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COMMISSION DELEGATED REGULATION (EU) 2020/2015

of 21 August 2020

specifying details of the implementation of the landing obligation for certain fisheries in Western Waters for the period 2021-2023

(OJ L 415, 10.12.2020, p. 22)

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COMMISSION DELEGATED REGULATION (EU) 2020/2015

of 21 August 2020

specifying details of the implementation of the landing obligation for certain fisheries in Western Waters for the period 2021-2023

CHAPTER I

GENERAL PROVISIONS

Article 1

Implementation of the landing obligation

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In the Union Waters of North-Western Waters (ICES subareas 5, 6 and 7), of South-Western Waters (ICES subareas 8, 9 and 10 (waters around Azores), and of CECAF zones 34.1.1, 34.1.2 and 34.2.0 (waters around Madeira and the Canary Islands), the landing obligation provided for in Article 15(1) of Regulation (EU) No 1380/2013 shall apply in demersal and pelagic fisheries in accordance with this Regulation for the period 2021-2023.

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Article 2

Definitions

1. ‘Flemish panel’ means the last tapered netting section of a beam trawl whose:

— posterior is directly attached to the cod-end,

— upper and lower netting sections are constructed of at least 120 mm mesh as measured between the knots, and

— stretched length is at least 3 m.

2. ‘Seltra panel’ means a selectivity device which:

— consists of a top panel of at least 270 mm mesh size (diamond mesh) or a top panel of at least 300 mm mesh size (square mesh), placed in a four-panel box section, in the straight section of a cod end,

— is at least 3 metres long,

— is positioned no more than 4 metres from the cod line, and

— is the full width of the top sheet of the box section of the trawl (i.e. from selvedge to selvedge).

3. ‘Netgrid selectivity device’ means a selectivity device consisting of a four panel section inserted into a two-panel trawl with an inclined sheet of diamond mesh netting with a mesh size of at least 200 mm, leading to an escape hole in the top of the trawl.

4. ‘CEFAS Netgrid’ means a Netgrid selectivity device developed by The Centre for Environment, Fisheries and Aquaculture Science for catches of Nephrops in the Irish Sea.

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5. ‘Flip-flap trawl’ means a trawl equipped with a netting grid developed to reduce the capture of cod, haddock and whiting in Norway lobster fisheries.

6. ‘Flip-up rope’ means a gear modification on demersal beam trawls to help prevent stones and boulders entering the trawl and causing damage to both gear and catches.

7. ‘Benthos release panel’ means a panel of larger mesh or square mesh netting fitted into the lower panel of a trawl, usually a beam trawl to release any benthic material and seabed debris before it passes into the codend.

8. ‘Celtic Sea Protection Zone’ means the waters inside ICES divisions 7f, 7g and the part of 7j that lies North of latitude 50° N and East of 11° W.

9. ‘*Voracera*’ means a locally designed and built mechanised hook line, used by the artisanal fleet targeting red seabream in the South of Spain in ICES division 9a.

CHAPTER II

SURVIVABILITY EXEMPTIONS IN NORTH-WESTERN WATERS

Article 3

Survivability exemption for Norway lobster

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to:

(a) Norway lobster (*Nephrops norvegicus*) caught in pots, traps or creels (gear codes: [1] FPO and FIX and FYK), in ICES subareas 6 and 7;

(b) Norway lobster (*Nephrops norvegicus*) caught with bottom trawls (OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) with a mesh size equal to or larger than 100 mm in ICES subarea 7;

(c) Norway lobster (*Nephrops norvegicus*) caught in ICES subarea 7, with bottom trawls (OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) with a mesh size of 70 to 99 mm in combination with highly selective gear options, as set out in paragraphs 2 and 3;

(d) Norway lobster (*Nephrops norvegicus*) caught with otter trawls (OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) with a mesh size of 80 to 110 mm in ICES division 6a within twelve nautical miles of the coast.

[1] Gear codes used in this Regulation refer to those codes in Annex XI to Commission Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common fisheries policy. For the vessels whose LOA is less than 10 metres gear codes used in this table refer to the codes from the FAO gear classification.

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2. The exemption under paragraph 1(c) shall apply to vessels fishing in the Celtic Sea Protection Zone, provided that they use one of the following selective gears:

(a) square mesh panel of at least 300 mm;

(b) square mesh panel of at least 200 mm for vessels less than 12 metres in length

(c) Seltra panel;

(d) Sorting grid with a maximum bar spacing of 35 mm as defined in Annex VI Part B to Regulation (EU) 2019/1241 of the European Parliament and of the Council [1] or equivalent Netgrid selectivity device;

(e) 100 mm cod-end with a 100 mm square mesh panel.

(f) Dual cod-end with the uppermost cod-end constructed with T90 mesh of at least 90 mm and fitted with a separation panel with a maximum mesh size of 300 mm.

3. The exemption under paragraph 1(c) shall apply to vessels fishing in ICES division 7a provided that they use one of the following selective gears:

(a) 300 mm square mesh panel of at least 300 mm;

(b) square mesh panel of at least 200 mm for vessels less than 12 metres in length;

(c) Seltra panel;

(d) Sorting grid with a maximum bar spacing of 35 mm as defined in Annex VI Part B to Regulation (EU) 2019/1241;

(e) CEFAS Netgrid;

(f) Flip-flap trawl.

4. When discarding Norway lobster caught in the cases referred to in paragraph 1, the Norway lobster shall be released whole, immediately and in the area where it has been caught.

Article 4

Survivability exemption for common sole

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply in ICES division 7d, within six nautical miles of the coast but outside identified nursery areas, to catches of common sole (*Solea solea*) below the minimum conservation reference size made using otter trawl gears (gear codes: OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) with a cod end mesh size of 80 to 99 mm, by vessels:

[1] Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

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(a) having a maximum length of 10 metres and a maximum engine power of 221 kW; and

(b) fishing in waters with the depth of 30 metres or less and with tow durations of no more than ninety minutes.

2. When discarding common sole caught in the cases referred to in paragraphs 1, the common sole shall be released immediately.

Article 5

Survivability exemption for skates and rays

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to skates and rays (*Rajiformes*) caught by any fishing gear in the North-Western Waters (ICES subareas 6 and 7).

2. Member States having a direct management interest shall submit, every year as soon as possible and not later than by 1 May, additional scientific information supporting the exemption laid down in paragraph 1. The Scientific, Technical and Economic Committee for Fisheries (STECF) shall assess that scientific information by 31 July every year.

3. The exemption laid down in paragraph 1 shall also apply to Cuckoo ray. Member States having a direct management interest shall submit, every year as soon as possible and not later than by 1 May, additional scientific information supporting that exemption including provisional information on Cuckoo ray catches, Cuckoo ray discards and the progress of Cuckoo ray vitality or survival research in relevant fisheries. The STECF shall assess the provided scientific information before 31 July every year.

4. When discarding skates and rays caught in the cases referred to in paragraph 1, the skates and rays shall be released immediately.

Article 6

Survivability exemption for plaice

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to:

(a) plaice (*Pleuronectes platessa*) caught in ICES divisions 7d to 7g with trammel nets (gear codes: GTR, GTN, GEN, GN);

(b) plaice (*Pleuronectes platessa*) caught in ICES divisions 7d to 7g with otter trawls (gear codes: OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX);

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(c) plaice (*Pleuronectes platessa*) caught in ICES divisions 7a to 7g by vessels having a maximum engine greater than 221 kW, and using beam trawls (TBB) fitted with a flip-up rope or benthic release panel;

(d) plaice (*Pleuronectes platessa*) caught in ICES divisions 7a to 7g by vessels using beam trawls (TBB), having a maximum engine power of 221 kW or a maximum length of 24 metres, which are constructed to fish within 12 nautical miles of the coast and with average tow durations of no more than ninety minutes;

(e) plaice *(Pleuronectes platessa)* caught in ICES division 7d with Danish seines (gear code: SDN);

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(f) plaice (*Pleuronectes platessa*) caught in ICES divisions 7b to 7k with seines (SSC).

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2. For the exemptions set out in points (c) and (d), Member States having a direct management interest shall submit, as soon as possible and not later than by 1 May every year, additional scientific information supporting these exemptions, including provisional information on plaice catches, discards and the progress of vitality or survival research in the relevant fisheries. Member States shall also submit a timetable for the completion of the agreed roadmap by 1 May 2021. The STECF shall assess that information by 30 June 2021.

3. When discarding plaice caught in the cases referred to in paragraph 1, the plaice shall be released immediately.

Article 7

Survivability exemption for species caught in pots, traps and creels

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to species caught with pots, traps and creels (gear codes: FPO, FIX, FYK) in ICES subareas 5 (excluding 5a and including only Union waters of 5b), 6 and 7.

2. When discarding fish caught in the cases referred to in paragraph 1, the fish shall be released immediately.

Article 8

Survivability exemption for pelagic species

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to catches of mackerel and herring in the purse seine fisheries in ICES subarea 6, if all of the following conditions are met:

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(a) 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');

(b) the purse seine gear is fitted with visible buoys clearly marking the limit for the point of retrieval;

(c) 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. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to catches of mackerel and herring in the ring net fishery targeting pelagic species not subject to quotas in ICES divisions 7e and 7f, if the requirements set out in paragraphs 1 to 5 of this Article and in Article 15 of this Regulation are met *mutatis mutandis*.

CHAPTER III

SURVIVABILITY EXEMPTIONS IN SOUTH-WESTERN WATERS

Article 9

Survivability exemption for Norway lobster

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to Norway lobster (*Nephrops norvegicus*) caught in ICES subareas 8 and 9 with bottom trawls (gear codes: OTB, OTT, PTB, TBN, TBS, TB, TBB, OT, PT and TX).

2. When discarding Norway lobster caught in the cases referred to in paragraph 1, the Norway lobster shall be released immediately and in the area where it has been caught.

Article 10

Survivability exemption for skates and rays

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to skates and rays (*Rajiformes*) caught with all gears in ICES subareas 8 and 9.

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2. When discarding skates and rays in the cases referred to in paragraph 1, the skates and rays shall be released immediately.

3. Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May 2022 additional scientific information supporting the exemption laid down in paragraph 1. The STECF shall assess that scientific information by 31 July 2022.

4. The exemption referred to in paragraph 1 shall apply to cuckoo ray:

(a) caught by trammel nets in ICES subareas 8 and 9 until 31 December 2022. Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May 2022, additional scientific information supporting this exemption for cuckoo ray caught with trammel nets. The STECF shall assess that scientific information by 31 July 2022;

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(b) caught by bottom trawls in ICES subarea 8 until 31 December 2022. Member States having a direct management interest shall submit as soon as possible, but by no later than 1 May 2022, additional scientific information supporting this exemption for cuckoo ray caught with bottom trawls. The STECF shall assess that scientific information by 31 July 2022.

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Article 11

Survivability exemption for red sea bream

1. The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to red seabream (*Pagellus bogaraveo*) caught with the artisanal gear *voracera* in ICES division 9a and to red seabream (*Pagellus bogaraveo*) caught with hooks and lines (gear codes: LHP, LHM, LLS, LLD) until 31 December 2022 in ICES subareas 8 and 10 and in ICES division 9a.

2. Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May 2022 additional scientific information supporting the exemption laid down in paragraph 1 for red seabream caught with hooks and lines in ICES subareas 8 and in ICES division 9a. The STECF shall assess the provided scientific information by 31 July 2022.

3. When discarding red sea bream caught in the cases referred to in paragraph 1, the red seabream shall be released immediately.

Article 12

Survivability exemption for anchovy, horse mackerel and mackerel

The survivability exemption provided for in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply to catches of anchovy (*Engraulis encrasicolus*), horse mackerel (*Trachurus* spp) and mackerel (*Scomber scombrus*) in purse seine fisheries (PS), provided that the net is not fully taken on board.

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CHAPTER IV

***DE MINIMIS* EXEMPTIONS IN NORTH-WESTERN WATERS**

Article 13

De minimis exemptions in the North-Western Waters

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded in the North-Western Waters pursuant to Article 15(5)(c) of that Regulation, subject to paragraphs 2 to 7:

(a) for whiting (*Merlangius merlangus*), up to a maximum of 5 % of the total annual catches of that species by vessels using bottom trawls and seines with a mesh size equal to or greater than 80 mm (OTB, OTT, OT, PTB, PT, SSC, SDN, SPR, SX, SV, TBN, TBS, TB, TX), pelagic trawls (OTM, PTM) and beam trawls (BT2) with a mesh size of 80 to 119 mm in ICES divisions 7b to 7k;

(b) for common sole (*Solea solea*), up to a maximum of 3 % of the total annual catches of that species by vessels using trammel and gill nets (GN, GNS, GND, GNC, GTN, GTR, GEN, GNF) to catch common sole in ICES divisions 7d to 7g;

(c) for common sole (*Solea solea*), up to a maximum of 3 % of the total annual catches of that species by vessels using TBB gear with a mesh size of 80 to 119 mm equipped with Flemish panel, to catch common sole in ICES divisions 7d to 7h;

(d) for haddock (*Melanogrammus aeglefinus*), up to a maximum of 5 % of the total annual catches of that species caught:

(i) by vessels operating with a mesh size greater than or equal to 100 mm for all bottom trawls, seines (OTB, OTT, OT, PTB, PT, SSC, SDN SPR, SX, SV, TBN, TBS, TB, TX) in 7b, 7c and 7e to 7k with catches comprising not more than 30 % Norway lobster and excluding beam trawls;

(ii) by vessels operating with mesh sizes greater than or equal to 80 mm in 7b, 7c and 7e to 7k with catches comprising more than 30 % of Norway lobster;

(iii) by vessels operating with beam trawls using mesh sizes greater than or equal to 80 mm in 7b, 7c and 7e to 7k in conjunction with the use of a Flemish panel;

(e) in the demersal mixed fishery carried out by vessels targeting brown shrimp and using beam trawls (TBB) with a mesh size equal to or greater than 31 mm in ICES division 7a:

a combined quantity of fish species below MCRS, which shall not exceed 0,85 % of the total annual catches of plaice and 0,15 % of the total annual catches of whiting in the demersal mixed fisheries;

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(f) for boarfish *(Caproidae*), up to a maximum of 0,5 % of the total annual catches of that species for all gears in those areas, by vessels using bottom trawls (OTT, OTB, TBS, TBN, TB, PTB) in ICES divisions 7b, 7c and 7f to 7k;

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(g) for megrim (*Lepidorhombus* spp.) below MCRS, up to a maximum of 4 % of the total annual catches of those species by vessels using beam trawls (TBB) with a mesh size of 80 to 119 mm (BT2) in ICES subarea 7; and using bottom trawls (OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) in the following conditions:

(i) in ICES divisions 7f, 7g, the part of 7h North of latitude 49° 30′ North and the part of 7j North of latitude 49° 30′ North and East of longitude 11° West, for TR2 vessels with catches comprising more than 55 % of whiting or 55 % of anglerfish, hake or megrim combined;

(ii) in ICES subarea 7, outside the abovementioned area, for TR2 vessels.

(h) for common sole (*Solea solea*), up to a maximum of 3 % of the total annual catches of that species by vessels using beam trawls with a mesh size of 80 to 119 mm (BT2) with increased selectivity (Flemish panel) in ICES divisions 7a;

(i) for greater silver smelt (*Argentina silus*), caught by vessels using bottom trawls (OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) with a mesh size greater or equal to 100 mm (TR1) in ICES division 5b (EU waters) and subarea 6, up to 0,6 % of the total annual catches of that species from all gears in those areas.

(j) for horse mackerel (*Trachurus* spp.), up to a maximum of 3 % of the total annual by-catches of those species, caught in demersal mixed fisheries, by vessels using bottom trawls, seines and beam trawls (OTB, OTT, OT, PTB, PT, SSC, SDN, SPR, SX, SV, TBB, TBN, TBS, TB, TX) in ICES subarea 6 and ICES divisions 7b to 7k;

(k) for mackerel (*Scomber scombrus*), up to a maximum of 3 % of the total annual by-catches of that species, caught in demersal mixed fisheries, by vessels using bottom trawls, seines and beam trawls (OTB, OTT, OT, PTB, PT, SSC, SDN, SPR, SX, SV, TBB, TBN, TBS, TB, TX) in ICES subarea 6 and ICES divisions 7b to 7k;

(l) for haddock (*Melanogrammus aeglefinus*) below minimum conservation reference size, up to a maximum of 3 % of the total annual catches of that species by vessels using bottom trawls with a mesh size up to 119 mm (OTB, OTT, OT, TBN, TB) in the West of Scotland Norway lobster (*Nephrops Norvegicus*) fishery in ICES division 6a provided that vessels use the highly selective gear options described in Article 3(3) of this Regulation.

(m) for blue whiting (*Micromesistius poutassou*), up to a maximum of 5 % of the total annual catches in the industrial pelagic trawler fishery targeting that species in ICES subareas 5b, 6 and 7 and processing that species on board to obtain surimi base;

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(n) for albacore tuna (*Thunnus alalunga*) in the albacore tuna directed fisheries, up to a maximum of 5 % of the total annual catches using midwater pair trawls (PTM) in ICES subarea 7;

(o) for mackerel (*Scomber scombrus*), horse mackerel (*Trachurus* spp.), herring (*Clupea harengus*) and whiting (*Merlangius merlangus*), up to a maximum of 1 % of the total annual catches in the pelagic fishery with pelagic trawlers up to 25 metres in length overall, using mid-water trawl (OTM and PTM), targeting mackerel, horse mackerel and herring in ICES division 7d;

2. ►M1 The *de minimis* exemption laid down in point (a) of paragraph 1, shall be applicable until 31 December 2022. Member States having a direct management interest shall submit, as soon as possible and by no later than 1 May 2022, additional scientific information on catch composition. The STECF shall assess the provided scientific information by 31 July 2022. ◄

3. The *de minimis* exemption laid down in point (g) of paragraph 1, shall be applicable until 31 December 2022. Member States having a direct management interest shall submit, as soon as possible and not later than by 1 May 2022 additional information on costs of megrim below MCRS being stored on vessels and fleet data. The STECF shall assess the provided scientific information by 31 July 2022.

4. The *de minimis* exemption laid downin point (h) of paragraph 1, shall be applicable until 31 December 2022. Member States having a direct management interest in the *de minimis* exemption shall submit, as soon as possible and not later than by 1 May 2022 additional information on selectivity and the use of this *de minimis* exemption. The STECF shall assess the provided scientific information by 31 July 2022.

5. Member States having a direct management interest shall submit, as soon as possible and not later than by 1 May 2022 additional information on selectivity and disproportionate costs supporting the exemptions set out in points (f) and (i) to (k) of paragraph 1. The STECF shall assess the provided scientific information by 31 July 2022.

6. Member States having a direct management interest shall submit, as soon as possible and not later than by 1 May 2023 additional information on fishing patterns supporting the exemptions set out in points (m), (n) and (o) of paragraph 1. The STECF shall assess the provided scientific information by 31 July 2023.

7. The *de minimis* exemptions laid down in points (d), (f) and (i) to (l) of paragraph 1 shall be applicable until 31 December 2022.

CHAPTER V

DE MINIMIS EXEMPTIONS IN SOUTH-WESTERN WATERS

Article 14

De minimis exemptions in the South-Western Waters

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded in the South-Western Waters pursuant to Article 15(5)(c) of that Regulation:

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(a) for hake (*Merluccius merluccius*), up to a maximum of 5 % of the total annual catches of that species by vessels using trawls and seines (gear codes: OTM, PTM, OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, SDN, SX, SV) in ICES subareas 8 and 9;

(b) for common sole (*Solea solea*), up to a maximum of 5 % of the total annual catches of that species by vessels using pelagic trawls, beam trawls and bottom trawls (gear codes: OTM, PTM, OTB, OTT, PTB, TBN, TBS, TBB, OT, PT and TX) in ICES divisions 8a and 8b;

(c) for common sole (*Solea solea*), up to a maximum of 3 % of the total annual catches of that species by vessels using trammel nets and gillnets (gear codes: GNS, GN, GND, GNC, GTN, GTR and GEN) in ICES divisions 8a and 8b;

(d) for alfonsinos (*Beryx* spp.), up to a maximum of 5 %, of the total annual catches of those species by vessels using hooks and lines (gear codes: LHP, LHM, LLS, LLD) in ICES subarea 10;

(e) for horse mackerel (*Trachurus* spp.), up to a maximum of 5 % of the total annual catches of horse mackerel by vessels using beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9;

(f) for horse mackerel (*Trachurus* spp.), up to a maximum of 3 % of the total annual catches of horse mackerel by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8, 9 and 10 and and CECAF zones 34.1.1, 34.1.2, 34.2.0;

(g) for mackerel (*Scomber scombrus*), up to a maximum of 5 % of the total annual catches of that species by vessels using beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9;

(h) for mackerel *(Scomber scombrus)*, up to a maximum of 3 % of the total annual catches of that species by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 and 9 and CECAF zones 34.1.1, 34.1.2, 34.2.0;

(i) for megrim (*Lepidorhombus* spp.), up to a maximum of 5 % of the total annual catches of megrim by vessels using beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9;

(j) for megrim (*Lepidorhombus* spp.), up to a maximum of 4 % of the total annual catches of megrim by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 and 9;

(k) for anglerfish (*Lophiidae*), up to a maximum of 5 % of the total annual catches of anglerfish by vessels using pelagic trawls, beam trawls, bottom trawls and seines (gear codes: OTM, PTM, OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9;

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(l) for anglerfish (*Lophiidae)*, up to a maximum of 4 % of the total annual catches of anglerfish by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 and 9;

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(m) for whiting (*Merlangius merlangus*), up to a maximum of 5 % of the total annual catches of that species by vessels using pelagic trawls, beam trawls, bottom trawls and seines (gear codes: OTB, OTT, OTM, PTB, PTM, TBN, TBS, TBB, OT, PT, TX, TM, SSC, SPR, SDN, SX, SV) in ICES subarea 8;

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(n) for whiting (*Merlangius merlangus*), up to a maximum of 4 % of the total annual catches of that species by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subarea 8;

(o) for anchovy (*Engraulis encrasicolus*), up to a maximum of 5 % of the total annual catches of that species by vessels using beam trawls, bottom trawls and seines (OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, TBB, SDN, SX, SV) in ICES subareas 8 and 9;

(p) for red seabream (*Pagellus bogaraveo*), up to a maximum of 5 % of the total annual catches of that species by vessels using beam trawls, bottom trawls and seines (OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, TBB, SDN, SX, SV) in the Gulf of Cadiz part of ICES subarea 9a;

(q) for sole (*Solea* spp.) up to a maximum of 1 % of the total annual catches of sole by vessels using beam trawls, bottom trawls and seines (gear codes: OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, TBB, SDN, SX, SV) in the Gulf of Cadiz part of ICES subarea 9a.

(r) for blue whiting (*Micromesistius poutassou*) up to a maximum of 5 % of the total annual catches in the industrial pelagic trawler fishery, which targets blue whiting in ICES subarea 8 using midwater trawls (OTM) and midwater pair trawls (PTM) and processes that species on board to obtain surimi base;

(s) for albacore tuna (*Thunnus alalunga*) up to a maximum of 5 % of the total annual catches in the albacore tuna directed fisheries using midwater pair trawls (PTM) and midwater trawls (OTM) in ICES subarea 8;

(t) for anchovy (*Engraulis encrasicolus*), mackerel (*Scomber scombrus*) and horse mackerel (*Trachurus* spp.) up to a maximum of 4 % in of the total annual catches in the pelagic trawl fishery which targets anchovy, mackerel and horse mackerel in ICES subarea 8 using pelagic trawls;

(u) for horse mackerel (*Trachurus* spp.) and mackerel (*Scomber scombrus*) up to a maximum of 4 % of the total annual catches and for anchovy (Engraulis encrasicolus) up to a maximum of 1 % of the total annual catches using purse seines (PS) in ICES subareas 8, 9 and 10 and CECAF divisions 34.1.1, 34.1.2, 34.2.0.

▼B

2. Member States having a direct management interest shall submit, as soon as possible and not later than 1 May every year, additional scientific information supporting the exemptions set out in paragraph 1(e) to (q).

3. The *de minimis* exemptions laid down in points (m) and (n) of paragraph 1 shall be applicable until 31 December 2022.

CHAPTER VI

DOCUMENTATION OF CATCHES

Article 15

Documentation of catches for pelagic fleets

Quantities of fish released under the exemption provided for in Article 8 and the results of the sampling required under Article 8(5) shall be reported in the logbook.

CHAPTER VII

FINAL PROVISIONS

Article 16

Repeal

Delegated Regulations (EU) 2019/2239 and (EU) 2019/2237 are repealed.

Article 17

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 2021 until 31 December 2023.

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