COMMISSION REGULATION (EC) 820/2004

of 29 April 2004

amending Council Regulation (EC) No 2287/2003 as regards fishing opportunities for blue whiting in certain zones

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required [1], and in particular Article 5(4) thereof,

Whereas:

(1) Article 5(4) of Regulation (EC) No 2287/2003 lays down the possibility to increase the Community's fishing opportunities for blue whiting and herring when third countries do not respect a responsible management of those stocks.

(2) No maximum fishing opportunities for blue whiting for 2004 have been established by the Faeroe Islands and Norway. Iceland has established fishing opportunities far above their historical catches of the stock. It may therefore be considered that those third countries do not respect a responsible management of the blue whiting stock.

While awaiting a long term management agreement on the blue whiting stock with the coastal States concerned, it is appropriate for the Community to provisionally increase its quota with 350 000 tonnes in zones II (International waters), IIa (EC waters), North Sea (EC waters), V,VI, VII, VIII, IX, X, XII, XIV, CECAF 34.1.1 (EC waters).

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture.

(4) Regulation (EC) No 2287/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes IB and IC to Regulation (EC) No 2287/2003 are amended in accordance with the Annex to this Regulation.

[1] OJ L 344, 31.12.2003, p. 1.

Article 2

This Regulation shall enter into force on the third 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, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

The Annexes to Regulation (EC) No 2287/2003 are amended as follows:

1. In Annex IB:

The entries concerning the species blue whiting in zones:

IIa (EC waters), North Sea (EC waters),

V, VI, VII, XII, and XIV,

VIIIa,b,d,e,

VIIIc, IX, X, CECAF 34.1.1

are replaced by the following:

Species	Blue whiting	Zone:	IIa (EC waters), North Sea (EC waters)
	Micromesistius poutassou		WHB/2AC4-C
Denmark	97 058		
Germany	160		
The Netherlands	294		
Sweden	313		
United Kingdom	2 141		
EC	99 966		
Norway	40 000 (1)		
TAC	Not relevant		Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.

(1) Within a total quota of 120 000 tonnes in EC waters.

Species:	Blue whiting Micromesistius poutassou	Zone:	V, VI, VII, XII and XIV WHB/571214
Denmark	8 031		
Germany	31 087		
Spain	51 812 (1)		
France	43 263		
Ireland	62 174		
The Netherlands	97 665		
Portugal	3 886 (1)		
United Kingdom	90 671		
EC	388 589		
Norway	120 000 (2)(3)		
Faroe Islands	45 000 (4) (5)		
TAC	Not relevant		Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.

_____

(1) Of which up to 75% may be taken in areas VIIIc, IX, X, CECAF 34.1.1 (EC waters).

(2) May be fished in EC waters in areas II, IVa, VIa north of 56°30'N, VIb, VII west of 12°W

(3) Of which up to 500 tonnes may consist of argentine (*Argentina spp.*).

(4) Catches of blue whiting may include unavoidable catches of argentine (*Argentina spp.*)

(5) May be fished in EC waters in areas VIa north of 56°30' N, VIb, VII west of 12° W.

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

	IVa	WHB/04A-C
Norway	40 000	

Species:	Blue whiting Micromesistius poutassou	Zone:	VIIIa,b,d, e WHB/8ABDE.
Spain	19 993		
France	15 513		
Portugal	2 999		
United Kingdom	14 477		
EC	52 982		
TAC	Not relevant		Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.

Special conditions:

Any part of the abovementioned quotas may be fished in ICES Division Vb (EC waters), sub-areas VI, VII, XII and XIV.

Species:	Blue whiting Micromesistius poutassou	Zone:	VIIIc, IX, X, CECAF 34.1.1 (EC waters) WHB/8C3411
Spain	87 970		
Portugal	21 993		
EC	109 963 (1)		
TAC	Not relevant		Analytical TAC where deductions of Article 5(2) of Regulation (EC) No 847/96 apply.

2. In Annex IC:

The entry concerning the species blue whiting in zone I, II (international waters) is replaced by the following:

Species:	Blue whiting Micromesistius poutassou	Zone:	I, II, (international waters)
EC	70 000		
TAC	Not relevant		