COMMISSION IMPLEMENTING REGULATION (EU) No 871/2014

of 11 August 2014

operating deductions from fishing quotas available for certain stocks in 2014 on account of overfishing in the previous years

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ([1]), and in particular Article 105(1), (2) and (3) thereof,

Whereas:

(1) Fishing quotas for the year 2013 have been established by:

— Council Regulation (EU) No 1262/2012 ([2]),

— Council Regulation (EU) No 1088/2012 ([3]),

— Council Regulation (EU) No 1261/2012 ([4]),

— Council Regulation (EU) No 39/2013 ([5]), and

— Council Regulation (EU) No 40/2013 ([6]).

(2) Fishing quotas for the year 2014 have been established by:

— Regulation (EU) No 1262/2012,

— Council Regulation (EU) No 1180/2013 ([7]),

— Council Regulation (EU) No 24/2014 ([8]), and

— Council Regulation (EU) No 43/2014 ([9]).

(3) According to Article 105(1) of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, the Commission is to operate deductions from future fishing quotas of that Member State.

(4) Article 105(2) and (3) of Regulation (EC) No 1224/2009 provide that such deductions shall be operated in the following year or years by applying the respective multiplying factors as set out therein.

(5) Certain Member States have exceeded their fishing quotas for the year 2013. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2014 and, where appropriate, in subsequent years, for the overfished stocks.

([1]) OJ L 343, 22.12.2009, p. 1.

([2]) Council Regulation (EU) No 1262/2012 of 20 December 2012 fixing for 2013 and 2014 the fishing opportunities for EU vessels for certain deep-sea fish stocks (OJ L 356, 22.12.2012, p. 22).

([3]) Council Regulation (EU) No 1088/2012 of 20 November 2012 fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea (OJ L 323, 22.11.2012, p. 2).

([4]) Council Regulation (EU) No 1261/2012 of 20 December 2012 fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Black Sea (OJ L 356, 22.12.2012, p. 19).

([5]) Council Regulation (EU) No 39/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements (OJ L 23, 25.1.2013, p. 1).

([6]) Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements (OJ L 23, 25.1.2013, p. 54).

([7]) Council Regulation (EU) No 1180/2013 of 19 November 2013 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea (OJ L 313, 22.11.2013, p. 4).

([8]) Council Regulation (EU) No 24/2014 of 10 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea (OJ L 9, 14.1.2014, p. 4).

([9]) Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

(6) Considering that Denmark has overfished its total allowable catches for sandeel in Union waters of management areas 2 and 4 in 2013, it is required to operate deductions. In 2014, minimal catches have been allowed for sandeel in these waters in order to monitor the development of the stock and the recovery of the local populations. However, with the said deductions it is impossible to maintain the monitoring system advised by the International Council for the Exploration of the Sea (ICES) to manage sandeel. Therefore, deductions for the quotas overfished by Denmark in 2013 in these areas should be operated from sandeel management area 3.

(7) Spain has overfished in 2012 its quota for the stock of Norway lobster in area IX and X; EU waters of CECAF 34.1.1 (NEP/93411). The deduction of 75,45 tonnes that resulted was applicable in 2013 and was spread at Spain's request over three years starting in 2013. The remaining annual deduction applicable to the Spanish NEP/93411 stock amounts to 25 tonnes in 2014 and 19 tonnes in 2015, without prejudice to any further quota adaptation.

(8) Commission Implementing Regulation (EU) No 770/2013 [1] and Commission Implementing Regulation (EU) No 1402/2013 [2] have provided for deductions from fishing quotas for certain countries and species for 2013. However, for certain Member States the deductions to be applied for some species were higher than the respective quotas available in 2013 and could therefore not be operated entirely in that year. To ensure that in such cases the full amount for the respective stocks will be deducted, the remaining quantities should be taken into account when establishing deductions for 2014 and, where appropriate, from subsequent quotas.

(9) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2014 quotas pursuant to Commission Regulation (EU) No 165/2011 [3] and Commission Implementing Regulation (EU) No 185/2013 [4].

(10) Since quotas are expressed in tonnes or entire pieces, deductions have been rounded down to the tonne or piece, and quantities below 1 tonne or one piece have not been considered,

HAS ADOPTED THIS REGULATION:

Article 1

1. The fishing quotas fixed in Regulations (EU) No 1262/2012, (EU) No 1180/2013, (EU) No 24/2014, and (EU) No 43/2014 for the year 2014 shall be reduced as set out in the Annex to this Regulation.

2. Paragraph 1 shall apply without prejudice to deductions provided for in Regulation (EU) No 165/2011 and Implementing Regulation (EU) No 185/2013.

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, 11 August 2014.

For the Commission

The President

José Manuel BARROSO

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[1] Commission Implementing Regulation (EU) No 770/2013 of 8 August 2013 operating deductions from fishing quotas available for certain stocks in 2013 on account of overfishing in the previous years (OJ L 215, 10.8.2013, p. 1).

[2] Commission Implementing Regulation (EU) No 1402/2013 of 19 December 2013 operating deductions from fishing quotas available for certain stocks in 2013 on account of overfishing of other stocks in the previous year and amending Implementing Regulation (EU) No 770/2013 as regards amounts to be deducted in future years (OJ L 349, 21.12.2013, p. 61).

[3] Commission Regulation (EU) No 165/2011 of 22 February 2011 providing for deductions from certain mackerel quotas allocated to Spain in 2011 and subsequent years on account of overfishing in 2010 (OJ L 48, 23.2.2011, p. 11).

[4] Commission Implementing Regulation (EU) No 185/2013 of 5 March 2013 providing for deductions from certain fishing quotas allocated to Spain in 2013 and subsequent years on account of overfishing of a certain mackerel quota in 2009 (OJ L 62, 6.3.2013, p. 62).

ANNEX

DEDUCTIONS FROM QUOTAS FOR STOCKS WHICH HAVE BEEN OVERFISHED

Mem-ber State	Species code	Area code	Species name	Area name	Initial quota 2013	Permitted landings 2013 (Total adapted quantity in tonnes)(1)	Total catches 2013 (quantity in tonnes)	Quota con-sumption related to permitted landings (%)	Over-fishing related to permitted landing (quantity in tonnes)	Multi-plying factor(2)	Addi-tional Multi-plying factor(3)(4)	Remaining deduction from 2013	Outstan-ding balance(5)	To be deducted in 2015 and following year(s) (quantity in tonnes)	Deduc-tions in 2014 (quantity in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
BE	HAD	7X7A34	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	157,000	167,600	174,700	104,24	7,100	/	/	/	/		7
BE	HER	4CXB7D	Herring	IVc, VIId except Blackwater stock	9 285,000	14,000	22,200	158,57	8,200	/	/	/	/		8
BE	PLE	7FG.	Plaice	VIIf and VIIg	46,000	160,000	185,700	116,06	25,700	/	/	/	/		25
BE	SRX	07D.	Skates and rays	Union waters of VIId	72,000	75,300	87,700	116,47	12,400	/	/	/	/		12
BE	SRX	2AC4-C	Skates and rays	Union waters of IIa and IV	211,000	218,800	229,800	105,03	11,000	/	/	/	/		11
DK	HER	*3BCDC	Herring	Union waters of Subdivi-sions 22-32	1 972,720	1 972,720	2 039,210	103,37	66,490	/	/	/	/		66
DK	MAC	2A34.	Mackerel	IIIa and IV; Union waters of IIa, IIIb, IIIc and Subdivi-sions 22-32	15 072,000	16 780,390	17 043,000	101,56	262,610	/	/	/	/		262
DK	NOP	04-N	Norway pout and associated by-catches	Norwegian waters of IV	0	0	4,980	N/A	4,980	/	/	/	/		4
DK	POK	1N2AB.	Saithe	Norwegian waters of I and II	/	20,000	21,680	108,40	1,680	/	/	/	/		1

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
DK	SAN	234_2	Sandeel	Union waters of sandeel management area 2	16 549,000	16 837,980	21 144,000	125,57	4 306,020	1,4	/	/	/		6 028 (6)
DK	SAN	234_4	Sandeel	Union waters of sandeel management area 4	3 773,000	3 999,300	5 064,000	126,62	1 064,700	1,4	/	/	/		1 490 (6)
EL	BFT	AE45WM	Bluefin tuna	Atlantic Ocean, east of 45° W, and Mediterranean	129,07	177,520	177,557	100,02	0,037	/	C	1,435	/		1,49
ES	ALF	3X14-	Alfonsinos	EU and international waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	70,000	59,470	61,770	103,87	2,300	/	A	/	/		3
ES	BLI	5B67-	Blue Ling	Union and international waters of Vb, VI, VII	79,000	79,000	138,649	175,49	59,640	/	/	4,22	0,07		63
ES	BSF	56712-	Black scabbard-fish	EU and international waters of V, VI, VII and XII	174,000	102,030	109,190	107,02	7,16	/	A	/	/		10
ES	BSF	8910-	Black scabbard-fish	EU and international waters of VIII, IX and X	12,000	2,770	3,340	120,58	0,570	/	A	32,85	/		33
ES	BUM	ATLANT	Blue marlin	Atlantic Ocean	27,20	16,920	44,040	260,28	27,120	/	/	/	/		27
ES	COD	N3M.	Cod	NAFO 3M	2 019,000	2 318,240	2 360,100	101,81	41,86	/	/	/	/		41
ES	DGS	15X14	Spurdog/ dogfish	Union and international waters of I, V, VI, VII, VIII, XII and XIV	0	0	1,670	N/A	1,670	/	A	/	/		2
ES	DWS	56789-	Deep-sea sharks	EU and international waters of V, VI, VII, VIII and IX	0	0	5,330	N/A	5,330	/	A	/	/		8
ES	GFB	89-	Greater fork-beard	EU and international waters of VIII and IX	242,000	185,560	214,640	115,67	29,080	/	A	/	/		43
ES	GHL	1/2INT	Greenland halibut	International waters of I and II	/	0	4,700	N/A	4,700	/	/	/	/		4

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
ES	GHL	1N2AB.	Greenland halibut	Norwegian waters of I and II	/	0	12,370	N/A	12,370	/	/	/	/		12
ES	GHL	N3LMNO	Greenland halibut	NAFO 3LMNO	4 262,000	4 228,560	4 287,200	101,39	58,640	/	C	/	/		87
ES	HAD	5BC6A.	Haddock	Union and international waters of Vb and VIa	/	5,850	13,550	231,62	7,700	/	A	10,72	/		22
ES	HAD	7X7A34	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	/	0	8,540	N/A	8,540	/	/	/	/		8
ES	NEP	9/3411	Norway lobster	IX and X; Union waters of CECAF 34.1.1	62,00	36,850	31,340	85,05	– 5,51	/	N/A	*44,79* (7)		19	25
ES	OTH	1N2AB.	Other species	Norwegian waters of I and II	/	0	15,530	N/A	15,530	/	/	/	/		15
ES	POL	08C.	Pollack	VIIIc	208,000	208,000	239,310	115,05	31,310	/	/	/	/		31
ES	POR	3-1234	Porbeagle	French Guiana waters, Kattegat; Union waters of Skagerrak, I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV; Union waters of CECAF 34.1.1, 34.1.2 and 34.2	0	0	3,160	N/A	3,160	/	/	/	/		3
ES	RED	51214D	Redfish	Union and international waters of V; international waters of XII and XIV	433,000	2 209,000	2 230,300	100,96	21,300	/	/	/	/		21
ES	SOL	8AB.	Common sole	VIIIa and VIIIb	9,000	8,720	8,810	101,03	0,090	/	A+C	3	/		3
ES	USK	567EI.	Tusk	Union and international waters of V, VI and VII	46,00	40,320	85,000	210,81	44,680	/	A	22,87	/		89
ES	WHM	ATLANT	White marlin	Atlantic Ocean	30,500	30,500	36,330	119,11	5,830	/	/	/	/		5
FR	GHL	1N2AB.	Greenland halibut	Norwegian waters of I and II	/	0	17,500	N/A	17,500	/	/	/	/	/	17

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
FR	PLE	7FG.	Plaice	VIIf and VIIg	83,000	92,250	94,300	102,22	2,050	/	/	/	/		2
FR	RED	51214D	Redfish	Union and international waters of V; international waters of XII and XIV	230,000	23,000	41,500	180,43	18,500	/	/	/	/		18
IE	HAD	1N2AB.	Haddock	Norwegian waters of I and II	/	20,500	25,630	125,02	5,130	/	/	/	/		5
IE	HAD	7X7A34	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	3 144,000	2 696,760	2 698,749	100,07	1,989	/	/	/	/		1
IE	PLE	7FG.	Plaice	VIIf and VIIg	197,000	66,790	79,817	119,60	13,027	/	/	/	/		13
IE	PLE	7HJK.	Plaice	VIIh, VIIj and VIIk	61,000	49,700	51,823	104,27	2,123	/	/	/	/		2
LT	GHL	N3LMNO	Greenland halibut	NAFO 3LMNO	22,000	15,700	0	N/A	– 15,700	/	N/A	120,279	/		104
NL	HKE	3A/BCD	Hake	IIIa; Union waters of Subdivisions 22-32	/	0	0,671	N/A	0,671	/	C	/	/		1
NL	SRX	07D.	Skates and rays	Union waters of VIId	4,000	3,000	1,932	64,40	– 1,068	/	/	0,015	/		0
NL	SRX	2AC4-C	Skates and rays	Union waters of IIa and IV	180,000	275,430	357,115	129,66	81,685	/	/	/	/		81
PL	SAL	3BCD-F	Atlantic salmon	Union waters of Subdivisions 22-31	6 837,000	5 061,000	5 277,000	104,27	216,000	/	/	/	/		216 (in pieces)
PL	SPR	3BCD-C	Sprat and associated catches	EU waters of Subdivisions 22-32	73 392,000	76 680,000	80 987,740	105,62	4 307,740	1,1	/	477,314	/		5 215
PT	ALF	3X14-	Alfonsinos	EU and international waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	203,000	153,810	160,350	104,25	6,540	/	A	/	/		9
PT	ANF	8C3411	Anglerfish	VIIIc, IX and X; Union waters of CECAF 34.1.1	410,000	603,440	625,929	103,73	22,489	/	/	/	/		22

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
PT	GHL	N3LMNO	Greenland Halibut	NAFO 3LMNO	1 782,000	2 119,790	2 120,980	100,06	1,190	/	C	/	/		1
PT	GHL	1N2AB	Greenland halibut	Norwegian waters of I and II	/	0	2,000	N/A	2,000	/	/	/	/	/	2
PT	HAD	1N2AB	Haddock	Norwegian waters of I and II	/	34,400	34,000	98,84	– 0,400	/	/	/	376,126		375
PT	MAC	8C3411	Mackerel	VIIIc, IX and X; Union waters of CECAF 34.1.1	5 308,000	4 134,300	4 170,525	100,88	36,225	/	/	1,07	/		37
PT	PLE	8/3411	Plaice	VIII, IX and X; Union waters of CECAF 34.1.1	66,000	61,200	44,601	72,88	– 16,599	/	/	1,906	/		0
PT	POK	1N2AB.	Saithe	Norwegian waters of I and II	/	16,700	17,000	101,80	0,300	/	/	/	209,76		210
PT	RED	N3LN	Redfish	NAFO 3LN	/	1 070,980	1 101,260	102,83	30,280	/	/	/	/		30
PT	WHM	ATLANT	White marlin	Atlantic ocean	19,500	18,300	12,212	66,73	– 6,088	/	/	3,021	/		0
UK	COD	N1GL14	Cod	Greenland waters of NAFO 1 and Greenland waters of XIV	309,000	876,300	920,000	104,99	43,700	/	A	/	/		65
UK	DGS	15X14	Spurdog/ dogfish	Union and international waters of I, V, VI, VII, VIII, XII and XIV	0	0	5,800	N/A	5,800	/	/	/	/		5
UK	GHL	514GRN	Greenland halibut	Greenland waters of V and XIV	195,000	0	0,800	N/A	0,800	/	/	1	/		1
UK	HAD	7X7A34	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	1 415,000	1 389,200	1 457,800	104,94	68,600	/	/	/	/		68
UK	HER	1/2-	Herring	Union, Norwegian and international waters of I and II (HER/1/2-)	8 827,000	8 208,600	8 342,100	101,63	133,500	/	/	/	/		133

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
UK	HER	4AB.	Herring	Union and Norwegian waters of IV north of 53° 30′ N	65 901,000	58 841,000	58 951,300	100,19	110,300	/	/	/	/		110
UK	MAC	2CX14-	Mackerel	VI, VII, VIIIa, VIIIb, VIIId and VIIIe; Union and international waters of Vb; international waters of IIa, XII and XIV	158 825,000	156 199,200	162 468,500	104,10	6 269,300	/	/	/	/		6 269
UK	PLE	7FG.	Plaice	VIIf and VIIg	43,000	35,900	40,200	111,98	4,300	/	/	/	/		4
UK	PLE	7HJK.	Plaice	VIIh, VIIj and VIIk	18,000	33,700	39,900	118,40	6,200	/	/	/	/		6
UK	SOL	7FG.	Common sole	VIIf and VIIg	309,000	195,410	205,400	105,11	9,990	/	/	/	/		9

([1]) Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Regulation (EC) No 2371/2002 and Article 16(8) of Regulation (EU) No 1380/2013, quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Council Regulation (EC) No 1224/2009, Commission Regulation (EU) No 165/2011 and Commission Regulation (EU) No 185/2013 where relevant

([2]) As set out in Article 105(2) of Council Regulation (EC) No 1224/2009. Deduction equal to the overfishing * 1,00 shall apply in all cases of overfishing equal to, or less than, 100 tonnes.

([3]) As set out in Article 105(3) of Council Regulation (EC) No 1224/2009.

([4]) Letter 'a' indicates that an additional multiplying factor of 1.5 has been applied due to consecutive overfishing in the years 2011, 2012 and 2013. Letter 'c' indicates that an additional multiplying factor of 1.5 has been applied as the stock is subject to a multiannual plan.

([5]) Remaining quantities related to overfishing in years preceding the entry into force of the Control Regulation (EC) No 1224/2009 and that cannot be deducted from another stock.

([6]) To be deducted from SAN/234_3.

([7]) At Spain's request, the pay-back due in 2013 was spread over three years.