



COMMISSION DELEGATED REGULATION (EU) No 1393/2014
of 20 October 2014
establishing a discard plan for certain pelagic fisheries in north-western waters

Article 1

Subject matter

This Regulation specifies the details for implementing the landing obligation, provided for in Article 15(1) of Regulation (EU) No 1380/2013, from 1 January 2015 in the north-western waters, as defined in Article 4(2)(c) of that Regulation, in the fisheries set out in the Annex to this Regulation.

Article 2

Survivability exemption

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to catches of mackerel and herring in the purse seine fisheries in ICES area VI, if all of the following conditions are met:

- the catch is released before a certain percentage (set out in paragraphs 2 and 3 below) of the purse seine is closed ('the point of retrieval').
- the purse seine gear is fitted with visible buoys clearly marking the limit for the point of retrieval,
- the vessel and the purse seine gear are equipped with an electronic recording and documenting system when, where and extent to which the purse seine has been hauled for all fishing operations.

2. The point of retrieval shall be 80 % closure of the purse seine in fisheries for mackerel and it shall be 90 % closure of the purse seine in fisheries for herring.

3. If the surrounded school consists of a mixture of both species the point of retrieval shall be 80 % closure of the purse seine.

4. It shall be prohibited to release catches of mackerel and herring after the point of retrieval.

5. The surrounded school of fish shall be sampled before its release to estimate the species composition, the fish size composition and the quantity.



6. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply in 2019 and 2020 to catches of mackerel and herring in the ring net fishery targeting pelagic species not subject to quotas in ICES divisions VIIe and VIIf, if the requirements set out in paragraphs 1 to 5 of this Article and in Article 4 of this Regulation are met *mutatis mutandis*.

▼B*Article 3***▼M1*****De minimis exemptions in the years 2015, 2016 and 2017*****▼B**

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded:

- (a) for blue whiting (*Micromesistius poutassou*), up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017, of the total annual catches in the industrial pelagic trawler fishery targeting that species in ICES zones Vb, VI and VII and processing that species on board to obtain surimi base;
- (b) up to a maximum of 7 % in 2015 and 2016, and 6 % in 2017 for albacore tuna (*Thunnus alalunga*) of the total annual catches in the albacore tuna directed fisheries using midwater pair trawls (PTM) in ICES sea areas VII;
- (c) up to a maximum of 3 % in 2015 and 2 % for 2016 of the total annual catches of mackerel (*Scomber scombrus*), horse mackerel (*Trachurus* spp.), herring (*Clupea harengus*) and whiting (*Merlangius merlangus*) in the pelagic fishery with pelagic trawlers up to 25 metres in length overall, using mid-water trawl (OTM), targeting mackerel, horse mackerel and herring in ICES zone VIId;
- (d) up to a maximum of 1 % in 2015 and 0,75 % in 2016 of the TAC of boarfish (*Caproidae*) in the fishery targeting horse mackerel (*Trachurus* spp.) with pelagic freezer trawlers using midwater trawls in ICES zones VI and VII.

▼M1*Article 3a****De minimis exemptions in the years 2018, 2019 and 2020***

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded:

- (a) up to a maximum of 6 %, in 2018, and 5 %, in 2019 and 2020, of the total annual catches of blue whiting (*Micromesistius poutassou*) in the industrial pelagic trawler fishery targeting that species in ICES divisions Vb, VI and VII, and processing that species on board to obtain surimi base;
- (b) up to a maximum of 6 %, in 2018, and 5 %, in 2019 and 2020, of the total annual catches for albacore tuna (*Thunnus alalunga*) in the albacore tuna directed fisheries using midwater pair trawls (PTM) in ICES subarea VII;
- (c) up to a maximum of 1 %, in 2018, 2019 and 2020, of the total annual catches of mackerel (*Scomber scombrus*), horse mackerel (*Trachurus* spp.), herring (*Clupea harengus*) and whiting (*Merlangius merlangus*) in the fishery carried out with pelagic trawlers up to 25 meters in length overall, using mid-water trawl (OTM and PTM) and targeting mackerel, horse mackerel and herring in ICES division VIId.

▼ **B**

Article 4

Documentation of catches

Quantities of fish released under the exemption provided for in Article 2 and the results of the sampling required under Article 2(5) shall be reported in the logbook.

Article 5

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*.

▼ **M1**

It shall apply from 1 January 2015 to 31 December 2020.

▼ **B**

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

▼ **M1**

ANNEX

1. Fisheries in ICES zones Vb, VIa, VIb:

Code	Pelagic fishing gear	Quota species targeted
OTB	Otter trawls — bottom	Mackerel, herring, horse mackerel, blue whiting, boarfish, argentine
OTM	Otter trawls midwater, other	Mackerel, herring, horse mackerel, blue whiting, boarfish, argentine
PTB	Pair trawls — bottom (other)	Mackerel
PTM	Pair trawls — midwater	Herring, mackerel, horse mackerel
PS	Purse seines	Mackerel, blue whiting
LHM	Handline	Mackerel
LTL	Trolling	Mackerel

2. Fisheries in zones ICES VII (excluding ICES zones VIIa, VIId and VIIe):

Code	Pelagic fishing gear	Quota species targeted
LHM	Handline	Mackerel
LTL	Trolling and poles and lines	Albacore tuna
PTM	Pair trawls — midwater	Blue whiting, mackerel, horse mackerel, albacore tuna, boarfish, herring
OTM	Otter trawls — midwater	Blue whiting, mackerel, horse mackerel, boarfish, herring, albacore tuna
OTB	Otter trawls — bottom	Herring
PS	Purse seines	Mackerel, horse mackerel

3. Fisheries in ICES zones VIId and VIIe:

Code	Pelagic fishing gear	Quota species targeted
OTB	Otter trawls (not specified)	Sprat
GND	Driftnets	Mackerel, herring
LHM	Handlines and polelines	Mackerel
OTM	Otter trawls — midwater (other)	Sprat, horse mackerel, mackerel, herring, boarfish
PTM	Pair trawls — midwater (other)	Horse mackerel
PS	Purse seines	Mackerel, horse mackerel

▼ M1

4. Fisheries in ICES zone VIIa:

Code	Pelagic fishing gear	Quota species targeted
OTM	Otter trawls — midwater	Herring
PTM	Pair trawls — midwater	Herring
LHM	Handlines	Mackerel
GNS	Gillnets	Herring