

**COMMISSION IMPLEMENTING REGULATION (EU) 2020/1247****of 2 September 2020****operating deductions from fishing quotas available for certain stocks in 2020 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 Union 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 <sup>(1)</sup>, and in particular Article 105(1), (2) and (3) thereof,

Whereas:

- (1) Fishing quotas for the year 2019 have been established by:
  - Council Regulation (EU) 2018/1628 <sup>(2)</sup>,
  - Council Regulation (EU) 2018/2025 <sup>(3)</sup>,
  - Council Regulation (EU) 2018/2058 <sup>(4)</sup>, and
  - Council Regulation (EU) 2019/124 <sup>(5)</sup>.
- (2) Fishing quotas for the year 2020 have been established by:
  - Council Regulation (EU) 2018/2025,
  - Council Regulation (EU) 2019/1838 <sup>(6)</sup>,
  - Council Regulation (EU) 2019/2236 <sup>(7)</sup>, and
  - Council Regulation (EU) 2020/123 <sup>(8)</sup>.
- (3) Pursuant 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 provides that such deductions have to 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 2019. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2020 and, where relevant, in subsequent years, for the overfished stocks.

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 1.

<sup>(2)</sup> Council Regulation (EU) 2018/1628 of 30 October 2018 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2018/120 as regards certain fishing opportunities in other waters (OJ L 272, 31.10.2018, p. 1).

<sup>(3)</sup> Council Regulation (EU) 2018/2025 of 17 December 2018 fixing for 2019 and 2020 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks (OJ L 325, 20.12.2018, p. 7).

<sup>(4)</sup> Council Regulation (EU) 2018/2058 of 17 December 2018 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea (OJ L 329, 27.12.2018, p. 8).

<sup>(5)</sup> Council Regulation (EU) 2019/124 of 30 January 2019 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 29, 31.1.2019, p. 1).

<sup>(6)</sup> Council Regulation (EU) 2019/1838 of 30 October 2019 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2019/124 as regards certain fishing opportunities in other waters (OJ L 281, 31.10.2019, p. 1).

<sup>(7)</sup> Council Regulation (EU) 2019/2236 of 16 December 2019 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L 336, 30.12.2019, p. 14).

<sup>(8)</sup> Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.1.2020, p. 1).

- (6) Commission Implementing Regulation (EU) 2019/1726 <sup>(9)</sup> and Commission Implementing Regulation (EU) 2020/112 <sup>(10)</sup> have set out deductions from fishing quotas for certain Member States and species for 2019. However, for certain Member States, the deductions to be applied for some species were higher than the respective quotas available in 2019 and could therefore not be operated entirely in that year. To ensure that in such cases the full amount for the respective stocks be deducted, the remaining quantities should be taken into account when establishing deductions for 2020 and, where appropriate, from subsequent quotas.
- (7) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2020 quotas pursuant to Commission Implementing Regulation (EU) No 185/2013 <sup>(11)</sup>.
- (8) Since quotas are expressed in tonnes, overfishing involving quantities of less than one tonne should not be considered,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The fishing quotas fixed in Regulations (EU) 2018/2025, (EU) 2019/1838, (EU) 2019/2236 and (EU) 2020/123 for the year 2020 shall be reduced as set out in the Annex to this Regulation.
2. Paragraph 1 shall apply without prejudice to deductions provided for in 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, 2 September 2020.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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<sup>(9)</sup> Commission Implementing Regulation (EU) 2019/1726 of 15 October 2019 operating deductions from fishing quotas available for certain stocks in 2019 on account of overfishing in the previous years (OJ L 263, 16.10.2019, p. 3).

<sup>(10)</sup> Commission Implementing Regulation (EU) 2020/112 of 22 January 2020 operating deductions from fishing quotas available for certain stocks in 2019 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 2019/1726 (OJ L 21, 27.1.2020, p. 6).

<sup>(11)</sup> 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. 1).

## ANNEX

## DEDUCTIONS FROM FISHING QUOTAS FOR THE YEAR 2020 FOR STOCKS WHICH HAVE BEEN OVERFISHED

Member State	Species code	Area code	Species name	Area name	Initial quota 2019 (in kilograms)	Permitted landings 2019 (Total adapted quantity in kilograms) <sup>(1)</sup>	Total catches 2019 (quantity in kilograms)	Quota consumption related to permitted landings	Overfishing related to permitted landing (quantity in kilograms)	Multiplying factor <sup>(2)</sup>	Additional Multiplying factor <sup>(3)</sup> , <sup>(4)</sup>	Outstanding deductions from previous year(s) <sup>(5)</sup> (quantity in kilograms)	Deductions to apply in 2020 (quantity in kilograms)
DE	HER	4AB.	Herring	Union and Norwegian waters of 4 north of 53° 30' N	39 404 000	25 460 900	27 182 070	106,76 %	1 721 170	/	/	/	1 721 170
DE	MAC	2CX14-	Mackerel	3a and 4; Union waters of 2a, 3b, 3c and Subdivisions 22-32	441 000	14 859 024	15 542 581	104,60 %	683 557	/	/	/	683 557
DK	MAC	2CX14-	Mackerel	6, 7, 8a, 8b, 8d and 8e; Union and international waters of 5b; international waters of 2a, 12 and 14	/	2 688 463	2 693 920	100,20 %	5 457	/	/	/	5 457
DK	MAC	2A34.	Mackerel	3a and 4; Union waters of 2a, 3b, 3c and Subdivisions 22-32	14 480 000	13 330 744	14 022 305	105,19 %	691 561	/	/	/	691 561
DK	MAC	2A4A-N	Mackerel	Norwegian waters of 2a and 4a	10 242 000	10 252 106	11 197 228	109,22 %	945 122	/	/	/	945 122
DK	POK	1N2AB.	Saithe	Norwegian waters of 1 and 2	/	17 000	50 968	299,81 %	50 968	1,00	/	/	50 968
ES	BET	ATLANT	Bigeye tuna	Atlantic Ocean	9 415 300	8 941 151	9 095 090	101,72 %	153 939	/	C <sup>(6)</sup>	/	153 939
ES	COD	1/2B.	Cod	1 and 2b	11 562 000	8 455 844	8 463 118	100,09 %	7 274	/	/	/	7 274
ES	GHL	1N2AB.	Greenland halibut	Norwegian waters of 1 and 2	/	2 000	14 225	711,25 %	12 225	1,00	A	/	18 338

<b>ES</b>	OTH	1N2AB.	Other species	Norwegian waters of 1 and 2	/	31 800	35 695	112,25 %	3 895	1,00	/	/	3 895
<b>ES</b>	POK	1N2AB.	Saithe	Norwegian waters of 1 and 2	/	196 000	198 607	101,33 %	2 607	/	/	/	2 607
<b>ES</b>	RED	N3LN.	Redfish	NAFO 3LN	/	515 100	517 806	100,53 %	2 706	/	/	/	2 706
<b>ES</b>	RJU	9-C.	Undulate ray	Union waters of 9	15 000	15 000	15 511	103,41 %	511 (?)	N/A	N/A	2 067	2 067
<b>FR</b>	BET	ATLANT	Bigeye tuna	Atlantic Ocean	4 167 700	4 167 700	4 687 551	112,47 %	519 851	1,20	C	/	883 747
<b>FR</b>	RJE	7FG.	Small-eyed ray	Union waters of 7f and 7g	79 000	90 399	91 485	101,20 %	1 086	/	/	/	1 086
<b>FR</b>	RJU	7DE.	Undulate ray	Union waters of 7d and 7e	103 000	168 000	177 718	105,78 %	9 718	/	/	/	9 718
<b>FR</b>	SWO	AS05N	Swordfish	Atlantic Ocean, South of 5° N	/	/	3 500	N/A	3 500	/	/	/	3 500
<b>GB</b>	COD	N1GL14	Cod	Greenland waters of NAFO 1F and Greenland waters of 5, 12 and 14	364 000	353 500	353 500	100 %	0	/	/	4 167	4 167
<b>GB</b>	HER	4AB.	Herring	Union and Norwegian waters of 4 north of 53° 30' N	55 583 000	62 320 196	62 607 628	100,46 %	287 432	/	/	/	287 432
<b>GB</b>	MAC	2CX14-	Mackerel	6, 7, 8a, 8b, 8d and 8e; Union and international waters of 5b; international waters of 2a, 12 and 14	152 115 000	145 768 635	154 072 694	105,70 %	8 304 059	/	A (°)	/	8 304 059
<b>GB</b>	RJU	7DE.	Undulate ray	Union waters of 7d and 7e	58 000	61 200	63 133	103,16 %	1 933	/	/	/	1 933
<b>EL</b>	BFT	AE45WM	Bluefin tuna	Atlantic Ocean, east of 45° W, and Mediterranean	285 110	304 110	312 690	102,82 %	8 580	/	C (°)	/	8 580

<b>IE</b>	ALB	AN05N	Northern albacore	Atlantic Ocean, north of 5° N	2 854 300	3 115 420	3 213 170	103,14 %	97 750	/	C <sup>(6)</sup>	/	97 750
<b>NL</b>	HER	4CXB7D	Herring	4c, 7d except Black-water stock	18 162 000	19 497 305	19 512 481	100,08 %	15 176	/	/	/	15 176
<b>NL</b>	MAC	2A34.	Mackerel	3a and 4; Union waters of 2a, 3b, 3c and Subdivisions 22-32	1 342 000	1 494 000	2 012 324	134,69 %	518 324	1,40	/	/	725 654
<b>PT</b>	ALB	AN05N	Northern albacore	Atlantic Ocean, north of 5° N	1 994 200	1 794 200	2 463 161	137,28 %	668 961	1,40	C	/	1 271 026
<b>PT</b>	ALF	3X14-	Alfonsinos	Union and international waters of 3, 4, 5, 6, 7, 8, 9, 10, 12 and 14	164 000	149 034	156 756	105,18 %	7 722	/	A <sup>(6)</sup>	/	7 722
<b>PT</b>	BUM	ATLANT	Blue marlin	Atlantic Ocean	50 440	7 076	18 016	254,61 %	10 940	1,00	A	/	10 940
<b>PT</b>	RJU	9-C.	Undulate ray	Union waters of 9	15 000	21 705	24 589	113,29 %	2 884	1,00	/	/	2 884
<b>PT</b>	SWO	AN05N	Swordfish	Atlantic Ocean, North of 5° N	1 010 390	2 410 390	2 414 333	100,16 %	3 943	/	/	/	3 943
<b>SE</b>	MAC	2A34.	Mackerel	3a and 4; Union waters of 2a, 3b, 3c and Subdivisions 22-32	4 034 000	2 945 203	3 075 839	104,44 %	130 636	/	/	/	130 636

<sup>(1)</sup> 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 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council (OJ L 354, 28.12.2013, p. 22), quota transfers from 2018 to 2019 in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3) and with Article 15(9) of Regulation (EU) No 1380/2013 or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009.

<sup>(2)</sup> As set out in Article 105(2) of 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.

<sup>(3)</sup> As set out in Article 105(3) of Regulation (EC) No 1224/2009 and provided that the extent of overfishing exceeds 10 %.

<sup>(4)</sup> Letter 'A' indicates that an additional multiplying factor of 1,5 has been applied due to consecutive overfishing in the years 2017, 2018 and 2019. Letter 'C' indicates that an additional multiplying factor of 1,5 has been applied as the stock is subject to a multiannual plan.

<sup>(5)</sup> Remaining quantities from previous year(s).

<sup>(6)</sup> Additional multiplying factor not applicable because the overfishing does not exceed 10 % of the permitted landings.

<sup>(7)</sup> Quantities below 1 tonne are not considered.