

**COMMISSION REGULATION (EC) No 762/2004
of 23 April 2004**

**adapting certain fish quotas for 2004 pursuant to Council Regulation (EC) No 847/96 introducing
additional conditions for year-to-year management of TACs and quotas**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 23(4) thereof,

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽²⁾, and in particular Articles 3(3), 4(2) and 5,

Whereas:

(1) Council Regulation (EC) No 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks ⁽³⁾ and Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 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 ⁽⁴⁾, specify which stocks may be subject to the measures provided for by Regulation (EC) No 847/96.

(2) Regulation (EC) No 2340/2002 and Council Regulation (EC) No 2287/2003 of 19 December 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 ⁽⁵⁾ fix quotas for certain stocks for 2004.

(3) Certain Member States have requested, pursuant to Regulation (EC) No 847/96, that part of their quotas be transferred to the following year. Within the limits indicated in that Regulation, the quantities withheld should be added to the quota for 2004.

(4) Regulation (EC) No 847/96 provides that deductions from national quotas for 2004 should be made at a level equivalent to the quantity fished in excess. Those deductions shall be applied taking into account also the specific provisions governing stocks falling within the scope of Regional Fisheries Organisations.

(5) Regulation (EC) No 847/96 also provides that weighted deductions from national quotas for 2004 should be made in the case of overfishing of permitted landings in 2003 for certain stocks identified in Regulation (EC) No 2340/2002 and in Regulation (EC) No 2341/2002.

(6) Certain Member States have requested, pursuant to Regulation (EC) No 847/96, permission to land additional quantities of fish of certain stocks. Those exceeding permitted landings should however be deducted from their quotas for 2004.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The quotas fixed in Regulation (EC) No 2340/2002 and in Regulation (EC) No 2287/2003 are increased as shown in Annex I or reduced as shown in Annex II.

Article 2

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

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 115, 9.5.1996, p. 3.

⁽³⁾ OJ L 356, 31.12.2002, p. 1.

⁽⁴⁾ OJ L 356, 31.12.2002, p. 12. Regulation as last amended by Regulation (EC) No 2192/2003 (OJ L 328, 17.12.2003, p. 1).

⁽⁵⁾ OJ L 344, 31.12.2003, p. 1.

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

Done at Brussels, 23 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

TRANSFERS ON TO 2004 QUOTAS

Country	Stock	Penalties 2003 (*)	Species	Zone	Initial quantity 2003	Margin	Adapted quantity 2003	Catches 2003	Adapted quantity %	Transfers 2004	Deductions 2004	Initial quantity 2004	Revised quantity 2004
BE	ANF/07	n	Anglerfish	VII	1 461		934	920,1	98,5	13,9	0	1 931	1 945
BE	ANF/8ABDE	n	Anglerfish	VIIIa,b,d,e	0		116	108,6	93,6	7,4	0	0	7
BE	LEZ/07	n	Megrims	VII	387		164	164,2	100,1	0	- 0,2	489	489
BE	LEZ/8ABDE	n	Megrims	VIIIa,b,d,e	0		17	0,6	3,5	1,7	0	0	2
BE	SOL/24	y	Sole	II, North Sea	1 321		1 588	1 538,1	96,9	49,9	0	1 417	1 467
BE	SOL/07A	y	Sole	VIIa	499		688	694,9	101,0	0	- 6,9	394	387
BEL	SOL/07D	y	Sole	VIIId	1 454		1 606	1 267,1	78,9	160,6	0	1 588	1 749
BE	SOL/7FG	y	Sole	VIIIf,g	775		729	689,2	94,5	39,8	0	656	696
DE	JAX/578/14	n	Horse Mackerel	Vb (EC), VI, VII, VIIIabde, XII, XIV	9 428		15 824	15 773,3	99,7	50,7	0	9 564	9 615
DE	SOL/24	y	Sole	II, North Sea	1 057		940	744,4	79,2	94	0	1 133	1 227
DE	SOL/3A/BCD	n	Sole	Skagerrak and Kattegat, IIIbcd (EC)	17		19	17,3	91,1	1,7	0	25	27
DK	JAX/578/14	n	Horse Mackerel	Vb (EC), VI, VII, VIIIabde, XII, XIV	11 796		13 111	10 866,1	82,9	1 311,1	0	11 966	13 277
DK	RNG/03-	n	Roundnose Grenadier	III (EC + waters not under jurid. TC)	1 769		1 699	1 210,4	71,2	169,9	0	1 769	1 939
DK	SOL/24	y	Common Sole	II, North Sea	604	60	766	712	93,0	54,0	0	588	642
DK	SOL/3A/BCD	n	Common Sole	Skagerrak and Kattegat, IIIbcd (EC)	291	29	294	297,7	101,3	0	- 3,7	407	403
ES	ANE/08	n	Anchovy	VIII	29 700		22 692	2 904,5	12,8	2 269,2	0	29 700	31 969
ES	ANF/07	n	Anglerfish	VII	581		1 815	1 912,4	105,4	0	- 97,4	768	671

Country	Stock	Penalties 2003 (*)	Species	Zone	Initial quantity 2003	Margin	Adapted quantity 2003	Catches 2003	Adapted quantity %	Transfers 2004	Deductions 2004	Initial quantity 2004	Revised quantity 2004
ES	ANF/8C3411	n	Anglerfish	VIIIc, IX, X	3 332		3 604	1 882,5	52,2	360,4	0	1 917	2 277
ES	JAX/8C9	n	Horse Mackerel	VIIIc, IX	29 587		33 046	29 085,1	88,0	3 304,6	0	29 587	32 892
ES	LEZ/07	n	Megrims	VII	4 301		7 585	7 468,9	98,5	116,1	0	5 430	5 546
ES	LEZ/8ABDE	n	Megrims	VIIIabde	921		989	114,8	11,6	98,9	0	1 163	1 262
ES	LEZ/8C3411	n	Megrims	VIIIc, IX, X	2 215		2 525	785	31,1	252,5	0	1 233	1 486
FR	ANE/08	n	Anchovy	VIII	3 300		13 530	5 736	42,4	1 353	0	3 300	4 653
FR	LEZ/07	n	Megrims	VIIIc, IX, X	5 220		3 076	2 647	86,1	307,6	0	6 589	6 897
FR	LEZ/8C3411	n	Megrims	VIIIc, IX, X	111		102	5,5	5,4	10,2	0	62	72
UK	ANF/07	n	Anglerfish	VII	2 843		3 516	3 227,1	91,8	288,9	0	3 759	4 048
UK	HER/7GK	n	Herring	VIIg,h,j,k	16		16	13,8	86,3	1,6	0	16	18
UK	JAX/578/14	n	Horse Mackerel	Vb (EC), VI, VII, VIIIabde, XII, XIV	12 751		7 555	6 930,7	91,7	624,3	0	12 935	13 559
UK	LEZ/07	n	Megrims	VII	2 055		2 265	1 778,1	78,5	226,5	0	2 595	2 822
UK	SOL/24	y	Sole	II, North Sea	679		827	765	92,5	62	0	729	791
UK	SOL/07A	y	Sole	VIIa	224		242	220	90,9	22	0	178	200
UK	SOL/07D	y	Sole	VIIId	1 038		1 147	1 111,6	96,9	35,4	0	1 135	1 170
UK	SOL/7FG	y	Sole	VIIIfg	349		350	341,6	97,6	8,4	0	295	303
NL	HER/6AS7BC	n	Herring	VIaS, VIIbc	1 273		667	657,3	98,5	9,7	0	1 273	1 283
NL	HER/7GK.	n	Herring	VIIghjk	802		949	931	98,1	18	0	802	820
NL	JAX/578/14	n	Horse Mackerel	Vb (EC), VI, VII, VIIIabde, XII, XIV	44 981		53 369	51 772,2	97,0	1 596,8	0	45 631	47 228
NL	SOL/24.	y	Sole	II, North Sea	11 925		13 115	12 646,8	96,4	468,2	0	12 790	13 258
NL	SOL/3A/BCD	n	Sole	Skagerrak,Kattegat, IIIb,c,d (EC)	28		13	2,4	18,5	1,3	0	42	43

(*) Annex III to Council Regulation (EC) No 2341/2002 (847/96 — Deductions of Article 5(2)).

ANNEX II

DEDUCTIONS FROM 2004 QUOTAS

Country	Species	Area	Species Name	Zone	Penalties	Adapted quantity 2003	Margin	Total adapted quantity 2003	Catches 2003	%	Deductions	Initial quantity 2004	Revised quantity 2004
BE	COD	7X7A34	Atlantic cod	VIIb, c, d, e, f, g, h, j, k,VIII,IX,X;CO-PACE 34.1.1 1	y	162	0	162	163	100,6	- 1	242	241
BE	PLE	07A.	European plaice	ICES division VIIa — Irish Sea	n	636	0	636	643,8	101,2	- 7,8	34	26
BE	SOL	07A.	Common sole	ICES division VIIa — Irish Sea	y	688	0	688	694,9	101,0	- 6,9	394	387
BE	SOL	7HJK.	Common sole	VIIh, j, k	n	136	0	136	146,4	107,6	- 10,4	32	22
DE	COD	1N2AB-	Atlantic cod	Norway zone (North of 62° N): I, IIa, b	n	1 965	0	1 965	1 978,5	100,7	- 13,5	2 431	2 418
DE	LIN	1/2-	Ling	I, II 1, 2	y	25	0	25	38,9	155,6	- 13,9	10	- 4
DK	SOL (*)	3A/BCD	Common sole	IIIa; IIIb,c, d 1	n	265	0	265	297,7	112,3	- 32,7	436	403
DK	SOL (*)	24	Common sole	Iia 1, IV 1	n	706	0	706	712	100,8	- 6	648	642
ES	ANF	07.	Anglerfishes nei	ICES sub-area VII — Irish Sea, West of Ireland, Porcupine Bank, Eastern and Western English Channel, Bristol Channel, Celtic Sea North and South,and South-West of Ireland — East and West	n	1 815	0	1 815	1 912,4	105,4	- 97,4	768	671
ES	BLI	67-	Blue ling	VI, VII, 1, 2	y	162	0	162	288,8	178,3	- 159,7	122	- 38
ES	BSF	56712-	Black scabbardfish	V,VI, VII, XII 1, 2	y	185	0	185	189	102,2	- 4	185	181
ES	JAX (*)	578/14	Jack and horse mackerels nei	Vb1, VI, VII, VIIIa,b, d, e, XII, XIV	n	2 541	0	2 541	3 736	147,0	- 1 195	13 062	11 867
ES	USK	567-	Tusk(=Cusk)	V, VI, VII, 1, 2	y	41	0	41	55,9	136,3	- 14,9	35	20

Country	Species	Area	Species Name	Zone	Penalties	Adapted quantity 2003	Margin	Total adapted quantity 2003	Catches 2003	%	Deductions	Initial quantity 2004	Revised quantity 2004
FR	BLI	245-	Blue ling	II, IV, V 1, 2	y	87	0	87	90,9	104,5	- 3,9	61	57
IE	ANF	561214	Anglerfishes nei	Vb 1, VI, XII, XIV	n	346	0	346	355,2	102,7	- 9,2	318	309
NL	ANF	07.	Anglerfishes nei	ICES sub-area VII — Irish Sea, West of Ireland, Porcupine Bank, Eastern and Western English Channel, Bristol Channel, Celtic Sea North and South, and South-West of Ireland — East and West	n	16	0	16	20,5	128,1	- 4,5	250	246
NL	HER	4AB.	Atlantic herring	IV a, IV b	n	45 815	0	45 815	46 246,2	100,9	- 431,2	50 068	49 637
NL	HER	4CXB7D	Atlantic herring	IVc, VIId	n	32 118	0	32 118	33 538,2	104,4	- 1 420,2	30 621	29 201

(*) Stock for which additional landings of quota were requested (Article 3(3) of Council Regulation (EC) No 8471/1996).