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**NOTE**

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 11955/21 + ADD 1 – COM(2021) 548 final
Subject:	Proposal for a Council Regulation fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas

Delegations will find attached the consolidated text of the above-mentioned proposal following the political agreement reached at the Agriculture and Fisheries Council on 14 December 2021. This text will be finalised by the lawyer-linguists for adoption in January 2022.

Any comments related to factual errors should be transmitted to the Council Secretariat to the following e-mail addresses: [life.fisheries@consilium.europa.eu](mailto:life.fisheries@consilium.europa.eu) by 7 January 2021 cob.

Proposal for a

## **COUNCIL REGULATION**

**fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas**

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) Article 6 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>1</sup> requires that conservation measures be adopted 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), as well as advice received from Advisory Councils established for the relevant geographical areas or fields of competence and joint recommendations made by Member States.
- (2) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities, including, certain conditions functionally linked thereto, as appropriate. Article 16(1) of Regulation (EU) No 1380/2013 provides that fishing opportunities should be allocated to Member States in such a way as to ensure the relative stability of fishing activities of each Member State for each fish stock or fishery.
- (3) Article 2 of Regulation (EU) No 1380/2013 provides that the objective of the CFP is to achieve the maximum sustainable yield ('MSY') exploitation rate by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.
- (4) 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 socio-economic aspects whilst ensuring fair treatment between fishing sectors, as well as in having regard to the opinions expressed during the consultation with stakeholders.

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<sup>1</sup> 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).

- (5) Article 16(4) of Regulation (EU) No 1380/2013 provides that for stocks subject to specific multiannual plans, the fishing opportunities are to be established in accordance with the rules laid down in those plans.
- (6) The Multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea was established by Regulation (EU) 2019/1022 of the European Parliament and of the Council<sup>2</sup> and entered into force on 16 July 2019 ('the plan'). The plan aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the MSY.
- (7 new) In accordance with Article 4(1) of Regulation (EU) 2019/1022, fishing opportunities for stocks listed in Article 1 of that Regulation should be fixed to achieve fishing mortality at maximum sustainable yield on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest. Fishing opportunities should be expressed as maximum allowable fishing effort for trawlers and longliners fixed in accordance with the fishing effort regime laid down in Article 7 of Regulation (EU) 2019/1022 as well as maximum catch limits for blue and red shrimp (*Aristeus antennatus*) and giant red shrimp (*Aristaeomorpha foliacea*) fixed in accordance with scientific advice.
- (8 new) STECF advised that, in order to attain the MSY targets for the western Mediterranean fish stocks, further urgent actions are needed and significant reductions of fishing mortality are necessary for trawlers. For 2022, the maximum allowable fishing effort of trawlers, in accordance with Article 7(3)b of the western Mediterranean multiannual management plan, should therefore be reduced by 6% compared to the 2015-2017 baseline, to be deducted from the maximum allowable fishing effort set for 2021 by Council Regulation (EU) 2021/90 and the additional effort reduction established at the level of Italian authorities.
- (8a new) STECF advised that, in order to attain the MSY targets for the western Mediterranean fish stocks, further urgent actions are needed, notably to manage the fishing mortality for the demersal longliners. For 2022, it is necessary to establish a the maximum allowable fishing effort of longliners, in accordance with Article 7(5) of the Western Mediterranean Multiannual Management Plan, based on the fishing effort expressed as number of fishing days between 1 January 2015 and 31 December 2017. This maximum allowable fishing effort for longliners should not prejudice the maximum allowable fishing effort to be established for 2023.
- (8b new) In 2020, STECF advised that the fishing mortality of blue and red shrimp in GSAs 1-5-6-7 and GSAs 8-9-10-11 would need to decrease significantly to achieve MSY by 2025 at the latest. The GFCM Scientific Advisory Committee on Fisheries (SAC) also issued the same advice for fishing mortality of blue and red shrimp in GSA 2. Moreover, STECF estimated that the biomass of blue and red shrimp was declining. In 2021, STECF advised that the fishing mortality of this species has not changed and further management measures are thus required. Given the scientific advice and the unchanged stocks situation, in accordance with Article 7(3)(b) of the Western Mediterranean Multiannual Management Plan, it is appropriate to complement the effort regime with maximum catch limits and establish a specific maximum catch limit for blue and red shrimp in GSAs 1-2-5-6-7 and a maximum catch limit for blue and red shrimp in GSAs 8-9-10-11.

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<sup>2</sup> Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1).

- (8c new) In 2020, STECF advised that the biomass of giant red shrimp in GSAs 8-9-10-11 was declining. In 2021, STECF advised that the fishing mortality of this species has not changed and that the biomass is still declining. Given the scientific advice and the unchanged stocks situation, in accordance with Article 7(3)(b) of the Western Mediterranean Multiannual Management Plan, it is appropriate to complement the effort regime with maximum catch limits and establish a specific maximum catch limit for giant red shrimp in GSAs 8-9-10-11.
- (9) At its 42<sup>nd</sup> annual meeting in 2018, the General Fisheries Commission for the Mediterranean ('GFCM') adopted Recommendation GFCM/42/2018/1 establishing management measures for European eel (*Anguilla anguilla*) in the Mediterranean Sea (GFCM geographical subareas 1 to 27). Those measures include catch or effort limits and an annual closure period of three consecutive months to be defined by each Member State in accordance with the conservation objectives of Council Regulation (EC) No 1100/2007<sup>3</sup>, the national management plan or plans for eel and the temporal migration patterns of eel in the Member State. Where national management plans resulting in effort or catch reductions of at least 30 % have been in place before the entry into force of that Recommendation, the catch or fishing effort limits already established and implemented should not be exceeded. The closure should apply to all marine waters of the Mediterranean Sea and to brackish waters such as estuaries, coastal lagoons and transitional waters, in accordance with that Recommendation. The closure period is functionally linked to the fishing opportunities, as, without it in place, the level of catches or fishing effort should be reduced to ensure the recovery of the stock. Those measures should be implemented in Union law.
- (10) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/20 on a multiannual management plan for the sustainable exploitation of small pelagic stocks in the Adriatic Sea (GFCM geographical subareas 17 and 18), which introduced a maximum level of catch and a related fleet capacity ceiling for purse-seiners and pelagic trawlers targeting small pelagics. Those measures should be implemented in Union law.
- (11) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/6 on a multiannual management plan for sustainable trawl fisheries targeting giant red shrimp and blue and red shrimp in the Levant Sea, amending Recommendation GFCM/42/2018/3 (GFCM geographical subareas 24, 25, 26 and 27), which introduced a freezing of fishing effort expressed in a maximum number of fishing vessels. This Recommendation prolonged existing measures for one year. Those measures should be implemented in Union law.
- (12) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/8 on a multiannual management plan for sustainable trawl fisheries targeting giant red shrimp and blue and red shrimp in the Ionian Sea, amending Recommendation GFCM/42/2018/4 (GFCM geographical subareas 19, 20 and 21), which introduced a freezing of fishing effort expressed in a maximum number of fishing vessels. This Recommendation prolonged existing measures for one year. Those measures should be implemented in Union law.

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<sup>3</sup> Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel (OJ L 248, 22.9.2007, p. 17).

- (13) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/7 on management measures for sustainable trawl fisheries targeting giant red shrimp and blue and red shrimp in the Strait of Sicily, amending Recommendation GFCM/43/2019/6 (GFCM geographical subareas 12, 13, 14, 15 and 16), which introduced a freezing on the fishing effort expressed in a maximum number of fishing vessels. This Recommendation prolonged existing measures for one year. Those measures should be implemented in Union law.
- (14) At its 43<sup>rd</sup> annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/5 on a multiannual management plan for sustainable demersal fisheries in the Adriatic Sea (GFCM geographical subareas 17 and 18), which introduced a fishing effort regime and a related fleet capacity ceiling for certain demersal stocks. Those measures should be implemented in Union law.
- (14 new) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/1 demersal fisheries in the Adriatic Sea (GFCM geographical subareas 17 and 18), which introduced a maximum allowable fishing days, by type of trawl and fleet segment, for certain demersal stocks. Those measures should be implemented in Union law.
- (15) Taking into account the particularities of the Slovenian fleet and their marginal impact on the stocks of small pelagic and demersal stocks, it is appropriate to preserve the existing fishing patterns and to ensure access by the Slovenian fleet to a minimum quantity of small pelagic species and a minimum effort quota for demersal stocks.
- (16) At its 43<sup>rd</sup> annual meeting in 2019, the GFCM also adopted Recommendation GFCM/43/2019/4 on a management plan for the sustainable exploitation of red coral (*Corallium rubrum*) in the Mediterranean Sea (GFCM geographical subareas 1 to 27), which introduced a freezing of fishing effort expressed by a maximum number of fishing authorizations, and harvest limits for red coral. Those measures should be implemented in Union law.
- (17) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/4 on a management plan for the sustainable exploitation of blackspot seabream in the Alboran Sea, amending Recommendation GFCM/43/2019/2 (GFCM geographical subareas 1, 2 and 3), which introduced a catch and effort limit based on the average level authorized and exerted over the period 2010–2015. This Recommendation prolonged existing measures for one year. Those measures should be implemented in Union law.
- (18) At its 44<sup>th</sup> annual meeting in 2021, the GFCM adopted Recommendation GFCM/44/2021/11 on management measures for the use of anchored fish aggregating devices in common dolphinfish fisheries in the Mediterranean Sea, amending Recommendation GFCM/43/2019/1 (GFCM geographical subareas 1 to 27), which introduced a freezing of the fishing effort expressed in a maximum number of fishing vessels targeting common dolphinfish. This Recommendation prolonged existing measures for one year. Those measures should be implemented in Union law.

- (19) At its 43<sup>rd</sup> annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/3 amending Recommendation GFCM/41/2017/4 on a multiannual management plan for turbot fisheries in the Black Sea (GFCM geographical subarea 29). That recommendation introduced an updated regional Total Allowable Catch (TAC) and a quota allocation scheme for turbot, as well as further conservation measures, in particular a two months closure period and a limitation of fishing days to 180 days per year. These additional measures are functionally linked to the fishing opportunities, as, without those measures in place, TAC level for turbot should be reduced to ensure its recovery. Those measures should be implemented in Union law.
- (20) In accordance with the scientific advice provided by the GFCM, it is necessary to maintain the current level of fishing mortality to ensure the sustainability of the stock of sprat in the Black Sea. It is therefore appropriate to continue setting an autonomous quota for that stock.
- (21) The fishing opportunities should be established on the basis of the available scientific advice, taking into account biological and socio-economic aspects whilst ensuring fair treatment between fishing sectors, as well as in the light of the opinions expressed during the consultation of stakeholders.
- (22) The use of fishing opportunities available to Union fishing vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009<sup>4</sup>, and in particular to Articles 33 and 34 of that Regulation, concerning the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.
- (23) The use of fishing opportunities available to Union fishing vessels set out in this Regulation is subject to Regulation (EU) No 1343/2011 of the European Parliament and of the Council<sup>5</sup> implementing certain provisions for fishing in the GFCM.

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<sup>4</sup> 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. 1–50)

<sup>5</sup> Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p.44).

- (24) Council Regulation (EC) No 847/96<sup>6</sup> introduced additional conditions for year-to year management of TACs including, under Articles 3 and 4 of that Regulation, flexibility provisions for precautionary and analytical TACs. Under Article 2 of that Regulation, when fixing the TACs, the Council is to decide to which stocks Article 3 or 4 of that Regulation is not to apply, in particular on the basis of the biological status of the stocks. More recently, the year-to-year flexibility mechanism was introduced by Article 15(9) of Regulation (EU) No 1380/2013 for all stocks that are subject to the landing obligation. Therefore, in order to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of marine biological resources, hinder the achievement of the objectives of the CFP and deteriorate the biological status of the stocks, it should be established that Articles 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.
- (25) In order to avoid the interruption of fishing activities and to ensure the livelihood of Union fishermen, this Regulation should apply from 1 January 2022. For reasons of urgency, this Regulation should enter into force immediately after its publication.
- (26) Fishing opportunities should be used in full compliance with Union law,

HAS ADOPTED THIS REGULATION:

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<sup>6</sup> 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. 3–5)

# TITLE 1

## GENERAL PROVISIONS

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

This Regulation fixes for 2022 the fishing opportunities available in the Mediterranean and Black Seas for certain fish stocks and groups of fish stocks.

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

1. This Regulation applies to Union fishing vessels exploiting the following fish stocks:
  - (a) european eel (*Anguilla anguilla*), red coral (*Corallium rubrum*) and common dolphinfish (*Coryphaena hippurus*) in the Mediterranean Sea, as defined in Article 4(b);
  - (b) blue and red shrimp (*Aristeus antennatus*), deep-water rose shrimp (*Parapenaeus longirostris*), giant red shrimp (*Aristaeomorpha foliacea*), European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*) and red mullet (*Mullus barbatus*) in the western Mediterranean Sea, as defined in Article 4(c);
  - (c) anchovy (*Engraulis encrasicolus*) and sardine (*Sardina pilchardus*) in the Adriatic Sea, as defined in Article 4(d);
  - (d) european hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*), common sole (*Solea solea*), deep-water rose shrimp (*Parapenaeus longirostris*), red mullet (*Mullus barbatus*) in the Adriatic Sea, as defined in Article 4(d);
  - (e) giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in the Strait of Sicily as defined in Article 4(e), in the Ionian Sea as defined in Article 4(f) and in the Levant Sea as defined in Article 4(g);
  - (f) blackspot seabream (*Pagellus bogaraveo*) in the Alboran Sea, as defined in Article 4(h);
  - (g) sprat (*Sprattus sprattus*) and turbot (*Scophthalmus maximus*) in the Black Sea, as defined in Article 4(i).
2. This Regulation 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:

- (a) ‘international waters’ means waters falling outside the sovereignty or jurisdiction of any State;
- (a) ‘recreational fisheries’ means non-commercial fishing activities exploiting marine living aquatic resources for recreation, tourism or sport;
- (b) ‘total allowable catch’ (TAC) means:
  - (i) in fisheries subject to the exemption of the landing obligation referred to in Article 15(4) to (7) of Regulation (EU) No 1380/2013, the quantity of fish that can be landed from each stock each year;
  - (ii) in all other fisheries, the quantity of fish that can be caught from each stock over the period of a year;
- (c) ‘quota’ means a proportion of the TAC allocated to the Union or a Member State;
- (d) ‘Union autonomous quota’ means a catch limit autonomously allocated to Union fishing vessels in the absence of an agreed TAC;
- (e) ‘analytical quota’ means a Union autonomous quota for which an analytical assessment is available;
- (f) ‘analytical assessment’ means a quantitative evaluation of trends in a given stock, based on data about the stock’s biology and exploitation, which scientific review has indicated to be of sufficient quality to provide scientific advice on options for future catches.
- (g) ‘fish aggregating device’ or “FAD” means any anchored equipment floating on the sea surface with the objective of attracting fish”.

*Article 4*  
**Fishing zones**

For the purposes of this Regulation, the following zone definitions apply:

- (a) ‘GFCM geographical subareas’ mean the areas defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council<sup>7</sup>;
- (b) ‘Mediterranean Sea’ means the waters in GFCM geographical subareas 1 to 27, as defined in Annex I to Regulation (EU) No 1343/2011;
- (c) ‘western Mediterranean Sea’ means the waters in GFCM geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11, as defined in Annex I to Regulation (EU) No 1343/2011;
- (d) ‘Adriatic Sea’ means the waters in GFCM geographical subareas 17 and 18, as defined in Annex I to Regulation (EU) No 1343/2011;
- (e) ‘Strait of Sicily’ means the waters in GFCM geographical subareas 12, 13, 14, 15 and 16, as defined in Annex I to Regulation (EU) No 1343/2011;
- (f) ‘Ionian Sea’ means the waters in GFCM geographical subareas 19, 20 and 21, as defined in Annex I to Regulation (EU) No 1343/2011;
- (g) ‘Levant Sea’ means the waters in GFCM geographical subareas 24, 25, 26 and 27, as defined in Annex I to Regulation (EU) No 1343/2011;
- (h) ‘Alboran Sea’ means the waters in GFCM geographical subareas 1 to 3, as defined in Annex I to Regulation (EU) No 1343/2011;
- (i) ‘Black Sea’ means the waters in GFCM geographical subarea 29, as defined in Annex I to Regulation (EU) No 1343/2011.

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<sup>7</sup> Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p.44).

# **TITLE II**

## **FISHING OPPORTUNITIES**

### **CHAPTER I**

#### **Mediterranean Sea**

##### *Article 5*

##### **European eel**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching European eel (*Anguilla anguilla*), namely targeted, incidental and recreational fisheries, in all marine waters of the Mediterranean Sea, including freshwaters and transitional brackish waters, such as lagoons and estuaries.
2. It shall be prohibited for Union fishing vessels to fish for European eel in Union and international waters of the Mediterranean Sea for a consecutive three-month period to be determined by each Member State. The fishing closure period shall be consistent with the conservation objectives set out in Regulation (EC) No 1100/2007, with national management plans in place and with the temporal migration patterns of European eel in the Member States concerned. Member States shall communicate the period determined to the Commission no later than one month prior to the entry into force of the closure and in any case no later than 31 January 2022.
3. Member States shall not exceed the maximum level of catches or fishing effort of European eel established and implemented by means of their national management plans, adopted in accordance with Articles 2 and 4 of Regulation (EC) 1100/2007.

##### *Article 6*

##### **Red coral**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities harvesting red coral (*Corallium rubrum*), namely targeted and recreational fisheries in the Mediterranean Sea.
2. For targeted fisheries, the maximum number of fishing authorisations and the maximum quantities of red coral stocks harvested by Union fishing vessels and Union harvesting activities shall not exceed the levels set out in Annex I.
3. It shall be prohibited for Union fishing vessels subject to paragraph 2 to tranship red coral at sea.
4. For recreational fisheries, Member States shall take the necessary measures to prohibit the catch and retention on board, transhipment or landing of red coral.

*Article 7*  
**Common dolphinfish**

1. This Article applies to all commercial activities by Union fishing vessels and other Union fishing activities using fish aggregating devices for catching common dolphinfish (*Coryphaena hippurus*), in the international waters of the Mediterranean Sea.
2. The maximum number of vessels authorised to fish for common dolphinfish is set out in Annex II.

**CHAPTER II**  
**Western Mediterranean Sea**

*Article 8*  
**Demersal stocks**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching demersal stocks referred to in Article 1(2) of Regulation (EU) 2019/1022, in the western Mediterranean Sea.
2. The maximum allowable fishing effort for trawlers and longliners is set out in Annex III to this Regulation. Member States shall manage the maximum allowable fishing effort in accordance with Article 9 of Regulation (EU) 2019/1022.
3. The allocation among Member States of maximum catch limits for Union fishing vessels in Union waters of the western Mediterranean Sea is set out in Annex III to this Regulation.
4. Special provisions on allocation of fishing opportunities:
  - (a) The allocation of fishing opportunities by Member States, as set out in this Regulation, shall be in accordance with the criteria set out in Article 17 of Regulation (EU) No 1380/2013.
  - (b) The allocation of fishing opportunities among Member States, as set out in this Regulation, shall be without prejudice to:
    - exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
    - deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
    - additional landings allowed under Article 3 of Regulation (EC) No 847/96 or under Article 15(9) of Regulation (EU) No 1380/2013;
    - quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 or transferred under Article 15(9) of Regulation (EU) No 1380/2013;
    - deductions made pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009.

*Article 9*  
**Data transmission**

Member States shall record and transmit the fishing effort data to the Commission in accordance with Article 10 of Regulation (EU) 2019/1022.

When submitting effort data to the Commission in accordance with this Article, Member States shall use the fishing effort group codes set out in Annex III.

**CHAPTER III**  
**Adriatic Sea**

*Article 10*  
**Small pelagic stocks**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching sardine (*Sardina pilchardus*) and anchovy (*Engraulis encrasicolus*) in the Adriatic Sea.
2. The maximum level of catches shall not exceed the levels set out in Annex IV.
3. The maximum fleet capacity, expressed as kW, GT and number, of Union fishing vessels authorised to fish small pelagics, is set out in Annex IV.

*Article 11*  
**Demersal stocks**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*), common sole (*Solea solea*), deep-water rose shrimp (*Parapenaeus longirostris*) and red mullet (*Mullus barbatus*) in the Adriatic Sea.
2. The maximum allowable fishing effort and the maximum fleet capacity for demersal stocks within the scope of this Article are set out in Annex IV.
- 3 (new) A Member state may amend its fishing effort allocation from the Annex IV by transferring fishing days across fishing effort groups of the same geographical area and/or gear, provided that it applies a national conversion factor which is supported by the best available scientific advice.
3. Member States shall manage the maximum allowable effort in accordance with Articles 26 to 35 of Regulation (EC) No 1224/2009.

*Article 12*  
**Data transmission**

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

**CHAPTER IV**  
**Ionian Sea, Levant Sea and the Strait of Sicily**

*Article 13*

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*), in the Ionian Sea, Levant Sea and the Strait of Sicily.
2. The maximum number of bottom trawl vessels authorised to fish for demersal stocks is set out in Annex V.

**CHAPTER V**  
**Alboran Sea**

*Article 14*

1. This Article applies to commercial fishing with longlines and handlines by Union fishing vessels catching blackspot seabream (*Pagellus bogaraveo*) in the Alboran Sea.
2. The maximum level of catches shall not exceed the levels set out in Annex VI.

## CHAPTER VI

### Black Sea

#### *Article 15*

##### **Allocation of fishing opportunities for sprat**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching sprat (*Sprattus sprattus*) in the Black Sea.
2. The Union autonomous quota for sprat, the allocation of such quota among Member States and the conditions functionally linked thereto, where appropriate, are set out in Annex VII.

#### *Article 16*

##### **Allocation of fishing opportunities for turbot**

1. This Article applies to all activities by Union fishing vessels and other Union fishing activities catching turbot (*Scophthalmus maximus*) in the Black Sea.
2. The TAC for turbot applicable in Union waters in the Black Sea and the allocation of such TAC among Member States and the conditions functionally linked thereto, where appropriate, are set out in Annex VII.

#### *Article 17*

##### **Management of fishing effort for turbot**

Union fishing vessels authorised to fish for turbot within the scope of Article 16, irrespective of the vessels' length overall, shall not exceed 180 fishing days per year.

#### *Article 18*

##### **Closure period for turbot**

It shall be prohibited for Union fishing vessels to carry out any fishing activity, including transshipment, retaining on board, landing and first sale of turbot in Union waters in the Black Sea from 15 April to 15 June.

## *Article 19*

### **Special provisions on allocations of fishing opportunities in the Black Sea**

1. The allocation of fishing opportunities among Member States as set out in Articles 15 and 16 of 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; and
  - (c) deductions made pursuant to Articles 105 and 107 of Regulation (EC) No 1224/2009.
2. 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 20*

### **Data transmission**

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States submit to the Commission data relating to landings of quantities of stocks of sprat and turbot caught in Union waters in the Black Sea, they shall use the stock codes set out in Annex VII.



## **TITLE III**

### **FINAL PROVISIONS**

#### *Article 21*

##### **Entry into force**

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 2022.

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

Done at Brussels,

*For the Council*  
*The President*

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