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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 1.9.2009  
COM(2009) 439 final

Proposal for a

**COUNCIL REGULATION**

**fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2010**

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE PROPOSAL

- **Objectives of the proposal**

The objective of this proposal is to fix, for the commercially most important fish stocks in the Baltic Sea, the fishing opportunities for Member States for 2010.

- **General context**

In accordance with Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, the CFP seeks to ensure that living aquatic resources are exploited under sustainable economic, environmental and social conditions. One important tool in this respect is the annual fixing of fisheries opportunities in the form of total allowable catches (TACs), quotas and fishing effort limits.

With a view to simplifying and clarifying the annual TAC and quota decisions, fishing opportunities in the Baltic Sea are fixed by a separate Regulation since 2006: Council Regulation (EC) No 52/2006 of 22 December 2005 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks in the Baltic Sea for 2006.

The scientific advice on fishing opportunities in the Baltic Sea in 2010 was delivered by the International Council for the Exploration of the Sea (ICES) in May 2009 and by the Scientific, Technical and Economic Committee for Fisheries (STECF) in June 2009.

The proposal contains three sections of importance for the management of the Baltic fisheries in 2010: one section fixing the TACs and quotas, a second limiting the fishing effort and a third laying down associated technical measures.

- **Existing provisions in the area of the proposal**

Fishing opportunities and the way they are allocated to Member States are regulated annually. The latest is Council Regulation (EC) No 1322/2008 of 28 November 2008 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2009.

Of relevance to fisheries management in the Baltic Sea is also Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98.

Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97 outlines the control

and monitoring measures for rebuilding the cod stocks in question. It also lays down the rules for setting the TACs for the Western and the Eastern cod stocks and the associated fishing effort limitations.

- **Consistency with other policies and objectives of the EU**

The proposed measures are in accordance with the objectives of the Common Fisheries Policy and are consistent with the Community's policy on sustainable development.

## **2. CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT**

- **Collection and use of expertise**

### Main organisations/experts consulted

The scientific organisations consulted were the International Council for the Exploration of the Seas (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF).

The Community asks ICES and STECF each year for scientific advice on the state of important fish stocks. The advice received covers all Baltic stocks for which TACs are proposed except plaice and Herring in Subdivision 31 for which no advice is given this year. The proposed TACs are based on the advice but do not necessarily follow the advice to the letter. Given the Commission's intention to ensure the sustainable use of fishery resources while maintaining stable fishing opportunities, changes in TACs are limited to no more than 15% from one year to the next unless the status of a stock requires stronger measures. Where a stock is subject to a management plan the proposed TAC is in accordance with the plan.

For cod stocks the proposed TACs reflect the gradual approach applied in the multi-annual plan for cod stocks in the Baltic Sea and the fisheries exploiting those stocks. The central element of the plan is a gradual reduction in fishing effort to long-term sustainable levels that will ensure recovery of the stocks and provide high and stable yields.

With regard to salmon stocks in the Baltic Sea, additional management measures in marine and inland waters are required in order to facilitate efficient recovery of the stocks where necessary. A salmon management plan is under preparation.

- **Consultation of interested parties**

The sections on limiting the fishing effort and on laying down associated technical measures are in accordance with the decisions taken in the Council in December 2006 on Council Regulation (EC) No 1941/2006 of 11 December 2006 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2007, and Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks. Both regulations have been subject to consultations with stakeholders: the fishing industry, NGOs dealing with fisheries issues, and Member States concerned in 2005 and 2006.

The Baltic Sea RAC (BSRAC) was consulted at its Demersal and Pelagic Working Group meetings and its Executive Committee meeting in June 2009 on the basis of the

Communication from the Commission on the Consultation on fishing opportunities for 2010. The scientific basis for the proposal was provided by ICES and STECF. DG MARE presented the rules it would follow for setting TACs and quotas for 2010 on the basis of the policy statement. The preliminary views expressed during these meetings and the subsequent written recommendations on all fish stocks concerned were considered and taken into account as appropriate in the proposal.

The BSRAC supports the application of the multi-annual plan for cod but disagrees with the adjustment of TACs towards long-term sustainable levels where from the point of view of the BSRAC the stock status is stable or potential benefits on the stock concerned or other stocks can be expected from maintaining TACs at their current level or increasing TACs beyond the levels resulting from the application of the harvest control rules defined in the Communication on the Consultation on fishing opportunities for 2010.

- **Impact assessment**

The proposed measures will, if implemented, result in an overall decrease in fishing opportunities in terms of catch volumes for Community vessels in the Baltic Sea of around 10% for all species considered. For several herring stocks and for sprat the reduction is based on the state of the stock not being known precisely and lower recruitment to the stocks. The reduction with the most significant economic impact is the TAC for Western Baltic herring which arise as a result of to the stock being overfished and the rapid decline expected due to poor recruitment over the last years. The TACs for Western and Eastern Baltic cod have been increased in accordance with the multi-annual plan.

The proposal reflects not only short-term concerns but is also part of a longer- term approach whereby the level of fishing is gradually reduced to long-term sustainable levels.

The approach taken in the proposal will therefore, in the medium to long term, result in reduced fishing effort but stable or increasing quotas in the long-term. The long-term consequences of the approach are expected to be a reduced impact on the environment as a consequence of the decline in fishing effort, reductions in the catching sector in terms of number of vessels and/or in the average fishing effort per vessel, and unchanged or increased landings. The sustainability of fishing activities will increase in the long-term.

### **3. LEGAL ELEMENTS OF THE PROPOSAL**

- **Legal basis**

The legal basis for this proposal is Council Regulation (EC) No 2371/2002, and in particular Article 20 thereof; Council Regulation (EC) No 847/1996, and in particular Article 2 thereof; and Council Regulation (EC) No 1098/2007, and in particular Article 5 and 8(3) thereof.

### **4. BUDGETARY IMPLICATION**

The proposal has no implications for the Community budget.

### **5. ADDITIONAL INFORMATION**

- **Detailed Explanation**

The proposal fixes for 2010 the fishing opportunities and associated conditions for certain stocks or groups of stocks for Member States fishing in the Baltic Sea.

The TACs and quotas allocated to Member States are given in Annex I. The proposed figures reflect the scientific advice, consultation with the BSRAC and the framework for setting the TACs and quotas outlined in the Communication from the Commission on the Consultation on fishing opportunities for 2010. The TACs and quotas for the two cod stocks are closely linked to the fishing effort limits laid down in Annex II. The technical measures in Annex III represent transitional measures for managing the fishery for flounder and turbot.

A high-grading ban for any species subjected to quota is established. The overall aim of the high-grading ban is the reduction of discards. A high grading ban implies a prohibition to discard species subject to quota that can legally be caught and landed under Community fisheries legislation.

Proposal for a

## **COUNCIL REGULATION**

### **fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2010**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>1</sup>, and in particular Article 20 thereof,

Having regard to Council Regulation (EC) No 847/1996 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas<sup>2</sup>, and in particular Article 2 thereof,

Having regard to Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks<sup>3</sup>, and in particular Article 5 and 8(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 4 of Regulation (EC) No 2371/2002 requires the Council to adopt the measures necessary to ensure access to waters and resources and the sustainable pursuit of fishing activities taking account of available scientific advice and, in particular, the report prepared by the Scientific, Technical and Economic Committee for Fisheries (STECF), as well as in the light of any advice received from the Baltic Sea Regional Advisory Council (BSRAC).
- (2) Under Article 20 of Regulation (EC) No 2371/2002, it is incumbent upon the Council to establish fishing opportunity limits by fishery or group of fisheries and the allocation of these opportunities to Member States.
- (3) In order to ensure effective management of fishing opportunities, the specific conditions under which fishing operations are carried out should be established.

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<sup>1</sup> OJ L 358, 31.12.2002, p. 59.

<sup>2</sup> OJ L 115, 9.5.1996, p. 3.

<sup>3</sup> OJ L 248, 22.9.2007, p. 1.



- (4) The principles and certain procedures for fishery management need to be laid down at Community level, so that Member States can ensure the management of the vessels flying their flag.
- (5) Article 3 of Regulation (EC) No 2371/2002 lays down definitions of relevance for the allocation of fishing opportunities.
- (6) In accordance with Article 2 of Council Regulation (EC) No 847/96, the stocks that are subject to the various measures referred to therein must be identified.
- (7) Fishing opportunities should be used in accordance with Community legislation, and in particular with Commission Regulation (EEC) No 1381/87 of 20 May 1987 establishing detailed rules concerning the marking and documentation of fishing vessels<sup>4</sup>, Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish<sup>5</sup>, Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>6</sup>, Commission Regulation (EC) No 2244/2003 of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems<sup>7</sup>, and Council Regulation (EEC) No 2930/86 of 22 September 1986 defining characteristics for fishing vessels<sup>8</sup>, Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the North-East Atlantic<sup>9</sup>, Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound<sup>10</sup> and Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks<sup>11</sup>, Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing<sup>12</sup>.
- (8) To ensure that annual fishing opportunities are set at a level commensurate with the sustainable exploitation of resources in environmental, economic and social terms, account has been taken of the guiding principles for fixing TACs as described in point 4, 5 and points 7-9 of the Communication from the Commission on the Consultation on fishing opportunities for 2010<sup>13</sup>.
- (9) In order to reduce discards, it is appropriate to establish a high-grading ban for any species subject to quota, implying a prohibition to discard species subject to quota that can legally be caught and landed under Community fisheries legislation.

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<sup>4</sup> OJ L 132, 21.5.1987, p. 9.

<sup>5</sup> OJ L 276, 10.10.1983 p. 1.

<sup>6</sup> OJ L 261, 20.10.1993, p. 1.

<sup>7</sup> OJ L 333, 20.12.2003, p. 17.

<sup>8</sup> OJ L 274, 25.9.1986, p. 1.

<sup>9</sup> OJ L 365, 31.12.1991, p. 1.

<sup>10</sup> OJ L 16, 20.1.2005, p. 184.

<sup>11</sup> OJ L 248, 22.9.2007, p. 1

<sup>12</sup> OJ L 286, 29.10.2008, p. 1.

<sup>13</sup> COM(2009)224

- (10) To help conserve fish stocks, certain supplementary measures on technical conditions of fishing should be implemented in 2010.
- (11) To ensure the livelihood of Community fishermen, it is important to open these fisheries on 1 January 2010. Given the urgency of the matter, it is imperative to grant an exception to the eight-week period referred to in paragraph I (4) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Community, the European Coal and Steel Community and the European Atomic Energy Community.

HAS ADOPTED THIS REGULATION:

## **CHAPTER I**

### **Scope and definitions**

#### *Article 1* ***Subject matter***

This Regulation fixes fishing opportunities for 2010 for certain fish stocks and groups of fish stocks in the Baltic Sea and the associated conditions under which such fishing opportunities may be used.

#### *Article 2* ***Scope***

This Regulation shall apply to Community fishing vessels (Community vessels) operating in the Baltic Sea.

#### *Article 3* ***Definitions***

In addition to the definitions laid down in Article 3 of Regulation (EC) No 2371/2002, for the purposes of this Regulation the following definitions shall apply:

- (a) the International Council for the Exploration of the Sea (ICES) zones are as defined in Regulation (EC) No 2187/2005;
- (b) “Baltic Sea” means ICES Subdivisions 22-32;
- (c) “total allowable catch (TAC)” means the quantity that can be taken from each stock each year;
- (d) “quota” means a proportion of the TAC allocated to the Community, a Member State or a third country;
- (e) “day absent from port” means any continuous period of 24 hours or part thereof during which the vessel is absent from port.

## **CHAPTER II**

### **Fishing opportunities and associated conditions**

#### *Article 4*

##### *Catch limits and allocations*

The catch limits, the allocation of such limits among Member States, and additional conditions in accordance with Article 2 of Regulation (EC) No 847/96 are set out in Annex I to this Regulation.

#### *Article 5*

##### *Special provisions on allocations*

1. The allocation of catch limits among Member States as set out in Annex I shall be without prejudice to:
  - (a) exchanges made pursuant to Article 20(5) of Regulation (EC) No 2371/2002;
  - (b) reallocations made pursuant to Articles 21(4), 23(1) and 32(2) of Regulation (EEC) No 2847/93;
  - (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96;
  - (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;
  - (e) deductions made pursuant to Article 23(4) of Regulation (EC) No 2371/2002 and Article 2 of Regulation (EC) No 338/2008.
2. For the purpose of withholding quotas to be transferred to 2011, Article 4(2) of Regulation (EC) No 847/96 may apply, by way of derogation from that Regulation, to all stocks subject to analytical TAC.

#### *Article 6*

##### *Conditions for catches and by-catches*

1. Fish from stocks for which catch limits are fixed shall only be retained on board or landed if:
  - (a) the catches have been taken by vessels of a Member State with a quota and that quota has not been exhausted; or
  - (b) species other than herring and sprat are mixed with other species, the catches have been taken with trawls, Danish seines or similar gears whose mesh size is less than 32 mm, and the catches are not sorted either on board or on landing.

2. All landings shall count against the quota or, if the Community share has not been allocated among Member States by quotas, against the Community share, except for catches made under paragraph 1(b).
3. Where the quota for herring allocated to a Member State is exhausted, vessels flying the flag of that Member State, registered in the Community, and operating in the fisheries to which the relevant quota applies shall not land catches that are unsorted and that contain herring.
4. Where the quota for sprat allocated to a Member State is exhausted, vessels flying the flag of that Member State, registered in the Community, and operating in the fisheries to which the relevant quota applies shall not land catches that are unsorted and that contain sprat.

#### *Article 7*

#### ***Prohibition of high-grading***

Any species subject to quota which is caught during fishing operations shall be brought aboard the vessel and subsequently landed unless this would be contrary to obligations laid down in Community fisheries legislation establishing technical, control, and conservation measures, and in particular in this Regulation and in Regulation (EC) No 2187/2005, Regulation (EEC) No 2847/1993, and Regulation (EC) No 2371/2002.

#### *Article 8*

#### ***Fishing effort limits***

1. Fishing effort limits are set out in Annex II.
2. The limits referred to in paragraph 1 shall apply to ICES Subdivisions 27, and 28.2 insofar as the Commission has not taken a decision in accordance with Article 29(2) of Regulation (EC) No 1098/2007 to exclude those Subdivisions from the restrictions provided for in Article 8(1) (b), (3), (4) and (5) and Article 13 of that Regulation.
3. The limits referred to in paragraph 1 shall not apply to ICES Subdivision 28.1 insofar as the Commission has not taken a decision in accordance with Article 29(4) of Regulation (EC) No 1098/2007 that the restrictions provided for in Article 8(1) (b), (3), (4) and (5) of Regulation (EC) No 1098/2007 shall apply to that Subdivision.

#### *Article 9*

#### ***Transitional technical measures***

Transitional technical measures are set out in Annex III.

## **CHAPTER III**

### **Final provisions**

#### *Article 10*

#### **Data transmission**

When Member States send data to the Commission relating to landings of quantities of stocks caught, pursuant to Article 15(1) of Regulation (EEC) No 2847/93, they shall use the stock codes set out in Annex I to this Regulation.

#### *Article 11*

#### **Entry into force**

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

It shall apply from 1 January 2010.

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

Done at Brussels,

*For the Council*  
*The President*

## ANNEX I

### **Catch limits and associated conditions for year-to-year management of catch limits applicable to Community vessels in areas where catch limits exist by species and by area**

The following tables set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, the allocation to the Member States and associated conditions for year-to-year management of the quotas.

Within each area, fish stocks are referred to following the alphabetical order of the Latin names of the species. For the purposes of these tables the codes used for the different species are as follows:

Scientific name	Alpha-3 code	Common name
<i>Clupea harengus</i>	HER	Herring
<i>Gadus morhua</i>	COD	Cod
<i>Platichthys flesus</i>	FLX	Flounder
<i>Pleuronectes platessa</i>	PLE	Plaice
<i>Psetta maxima</i>	TUR	Turbot
<i>Salmo salar</i>	SAL	Atlantic salmon
<i>Sprattus sprattus</i>	SPR	Sprat

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 30-31 HER/3D30.; HER/3D31.
Finland	84 721	Analytical TAC.	
Sweden	18 615	Article 3 of Regulation (EC) No 847/96 applies.	
EC	103 336	Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.	
TAC	103 336		

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 22-24 HER/3B23.; HER/3C22.; HER/3D24.
Denmark	3 009	Analytical TAC.	
Germany	11 845	Article 3 of Regulation (EC) No 847/96 does not apply.	
Finland	2	Article 4 of Regulation (EC) No 847/96 does not apply.	
Poland	2 793	Article 5(2) of Regulation (EC) No 847/96 applies.	
Sweden	3 820		
EC	21 469		
TAC	21 469		

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 25-27, 28.2, 29 and 32 HER/3D25.; HER/3D26.; HER/3D27.; HER/3D28.; HER/3D29.; HER/3D32.
Denmark	2 685	Analytical TAC.	
Germany	712	Article 3 of Regulation (EC) No 847/96 does not apply.	
Estonia	13 714	Article 4 of Regulation (EC) No 847/96 does not apply.	
Finland	26 769	Article 5(2) of Regulation (EC) No 847/96 applies	
Latvia	3 384		
Lithuania	3 564		
Poland	30 412		
Sweden	40 828		
EC	122 068		
TAC	Not relevant		

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivision 28.1 HER/03D.RG
Estonia	16 809	Analytical TAC.	
Latvia	19 591	Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies.	
EC	36 400	Article 5(2) of Regulation (EC) No 847/96 applies.	
TAC	36 400		

Species	Cod <i>Gadus morhua</i>	Zone:	EC waters of Subdivisions 25-32 COD/3D25.; COD/3D26.; COD/3D27.; COD/3D28.; COD/3D29.; COD/3D30.; COD/3D31.; COD/3D32.
Denmark	11 777	Analytical TAC.	
Germany	4 685	Article 3 of Regulation (EC) No 847/96 does not apply.	
Estonia	1 148	Article 4 of Regulation (EC) No 847/96 does not apply.	
Finland	901	Article 5(2) of Regulation (EC) No 847/96 applies.	
Latvia	4 379		
Lithuania	2 885		
Poland	13 561		
Sweden	11 932		
EC	51 267		
TAC	Not relevant		

Species:	Cod <i>Gadus morhua</i>	Zone:	EC waters of Subdivisions 22 –24 COD/3B23.; COD/3C22.; COD/3D24.
Denmark	7 726	Analytical TAC.	
Germany	3 777	Article 3 of Regulation (EC) No 847/96 does not apply.	
Estonia	171	Article 4 of Regulation (EC) No 847/96 does not apply.	
Finland	152	Article 5(2) of Regulation (EC) No 847/96 applies.	
Latvia	639		
Lithuania	415		
Poland	2 067		
Sweden	2 753		
EC	17 700		
TAC	17 700		



Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	EC waters of Subdivisions 22-32 PLE/3B23.; PLE/3C22.; PLE/3D24.; PLE/3D25.; PLE/3D26.; PLE/3D27.; PLE/3D28.; PLE/3D29.; PLE/3D30.; PLE/3D31.; PLE/3D32.
Denmark	2 179	Precautionary TAC.	
Germany	242	Article 3 of Regulation (EC) No 847/96 applies.	
Poland	456	Article 4 of Regulation (EC) No 847/96 does not apply.	
Sweden	164	Article 5(2) of Regulation (EC) No 847/96 applies.	
EC	3 041		
TAC	3 041		

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	EC waters of Subdivisions 22-31 SAL/3B23.; SAL/3C22.; SAL/3D24.; SAL/3D25.; SAL/3D26.; SAL/3D27.; SAL/3D28.; SAL/3D29.; SAL/3D30.; SAL/3D31.
Denmark	54 556 (1)	Analytical TAC.	
Germany	6 070 (1)	Article 3 of Regulation (EC) No 847/96 does not apply.	
Estonia	5 545 (1)	Article 4 of Regulation (EC) No 847/96 does not apply.	
Finland	68 028 (1)	Article 5(2) of Regulation (EC) No 847/96 applies.	
Latvia	34 700 (1)		
Lithuania	4 079 (1)		
Poland	16 550 (1)		
Sweden	73 745 (1)		
EC	263 273 (1)		
TAC	Not relevant		

(1) Expressed by number of individual fish.

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	EC waters of Subdivision 32 SAL/3D32.
Estonia	1 581 (1)	Analytical TAC.	
Finland	13 838 (1)	Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply.	
EC	15 419 (1)	Article 5(2) of Regulation (EC) No 847/96 applies.	
TAC	Not relevant		

(1) Expressed by number of individual fish.

Species:	Sprat <i>Sprattus sprattus</i>	Zone: EC waters of Subdivisions 22-32 SPR/3B23.; SPR/3C22.; SPR/3D24.; SPR/3D25.; SPR/3D26.; SPR/3D27.; SPR/3D28.; SPR/3D29.; SPR/3D30.; SPR/3D31.; SPR/3D32.
Denmark	33 535	Analytical TAC.
Germany	21 245	Article 3 of Regulation (EC) No 847/96 does not apply.
Estonia	38 941	Article 4 of Regulation (EC) No 847/96 does not apply.
Finland	17 555	Article 5(2) of Regulation (EC) No 847/96 applies.
Latvia	47 032	
Lithuania	17 013	
Poland	99 810	
Sweden	64 829	
EC	339 960	
TAC	Not relevant	

## ANNEX II

### **Fishing effort limits**

1. For vessels flying their flag, Member States shall ensure that fishing with trawls, Danish seines or similar gear of a mesh size equal to or larger than 90 mm, with gillnets, entangling nets or trammel nets of a mesh size equal to or larger than 90 mm, with bottom set lines, longlines except drifting lines, handlines and jigging equipment shall be permitted for a maximum number of
  - (a) 181 days absent from port in subdivisions 22-24 with the exception of the period from 1 to 30 April when Article 8(1) (a) of Regulation (EC) No 1098/2007 applies, and
  - (b) 160 days absent from port in subdivisions 25–28 with the exception of the period from 1 July to 31 August when Article 8(1) (b) of Regulation (EC) No 1098/2007 applies.

**ANNEX III**  
**Transitional technical measures**

**Restrictions on fishing for flounder and turbot**

1. The retention on board of the following species of fish which are caught within the geographical areas and during the periods mentioned below shall be prohibited:

Species	Geographical area	Period
Flounder ( <i>Platichthys flesus</i> )	Subdivisions 26, 27, 28 and 29 south of 59°30'N	15 February to 15 May
	Subdivision 32	15 February to 31 May
Turbot ( <i>Psetta maxima</i> )	Subdivisions 25, 26 and 28 south of 56°50'N	1 June to 31 July

2. By way of derogation from point 1, when fishing with trawls, Danish seines and similar gears with a mesh size equal to or greater than 105 mm or with gillnets, entangling nets or trammel nets with a mesh size equal to or greater than 100 mm, by-catches of flounder and turbot may be retained on board and landed within a limit of 10 % by live weight of the total catch retained on board and landed during the periods of prohibition referred to in point 1.

[...]