

COMMISSION SERVICES NON-PAPER

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*This document serves as a basis for discussion at the Working Party on Fisheries Policy.
It cannot in any circumstances be regarded as the official position of the Commission.
It is intended solely for those to whom it is addressed.*

Updates to Commission proposal for a Council Regulation amending and correcting Regulation (EU) 2024/257 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters and Regulation (EU) 2023/194 fixing for 2023 such fishing opportunities [COM(2024) 213 final]

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1. AMENDMENTS IN RELATION TO ANCHOVY IN IBERIAN WATERS

EXPLANATORY NOTE

Council Regulation (EU) 2024/257¹ provisionally set at zero the TAC for anchovy (*Engraulis encrasicolus*) in ICES subareas 9 and 10 (Iberian waters and waters around the Azores) and EU waters of Committee for Eastern Central Atlantic Fisheries (CECAF) division 34.1.1 (east of Madeira and of the Canary Islands) for the period from 1 July 2024 to 30 June 2025, pending the publication by ICES of its scientific advice for anchovy in ICES division 9a (Iberian waters) for that period.

ICES is expected to publish that advice on 21 June 2024. To allow fishing to continue until the TAC for that stock for the period from 1 July 2024 to 30 June 2025 is set, it is proposed to establish a provisional TAC at the level of 4 997 tonnes for the period from 1 July to 30 September 2024. That level corresponds to Member States' catches of that stock in the third quarter of 2023.

AMENDMENTS TO THE ANNEXES

In Annex I, point 1 is replaced by the following:

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(1) In Annex IA, Part A, Table 2 is replaced by the following:

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Species:	Anchovy <i>Engraulis encrasicolus</i>	Zone:	9 and 10; Union waters of CECAF 34.1.1 (ANE/9/3411)
Spain	2 390 ⁽¹⁾	Analytical TAC	
Portugal	2 607 ⁽¹⁾		
Union	4 997 ⁽¹⁾		
TAC	4 997 ⁽¹⁾		

⁽¹⁾ This quota may only be fished from 1 July 2024 to 30 September 2024.

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¹ Council Regulation (EU) 2024/257 of 10 January 2024 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2023/194 (OJ L, 2024/257, 11.01.2024, ELI: <http://data.europa.eu/eli/reg/2024/257/oj>).

2. AMENDMENTS IN RELATION TO SPRAT IN THE NORTH SEA AND IN THE SKAGERRAK-KATTEGAT

EXPLANATORY NOTE

Regulation (EU) 2024/257 provisionally set at zero the TACs for sprat (*Sprattus sprattus*) and associated by-catches for the period from 1 July 2024 to 30 June 2025 in: (i) EU and United Kingdom (UK) waters of ICES subarea 4 and division 2a (North Sea); and (ii) EU and Norwegian waters of ICES division 3a (Skagerrak-Kattegat), pending publication by ICES of its scientific advice for sprat in ICES subarea 4 and division 3a for the period from 1 July 2024 to 30 June 2025.

ICES published that advice on 18 April 2024². Following the publication of that ICES advice, the EU held trilateral consultations with the UK and Norway on: (i) the level of the overall fishing opportunities for that stock for the period from 1 July 2024 to 30 June 2025; and (ii) the levels of the TAC for sprat in ICES subarea 4 and division 2a and the TAC for sprat in ICES division 3a for that period.

Those consultations were conducted between 23 May and 4 June 2024, on the basis of the EU position outlined in the Commission services non-paper endorsed by the Council on 3 May 2024. The outcome of those consultations was documented in an Agreed Record signed on [X] June 2024. The EU, UK and Norway agreed to set the TACs for sprat in ICES subarea 4 and ICES division 2a and in division 3a for the period from 1 July 2024 to 30 June 2025 in line with the ICES advice, at the levels of 61 537 tonnes and 13 784 tonnes. It is therefore proposed to set the TACs for sprat and associated by-catches in ICES subarea 4 and ICES division 2a and in division 3a at those levels agreed with the UK and Norway.

AMENDMENTS TO THE RECITALS

Recital (5) is replaced by the following:

“

- (5) Between 23 May and 4 June 2024, the Union, the United Kingdom and Norway held consultations on: (i) the level of the overall fishing opportunities for sprat (*Sprattus sprattus*) in Union and United Kingdom waters of ICES subarea 4 and division 2a and in Union and Norwegian waters of ICES division 3a for the period from 1 July 2024 to 30 June 2025; as well as (ii) the levels of the TACs for sprat in those areas. The outcome of those consultations was documented in an Agreed Record signed on [X] June 2024. The TACs for sprat and associated by-catches for the period from 1 July 2024 to 30 June 2025 in: (i) Union and United Kingdom waters of ICES subarea 4 and division 2a; and (ii) Union and Norwegian waters of ICES division 3a, should therefore be set at the levels agreed with the United Kingdom and Norway.

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² <https://doi.org/10.17895/ices.advice.25019690.v1>

AMENDMENTS TO THE ANNEXES

In Annex I, points 6 and 7 are replaced by the following:

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(6) In Annex IA, Part B, Table 113 is replaced by the following:

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Table 113			
Species:	Sprat and associated by-catches <i>Sprattus sprattus</i>	Zone:	3a (SPR/03A.)
Denmark	9 236	(1)(2)(3)	Analytical TAC
Germany	19	(1)(2)(3)	
Sweden	3 495	(1)(2)(3)	
Union	12 750	(1)(2)(3)	
TAC	13 784	(2)	
(1)	Up to 5 % of the quota may consist of by-catches of whiting and haddock (OTH/*03A.). By-catches of whiting and haddock counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota.		
(2)	This quota may only be fished from 1 July 2024 to 30 June 2025.		
(3)	Transfers of this quota may be effected to United Kingdom and Union waters of 2a and 4. However, such transfers shall be notified in advance to the Commission and to the United Kingdom.		

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(7) In Annex IA, Part B, Table 114 is replaced by the following:

“

Table 114			
Species:	Sprat and associated by-catches <i>Sprattus sprattus</i>	Zone:	United Kingdom and Union waters of 4; United Kingdom waters of 2a (SPR/2AC4-C)
Belgium	696	(1)(2)	Analytical TAC
Denmark	55 072	(1)(2)	
Germany	696	(1)(2)	
France	696	(1)(2)	
Netherlands	696	(1)(2)	
Sweden	1 330	(1)(2)(3)	
Union	59 186	(1)(2)	
Norway	0	(1)	
Faroe Islands	0	(1)(4)	
United Kingdom	2 351	(1)	

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- (1) The quota may only be fished from 1 July 2024 to 30 June 2025.
- (2) Up to 2 % of the quota may consist of by-catches of whiting (OTH/*2AC4C). By-catches of whiting counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota.
- (3) Including sandeels.
- (4) May contain up to 4 % of by-catch of herring.
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3. AMENDMENTS IN RELATION TO SPRAT IN THE ENGLISH CHANNEL

EXPLANATORY NOTE

Regulation (EU) 2024/257 provisionally set at zero the TAC for sprat in EU and UK waters of ICES divisions 7d and 7e (English Channel) for the period from 1 July 2024 to 30 June 2025, pending publication by ICES of its scientific advice for sprat in that area for that period.

ICES published that advice on 18 April 2024³. Following the publication of that ICES advice, the EU held bilateral consultations with the UK on the level of the TAC for the period from 1 July 2024 to 30 June 2025, pursuant to Articles 498(2), (4) and (6) of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part⁴ ('Trade and Cooperation Agreement').

Those consultations were held between 14 and 24 May 2024, on the basis of the EU position outlined in the Commission services non-paper endorsed by the Council on 25 April 2024. The outcome of those consultations was documented in a Written Record signed on 30 May 2024. The EU and UK agreed to set the TAC for sprat in ICES divisions 7d and 7e for the period from 1 July 2024 to 30 June 2025 in line with the ICES advice, at the level of 5 250 tonnes. It is therefore proposed to set the TAC for sprat in ICES divisions 7d and 7e at the level agreed with the UK.

AMENDMENTS TO THE RECITALS

Recital (6) is replaced by the following:

“

- (6) Between 14 and 24 May 2024, the Union and the United Kingdom held consultations pursuant to Articles 498(2), (4) and (6) of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part⁵ on the level of the TAC for sprat in ICES divisions 7d and 7e for the period from 1 July 2024 to 30 June 2025. The outcome of those consultations was documented in a Written Record signed on 30 May 2024. The TAC for sprat and associated by-catches in ICES divisions 7d and 7e for that period should therefore be set at the level agreed with the United Kingdom.

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³ <https://doi.org/10.17895/ices.advice.25019693.v1>

⁴ OJ L 149, 30.4.2021, p. 10.

⁵ OJ L 149, 30.4.2021, p. 10.

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AMENDMENTS TO THE ANNEXES

In Annex I, point 8 is replaced by the following:

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(8) In Annex IA, Part B, Table 115 is replaced by the following:

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Table 115			
Species:	Sprat <i>Sprattus sprattus</i>	Zone:	7d and 7e (SPR/7DE.)
Belgium	9 ⁽¹⁾	Analytical TAC	
Denmark	620 ⁽¹⁾		
Germany	9 ⁽¹⁾		
France	134 ⁽¹⁾		
Netherlands	134 ⁽¹⁾		
Union	906 ⁽¹⁾		
United Kingdom	4344 ⁽¹⁾		
TAC	5250 ⁽¹⁾		

⁽¹⁾ The quota may only be fished from 1 July 2024 to 30 June 2025.

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4. AMENDMENTS IN RELATION TO ICCAT

EXPLANATORY NOTE

Pursuant to Article 11(5) of Regulation (EU) 2023/2053 of the European Parliament and of the Council⁶, Croatia submitted to the Commission an amendment to its fishing plan. The amendment consists in the allocation of a bluefin tuna quota to 20 small scale coastal vessels. That amendment was forwarded to the International Convention for the Conservation of Atlantic Tunas (ICCAT) Secretariat and endorsed by ICCAT. It is therefore proposed to increase the number of small scale coastal vessels in line with the amended fishing plan submitted by Croatia and endorsed by ICCAT.

Additionally, an error of clerical nature has been detected in the first Commission services non-paper updating the Commission proposal.⁷ The correct figure on the maximum tuna farming and fattening capacity for Croatia should be ‘7 092,00’, not ‘7 902,00’. It is therefore proposed to correct that figure in Annex VI, point 6, table A.

AMENDMENTS TO THE ANNEXES

In Annex I, point 14a, is inserted:

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(14a) Annex VI, point 6, is replaced by the following:

4. Maximum number of fishing vessels of each Member State that may be authorised to fish for, retain on board, tranship, transport or land bluefin tuna in the eastern Atlantic and Mediterranean.

⁶ Regulation (EU) 2023/2053 of the European Parliament and of the Council of 13 September 2023 establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627 (OJ L 238, 27.9.2023, p. 1).

⁷ https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/fishing-quotas/tacs-and-quotas-2024_en

Table A

	Number of fishing vessels ⁽¹⁾							
	Greece ⁽²⁾	Spain	France	Croatia	Italy	Cyprus ⁽³⁾	Malta ⁽⁴⁾	Portugal
Purse seiners ⁽⁵⁾	0	7	22	18	21	1	2	0
Longliners	0	38	23	0	40	17	63	0
Baitboats	0	66	8	0	0	0	0	0
Handline	0	1	47	24	0	0	0	0
Trawlers	0	0	56	0	0	0	0	0
Small-scale coastal	64	696	89	20	0	0	0	0
Other artisanal ⁽⁶⁾	41	0	60	0	142	0	240	76

⁽¹⁾The numbers in this table may be further increased, provided that the Union's international obligations are complied with.

⁽²⁾One medium-size purse seiner has been replaced by no more than 10 longline vessels, or by one small purse seiner and three other artisanal vessels.

⁽³⁾One medium-size purse seiner may be replaced by no more than 10 longline vessels, or by one small purse seiner and no more than three longline vessels.

⁽⁴⁾One medium-size purse seiner may be replaced by no more than 10 longline vessels.

⁽⁵⁾The individual numbers of purse seiners in this table are the result of transfers between Member States and do not constitute historical rights for the future.

⁽⁶⁾Polyvalent vessels, using multi-gear equipment (longline, handline, trolling line).

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In Annex I, point 15, is replaced by the following:

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(15) Annex VI, point 6, is replaced by the following:

6. Maximum bluefin tuna farming capacity and fattening capacity for each Member State and maximum input of wild-caught bluefin tuna that each Member State may allocate to its farms in the Eastern Atlantic and Mediterranean

Table A

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Greece	0	0
Spain	6	14 752,70
Croatia	4	7 092,00
Italy	2	1 160,00
Cyprus	0	0
Malta	5	17 213,00
Portugal	2	740,00

Table B

Maximum input of wild-caught bluefin tuna (in tonnes)	
Greece	0
Spain	8 744,10
Croatia	2 945,60
Italy	610,00
Cyprus	0
Malta	12 295,00
Portugal	517,00

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5. OTHER AMENDMENTS

EXPLANATORY NOTE

Annex IA, Part B, to Regulation (EU) 2024/257 should be amended to correct the following error:

- Table 103, zone: In the area description, “Union waters of 3a” should be replaced by “3a”.

AMENDMENTS TO THE ANNEXES

In Annex I, point 5 should be replaced by the following:

“

- (5) In Annex IA, Part B, Table 103, is replaced by the following:

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Table 103

Species:	Mackerel <i>Scomber scombrus</i>	Zone:	3a; United Kingdom, Union waters of 2a, 3b, 3c; 3d and 4; Norwegian waters 2a and 4a (MAC/2A34-N.)
Belgium	476	(1)(2)	Analytical TAC
Denmark	27 882	(1)(2)(4)	Article 7(2) of this Regulation applies
Germany	496	(1)(2)	
France	1 498	(1)(2)	
Netherlands	1 508	(1)(2)	
Sweden	4 569	(1)(2)(3)	
Union	36 429	(1)(2)	
TAC	739 386		

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- (1) Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following zones.

	3a (MAC/*03A.))	United Kingdom and Union waters of 3a, 4b and 4c (MAC/*3A4BC)	4b (MAC/*04B.)	4c (MAC/*04C.)	United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14 (MAC/*2AX14)
Belgium	0	0	0	0	286
Denmark	0	4 130	0	0	9 774
Germany	0	0	0	0	298
France	0	490	0	0	899
Netherlands	0	490	0	0	905
Sweden	0	0	390	10	2 741
Union	0	5 110	390	10	14 903

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