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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2026) 5667 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards specific technical measures for red seabream (<i>Pagellus bogaraveo</i>) in ICES subareas 6 to 8

Delegations will find attached document C(2026) 5667 final.

Encl.: C(2026) 5667 final



EUROPEAN
COMMISSION

Brussels, 6.8.2026
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COMMISSION DELEGATED REGULATION (EU) .../...

of 6.8.2026

amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2019/1241¹ establishes a framework for technical measures concerning fishing activities in EU waters. According to Article 3(1) of that Regulation, that framework should contribute to achieving the objectives set out in Article 2 of Regulation (EU) No 1380/2013² on the Common Fisheries Policy, including to fish at maximum sustainable yield levels, reduce unwanted catches and eliminate discards, and contribute to the achievement of good environmental status in the marine environment as set out in Article 1(1) of Directive 2008/56/EC³.

Article 18(1) of Regulation (EU) No 1380/2013 provides that Member States with a direct management interest affected by an EU conservation measure may submit joint recommendations to comply with their obligations under EU environmental legislation and to achieve the objectives of multiannual plans, including Regulation (EU) 2019/472⁴ establishing a multiannual plan for the Western Waters, or discard plans adopted under those multiannual plans.

Article 15(2) of Regulation (EU) 2019/1241 empowers the Commission to adopt delegated acts, on the basis of such joint recommendations, to take into account regional specificities of the relevant fisheries, by amending, supplementing, repealing or derogating from the technical measures set out in the Annexes to that Regulation, subject to the conditions set out in Article 29 of that Regulation and Article 18 of Regulation (EU) No 1380/2013. In addition, Article 2(2) of Regulation (EU) 2019/1241 empowers the Commission to adopt delegated acts providing that certain technical measures, as referred to in Article 13 of that Regulation or parts A or C of Annexes V to X thereof, also apply to recreational fisheries.

This Regulation is based on proposals in a joint recommendation that aims to amend Annexes VI and VII of Regulation (EU) 2019/1241 as regards specific technical measures for red seabream (*Pagellus bogaraveo*) in International Council for the Exploration of the Sea (ICES) subareas 6 to 8 (Celtic Sea, Channel and Bay of Biscay), and that are to apply to commercial and recreational fisheries. The adoption of this Regulation therefore requires the use of two separate empowerments, provided for in Articles 2(2) and 15(2) of Regulation (EU)

¹ 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, 25.07.2019, p. 105, ELI: <http://data.europa.eu/eli/reg/2019/1241/oj>).

² Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22, ELI: <http://data.europa.eu/eli/reg/2013/1380/oj>).

³ Directive 2008/56/EC of the European Parliament and the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.06.2008, p. 19, ELI: <http://data.europa.eu/eli/dir/2008/56/oj>).

⁴ Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008 (OJ L 83, 25.3.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/472/oj>).

2019/1241, which in principle should be addressed by separate legislative acts. However, for all those measures, there is a substantive link between the empowerments and they may therefore be bundled, in accordance with point 31 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁵. Indeed, all those measures aim to contribute to the conservation of fishing resources in a particular region, they are proposed in the same joint recommendation submitted by the Member States with a direct management interest in the same region, and all aim at amending annexes of the same legislative act.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

On 3 July 2026, the South Western Waters Member States Regional Group (Belgium, Spain, France, the Netherlands and Portugal) and the North Western Waters Member States Regional Group (Belgium, Ireland, Spain, France, and the Netherlands) submitted a joint recommendation proposing to prolong until 31 December 2027 the measures that have, applied to red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8, concerning commercial and recreational fisheries, since July 2022. Commission Delegated Regulation (EU) 2023/56⁶ had amended Regulation (EU) 2019/1241 to include the said measures in Annexes VI and VII, while Commission Delegated Regulations (EU) 2024/491⁷, (EU) 2024/3204⁸, as amended by (EU) 2025/1726⁹, and (EU) 2025/2192¹⁰ extended those measures until 31 December 2024, 2025 and 2026 respectively. Those measures include: (i) a minimum conservation reference size (MCRS) for red seabream in ICES subareas 6 to 8; (ii) closures for vessels flying the French flag in those areas from 1 January until 30 June; and (iii) for commercial fisheries, a closure on a seasonal basis, and for recreational fisheries, a closure all year in specific geographical areas of ICES subarea 8.

Given that: (i) the measures in the joint recommendation of 3 July 2026 are the same as those that have applied to red seabream since July 2022, for which the STECF¹¹ concluded that they had the potential to reduce catches of red seabream, and therefore they contribute to achieving the objectives set out in Article 2 of Regulation (EU) No 1380/2013; (ii) data for that stock

⁵ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinsti/2016/512/oj).

⁶ Commission Delegated Regulation (EU) 2023/56 of 19 July 2022 amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8 (OJ L 5, 6.1.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/56/oj).

⁷ Commission Delegated Regulation (EU) 2024/491 of 30 November 2023 amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards the prolongation of specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8 (OJ L, 2024/491, 13.2.2024, ELI: http://data.europa.eu/eli/reg_del/2024/491/oj).

⁸ Commission Delegated Regulation (EU) 2024/3204 of 11 October 2024 amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards short-necked clam and red seabream (OJ L, 2024/3204, 31.12.2024, ELI: http://data.europa.eu/eli/reg_del/2024/3204/oj).

⁹ Commission Delegated Regulation (EU) 2025/1726 of 27 June 2025 amending Regulation (EU) 2019/1241 as regards the correction of the territorial scope of provisions concerning short-necked clam and red seabream (OJ L, 2025/1726, 30.10.2025, ELI: http://data.europa.eu/eli/reg_del/2025/1726/oj).

¹⁰ Commission Delegated Regulation (EU) 2025/2192 of 6 August 2025 amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8 (OJ L, 2025/2192, 29.10.2025, ELI: http://data.europa.eu/eli/reg_del/2025/2192/oj).

¹¹ <https://publications.jrc.ec.europa.eu/repository/handle/JRC126128>.

continues to be scarce and ICES has issued a zero-catch advice for 2027¹²; and (iii) the measures remain more stringent than the baseline measures that applied to red seabream in ICES subareas 6 to 8 before the adoption of Commission Delegated Regulation (EU) 2023/56, the Commission considers that the requirements set out in Article 15(4) of Regulation (EU) 2019/1241 are fulfilled.

The Expert Group on Fisheries and Aquaculture was consulted on 10 July 2026.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Summary of the action

The delegated act amends Annexes VI and VII of Regulation (EU) 2019/1241 by extending until 31 December 2027 the existing measures for red seabream.

Legal basis

Articles 2(2) and 15(2) of Regulation (EU) 2019/1241.

¹² ICES. 2026. Blackspot seabream (*Pagellus bogaraveo*) in subareas 6–8 (Celtic Seas, the English Channel, and Bay of Biscay), <https://doi.org/10.17895/ices.advice.30932393>

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THE EUROPEAN COMMISSION,

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

Having regard to 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 2187/2005¹, and in particular Article 2(2) and Article 15(2) thereof,

Whereas:

- (1) Regulation (EU) 2019/1241 lays down specific technical measures for Union waters. Annex VI thereto provides for regional technical measures in the North Western Waters and Annex VII in the South Western Waters.
- (2) Article 18(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council² provides that Member States having a direct management interest in Union conservation measures applying to a particular geographical region, may submit joint recommendations for achieving the objectives of those measures.
- (3) Belgium, Spain, France, the Netherlands and Portugal (the ‘South Western Waters Member States Regional Group’), and Belgium, Spain, France, Ireland and the Netherlands (the ‘North Western Waters Member States Regional Group’) have a direct fisheries management interest in the South Western and the North Western Waters respectively.
- (4) On 3 July 2026, the South Western Waters Member States Regional Group and the North Western Waters Member States Regional Group submitted a joint recommendation proposing to prolong until 31 December 2027 the measures that have applied since July 2022 to red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8, concerning commercial and recreational fisheries. The proposed measures include: (i) a minimum conservation reference size of 36 cm for red seabream for commercial fisheries in ICES subareas 6 to 8; (ii) a closure for vessels flying the French flag in those areas from 1 January until 30 June; and (iii) a closure on a seasonal basis for

¹ OJ L 198, 25.7.2019, p. 105, ELI: <http://data.europa.eu/eli/reg/2019/1241/oj>.

² Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22), ELI: <http://data.europa.eu/eli/reg/2013/1380/oj>

commercial fisheries and a closure all year for recreational fisheries in specific geographical areas of ICES subarea 8.

- (5) The Expert Group on Fisheries and Aquaculture was consulted on 10 July 2026.
- (6) The Scientific, Technical and Economic Committee for Fisheries ('STECF') in 2021 assessed the measures that have applied to red seabream since July 2022 and concluded that they have the potential to reduce catches of red seabream, and therefore they contribute to achieving the objectives set out in Article 2 of Regulation (EU) No 1380/2013.
- (7) Given, first, that STECF conclusion, second, that data for that stock continues to be scarce and ICES has issued a zero-catch advice for 2027, and, third, that the measures concerned are more stringent than the baseline measures that applied to red seabream in ICES subareas 6 to 8 before the adoption of the measures whose prolongation is sought, the Commission considers that the requirements set out in Article 15(4) of Regulation (EU) 2019/1241 are fulfilled.
- (8) The two empowerments provided for in Articles 2(2) and 15(2) of Regulation (EU) 2019/1241, respectively for recreational and commercial fisheries, and on which this Regulation is based, are, for all those measures, substantively linked, within the meaning of point 31 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³. Indeed, all those technical measures aim to contribute to the conservation of fishing resources in a particular region, they are all proposed in the same joint recommendation submitted by the Member States with a direct management interest in the same region, and all aim at amending annexes of the same legislative act.
- (9) As the measures provided for in this Regulation have a direct impact on the planning of the fishing season of Union vessels and on related economic activities, this Regulation should enter into force as soon as possible.
- (10) Since the measures to be prolonged expire on 31 December 2026, this Regulation should apply from 1 January 2027 in order to ensure legal continuity.
- (11) The measures introduced by this Regulation applicable to Union waters are in pursuit of the objectives set out in Article 494(1) and (2) 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 and have regard to the principles referred to in Article 494(3) of that Agreement. They are without prejudice to any measures applicable in waters of the United Kingdom of Great Britain and Northern Ireland.
- (12) Regulation (EU) 2019/1241 should therefore be amended accordingly,

³ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2016/512/oj).

⁴ 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 part (OJ L 149, 30.04.2021, p. 10, ELI: [http://data.europa.eu/eli/agree_international/2021/689\(1\)/oj](http://data.europa.eu/eli/agree_international/2021/689(1)/oj)).

HAS ADOPTED THIS REGULATION:

Article 1

Technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8

Annexes VI and VII to Regulation (EU) 2019/1241 are amended in accordance with the Annex to this Regulation.

Article 2

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 2027 until 31 December 2027.

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

Done at Brussels, 6.8.2026

For the Commission

The President

Ursula VON DER LEYEN