

Commission Implementing Regulation (EU) No 1360/2014 of 18 December 2014 operating deductions from fishing quotas available for certain stocks in 2014 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 871/2014 as regards amounts to be deducted in future years

COMMISSION IMPLEMENTING REGULATION (EU) No 1360/2014

of 18 December 2014

operating deductions from fishing quotas available for certain stocks in 2014 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 871/2014 as regards amounts to be deducted in future years

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006⁽¹⁾, and in particular Article 105 (1), (2), (3) and (5) thereof,

Whereas:

- (1) Council Regulations (EU) No 1262/2012⁽²⁾, (EU) No 1088/2012⁽³⁾, (EU) No 1261/2012⁽⁴⁾, (EU) No 39/2013⁽⁵⁾ and (EU) No 40/2013⁽⁶⁾ fix fishing quotas for certain stocks for 2013.
- (2) Council Regulations (EU) No 1262/2012, (EU) No 1180/2013⁽⁷⁾, (EU) No 24/2014⁽⁸⁾, and (EU) No 43/2014⁽⁹⁾ fix fishing quotas for certain stocks for 2014.
- (3) According to Article 105(1) of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, the Commission is to operate deductions from future fishing quotas of that Member State.
- (4) Commission Implementing Regulation (EU) No 871/2014⁽¹⁰⁾ has established deductions from fishing quotas for certain stocks in 2014 on account of overfishing in the previous years.
- (5) However, for certain Member States no deductions could be operated by Implementing Regulation (EU) No 871/2014 from quotas allocated for the overfished stocks because such quotas were not available for those Member States in the year 2014.

Status: Point in time view as at 18/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

- (6) Article 105(5) of Regulation (EC) No 1224/2009 provides that, if it is not possible to operate deductions on the overfished stock in the year following the overfishing because the Member State concerned has no available quota, deductions should be operated on other stocks in the same geographical area or with the same commercial value. According to Commission Communication No 2012/C 72/07⁽¹¹⁾ such deductions should be preferably operated from quotas allocated for stocks fished by the same fleet as the fleet that overfished the quota, taking into account the need to avoid discards in mixed fisheries.
- (7) The Member States concerned have been consulted with regard to the proposed deductions from quotas allocated for stocks other than those which have been overfished.
- (8) Moreover, certain deductions provided for by Implementing Regulation (EU) No 871/2014 appear to be larger than the adapted quota available in the year 2014 and, as a consequence, cannot be entirely operated on that quota. According to Commission Communication No 2012/C 72/07, the remaining amounts should be deducted from the adapted quotas available in subsequent years.
- (9) Implementing Regulation (EU) No 871/2014 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

The fishing quotas for the year 2014 referred to in the Annex I to this Regulation shall be reduced by applying the deductions on the alternative stocks set out in that Annex.

Article 2

The Annex to Implementing Regulation (EU) No 871/2014 is replaced by the text in Annex II to this Regulation.

Article 3

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

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

Done at Brussels, 18 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

Status: Point in time view as at 18/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

ANNEX I

DEDUCTIONS FROM QUOTAS FOR STOCKS OTHER THAN THOSE WHICH HAVE BEEN OVERFISHED

Member State	Species code	Area code	Species name	Area name	Permitted landing catches 2013 (Total adapted quantities in tons) ^a	Federal Quota 2013 (quantity in tons)	Overfishing related permitted landing (quantity in tons)	Multiplying factor	Additional Multiplying factor	Deduction from 2013 ¹ (quantity in tons)	Remaining balance (quantity in tons)	Deductions 2014 (quantity in tons)
DK	NOP	04-N	Norway pout and associated by-catches	Norwegian waters of V	4,980	N/A	4,980	/	/	/	/	4
Deduction to be made on the following stock												
DK	OTH	04N.	Other species	Norwegian waters of IV	/	/	/	/	/	/	/	4
DK	POK	1N2A	Saithe	Norwegian waters of I and II	20,000	21,680	108,401,680 %	/	/	/	/	1
Deduction to be made on the following stock												
DK	OTH	04N.	Other species	Norwegian waters of IV	/	/	/	/	/	/	/	1
ES	DGS	15X14	Spurdogfish	Union 0 international waters of I, V, VI, VII, VIII, XII	1,670	N/A	1,670	/	A	/	/	2

*Status: Point in time view as at 18/12/2014.**Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1360/2014. (See end of Document for details)*

				and XIV									
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Deduction to be made on the following stock

ES	HKE	571214	Hake	VI and VII; Union and international waters of Vb; international waters of XII and XIV	/	/	/	/	/	/	/	/	2
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ES	DWS	56789	Deep-sea sharks	EU and international waters of V, VI, VII, VIII and IX	0	5,330	N/A	5,330	/	A	/	/	8
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Deduction to be made on the following stock

ES	RNG	8X14	Round grenadier	EU and international waters of VIII, IX, X, XII and XIV	/	/	/	/	/	/	/	/	8
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ES	GHL	1N2A	Greenland halibut	Norwegian waters of I and II	12,370	N/A	12,370	/	/	/	/	/	12
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Deduction to be made on the following stock

Status: Point in time view as at 18/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

ES	RED	1N2A	Redfish	Norwegian waters of I and II	/	/	/	/	/	/	/	12
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ES	HAD	7X7A	34addock	MIB-0, VIII, IX and X; Union waters of CECAF 34.1.1	8,540	N/A	8,540	/	/	/	/	8
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Deduction to be made on the following stock

ES	RNG	8X14	Roundhead grenadier	EU standard international waters of VIII, IX, X, XII and XIV	/	/	/	/	/	/	/	8
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ES	OTH	1N2A	Other species	Norwegian waters of I and II	15,530	N/A	15,530	/	/	/	/	15
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Deduction to be made on the following stock

ES	RED	1N2A	Redfish	Norwegian waters of I and II	/	/	/	/	/	/	/	15
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ES	POR	3-1234	Porbeak	French Guiana waters, Kattegat; Union	3,160	N/A	3,160	/	/	/	/	3
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Status: Point in time view as at 18/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

				and VIIk									
a	Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Regulation (EC) No 2371/2002 (OJ L 358, 31.12.2002, p. 59) and Article 16(8) of Regulation (EU) No 1380/2013, quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3) and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Council Regulation (EC) No 1224/2009.												
b	As set out in Article 105(2) of Council Regulation (EC) No 1224/2009. Deductions equal to the overfishing * 1,00 shall apply in all cases of overfishing equal to, or less than, 100 tonnes.												
c	As set out in Article 105(3) of Council Regulation (EC) No 1224/2009. Letter 'A' indicates that an additional multiplying factor of 1.5 has been applied due to consecutive overfishing in the years 2011, 2012 and 2013. Letter 'C' indicates that an additional multiplying factor of 1.5 has been applied as the stock is subject to a multiannual plan.												
d	Regulation (EU) No 770/2013 and Regulation (EU) No 1204/2013 have operated deductions from fishing quotas for certain countries and species for 2013. However, for certain Member States the deductions to be applied were higher than their respective 2013 quota and could therefore not be operated entirely in that year. To ensure that also in such cases the full amount be deducted, the remaining quantities have been taken into account when establishing deductions from 2014.												
e	Remaining quantities related to overfishing in years preceding the entry into force of Regulation (EC) No 1224/2009 and that cannot be deducted from another stock.												

ANNEX II

The Annex to Implementing Regulation (EU) No 871/2014 is replaced by the following:

'ANNEX

DEDUCTIONS FROM QUOTAS FOR STOCKS WHICH HAVE BEEN OVERFISHED

Member State	Species code	Area code	Species name	Area name	Initial quota 2013	Permitted landings (Total adapted quantities in tonnes) ^a	Total Quota 2013	Overfishing related permitted landings (%)	Multiplying factor	Additional Multiplying factor	Remaining quota from 2013	Quota in 2014	Deductions already applied in 2014 (qty in tonnes)	Deductions already applied in 2015 (qty in tonnes)	Deductions to be applied in following year(s) (qty in tonnes)
BE	HAD	7X7	HAD	VIIk, VIII, IX and X; Union waters of CECAF 34.1.1	157,000	67,600	4,700	4,21,100/ %	/	/	/	7	7	/	

Status: Point in time view as at 18/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

BE	HER	4CX	B7D	Drinking water, except Blackwater stock	VIc, VIIId	9	14,000	2,200	58,582,000	/	/	/	8	8	/	
BE	PLE	7FG	Plaice	Union waters of VIIId	VIIf and VIIg		46,000	60,000	85,700	06,085,700	/	/	/	25	25	/
BE	SRX	07D	Skate and rays	Union waters of VIIId			72,000	75,300	87,700	16,472,400	/	/	/	12	12	/
BE	SRX	2AC	Skate and rays	Union waters of IIa and IV			211,000	8,800	209,800	5,031,000	/	/	/	11	11	/
DK	HER	*3BC	Drinking water of Subdivisions 22-32	Union waters of Subdivisions 22-32		1	2	103,300	366,490		/	/	/	66	66	/
DK	MAC	2A34	Mackerel and Union waters of IIa, IIIb, IIIc and Subdivisions 22-32	IIa and IV; Union waters of IIa, IIIb, IIIc and Subdivisions 22-32		15	16	17	101,500	262,610	/	/	/	262	262	/
DK	NOP	04-N	Norwegian pout and associated by-catches	Norwegian waters of IV		0	4,980	N/A	4,980	/	/	/	4	4	/	
DK	POK	1N2A	White Norwegian waters of I and II	Norwegian waters of I and II		20,000	1,680	008,400	680	/	/	/	1	1	/	
DK	SAN	234	Sanderling waters of	Union waters of		16	16	21	125,571,430	6,02	/	/	/	6	6	028 ⁱ 028 ⁱ

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				sandeel management area 2															
DK	SAN	234	4	Sandeel waters of sandeel management area 4	3	3	5	126,62	1,4	/	/	/	1	1	/	490 ⁱ	490 ⁱ	/	
EL	BFT	AE45	5	SW Atlantic tuna Ocean, east of 45° W, and Mediterranean	29,07	7,52	7,5	100,00	0,037	/	C	1,435	/	1,49	1,49	/			
ES	ALF	3X14	4	Alfonso and international waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	70,00	69,47	61,77	100,82	3,300	/	A	/	/	3	0	3			
ES	BLI	5B67	4	Blue Ling and international waters of Vb, VI, VII	79,00	79,00	38,64	95,49	9,640	/	/	4,22	0,07	63	63	/			
ES	BSF	5671	4	Black scabbard- fish and international waters of V, VI,	174,00	2,03	9,19	107,02	2,160	/	A	/	/	10	10	/			

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				VII and XII														
ES	BSF	8910	Black and fish	EU international waters of VIII, IX and X	12,000	2,770	3,340	120,585	570/	A	32,85/	33	5,87	27,13				
ES	BUMATL	ATLANTIC	Atlantic marlin	Atlantic Ocean	27,200	6,920	4,040	260,287	120	/	/	/	27	0	27			
ES	CODN3M	Cod	NAFO 3M	NAFO 3M	0	2	2	101,841	860	/	/	/	41	41	/			
ES	DGS	15X15	Spurdog fish	Region and international waters of I, V, VI, VII, VIII, XII and XIV	0	0	1,670	N/A	1,670/	A	/	/	2	2	/			
ES	DWS	56789	Deep sea sharks	EU and international waters of V, VI, VII, VIII and IX	0	0	5,330	N/A	5,330/	A	/	/	8	8	/			
ES	GFB	89-	Great forkbeard	EU and international waters of VIII and IX	242,000	85,530	4,640	5,629	080	A	/	/	43	25,251	7,75			

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ES	GHL	1/2IN	Greenland halibut	International waters of I and II	0	4,700	N/A	4,700	/	/	/	4	4	/
ES	GHL	1N2A	Greenland halibut	Norwegian waters of I and II	0	12,370	N/A	12,370	/	/	/	12	12	/
ES	GHL	N3LM	Monkfish halibut	North Atlantic	4	4	101,398,640		C	/	/	87	87	/
ES	HAD	5BC6A	Additional	Union and international waters of Vb and VIa	5,850	13,550	31,62,700%		A	10,72		22	9,16	12,54
ES	HAD	7X7A	Additional	VIIb- k, VIII, IX and X; Union waters of CECAF 34.1.1	0	8,540	N/A	8,540	/	/	/	8	8	/
ES	NEP	9/341	Norway lobster	IX and X; Union waters of CECAF 34.1.1	62,000	6,850	1,340,510%	5,510	N/A	44,79 ^h		25	25	19
ES	OTH	1N2A	Other species	Norwegian waters of I and II	0	15,530	N/A	15,530	/	/	/	15	15	/
ES	POL	08C	Pollack	VIIIc	208,000	8,000	9,310,510%	3,310	/	/	/	31	31	/
ES	POR	3-123A	Porbeagle	English Guiana waters, Kattegat;	0	3,160	N/A	3,160	/	/	/	3	3	/

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Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

			Union waters of Skagerrak, I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV; Union waters of CECAF 34.1.1, 34.1.2 and 34.2																	
ES	RED	51214	Redfish and international waters of V; international waters of XII and XIV	433,000	2	100,951,300	209,023,3%		/	/	/	21	21	/						
ES	SOL	8AB	Common sole and VIIIb	9,000	8,720	8,810	101,00%	0,090/	A + C	3	/	3	0,9	2,1						
ES	USK	567E	EU fish and international waters of V, VI and VII	46,000	0,320	0,000	10,844,680%		A	22,87/		89	30,235	8,77						
ES	WHM	ATL	White Atlantic marlin	0,500	0,500	0,330	19,15,830%		/	/	/	5	4,83	0,17						

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FR	GHL	1N2A	Green halibut	Norwegian waters of I and II	0	17,500	N/A	17,500	/	/	/	17	17	/
FR	PLE	7FG	Plaice	VII f and VII g	83,000	2,250	4,300	2,205	0%	/	/	2	2	/
FR	RED	51214	Redfish	Union and international waters of V; international waters of XII and XIV	230,000	20,000	1,500	80,438	50%	/	/	18	18	/
IE	HAD	1N2A	Atlantic haddock	Norwegian waters of I and II	20,500	25,630	25,021	3,130	0%	/	/	5	5	/
IE	HAD	7X7A	Atlantic haddock	VII b-3, VIII, IX and X; Union waters of CECAF 34.1.1	144,069	6,769	8,740	107,989	0%	/	/	1	1	/
IE	PLE	7FG	Plaice	VII f and VII g	197,066	7,909	8,171	19,603	0.27%	/	/	13	13	/
IE	PLE	7HJK	Plaice	VII h, VII j and VII k	61,000	9,701	1,823	104,221	123%	/	/	2	2	/
LT	GHL	N3LM	Green halibut	Union waters of LMNO	2,000	5,700	N/A	-	15,700	N/A	120,279	104	58	46
NL	HKE	3A/BCD	Hake	III a; / Union waters of	0	0,671	N/A	0,671	/	C	/	1	1	/

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PT	GHL	1N2A	Green halibut	Norwegian waters of I and II	0	2,000	N/A	2,000	/	/	/	2	2	//
PT	HAD	1N2A	Red haddock	Norwegian waters of I and II	34,400	34,000	98,84%	0,400	/	/	/	376,125	30,053	344,95
PT	MAC	8C34	Mackerel	VIII, IX and X; Union waters of CECAF 34.1.1	5 308,013	4 34,317	4 170,525	100,886,225	/	1,07	/	37	37	/
PT	PLE	8/34	Plaice	VIII, IX and X; Union waters of CECAF 34.1.1	66,000	61,200	4,6072,88%	0,400	/	1,906	/	0	0	/
PT	POK	1N2A	Saithe	Norwegian waters of I and II	16,700	7,000	001,80300%	0,300	/	/	/	209,710	25	185
PT	RED	N3LN	Redfish	NAFO 3LN	0	1 070,980	1 1,26%	102,830,280	/	/	/	30	30	/
PT	WHM	ATL	White marlin	Atlantic ocean	0	10,500	8,3002,216,73%	0,6,088	/	/	3,021	0	0	/
UK	COD	N1GIC	Old Greenland	Greenland waters of NAFO 1 and Greenland waters of XIV	100,000	006,300	000,004,993,700%	0,700	A	/	/	65	65	/
UK	DGS	15X1	Spruce dogfish	International waters	0	5,800	N/A	5,800	/	/	/	5	5	/

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				of I, V, VI, VII, VIII, XII and XIV														
UK	GHL 514GB	Greenland halibut waters of V and XIV	195,000	0,800	N/A	0,800	/	/	/	1	/	1	0	1				
UK	HAD 7X7AB	Haddock, VIII, IX and X; Union waters of CECAF 34.1.1	415,038	1,245	8%	104,948	/	/	/	68	/	68	/					
UK	HER 1/2-	Herring and international waters of I and II (HER/1/2-)	827,620	8,634	1%	101,633	/	/	/	133	/	133	/					
UK	HER 4AB	Herring and Norwegian waters of IV north of 53° 30' N	901,081	58,095	1,3%	100,191	/	/	/	110	/	110	/					
UK	MAC 2CX	Mackerel VII, VIIIa, VIIIb, VIIIc, VIII d	158,825	156,199	162,468	104,162	/	/	/	6	/	6	269	269	/			

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				and VIIIe; Union and international waters of Vb; international waters of IIa, XII and XIV															
UK	PLE	7FG	Plaice	VII f and VIIg	43,000	65,900	0,200	11,98,300	/	/	/	4	4	/					
UK	PLE	7HJK	Plaice	VIIh, VIIj and VIIk	18,000	63,700	9,900	18,46,200	/	/	/	6	6	/					
UK	SOL	7FG	Common sole	VII f and VIIg	309,000	95,420	5,400	5,19,990	/	/	/	9	7,05	1,95					

a Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Regulation (EC) No 2371/2002 and Article 16(8) of Regulation (EU) No 1380/2013, quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Council Regulation (EC) No 1224/2009.

b As set out in Article 105(2) of Council Regulation (EC) No 1224/2009. Deduction equal to the overfishing * 1,00 shall apply in all cases of overfishing equal to, or less than, 100 tonnes.

c As set out in Article 105(3) of Council Regulation (EC) No 1224/2009.

d Letter "A" indicates that an additional multiplying factor of 1,5 has been applied due to consecutive overfishing in the years 2011, 2012 and 2013. Letter "C" indicates that an additional multiplying factor of 1,5 has been applied as the stock is subject to a multiannual plan.

e Remaining quantities related to overfishing in years preceding the entry into force of the Control Regulation (EC) No 1224/2009 and that cannot be deducted from another stock.

f Deductions to operate in 2014 as established by Implementing Regulation (EU) No 871/2014.

g Deductions to operate in 2014 that could be actually applied considering the available quota.

h At Spain's request, the pay-back due in 2013 was spread over three years.

i To be deducted from SAN/234_3.'

Status: Point in time view as at 18/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014. (See end of Document for details)

- (1) [OJ L 343, 22.12.2009, p. 1.](#)
- (2) Council Regulation (EU) No 1262/2012 of 20 December 2012 fixing for 2013 and 2014 the fishing opportunities for EU vessels for certain deep-sea fish stocks ([OJ L 356, 22.12.2012, p. 22.](#))
- (3) Council Regulation (EU) No 1088/2012 of 20 November 2012 fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea ([OJ L 323, 22.11.2012, p. 2.](#))
- (4) Council Regulation (EU) No 1261/2012 of 20 December 2012 fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Black Sea ([OJ L 356, 22.12.2012, p. 19.](#))
- (5) Council Regulation (EU) No 39/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements ([OJ L 23, 25.1.2013, p. 1.](#))
- (6) Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ([OJ L 23, 25.1.2013, p. 54.](#))
- (7) Council Regulation (EU) No 1180/2013 of 19 November 2013 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea ([OJ L 313, 22.11.2013, p. 4.](#))
- (8) Council Regulation (EU) No 24/2014 of 10 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea ([OJ L 9, 14.1.2014, p. 4.](#))
- (9) Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters ([OJ L 24, 28.1.2014, p. 1.](#))
- (10) Commission Implementing Regulation (EU) No 871/2014 of 11 August 2014 operating deductions from fishing quotas available for certain stocks in 2014 on account of overfishing in the previous years ([OJ L 239, 12.8.2014, p. 14.](#))
- (11) [OJ C 72, 10.3.2012, p. 27.](#)

Status:

Point in time view as at 18/12/2014.

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1360/2014.