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Date: 11 June 2019
Our reference: 1819/PAC72
Subject: Request clarification on correct interpretation of the catch composition rules

Dear Mr. Aguiar Machado,

Recently, a new proposal for the Technical Measures regulation ((COM(2016)0134 – C8-0117/2016 – 2016/0074(COD)) has been adopted by Council and the European Parliament. The Pelagic Advisory Council members wish to point out a concern that arises with this new legislation.

The Pelagic AC recalls that the aspiration of introducing a new Technical Measures proposal by the European Commission was to contribute to achieving the key objectives of the Common Fisheries Policy ((EC) 1380/2013), to create flexibility by facilitating a regionalized approach and to simplify the current rules in line with the Commission's REFIT programme.

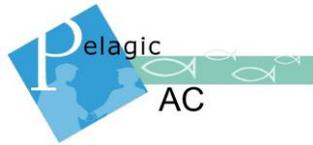
However, as was the case for the previous Technical Measures regulation ((EC) No 894/97), the catch composition rules are included in the newly adopted regulation. This conflicts with the existing requirements for the landing obligation of the Common Fisheries Policy (CFP).

Article 27 of the new Technical Measures regulation ((COM(2016)0134 – C8-0117/2016 – 2016/0074(COD)) provides for maximum percentage of species allowed so as to qualify for the specific mesh sizes set out in Annexes V to VII. However, the new regulation makes it clear such percentages shall be without prejudice to the obligation to land catches in Article 15 of Regulation (EU) No 1380/2013.

The Pelagic AC wishes for clarification on the use of the maximum percentages as the landing obligation requires all TAC and quota species to be landed. The question arises what specific purpose the catch composition rules serve in light of the landing obligation?

The members of the Pelagic AC would therefore appreciate guidance from the Commission in this respect, and to ask for a written confirmation of the correct interpretation of the catch composition rules that are to apply given that the rules are without prejudice to the EU landing obligation.





Thanking you in advance for your help bringing light into the above mentioned unclarities.

Looking forward to your response,

Kind regards,

A handwritten signature in blue ink that reads 'Jesper Raakjær'.

Jesper Raakjær
Chairman Pelagic AC

