, witch, lemon sole, turbot, brill, flounder, megrim, dab, saithe and lobster."

6. In Annex VII, Part I and II are replaced by the following:

"PART I
Quantitative limitations of licences and fishing permits for community vessels fishing in third country waters

Area of fishing	Fishery	Number of licences	Maximum number of vessels present at any time
Norwegian waters and fishery zone around Jan Mayen	Herring, North of 62°00'N	75	55
	Demersal species, North of 62°00'N	80	50
	Mackerel, South of 62°00'N, purse seine fishery	11	not relevant
	Mackerel, South of 62°00'N, trawl fishery	19	not relevant
	Mackerel, North of 62°00'N, purse seine fishery	11[1]	not relevant
	Industrial species, South of 62°00'N	480	150
Waters of the Faroe Islands	All trawl fisheries with vessels of not more than 180 feet in the zone between 12 and 21 miles from the Faroese baselines	26	13
	Directed fishing for cod and haddock with a minimum mesh of 135 mm, restricted to the area south of 62°28'N and east of 6°30'W	8	4
	Trawling outside 21 miles from the Faroese baselines. In the periods 1 March to 31 May and 1 October to 31 December, these vessels may operate in the area between 61°20'N and 62°00'N and between 12 and 21 miles from the baselines.	70	26
	Trawl fisheries for blue ling with a minimum mesh of 100 mm in the area south of 61°30'N and west of 9°00'W and in the area between 7°00'W and 9°00'W south of 60°30'N and in the area south-west of a line between 60°30'N, 7°00'W and 60°00'N, 6°00'W.	70	20

[1] To be selected from the 11 licences for purse seine fishery for mackerel South of 62°00'N

Area of fishing	Fishery	Number of licences	Maximum number of vessels present at any time
	Directed trawl fishery for saithe with a minimum mesh size of 120 mm and with the possibility to use round-straps around the codend.	70	22
	Fisheries for blue whiting. The total number of licences may be increased by ford vessels to form pairs, should the Faroese authorities introduce special rules of access to an area called "main fishing area of blue whiting"	34	20
	Line fishing	10	6
	Fishing for mackerel	12	12
	Herring fisheries north of 62°N	21	21
Iceland	All fisheries	18	5
Waters of the Russian Federation	All fisheries	pm	pm
	Fisheries for cod	7[1]	pm
	Fisheries for sprat	pm	pm

[1] Applies only to vessels flaying the flag of Latvia.

PART II
Quantitative limitations of licences and fishing permits for third country vessels in Community waters

Flag State	Fishery	Number of licences	Maximum number of vessels present at any time
Norway [1]	Herring, North of 62° 00'N	18	18
Faroe Islands	Mackerel, VIa (north of 56° 30'N), VIIe,f,h, horse mackerel, IV, VIa (north of 56° 30'N), VIIe,f,h; herring, VIa (north of 56° 30'N)	14	14
	Herring north of 62° 00'N	21	21
	Herring, IIIa	4	4
	Industrial fishing for Norway pout and sprat, IV, VIa (north of 56° 30'N): sandeel, IV (including unavoidable by-catches of blue whiting)	15	15
	Ling and tusk	20	10
	Blue whiting , VIa (north of 56° 30'N), VIb, VII (west of 12° 00'W)	20	20
	Blue ling	16	16
	Porbeagle (all zones except NAFO 3PS)	3	3
Russian Federation	Herring, IIId (Swedish waters)	pm	pm
	Herring, IIId (Swedish waters, non-fishing mother ships)	pm	pm
	Sprat	4 [2]	pm
Barbados	*Penaeus* shrimps [3] (French Guyana waters)	5	pm [4]
	Snappers [5] (French Guyana waters)	5	pm
Guyana	*Penaeus* shrimps [3] (French Guyana waters)	pm	pm [4]
Surinam	*Penaeus* shrimps [3] (French Guyana waters)	5	pm [6]
Trinidad and Tobago	*Penaeus* shrimps [3] (French Guyana waters)	8	pm [7]
Japan	Tuna [8] (French Guyana waters)	pm	
Korea	Tuna [8] (French Guyana waters)	pm	pm [7]
Venezuela	Snappers [5] (French Guyana waters)	41	pm
	Sharks [5] (French Guyana waters)	4	pm

(1) Pending the conclusion of fisheries consultations with Norway for 2004.
(2) Applies only to the Latvian zone of EC waters.
(3) The licences concerning fishing for shrimp in the waters of the French Department of Guyana shall be issued on the basis of a fishing plan submitted by the authorities of the third country concerned, approved by the Commission. The period of validity of each of these licences shall be limited to the fishing period provided for in the fishing plan on the basis of which the licence was issued.
(4) The annual number of days at sea is limited to 200.
(5) To be fished exclusively with long lines or traps (snappers) or long lines or mesh nets having a minimum mesh of 100 mm, at depths greater than 30 m (sharks). To issue these licences, proof must be produced that a valid contract exists between the shipowner applying for the licence and a processing undertaking situated in the French Department of Guyana, and that it includes and obligation to land at least 75% of all snapper catches, or 50% of all shark catches from the vessel concerned in that department so that they may be processed in that undertaking's plant.
The contract referred to above must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guyanese economy. A copy of the duly endorsed contract shall be appended to the licence application. Where the endorsement referred to above is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and to the Commission.
(6) The annual number of days at sea is limited to pm.
(7) The annual number of days at sea is limited to 350.
(8) To be fished exclusively with longlines.

"