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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1242

of 1 September 2020

extending the derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and depth granted to boat seines fishing for transparent goby (*Aphia minuta*) within the Spanish territorial waters of the Autonomous Community of the Region of Murcia

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ⁽¹⁾, and in particular Article 13(5) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1967/2006 prohibits the use of towed gears within 3 nautical miles of the coast or within the 50 m isobath where that depth is reached at a shorter distance from the coast.
- (2) At the request of a Member State, the Commission may allow a derogation from the first subparagraph of Article 13(1) of Regulation (EC) No 1967/2006, provided that a number of conditions set out in Article 13(5) and (9) are fulfilled.
- (3) A derogation from the first subparagraph of Article 13(1) for the use of boat seines fishing transparent goby (*Aphia minuta*) within the Spanish territorial waters of the Autonomous Community of the Region of Murcia was granted for the first time until 31 December 2016 by Commission Implementing Regulation (EU) No 773/2013 ⁽²⁾. That derogation was based on an additional derogation from the minimum mesh size adopted by Spain pursuant to Article 9(7) of Regulation (EC) No 1967/2006 because without it the relevant fishery could not have taken place and would have had to simply close.
- (4) An extension of the derogation was granted until 31 December 2019 by Commission Implementing Regulation (EU) 2017/677 ⁽³⁾ taking into account the management plan for the fisheries to which the derogation applied established by Spain pursuant to Article 19 of Regulation (EC) No 1967/2006.
- (5) Spain submitted scientific reports on the implementation of this management plan in 2017, 2018 and 2019.

⁽¹⁾ OJ L 409, 30.12.2006, p. 11.

⁽²⁾ Commission Implementing Regulation (EU) No 773/2013 of 12 August 2013 establishing a derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for transparent goby (*Aphia minuta*) in certain territorial waters of Spain (Murcia) (OJ L 217, 13.8.2013, p. 28).

⁽³⁾ Commission Implementing Regulation (EU) 2017/677 of 10 April 2017 on extending the derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and depth granted to boat seines fishing for transparent goby (*Aphia minuta*) in certain territorial waters of Spain (Murcia) (OJ L 98, 11.4.2017, p. 4).

- (6) On 26 June 2019, Spain requested the Commission to extend the derogation from the first subparagraph of Article 13(1) beyond 31 December 2019. Spain provided a draft of the new management plan regulating the fishery of transparent goby (*Aphia minuta*) in the internal waters of the Region of Murcia in accordance with Article 19 of Regulation (EC) No 1967/2006 and up-to-date information to justify the renewal of the derogation.
- (7) The Scientific, Technical and Economic Committee for Fisheries (STECF) assessed the requested extension of the derogation and the related draft management plan in September 2019 ⁽⁴⁾. STECF concluded that boat seine management plan in the Murcia Region in the period 2016-2019 was properly implemented, and that the conditions upon which the derogation regarding the minimum distance from the coast and depth was granted in 2016 continued to be fulfilled. STECF notes that the fishing gear appears to be highly selective.
- (8) On 21 December 2019, Spain adopted this new management plan ⁽⁵⁾.
- (9) The derogation requested by Spain complies with the conditions laid down in Article 13(5) and (9) of Regulation (EC) No 1967/2006.
- (10) There are specific geographical constraints given the limited size of the continental shelf and the limited extend of the trawlable fishing grounds, as the target species is exclusively limited to certain zones in the coastal areas at depths of less than 50 meters.
- (11) The fishery has no significant impact on the marine environment, since boat seines are hauled in the water column and do not touch the seabed. Due to the use of echo sounders, the fishery is highly selective with few bycatches. Besides, unwanted catches are immediately released alive with very high survivability.
- (12) The derogation requested by Spain affects a limited number of only 27 vessels.
- (13) The fishery cannot be undertaken with another gear, as boat seines are the only regulated gear allowed to capture species of a size as small as transparent goby and with a schooling behaviour in shallow coastal waters.
- (14) The vessels are registered in the Spanish National Operational Fishing Fleet Census, have a track record in the fishery of more than five years and will operate under a management plan.
- (15) The management plan guarantees no future increase in the fishing effort, as fishing authorisations will be issued to 27 vessels involving a maximum capacity of 116 Hp per vessel. The fishery continues to take place on working days (Monday-Friday) during December, January and February. In addition, the maximum quota per fishing season has been reduced to 18,2 tons. On the basis of the management plan, if exceeded, the fishery will be closed until next season.
- (16) The fishery concerned fulfils the requirements of Article 4(1) of Regulation (EC) No 1967/2006, which by way of derogation, allows fishing above protected habitats if fishing is operated without touching the seagrass bed under certain conditions.
- (17) Moreover, the fishery concerned could not have taken place without a derogation from the minimum applicable mesh size.
- (18) However, because this fishery is highly selective, has a negligible effect on the marine environment and is not affected by the provisions in Article 4(5) of Regulation (EC) No 1967/2006, Spain authorised in the past the derogation from the minimum mesh size based on Article 9(7) of Regulation (EC) No 1967/2006.

⁽⁴⁾ Scientific, Technical and Economic Committee for Fisheries (STECF). Management Plan for boat seines in Murcia, Spain (STECF-19-19). Publications Office of the European Union, Luxembourg, 2019, ISBN 978-92-76-11879-4, doi:10.2760/890396, JRC118074.

⁽⁵⁾ 'Orden de 19 de diciembre de 2019, de la Consejería de Agua, Agricultura, Ganadería, PESCA y Medio Ambiente, por la que se regula la pesquería del chanquete (*Aphia minuta*) en aguas interiores de la Región de Murcia', Official Journal of the Region of Murcia, number 294, 21.12.2019, p. 35423.

- (19) Article 9 of Regulation (EC) No 1967/2006 was deleted by Regulation (EU) 2019/1241 of the European Parliament and of the Council ⁽⁶⁾. However, according to point 4, part B of Annex IX to Regulation (EU) 2019/1241, derogations from minimum mesh sizes adopted on basis of Article 9 of Regulation (EC) No 1967/2006, that were in force on 14 August 2019, can continue to apply, provided they do not lead to the increase in catches of juveniles. The extended derogation requested by Spain complies with the conditions laid down in Article 15(5) and in point 4 of Part B of Annex IX to Regulation (EU) 2019/1241, as it does not lead to a deterioration of selectivity standards, in particular in terms of an increase in the catches of juveniles, existing on 14 August 2019, and aims at achieving the objectives and targets set out in Articles 3 and 4 of that Regulation
- (20) The fishing activities concerned fulfil the recording requirements laid down in Article 14 of Council Regulation (EC) No 1224/2009 ⁽⁷⁾.
- (21) The fishery concerned take place at a very short distance from the coast and therefore does not interfere with the fishing activities of other vessels.
- (22) The fishery concerned is regulated in the Spanish management plan to ensure that catches of species mentioned in Annex IX to Regulation (EU) 2019/1241 are minimal.
- (23) Boat seines do not target cephalopods.
- (24) The Spanish management plan includes measures for the monitoring of the fishery, in accordance with the third subparagraph of Article 13(9) of Regulation (EC) No 1967/2006.
- (25) The requested derogation should therefore be granted.
- (26) Spain should report to the Commission in due time and in accordance with the monitoring plan provided for in the Spanish management plan.
- (27) A limitation in the duration of the derogation will allow ensuring prompt corrective management measures in case the monitoring of the management plan will show a poor conservation status of the exploited stock, while providing scope to enhance the scientific basis for an improved management plan. The end of the derogation should therefore be fixed at the end of the fishing season. Accordingly, the derogation should apply until 1 March 2023.
- (28) Since the derogation granted by Implementing Regulation (EU) 2017/677 expired on 31 December 2019, in order to ensure legal continuity, this Regulation should apply with effect from 1 January 2020. For reasons of legal certainty, this Regulation should enter into force as a matter of urgency.
- (29) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Derogation

The first subparagraph of Article 13(1) of Regulation (EC) No 1967/2006 shall not apply within the Spanish territorial waters of the Autonomous Community of the Region of Murcia to fishing for transparent goby (*Aphia minuta*) by boat seines used by vessels fulfilling the following requirements:

- (a) being registered in the maritime census managed by the Directorate-General for Agriculture, Livestock, Fisheries and Aquaculture of the Autonomous Community of the Region of Murcia;

⁽⁶⁾ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

⁽⁷⁾ 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 (OJ L 343, 22.12.2009, p. 1).

- (b) having a track record in the fishery of more than five years and not involving any future increase in fishing effort provided;
- (c) holding a fishing authorisation and operating under the management plan adopted by Spain in accordance with Article 19(2) of Regulation (EC) No 1967/2006.

Article 2

Monitoring plan and reporting

Spain shall communicate to the Commission a report drawn up in accordance with the monitoring plan established in the management plan referred to in Article 1(c), for the first time by 1 October 2020 and, thereafter, every 12 months.

Article 3

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 2020 until 1 March 2023.

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

Done at Brussels, 1 September 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1243

of 1 September 2020

on extending the derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for transparent and Ferrer's gobies (*Aphia minuta* and *Pseudaphia ferrerii*) and Lowbody picarel (*Spicara smaris*) in certain territorial waters of Spain (Balearic Islands)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ⁽¹⁾, and in particular Article 13(5) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1967/2006 prohibits the use of towed gears within 3 nautical miles of the coast or within the 50 m isobath where that depth is reached at a shorter distance from the coast.
- (2) At the request of a Member State, the Commission may allow a derogation from Article 13(1) of Regulation (EC) No 1967/2006, provided that a number of conditions set out in Article 13(5) and (9) are fulfilled.
- (3) A derogation from the first subparagraph of Article 13(1) for the use of boat seines fishing transparent and Ferrer's gobies (*Aphia minuta* and *Pseudaphia ferrerii*) and Lowbody picarel (*Spicara smaris*) in the Spanish territorial waters of the Balearic Islands was granted for the first time until 31 December 2016 by Commission Implementing Regulation (EU) No 1233/2013 ⁽²⁾. That derogation was based on an additional derogation from the minimum mesh size adopted by Spain pursuant to Article 9(7) Regulation (EC) No 1967/2006 because without it, the relevant fishery could not have taken place and would have had to close.
- (4) An extension of the derogation was granted until 31 December 2019 by Commission Implementing Regulation (EU) 2019/662 ⁽³⁾, taking into account the management plan for the fisheries to which the derogation applied established by Spain pursuant to Article 19 of Regulation (EC) No 1967/2006.
- (5) On 3 September 2019, the Spanish authorities requested the Commission to extend the derogation from the first subparagraph of Article 13(1) beyond 31 December 2019. Spain provided a draft of the new management plan for the period 2019-2022 that will be regulated by the existing national rules ⁽⁴⁾. Spain provided up-to-date information to justify the renewal of the derogation.
- (6) The Scientific, Technical and Economic Committee for Fisheries (STECF) assessed the draft management plan in November 2019 ⁽⁵⁾ and the request for extending the derogation in March 2020 ⁽⁶⁾.
- (7) The STECF concluded that the management plan for boat seines in the Balearic Islands in the period 2016-2019 was properly implemented and that the conditions upon which the derogation regarding the minimum distance from the coast and depth was granted in 2016 continued to be fulfilled. STECF notes that the fishing gear appears to be highly selective.

⁽¹⁾ OJ L 409, 30.12.2006, p. 11.

⁽²⁾ Commission Implementing Regulation (EU) No 1233/2013 of 29 November 2013 establishing a derogation from Regulation (EC) No 1967/2006 as regards the minimum distance from coast and the minimum sea depth for boat seines fishing for transparent and Ferrer's gobies (*Aphia minuta* and *Pseudaphia ferrerii*) and Lowbody picarel (*Spicara smaris*) in certain territorial waters of Spain (Balearic Islands) (OJ L 322, 3.12.2013, p. 17).

⁽³⁾ Commission Implementing Regulation (EU) 2019/662 of 25 April 2019 extending the derogation from Council Regulation (EC) No 1967/2006 as regards the minimum distance from coast and the minimum sea depth for boat seines fishing for transparent goby (*Aphia minuta*), Ferrer's goby (*Pseudaphia ferrerii*) and Lowbody picarel (*Spicara smaris*) in certain territorial waters of Spain (Balearic Islands) (OJ L 112, 26.4.2019, p. 16).

⁽⁴⁾ Decreto 19/2019, de 15 de marzo, por el que se establece el Plan de Gestión Pluriinsular para la PESCA con Artes de Tiro Tradicionales en aguas de las Illes Balears (BOIB No 035, 16.3.2019, p. 9442).

⁽⁵⁾ Scientific, Technical and Economic Committee for Fisheries – 62nd Plenary meeting report (PLEN-19-03), Publications Office of the European Union, Luxembourg, 2019, ISBN 978-92-76-14169-3, doi:10.2760/1597, JRC118961.

⁽⁶⁾ Scientific, Technical and Economic Committee for Fisheries – 63rd Plenary meeting report (PLEN-20-01), Publications Office of the European Union, Luxembourg, 2020, ISBN 978-92-76-18117-0, doi:10.2760/465398, JRC120479.

- (8) The STECF suggested certain adjustments, notably by setting a seasonal TAC in line with the recent catches and by clarifying the possible overlap in two bays between the Jonquiller fishery targeting gobies and seagrass beds.
- (9) In light of the STECF's evaluation, the Commission notes that the Spanish authorities committed in a letter sent to the Commission on 4 June 2020 ⁽⁷⁾ to aligning the seasonal Total Allowable catch (TAC) with the average catches observed over recent years and to launching a scientific study to clarify whether the fishery interacted with seagrass beds in the two bays concerned. Spain also committed to banning the fishery in the two bays concerned at least until the STECF has assessed the scientific study and to inform the Commission on the follow-up of the above commitments.
- (10) The derogation requested by Spain complies with the conditions laid down in Article 13(5) and (9) of Regulation (EC) No 1967/2006.
- (11) There are specific geographical constraints given the limited size of the continental shelf and the spatial distribution of the target species, which is exclusively limited to certain zones in the coastal areas at depths of less than 50 meters.
- (12) The fishery has no significant impact on the marine environment, since boat seines are hauled in the water column. Due to the use of echo sounders, the fishery is highly selective with few bycatches. Besides, unwanted catches are immediately released alive with very high survivability.
- (13) The derogation requested by Spain affects a limited number of 55 vessels.
- (14) The fishery cannot be undertaken with another gear, as boat seines are the only regulated gear allowed to capture these three target species with a schooling behaviour in shallow coastal waters.
- (15) The request covers vessels registered in the maritime census managed by the Directorate-General for Fisheries and Marine Environment of the Balearic Islands which have a track record in the fishery of more than five years and operate under the management plan regulating boat seines fishing for transparent and Ferrer's gobies (*Aphia minuta* and *Pseudaphia ferrerii*) and Lowbody picarel (*Spicara smaris*). Those vessels are included on a list communicated to the Commission in line with the requirements of Article 13(9) of Regulation (EC) No 1967/2006.
- (16) The management plan guarantees no future increase in the fishing effort, as fishing authorisations will be issued only to specified 55 vessels, each limited to 12 m in size and 198,5 kW in power. In addition, a maximum cumulated tonnage and power are set, and the fishery will close until the next fishing season if the seasonal TAC is reached.
- (17) The fishing activities concerned fulfil the requirements of Article 4(1) of Regulation (EC) No 1967/2006, which allows fishing above protected habitats if fishing is operated without touching the seagrass bed under certain conditions.
- (18) Moreover, the fishery concerned could not have taken place without a derogation from the minimum applicable mesh size.
- (19) However, because the fishery concerned is highly selective, has a negligible effect on the environment and is not affected by the provisions in Article 4(5) of Regulation (EC) No 1967/2006, Spain authorised in the past the derogation from the minimum mesh size based on Article 9(7) of Regulation (EC) No 1967/2006.
- (20) Article 9 of Regulation (EC) No 1967/2006 was deleted by Regulation (EU) 2019/1241 of the European Parliament and of the Council ⁽⁸⁾. However, according to point 4, part B of Annex IX to Regulation (EU) 2019/1241, derogations from minimum mesh sizes adopted on basis of Article 9 of Regulation (EC) No 1967/2006, that were in force on 14 August 2019, can continue to apply, provided they do not lead to the increase in catches of juveniles. This extended derogation complies with the conditions laid down in Article 15(5) and in point 4 of Part B of Annex IX to Regulation (EU) 2019/1241, as it does not lead to a deterioration of selectivity standards, in particular in terms of an increase in the catches of juveniles existing on 14 August 2019 and aims at achieving the objectives and targets set out in Articles 3 and 4 of that Regulation.

⁽⁷⁾ Ares(2020)2879866.

⁽⁸⁾ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

- (21) The fishing activities concerned fulfil the recording requirements laid down in Article 14 of Council Regulation (EC) No 1224/2009 ⁽⁹⁾.
- (22) The fishery concerned take place at a very short distance from the coast and therefore does not interfere with the fishing activities of other vessels.
- (23) The fishery concerned is regulated in the Spanish management plan to ensure that catches of species mentioned in Annex IX to Regulation (EU) 2019/1241 are minimal.
- (24) Boat seines do not target cephalopods.
- (25) The Spanish management plan includes measures for the monitoring of fishing activities, as provided for in the third subparagraph of Article 13(9) of Regulation (EC) No 1967/2006.
- (26) The derogation requested should therefore be granted.
- (27) Spain should report to the Commission in due time and in accordance with the monitoring plan provided for in the Spanish management plan.
- (28) A limitation in duration of the derogation will allow prompt corrective management measures in case the monitoring of the management plan shows a poor conservation status of the exploited stock, while providing scope to improve the scientific basis for an improved management plan. The end of the derogation should be fixed at the end of the fishing season. Accordingly, the derogation should apply until 30 April 2023.
- (29) Since the derogation granted by Implementing Regulation (EU) 2019/662 expired on 31 December 2019, in order to ensure legal continuity, this Regulation should apply with effect from 1 January 2020. For reasons of legal certainty, this Regulation should enter into force as a matter of urgency.
- (30) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Derogation

The first subparagraph of Article 13(1) of Regulation (EC) No 1967/2006 shall not apply in territorial waters of Spain adjacent to the coast of the Balearic Islands to fishing for transparent and Ferrer's gobies (*Aphia minuta* and *Pseudaphia ferreri*) and Lowbody picarel (*Spicara smaris*) by boat seines used by vessels fulfilling the following requirements:

- (a) being registered in the maritime census managed by the Directorate-General for Fisheries and Marine Environment of the Balearic Islands;
- (b) having a track record in the fishery of more than five years and not involving any future increase in the fishing effort deployed;
- (c) holding a fishing authorisation and operating under the management plan adopted by Spain in accordance with Article 19(2) of Regulation (EC) No 1967/2006.

Article 2

Monitoring plan and reporting

Spain shall communicate to the Commission a report drawn up in accordance with the monitoring plan established in the management plan referred to in Article 1(c), for the first time by 30 September 2020 and, thereafter, every 12 months.

⁽⁹⁾ 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 (OJ L 343, 22.12.2009, p. 1).

*Article 3***Entry into force and period of 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 2020 until 30 April 2023.

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

Done at Brussels, 1 September 2020.

For the Commission

The President

Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1244**of 1 September 2020****amending Implementing Regulation (EU) No 185/2013 concerning deductions from fishing quotas allocated to Spain for 2020 and 2023**

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(4) thereof,

Whereas:

- (1) In 2013 the Commission adopted Implementing Regulation (EU) No 185/2013 ⁽²⁾ 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. That Regulation established deductions from the mackerel quota in ICES division 8c, ICES subareas 9 and 10 and Union waters of CECAF 34.1.1 and from the anchovy quota in ICES subarea 8.
- (2) According to Implementing Regulation (EU) No 185/2013, the deductions from the quota of Spain for mackerel in ICES division 8c, ICES subareas 9 and 10 and Union waters of CECAF 34.1.1 for the years 2020 and 2023 were fixed at 5 544 tonnes and 1 392 tonnes respectively.
- (3) Spain did not fish 3 341 tonnes of the relevant mackerel quota in 2019, thus exercising a lower fishing pressure on that stock compared to the maximum quantity allowed by the fishing opportunities allocated for that year. Spain has requested that those unfished quantities be used to decrease the deductions provided by Implementing Regulation (EU) No 185/2013 for the year 2020 and for the year 2023. The quantities for deductions for 2020 and for 2023 established in Implementing Regulation (EU) No 185/2013 should therefore be adapted.
- (4) The amounts deducted from the quotas for mackerel in 2020 and 2023 after the changes would still continue ensuring that the fishing opportunities for those species are not exceeded in line with the objectives of the Common Fisheries Policy.
- (5) Implementing Regulation (EU) No 185/2013 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 185/2013 is replaced by the text in the Annex to this Regulation.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ 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).

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*.

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

Done at Brussels, 1 September 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

'ANNEX

Stock	Initial quota 2009	Adapted quota 2009	Established catches 2009	Difference quota-catches (over-fishing)	Deduction 2013	Deduction 2014	Deduction 2015	Deduction 2016	Deduction 2017	Deduction 2018	Deduction 2019	Deduction 2020	Deduction 2021	Deduction 2022	Deduction 2023
MAC8C 3411	29 529	25 525	90 954	-65 429	100	100	100	5 544	6 283	4 805	4 421	3 214	5 544	5 544	381
ANE08 ⁽¹⁾								3 696	4 539	2 853	3 696	3 696	3 696	3 696	180'

⁽¹⁾ For anchovy, the year should be understood as the fishing season starting in that year.

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