



COMMISSION DELEGATED REGULATION (EU) 2024/491

of 30 November 2023

amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards the prolongation of specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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) No 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 ⁽¹⁾, and in particular Article 2(2) and Article 15(2) thereof,

Whereas:

- (1) Regulation (EU) 2019/1241 lays down specific regional technical measures for Union waters in the North Western Waters and South Western Waters.
- (2) Regulation (EU) 2019/1241 was last amended by Commission Delegated Regulation (EU) 2023/56 ⁽²⁾ as regards specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8.
- (3) Member States agreed to review these measures by 31 December 2023, in light of ongoing scientific studies undertaken by Member States and the pending advice on fishing opportunities by the International Council for the Exploration of the Sea (ICES) for the period 2023-2024. On 10 June 2022, ICES advised that when the precautionary approach is applied, there should be zero catch of red seabream in ICES subareas 6 to 8 for 2023-2024 ⁽³⁾. The scientific studies undertaken by Member States are yet to be finalised, and as a consequence, the measures currently in force through Delegated Regulation (EU) 2023/56 should be extended for one year to continue supporting the recovery of the red seabream stock.
- (4) Delegated Regulation (EU) 2023/56 expires at the end of 2023. Following requests submitted by official letters on 13 September 2023 and on 15 September 2023 from the North Western Waters Member States Regional Group, and the South Western Waters Member States Regional Group, respectively, the technical measures currently in force in Annexes VI and VII of Regulation (EU) 2019/1241 for red seabream in ICES subareas 6 to 8, should be prolonged until the end of 2024.
- (5) As the measures provided for in this Regulation have a direct impact on the planning of the fishing season of Union vessels and on related economic activities, this Regulation should enter into force on the day following that of its publication. Since the period of application of the measures introduced by Delegated Regulation (EU) 2023/56 expires on 31 December 2023, this Regulation should apply with effect from 1 January 2024 in order to ensure legal continuity.

⁽¹⁾ OJ L 198, 25.7.2019, p. 105.

⁽²⁾ Commission Delegated Regulation (EU) 2023/56 of 19 July 2022 amending Regulation (EU) 2019/1241 of the European Parliament and of the Council as regards specific technical measures for red seabream (*Pagellus bogaraveo*) in ICES subareas 6 to 8 (OJ L 5, 6.1.2023, p. 1).

⁽³⁾ ICES. 2022. Blackspot seabream (*Pagellus bogaraveo*) in subareas 6–8 (Celtic Seas, the English Channel, and Bay of Biscay). In Report of the ICES Advisory Committee, 2022. ICES Advice 2022, sbr.27.6-8. <https://doi.org/10.17895/ices.advice.19453802>.

- (6) The measures introduced by this Regulation applicable to Union waters are in pursuit of the objectives set out in Article 494(1) and (2) of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽⁴⁾ and have regard to the principles referred to in Article 494(3) of that agreement. They are without prejudice to any measures applicable in waters of the United Kingdom of Great Britain and Northern Ireland.
- (7) Regulation (EU) 2019/1241 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes VI and VII to Regulation (EU) 2019/1241 are amended in accordance with the Annex to this Regulation.

Article 2

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 2024 until 31 December 2024.

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

Done at Brussels, 30 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ OJ L 149, 30.4.2021, p. 10.

ANNEX

Annexes VI and VII to Regulation (EU) 2019/1241 are amended as follows:

- (1) Annex VI is amended as follows:
 - (a) Part A is amended as follows:
 - (i) the nineteenth entry of the table is replaced by the following:

'Red seabream (<i>Pagellus bogaraveo</i>)	36 cm (*) (**) (***)
(*) This minimum conservation reference size shall apply until 31 December 2024.	
(**) In ICES sub-areas 6 and 7 a minimum conservation reference size of 40 cm shall apply for the catches of red seabream in recreational fisheries.	
(***) In the absence of new rules adopted before 31 December 2024, as of 1 January 2025 the applicable MCRS shall be 33 cm.;	

- (ii) point 1 below the table is replaced by the following:

41. The minimum conservation reference sizes specified in this Part for cod (*Gadus morhua*), haddock (*Melanogrammus aeglefinus*), saithe (*Pollachius virens*), pollack (*Pollachius pollachius*), hake (*Merluccius merluccius*), megrim (*Lepidorhombus* spp.), sole (*Solea* spp.), plaice (*Pleuronectes platessa*), whiting (*Merlangius merlangus*), ling (*Molva molva*), blue ling (*Molva dypterygia*), mackerel (*Scomber* spp.), herring (*Clupea harengus*), horse mackerel (*Trachurus* spp.), anchovy (*Engraulis encrasicolus*), bass (*Dicentrarchus labrax*) and sardine (*Sardina pilchardus*) shall apply to recreational fisheries in the North Western Waters. However, for red seabream (*Pagellus bogaraveo*), the minimum conservation reference size (MCRS) of 40 cm shall apply to recreational fisheries in ICES sub-areas 6 and 7 until 31 December 2024 (*).

(*) In the absence of new rules adopted before 31 December 2024, as of 1 January 2025 the applicable minimum conservation reference size for red seabream shall be 33 cm.;

- (b) in Part C, point 11.1 is replaced by the following:

‘11.1. From 1 January to 30 June 2024, all fishing for red seabream in ICES sub-areas 6 and 7 shall be prohibited to vessels flying the French flag.’;

- (2) Annex VII is amended as follows:

- (a) in Part A, the twentieth entry of the table is replaced by the following:

Red seabream (<i>Pagellus bogaraveo</i>)	36 cm (*) (**)
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(*) This minimum conservation reference size shall apply until 31 December 2024.

(**) In the absence of new rules adopted before 31 December 2024, as of 1 January 2025 the applicable minimum conservation reference size for red seabream shall be 33 cm.;

- (b) in Part C, point 5.4 is replaced by the following:

'5.4 The measures in points 5.1 to 5.3 shall apply until 31 December 2024.'