

**COMMISSION DELEGATED REGULATION (EU) 2023/2462****of 22 August 2023****supplementing Regulation (EU) 2019/1022 of the European Parliament and of the Council by specifying details of the landing obligation for certain demersal stocks in the western Mediterranean Sea***Article 1***Implementation of the landing obligation**

The landing obligation provided for in Article 15(1) of Regulation (EU) No 1380/2013 shall apply in Union waters of the Western Mediterranean Sea to demersal fisheries in accordance with this Regulation.

*Article 2***Definitions**

For the purposes of this Regulation, the following definitions shall apply:

- (1) ‘GFCM Geographical Sub-Areas’ (‘GSAs’) means General Fisheries Commission for the Mediterranean (‘GFCM’) Geographical Sub-Areas as defined in the Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council⁽¹⁾;
- (2) ‘Western Mediterranean Sea’ means GFCM Geographical Sub-Areas 1, 2, 5, 6, 7, 8, 9, 10, 11.1, 11.2 and 12.

*Article 3***Survivability exemptions**

1. The exemption from the landing obligation pursuant to Article 15(4), point (b) of Regulation (EU) No 1380/2013 for species for which scientific evidence demonstrates high survival rates, in the western Mediterranean Sea, shall apply to:

- (a) scallop (*Pecten jacobaeus*) caught with mechanised dredges (HMD);
- (b) carpet clams (*Veneupis* spp.) caught with mechanised dredges (HMD);
- (c) red sea bream (*Pagellus bogaraveo*) caught with hooks and lines (LHP, LHM, LLS, LLD, LL, LTL, LX);

⁽¹⁾ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

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- (d) lobster (*Homarus gammarus*) caught with nets (GNS, GN, GND, GNC, GTN, GTR, GEN) and with pots and traps (FPO, FIX);
- (e) crawfish (*Palinuridae*) caught with nets (GNS, GN, GND, GNC, GTN, GTR, GEN) and with pots and traps (FPO, FIX);

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- (f) Venus shells (*Venus* spp.) caught with mechanised dredges (HMD);
- (g) Norway lobster (*Nephrops norvegicus*) caught with all bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX), from January to June and September to December;
- (h) Norway lobster (*Nephrops norvegicus*) caught with pots and traps (FPO, FIX).

2. Scallop (*Pecten jacobaeus*), Carpet clams (*Venerupis* spp.), red sea bream (*Pagellus bogaraveo*), lobster (*Homarus gammarus*), crawfish (*Palinuridae*), Venus shells (*Venus* spp.) and Norway lobster (*Nephrops norvegicus*) caught in the circumstances referred to in paragraph 1 shall be released immediately in the area where they have been caught.

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3. By 1 May 2027, the Member States having a direct management interest in the fisheries in the Mediterranean Sea shall submit to the Commission additional discard data and the results of the research, projects and studies supporting the exemption laid down in paragraph 1. The STECF shall assess the data and information submitted by 31 July 2027 at the latest.

*Article 4***De minimis exemption**

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities of species may be discarded pursuant to Article 15(4), point (c) of Regulation (EU) No 1380/2013:

- (a) for hake (*Merluccius merluccius*) and mullets (*Mullus* spp.) up to a maximum of 5 % of the total annual catches of those species caught by vessels using bottom trawls;
- (b) for hake (*Merluccius merluccius*) and mullets (*Mullus* spp.) up to a maximum of 1 % of the total annual catches of those species caught by vessels using gillnets and trammel nets;

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- (c) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*), gilthead seabream (*Sparus aurata*) and deep-water rose shrimp (*Parapenaeus longirostris*) up to a maximum of 5 % of the total annual catches of those species caught by vessels using bottom trawls;
- (d) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*) up to a maximum of 3 % of the total annual catches of those species caught by vessels using gillnets and trammels nets;
- (e) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*) up to a maximum of 1 % of the total annual catches of those species caught by vessels using hooks and lines; and

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- (f) for deep-water shrimps (blue and red shrimps (*Aristeus antennatus*) and giant red shrimps (*Aristaeomorpha foliacea*)), up to a maximum of 1 % of the total annual catches of those species caught by vessels using bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX).

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2. By 1 May 2027, the Member States having a direct management interest in the fisheries in the Mediterranean Sea shall submit to the Commission additional discard data and the results of the research, projects and studies supporting the exemption laid down in paragraph 1. The STECF shall assess the data and information submitted by 31 July 2027 at the latest.

*Article 5***Entry into force and application**

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

It shall apply from 1 January 2024 until 31 December 2027.

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