





**COMMISSION DELEGATED REGULATION (EU) No 1394/2014**  
**of 20 October 2014**  
**establishing a discard plan for certain pelagic fisheries in south-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 South Western waters, as defined in Article 4(2)(d) of that Regulation, in the fisheries set out in the Annex to this Regulation.

*Article 2*

**Survivability exemption**

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to catches of anchovy, horse mackerel, jack mackerel and mackerel in artisanal purse seine fisheries. All such catches may be released, provided that the net is not fully taken on board.

*Article 3*

***De minimis* exemptions**

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 zone VIII 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 zone VIII;
- (c) up to a maximum of 5 % in 2015 and 2016, and 4 % in 2017, of the total annual catches in the pelagic trawl fishery for anchovy (*Engraulis encrasicolus*), mackerel (*Scomber scombrus*) and horse mackerel (*Trachurus* spp.) in ICES zone VIII;
- (d) In the purse seine fishery in ICES zones VIII, IX and X and in CECAF areas 34.1.1, 34.1.2 and 34.2.0 targeting the following species: up to a maximum of 5 % in 2015 and 2016, and 4 % in 2017, of the total annual catches of horse mackerel (*Trachurus* spp.) and mackerel (*Scomber scombrus*); and up to a maximum of 2 % in 2015 and 2016, and 1 % in 2017, of the total annual catches of anchovy (*Engraulis encrasicolus*).

**▼B***Article 4***Minimum conservation reference size**

The minimum conservation reference size for anchovy (*Engraulis encrasicolus*) caught in ICES subarea IX and CECAF area 34.1.2 shall be 9 cm.

**▼M1**

By way of derogation from Annex XII to Regulation (EC) No 850/98, the minimum conservation reference size for horse mackerel (*Trachurus* spp.) caught in ICES division VIIIc and ICES subarea IX shall be 12 cm for 5 % of the respective quotas of Spain and Portugal in those areas. Within that limit of 5 %, in the xávega artisanal beach sein fishery in ICES division IXa 1 % of the quota of Portugal may be caught with the size below 12 cm.

**▼B***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*.

It shall apply from 1 January 2015 until 31 December 2017.

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



## ANNEX

**Fisheries subject to the provisions of this regulation implementing the landing obligation**

## 1. Fisheries in ICES zone VIII:

Code	Pelagic fishing gear	Quota species targeted
PS	Purse seines	Horse mackerel, mackerel, sprat, anchovy
PTM	Pair trawls — midwater	Horse mackerel, mackerel, anchovy, albacore tuna
OTM	Otter trawls — midwater	Horse mackerel, mackerel, anchovy, albacore tuna, blue whiting
LHM/LTL/BB	Handlines and pole lines (mechanised), bait boats, trolling lines	Albacore tuna, mackerel

## 2. Fisheries in ICES zone IX:

Code	Pelagic fishing gear	Quota species targeted
PS	Purse seines	Horse mackerel, mackerel, anchovy
LHM/ LTL/ BB	Handlines and pole lines (mechanised), bait boats, trolling lines	Albacore tuna, mackerel,
LL	Long lines	Albacore
GND/SB	Artisanal fisheries	Horse mackerel

## 3. Fisheries in ICES zone X:

Code	Pelagic fishing gear	Quota species targeted
LHP/BB	Bait boats	Albacore
LLD	Longlines	Albacore
PS	Purse-seine artisanal	Jack mackerel

## 4. Fisheries in CECAF zones 34.1.1, 34.1.2, 34.2.0:

Code	Pelagic fishing gear	Quota species targeted
PS	Purse seines	Jack mackerel
LHP/BB	Handlines, bait boats and pole lines (hand-operated)	Albacore
LLD	Longlines	Albacore