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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a COUNCIL REGULATION fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2024 and amending Regulation (EU) 2023/194 as regards certain fishing opportunities in other waters

Delegations will find attached a consolidated version of the above mentioned Proposal.

Delegations are kindly asked to verify this consolidated version which includes the information provided in the form of non-papers.

From this moment onwards, further comments should refer to this consolidated version.

N.B. For technical reasons, this document contains no track changes.

Proposal for a

COUNCIL REGULATION

fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2024 and amending Regulation (EU) 2023/194 as regards certain fishing opportunities in other waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council¹ requires the adoption of conservation measures taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF) and other advisory bodies, and any advice received from advisory councils.
- (2) The Council is to adopt measures on the fixing and allocation of fishing opportunities, including certain conditions functionally linked to these fishing opportunities, as appropriate. Under Article 16(4) of Regulation (EU) No 1380/2013, fishing opportunities are to be fixed in accordance with the objectives of the common fisheries policy (CFP) as set out in Article 2(2) of that Regulation. Under Article 16(1) of Regulation (EU) No 1380/2013, fishing opportunities are to be allocated among Member States in such a way as to ensure the relative stability of fishing activities of each Member State for each stock or fishery.
- (3) The total allowable catches (TACs) should therefore be established, in accordance with Regulation (EU) No 1380/2013, on the basis of the available scientific advice, taking into account biological and socioeconomic implications while ensuring fair treatment between fishing sectors and taking into account the opinions expressed during consultations with stakeholders.

¹ 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).

- (4) Regulation (EU) 2016/1139 of the European Parliament and of the Council² establishes a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and for the fisheries exploiting those stocks. That plan aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels that can produce the maximum sustainable yield (MSY). Regulation (EU) No 1380/2013 provides that, for stocks subject to specific multiannual plans, the fishing opportunities are to be fixed in accordance with the rules laid down in those multiannual plans.
- (5) In accordance with Article 4(1) of Regulation (EU) 2016/1139, the fishing opportunities for stocks listed in Article 1 of that Regulation are to be fixed to achieve fishing mortality at MSY, expressed in ranges, as soon as possible and, on a progressive, incremental basis, at the latest by 2020. The catch limits applicable in 2024 to the relevant stocks in the Baltic Sea should therefore be established in line with the rules and objectives of the multiannual plan established by that Regulation.
- (6) The International Council for the Exploration of the Sea ('ICES') published its annual stock advice for Baltic stocks on 31 May 2023³.
- (7) There are certain stocks covered by Regulation (EU) 2016/1139 for which ICES either advises for zero catches or estimates that achieving a probability of the biomass falling below Blim of less than 5% would not even be achieved with zero catches. However, if TACs were established at the advised levels, the obligation to land all catches, including by-catches from those stocks in mixed fisheries, would give rise to the phenomenon of 'choke species'. 'Choke species' is a species with a lack of quota that can cause one or more fishing vessels to stop fishing even if they still have quota for other species. It is therefore appropriate to establish specific TACs for by-catches for those stocks in order to strike a balance between maintaining fisheries, in view of the potentially severe socio-economic implications of failing to do so, and the need to achieve a good biological status for those stocks, taking account of the difficulty of fishing all stocks in a mixed fishery at MSY. Those by-catch TACs should be set at levels that ensure that the mortality for those stocks is decreased, provide incentives to improve selectivity and avoid by-catches of those stocks. In order to reduce catches of the stocks for which by-catch TACs are set, fishing opportunities for the fisheries in which fish from those stocks are caught should be set at levels that help the biomass of vulnerable stocks to recover to sustainable levels.
- (7a) According to ICES, the vast majority of the fisheries in the Baltic Sea have at least some degree of mixing between species⁴. This mixing concerns species managed by an EU TAC and species not managed by an EU-TAC alike. The most important degree of mixing occurs between pelagic species and demersal species. For 2024, ICES advises zero catches of western Baltic herring, eastern Baltic cod and main basin salmon. Moreover, ICES estimates that achieving a probability of the biomass falling below Blim of less than 5% is not possible for Bothnian herring and central Baltic herring. Finally, the ICES precautionary advice for western Baltic cod is extremely low. Therefore, if the TACs for these stocks were established at the levels advised by ICES, this would result in vessels fishing notably for plaice and sprat to cease fishing in 2024. Based on EUMOFA data, the first-sale value of the plaice and sprat fisheries that is allowed to be caught within the limits of the proposed TACs

² Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (OJ L 191, 15.7.2016, p. 1).

³ <https://doi.org/10.17895/ices.pub.c.6398177>

⁴ ICES Fisheries Overviews, Baltic Sea ecoregion <https://doi.org/10.17895/ices.advice.21646934>

is estimated at EUR 24.5 million and 38.4 million respectively⁵. Many fisheries, notably small-scale coastal fisheries, for species not managed by an EU TAC, notably other flatfish species, would also need to stop fishing in 2024. It is therefore appropriate to establish a TAC for by-catches of the “choke species” Bothnian herring, western Baltic herring, central Baltic herring, eastern Baltic cod, western Baltic cod, and main basin salmon under certain conditions.

- (8) As regards the eastern Baltic cod stock, ICES estimates that the biomass of the eastern Baltic cod stock continues to be below the limit reference point for the spawning stock biomass below which it is possible that reproductive capacity might be reduced (B_{lim}) and has hardly increased compared to 2022. ICES therefore advises for the fifth consecutive year not to catch any eastern Baltic cod⁶. In these circumstances, it is appropriate, pursuant to Article 16(4) of Regulation (EU) 1380/2013, to maintain the targeted fisheries closed and the functionally linked remedial measures while discontinuing the exception for sorted herring fisheries for human consumption from the spawning closure period, given that the targeted fishery for central herring will be closed. The fishing opportunities for unavoidable by-catches should be set at a low level while avoiding the phenomenon of ‘choke species’.
- (9) As regards the western Baltic cod stock, due to continued uncertainties in the advice, ICES has downgraded its advice⁷ to precautionary advice. It appears now that the stock has been below B_{lim} for most of the past 15 years and was at a historic low in 2022. The precautionary catch advice is extremely low. In these circumstances, it is appropriate, in accordance with Article 16(4) of Regulation (EU) 1380/2013, to maintain the targeted fisheries closed and the functionally linked remedial measures while discontinuing the exception for sorted herring fisheries for human consumption given that the targeted fishery for central herring will be closed. Furthermore, it is appropriate to discontinue any recreational fishery. The fishing opportunities for unavoidable by-catches should be set at a low level while avoiding the phenomenon of ‘choke species’.
- (10) As regards salmon in ICES subdivisions 22 to 31, ICES maintained its zero-catch advice, limited the possibility of continued targeted coastal summer fisheries to ICES subdivision 31 and reduced its catch advice accordingly⁸. In these circumstances, it is appropriate, pursuant to Article 16(4) of Regulation (EU) 1380/2013, to adjust the fishing area and the level of fishing opportunities in line with the ICES advice, and to maintain their functionally linked remedial measures.
- (11) In order to ensure the full use of coastal fishing opportunities in ICES subdivision 32, a limited interarea flexibility for salmon between ICES subdivisions 22 to 31 and ICES subdivision 32 was introduced in 2019⁹. Given the changes of the fishing opportunities for those two stocks, it is appropriate to maintain that flexibility.

⁵ Based on European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) data on first sale price and landings amount, averaged for the years 2019-2021 for specific Member States, then converted into a first sale price and finally multiplied by the quota allocated for 2024 to a Member State.

First sale price is the price of landed fish that is sold or registered at an auction centre to registered buyers or to producer organisations. Therefore, the estimated value based on first sale price indicates value only at the first step of the value chain.

⁶ <https://doi.org/10.17895/ices.advice.21820497>

⁷ <https://doi.org/10.17895/ices.advice.21820494>

⁸ <https://doi.org/10.17895/ices.advice.21820596>

⁹ <https://doi.org/10.17895/ices.advice.21820602>

- (12) Prohibiting fishing for sea trout beyond four nautical miles measured from the baselines and limiting bycatches of sea trout to 3 % of the combined catch of sea trout and salmon has contributed to substantially reducing previously significant misreporting of catches in the salmon fishery, in particular as sea trout catches. It is therefore appropriate to maintain the existing restrictions to maintain a low level of misreporting.
- (13) Measures on recreational fisheries of cod and salmon and measures for the conservation of sea trout and salmon stocks should be without prejudice to more stringent national measures under Articles 19 and 20 of Regulation (EU) 1380/2013.
- (14) As regards herring in the Gulf of Bothnia, ICES downsized the stock's biomass which is now below the reference point below which specific and appropriate management action is to be taken (B_{trigger})¹⁰. Furthermore, ICES states that, even with no catches, the probability for the stock to fall below B_{lim} in 2025 is 9 %. In those circumstances, it is appropriate to close the targeted fisheries pursuant to Article 4(6) of Regulation (EU) 2016/1139 and to set the fishing opportunities for unavoidable by-catches at a low level while avoiding the phenomenon of 'choke species'.
- (15) As regards western Baltic herring, ICES estimates that while the biomass of the stock has increased, it is only 71 % of B_{lim} .¹¹ Furthermore, recruitment remains at historically low levels and the biomass is not expected to recover above B_{lim} in 2025. ICES therefore advises for the sixth consecutive year not to catch any western Baltic herring. In those circumstances, it is appropriate, pursuant to Article 4(6) of Regulation (EU) 2016/1139, to maintain the targeted fisheries closed and to discontinue the exception for small-scale fishers. The fishing opportunities for unavoidable by-catches should be set at a low level while avoiding the phenomenon of 'choke species'.
- (16) As regards central Baltic herring, ICES now estimates that the stock has been below B_{lim} most of the last 30 years, including in recent years¹². Furthermore, even with no catches, the probability for the stock to stay below B_{lim} in 2025 is 22 %. In those circumstances, it is appropriate to close the targeted fisheries pursuant to Article 4(6) of Regulation (EU) 2016/1139 and to set the fishing opportunities for unavoidable by-catches at a low level while avoiding the phenomenon of 'choke species'.
- (17) As regards herring in the Gulf of Riga, ICES estimates that the biomass is above B_{trigger} and the fishing pressure at F_{MSY} ¹³. ICES also estimates that this stock mixes with central Baltic herring. Based on ICES' estimates, this mixing was previously taken into account when setting the respective fishing opportunities. However, given the status of the central Baltic herring stock, the amount of central Baltic herring migrating into the Gulf of Riga should not be added to the TAC for herring in the Gulf of Riga for 2024. In those circumstances, it is appropriate to set the fishing opportunities in the upper range so as to limit the year-to-year variations to no more than 20 % pursuant to Article 4(5), point (c), of Regulation (EU) 2016/1139.

¹⁰ <https://doi.org/10.17895/ices.advice.21820521>

¹¹ <https://doi.org/10.17895/ices.advice.21907944>

¹² <https://doi.org/10.17895/ices.advice.23310368>

¹³ <https://doi.org/10.17895/ices.advice.21820512>

- (18) As regards plaice, ICES estimates that cod is bycaught in the plaice fisheries¹⁴. It is therefore appropriate to fix the fishing opportunities for plaice accordingly pursuant to Article 4(4) of Regulation (EU) 2016/1139.
- (19) As regards sprat, ICES estimates that while the biomass is above $B_{trigger}$, there has been no strong recruitment since 2014¹⁵. Moreover, ICES estimates that recruitment in 2021 and 2022 was historically low. Furthermore, the sprat fisheries are often mixed fisheries together with herring. It is therefore appropriate to fix the fishing opportunities for sprat accordingly pursuant to Article 4(3) of Regulation (EU) 2016/1139.
- (20) The use of the fishing opportunities set out in this Regulation is subject to Council Regulation (EC) No 1224/2009¹⁶ and in particular Article 33 thereof on the recording of catches and fishing effort and Article 34 thereof on the transmission of data on the exhaustion of fishing opportunities to the Commission. This Regulation should therefore specify the codes relating to landings of stocks subject to this Regulation that Member States are to use when sending data to the Commission.
- (21) Council Regulation (EC) No 847/96¹⁷ lays down additional conditions for the year-to-year management of TACs, including, under its Articles 3 and 4, flexibility provisions for stocks subject to precautionary and analytical TACs. Under Article 2 of that Regulation, when fixing the TACs, the Council is to decide to which stocks Articles 3 and 4 are not to apply, in particular on the basis of the biological status of the stocks. Article 15(9) of Regulation (EU) No 1380/2013 also lays down a year-to-year flexibility mechanism for all stocks that are subject to the landing obligation. Therefore, to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of living marine biological resources, hinder the achievement of the objectives of the Common Fisheries Policy and cause the biological status of stocks to deteriorate, it should be made explicit that Articles 3(2), 3(3) and 4 of Regulation (EC) No 847/96 apply to analytical TACs only where the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 is not used.
- (22) The biomass of the eastern Baltic cod, western Baltic cod, western Baltic herring and central Baltic herring stocks is below B_{lim} . The biomass of the stock of Bothnian herring is below $B_{trigger}$ and expected to come very close to B_{lim} in 2024. For all these stocks only by-catch and scientific fisheries are permitted in 2024. Therefore, and given the relatively low resilience of the Baltic Sea ecosystem, the Member States having a quota share of the relevant TACs have undertaken not to apply the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 to those stocks in 2024 so that catches in 2024 do not exceed the relevant TACs. Furthermore, in ICES subdivisions 22-30, the biomass of almost all salmon river stocks is below the limit reference point for smolt production (R_{lim}) and only by-catch and scientific fisheries are permitted in 2024. The

¹⁴ <https://doi.org/10.17895/ices.advice.21820533> and <https://doi.org/10.17895/ices.advice.21820539>

¹⁵ <https://doi.org/10.17895/ices.advice.21820581>

¹⁶ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union 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).

¹⁷ Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

relevant Member States have therefore undertaken a similar commitment regarding year-to-year flexibility in relation to main-basin salmon catches in 2024.

- (23) [*placeholder for “Norway pout”* - Council Regulation (EU) 2023/194¹⁸ fixes fishing opportunities for Norway pout until 31 October 2023 in ICES division 3a, United Kingdom and Union waters of subarea 4, and United Kingdom waters of 2a. The fishing period for Norway pout is from 1 November to 31 October. To enable the start of the fishery on 1 November 2023, and based on new scientific advice and following consultations with the United Kingdom, it is necessary to fix a provisional TAC for Norway pout in ICES division 3a, United Kingdom and Union waters of subarea 4, and United Kingdom waters of ICES division 2a from 1 November 2023 to 31 December 2023. This provisional TAC should be fixed in line with ICES advice published on 9 October 2023¹⁹.]
- (24) Regulation (EU) 2023/194 fixes fishing opportunities for haddock in ICES subarea 4, division 6a and division 3a (North Sea, West of Scotland, Skagerrak) for 2023, based on the outcome of fisheries consultations between the Union, Norway and the United Kingdom for 2024, as documented in the Agreed Record, signed on 9 December 2022²⁰. In order to guarantee the full use of fishing opportunities, it is appropriate to allow for the implementation of a flexible arrangement between some of the TAC areas where the same biological stock is concerned. It is thus appropriate to introduce an inter-area flexibility of Member States’ quotas for haddock of up to 10% from the North Sea to Union waters of the Skagerrak-Kattegat.
- (25) Regulation (EU) 2023/194 should therefore be amended accordingly.
- (26) To avoid the interruption of fishing activities, the provisions of this Regulation relating to the Baltic Sea should apply from 1 January 2024. However, this Regulation should apply to Norway pout in ICES division 3a, United Kingdom and Union waters of ICES subarea 4 and United Kingdom waters of ICES division 2a from 1 November 2023 until 31 October 2024 as that is the fishing season of Norway pout. For reasons of urgency, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation fixes the fishing opportunities for certain fish stocks and groups of fish stocks in the Baltic Sea for 2024 and amends certain fishing opportunities in other waters fixed by Regulation (EU) 2023/194.

¹⁸ Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

¹⁹ [*Placeholder for ICES advice due to be published on 9 October 2023*].

²⁰ https://oceans-and-fisheries.ec.europa.eu/system/files/2022-12/2023-eu-no-uk-fisheries-consultations_en.pdf

Article 2

Scope

1. This Regulation applies to Union fishing vessels operating in the Baltic Sea.
2. It also applies to recreational fisheries where they are expressly referred to in the relevant provisions.

Article 3

Definitions

For the purposes of this Regulation, the definitions laid down in Article 4 of Regulation (EU) No 1380/2013 apply.

In addition, the following definitions apply:

- (1) ‘subdivision’ means an International Council for the Exploration of the Sea (ICES) subdivision of the Baltic Sea as defined in Annex III to Regulation (EC) No 218/2009 of the European Parliament and of the Council²¹;
- (2) ‘total allowable catch (TAC)’ means:
 - (a) in fisheries subject to the exemption from the landing obligation referred to in Article 15(4) to (7) of Regulation (EU) No 1380/2013, the quantity of fish that may be landed from each stock each year;
 - (b) in all other fisheries, the quantity of fish that may be caught from each stock each year;
- (3) ‘quota’ means a proportion of the TAC allocated to the Union, a Member State or a third country;
- (4) ‘recreational fisheries’ means non-commercial fishing activities exploiting marine biological resources such as for recreation, tourism or sport;
- (5) ‘analytical assessment’ means a quantitative evaluation of trends in a given stock, based on data about the stock’s biology and exploitation, including based on proxies, which scientific review has indicated to be of sufficient quality to provide scientific advice;
- (6) ‘analytical TAC’ means a TAC for which an analytical assessment is available;
- (7) ‘precautionary TAC’ means a TAC for which an analytical assessment is not available, and rather an assessment based on the precautionary approach is available or no assessment is available.

²¹ Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 87, 31.3.2009, p. 70).

CHAPTER II

FISHING OPPORTUNITIES

Article 4 **TACs and allocations**

The TACs, quotas and, where appropriate, measures functionally linked thereto, are set out in the Annex.

Article 5 **Special provisions on allocation of fishing opportunities**

1. The allocation of fishing opportunities among Member States set out in this Regulation shall be without prejudice to:
 - (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
 - (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
 - (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96 and under Article 15(9) of Regulation (EU) No 1380/2013;
 - (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 and transferred under Article 15(9) of Regulation (EU) No 1380/2013;
 - (e) deductions made pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009.
2. Stocks subject to precautionary or analytical TACs for the purposes of the year-to-year management of TACs and quotas provided for in Regulation (EC) No 847/96 are identified in the Annex to this Regulation.
3. Except where otherwise specified in the Annex to this Regulation, Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to a precautionary TAC, and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to an analytical TAC.
4. Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

Article 6

Conditions for landing of catches and by-catches

For the purposes of the derogation from the obligation to count catches against the relevant quotas, as provided for in Article 15(8) of Regulation (EU) No 1380/2013, the stocks of non-target species within safe biological limits referred to in that Article are identified in the Annex to this Regulation.

Article 7

Closures to protect cod spawning

1. It shall be prohibited to fish with any type of fishing gear in subdivisions 25 and 26 from 1 May to 31 August.
2. The prohibition laid down in paragraph 1 shall not apply in the following cases:
 - (a) fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in accordance with the conditions set out in Article 25 of Regulation (EU) 2019/1241;
 - (b) Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, drifting lines, handlines and jigging equipment or similar passive gear, in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities.
3. It shall be prohibited to fish with any type of fishing gear in subdivisions 22 and 23 from 15 January to 31 March and in subdivision 24 from 15 May to 15 August.
4. The prohibition laid down in paragraph 3 shall not apply in the following cases:
 - (a) fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in accordance with the conditions set out in Article 25 of Regulation (EU) 2019/1241;
 - (b) Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, drifting lines, handlines and jigging equipment or similar passive gear, in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities;
 - (c) Union fishing vessels that fish with dredges for bivalve molluscs in subdivision 22, in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities.
5. Masters of Union fishing vessels referred to in paragraph 2, point (b), and paragraph 4, points (b) and (c) shall ensure that their fishing activity can be monitored at any time by the control authorities of the competent Member State.

Article 8

Measures on recreational fisheries of cod in subdivisions 22 to 26

Recreational fisheries of cod shall be prohibited in subdivisions 22 to 26.

Article 9

Measures on recreational fisheries of salmon in subdivisions 22 to 31

1. Recreational fisheries of salmon shall be prohibited in subdivisions 22 to 31. Any specimen of salmon accidentally caught shall be immediately released back into the sea.
2. By way of derogation from paragraph 1, recreational fisheries of salmon shall be allowed under the following cumulative conditions:
 - (a) no more than one specimen of adipose fin-clipped salmon may be caught and retained per recreational fisher per day;
 - (b) after catching the first adipose fin-clipped salmon, the recreational fisher shall stop the fishing of salmon for the remainder of the day;
 - (c) all specimens of any fish species retained shall be landed whole.
3. By way of further derogation from paragraph 1, recreational fisheries of salmon shall be allowed in subdivision 31 from 1 May to 31 August in areas within four nautical miles measured from the baselines.
4. This Article is without prejudice to more stringent national measures under Articles 19 and 20 of Regulation (EU) No 1380/2013.

Article 10

Measures for the conservation of the sea trout and salmon stocks in subdivisions 22 to 32

1. Union fishing vessels shall not fish for sea trout beyond four nautical miles measured from the baselines in subdivisions 22 to 32. When fishing for salmon beyond four nautical miles measured from the baselines in subdivision 32, by-catches of sea trout shall not exceed 3 % of the total catch of salmon and sea trout on board at any moment or landed after each fishing trip.
2. Fishing with longlines for sea trout or salmon beyond four nautical miles measured from the baselines in subdivisions 22 to 31 shall be prohibited.
3. This Article is without prejudice to more stringent national measures under Articles 19 and 20 of Regulation (EU) No 1380/2013.

Article 11
Data transmission

When Member States send data relating to quantities of stocks caught or landed to the Commission pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the stock codes set out in the Annex to this Regulation.

CHAPTER III
FINAL PROVISIONS

Article 12
Amendment to Regulation (EU) 2023/194

Regulation (EU) 2023/194 is amended as follows:

- (1) In Annex IA, Part B, the fishing opportunities table for Norway pout (*Trisopterus esmarkii*) in ICES division 3a, United Kingdom and Union waters of ICES subarea 4 and United Kingdom waters of ICES division 2a is replaced by the following:

Species:	Norway pout and associated by-catches				Zone:	3a; United Kingdom and Union waters of 4; United Kingdom waters of 2a (NOP/2A3A4.)
	<i>Trisopterus esmarkii</i>					
Year	2023			2024		
					Analytical TAC	
Denmark	46 929	⁽¹⁾ ⁽³⁾	<i>pro memoria (pm)</i>	⁽¹⁾ ⁽⁶⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply	
Germany	9	⁽¹⁾ ⁽²⁾ ⁽³⁾		pm	⁽¹⁾ ⁽²⁾ ⁽⁶⁾	Article 4 of Regulation (EC) No 847/96 does not apply
Netherlands	35	⁽¹⁾ ⁽²⁾ ⁽³⁾		pm	⁽¹⁾ ⁽²⁾ ⁽⁶⁾	
Union	46 973	⁽¹⁾ ⁽³⁾		pm	⁽¹⁾ ⁽⁶⁾	
United Kingdom	11 439	⁽²⁾ ⁽³⁾		pm	⁽²⁾ ⁽⁶⁾	
Norway	0	⁽⁴⁾		pm	⁽⁴⁾	
Faroe Islands	0	⁽⁵⁾		pm	⁽⁵⁾	
TAC	58 412					

⁽¹⁾ Up to 5% of the quota may consist of by-catches of haddock and whiting (OT2/*2A3A4). By-catches of haddock and 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.

- (2) Quota may only be fished in United Kingdom and Union waters of 2a, 3a and 4.
- (3) May only be fished from 1 November 2022 to 31 October 2023.
- (4) A sorting grid shall be used.
- (5) A sorting grid shall be used. Includes a maximum of 15% of unavoidable by-catches (NOP/*2A3A4), to be counted against this quota.
- (6) May be fished from 1 November 2023 to 31 October 2024.

’;

- (2) In Annex IA, Part B, the fishing opportunities table for haddock (*Melanogrammus aeglefinus*) in ICES Subarea 4 and United Kingdom waters ICES Division 2a is replaced by the following:

Species: Haddock <i>Melanogrammus aeglefinus</i>	Zone: 4; United Kingdom waters of 2a (HAD/2AC4.)	
Belgium	363 (1)(2)	Analytical TAC
Denmark	2 495 (1)(2)	Article 8(2) of this Regulation applies
Germany	1 588 (1)(2)	
France	2 768 (1)(2)	
Netherlands	272 (1)(2)	
Sweden	223 (1)(2)	
Union	7 709 (1)(2)	
Norway	13 432 (3)	
United Kingdom	37 261	
TAC	58 402	

(1) Special condition: of which up to 10 % may be fished in United Kingdom, Union and international waters of 6a north of 58°30'N (HAD/*6AN58).

(2) Special condition: of which up to 10 % may be fished in Union waters of 3a (HAD/*03A-C)

(3) Of which 11 182 tonnes may be taken in Union waters (HAD/*04-EU). Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zones:

Article 13

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 to 31 December 2024.

By way of derogation from the second paragraph:

- (a) Article 12, point (1), shall apply from 1 November 2023 until 31 October 2024;
- (b) [placeholder].

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

Done at Brussels,

For the Council
The President

ANNEX

TACs APPLICABLE TO UNION FISHING VESSELS IN AREAS WHERE TACs 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 and measures functionally linked thereto.

The references to fishing zones are references to ICES zones.

Fish stocks are referred to according to the alphabetical order of the scientific names of the species.

For the purposes of this Regulation, the following comparative table of scientific names and common names is provided:

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

Table 1

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 30-31 (HER/30/31.)
Finland	820 ⁽¹⁾	Analytical TAC	
Sweden	180 ⁽¹⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply.	
Union	1 000 ⁽¹⁾	Article 4 of Regulation (EC) No 847/96 does not apply.	
TAC	1 000 ⁽¹⁾		

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to herring provided that those investigations are carried out in compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

Table 2

Species: Herring <i>Clupea harengus</i>		Zone: Subdivisions 22-24 (HER/3BC+24)
Denmark	55 ⁽¹⁾	Analytical TAC
Germany	218 ⁽¹⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply.
Finland	0 ⁽¹⁾	Article 4 of Regulation (EC) No 847/96 does not apply.
Poland	51 ⁽¹⁾	
Sweden	70 ⁽¹⁾	
Union	394 ⁽¹⁾	
TAC	394 ⁽¹⁾	

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to herring provided that those investigations are carried out in compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

Table 3

Species: Herring <i>Clupea harengus</i>		Zone: Union waters of subdivisions 25-27, 28.2, 29 and 32 (HER/3D-R30)
Denmark	628 ⁽¹⁾	Analytical TAC
Germany	167 ⁽¹⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply.
Estonia	3 208 ⁽¹⁾	Article 4 of Regulation (EC) No 847/96 does not apply.

Finland	6 261	⁽¹⁾
Latvia	792	⁽¹⁾
Lithuania	833	⁽¹⁾
Poland	7113	⁽¹⁾
Sweden	9 548	⁽¹⁾
Union	28 550	⁽¹⁾
TAC	Not relevant	

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to herring provided that those investigations are carried out in compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

Table 4

Species: Herring <i>Clupea harengus</i>		Zone: Subdivision 28.1 (HER/03D.RG)
Estonia	16 862	Analytical TAC
Latvia	19 652	Article 6 of this Regulation applies.
Union	36 514	
TAC	36 514	

Table 5

Species: Cod <i>Gadus morhua</i>		Zone: Union waters of subdivisions 25-32 (COD/3DX32.)
Denmark	137	⁽¹⁾ Precautionary TAC
Germany	54	⁽¹⁾ Article 3 of Regulation (EC) No 847/96 does not apply.

Estonia	13	(¹)
Finland	10	(¹)
Latvia	51	(¹)
Lithuania	33	(¹)
Poland	159	(¹)
Sweden	138	(¹)
Union	595	(¹)
TAC	Not relevant	(¹)

(¹) Exclusively for by-catches. No directed fisheries are permitted under this quota.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

Table 6

Species:	Cod	Zone:	Subdivisions 22-24
	<i>Gadus morhua</i>		(COD/3BC+24)
Denmark	60	(¹)	Precautionary TAC
Germany	29	(¹)	Article 3 of Regulation (EC) No 847/96 does not apply.
Estonia	1	(¹)	
Finland	1	(¹)	
Latvia	5	(¹)	
Lithuania	3	(¹)	
Poland	16	(¹)	
Sweden	21	(¹)	
Union	136	(¹)	
TAC	136	(¹)	

(¹) Exclusively for by-catches. No directed fisheries are permitted under this quota.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in

Table 7

Species: Plaice <i>Pleuronectes platessa</i>		Zone: Union waters of subdivisions 22-32 (PLE/3BCD-C)
Denmark	8 105	Analytical TAC
Germany	900	Article 6 of this Regulation applies.
Poland	1 697	
Sweden	611	
Union	11 313	
TAC	11 313	

Table 8

Species: Atlantic salmon <i>Salmo salar</i>		Zone: Union waters of subdivisions 22-31 (SAL/3BCD-F)
Denmark	11 183 ⁽¹⁾⁽²⁾	Analytical TAC
Germany	1 244 ⁽¹⁾⁽²⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply.
Estonia	1 137 ⁽¹⁾⁽²⁾⁽³⁾	Article 4 of Regulation (EC) No 847/96 does not apply.
Finland	13 945 ⁽¹⁾⁽²⁾	
Latvia	7 113 ⁽¹⁾⁽²⁾	
Lithuania	836 ⁽¹⁾⁽²⁾	
Poland	3 393 ⁽¹⁾⁽²⁾	
Sweden	15 116 ⁽¹⁾⁽²⁾	
Union	53 967 ⁽¹⁾⁽²⁾	
TAC	Not relevant	

- (1) Expressed by number of individual fish.
- (2) Exclusively for by-catches. No directed fisheries are permitted under this quota.
- By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to Atlantic salmon provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.
- By way of derogation from the first paragraph, fishing this quota is permitted for Union fishing vessels in ICES subdivision 31 in areas within four nautical miles measured from the baselines during the period from 1 May to 31 August.
- (3) Special condition: no more than 450 specimens of this quota may be fished in Union waters of subdivision 32 (SAL/*3D32).

Table 9

Species: Atlantic salmon <i>Salmo salar</i>	Zone: Union waters of subdivision 32 (SAL/3D32.)
Estonia	1 040 ⁽¹⁾ Precautionary TAC
Finland	9 104 ⁽¹⁾
Union	10 144 ⁽¹⁾
TAC	Not relevant
(1) Expressed by number of individual fish.	

Table 10

Species: Sprat <i>Sprattus sprattus</i>	Zone: Union waters of subdivisions 22-32 (SPR/3BCD-C)
Denmark	16 948 Analytical TAC
Germany	10 737 Article 6 of this Regulation applies.
Estonia	19 681
Finland	8 872
Latvia	23 770

Lithuania	8 598
Poland	50 445
Sweden	32 764
Union	171 815
TAC	Not relevant
