

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 194 final

Brussels, 16 May 1977

Proposal for a

COUNCIL REGULATION (EEC)

relating to certain interim measures for the conservation
and management of certain herring stocks

(submitted to the Council by the Commission)

COM(77) 194 final

Explanatory Memorandum

The Council, during its session of the 25/26 April 1977 agreed to resume the study of the overall range of problems relative to the conservation of the different herring stocks in order to adopt a definite position on the regime applicable to this species from 1st June 1977.

According to the latest available scientific information on the North Sea herring, the threshold beyond which recruitment can no longer be guaranteed has now been reached. Maintenance of the ban on direct catches and the maximum reduction of the by-catch level constitutes the only chance of allowing the reconstitution of this stock at a level where in the first instance its perenniality will no longer be threatened.

For this reason the Commission reaffirms its proposal of 20 April 1977 (doc. COM/52/77 final).

The state of exploitation of other stocks of herring (1) in the fishing zones of the Member States is not of the same gravity as that of the North Sea stock. However, the equilibrium between the production potential and the exploitable resource level has been broken, or is in danger of being so for these stocks also.

For this reason, measures leading to the reduction of these catches must be taken.

The measures to be taken are given in this present proposal.

(1) Excepting the Celtic Sea herring for which the Council decided upon a ban on fishing up to 31.12.1977 its regulation (CEE) n° 350/77.

Council Regulation (EEC)

relating to certain interim measures for the conservation and management of certain herring stocks.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the Act of Accession, and in particular Article 102 thereof,

Having regard to the proposal from the Commission,

Whereas, in view of the over-fishing of many of the herring stocks in the fishing zones under the Member States' jurisdiction or sovereignty, the Council has agreed to rule on the regime to applied to this species from 1 June 1977;

Whereas as regards North Sea herring , in view of scientific advice that this stock is still in a critical state, the prohibition on fishing already decided upon for the period up to 31 May should be continued for the remainder of 1977; whereas the special provisions on herring by-catches occurring in the course of the direct fishing of other species should also be continued;

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Whereas Council Regulation (EEC) No 350/77 of 18 February 1977 laying down certain interim measures for the conservation and management of fishery resources (1) prohibited fishing for herring in the Celtic Sea in divisions VII g, h; whereas this prohibition should be extended to the adjacent division VII f;

Whereas the latest scientific advice is that stocks other than those in the North Sea and Celtic Sea are in an equally critical situation; whereas that situation may be aggravated by the likelihood of the transfer of fishing activities from the prohibited herring zones in the North Sea and the Celtic Sea; whereas measures should therefore be taken to limit catches;

Whereas, consequently, catch quotas should be allotted equitably between the Member States;

Whereas certain control measures are needed to enforce this Regulation;

Whereas the measures in question must be taken without delay in view of the danger which the current over-exploitation of herring resources holds for Community supplies; whereas, as an interim step, such measures should be laid down forthwith on the basis of Article 103 of the Treaty, subject to their being included at a later date in the common agricultural policy;

HAS ADOPTED THIS REGULATION:

(1) OJ No L 48, 19.2.1977, p. 28

Article 1

1. The catch quotas for the direct fishing of herring in the North Sea for the period from 1 June to 31 December 1977 in sub-area IV and division VII d as defined by the International Council for the Exploration of the Sea (ICES) shall be fixed at zero for all Member States.

2. The Member States shall be authorized to catch North Sea herring as by-catches in the course of direct fishing for other species, up to a limit of 10 % by weight of catches of sprat and 5 % by weight of catches of Norway pout and of sand eels during each voyage.

The permitted by-catches calculated on an annual basis, may not however exceed 15.000 tons for Denmark, 1.650 tons for the United Kingdom, 410 tons for the Federal Republic of Germany and 275 tons for the other Member States.

Article 2

Fishing for herring in division VII f as defined by the International Council for the Exploration of the Sea be prohibited from 1 June to 31 December 1977.

Article 3

The quotas of catches allotted to each Member State for certain stocks or group of stocks of herring in the sub-areas and divisions laid down by the ICES in waters under the sovereignty or jurisdiction of the Member States shall be as laid down in the Annex to this Regulation for the period from 1 June to 31 December 1977.

Article 4

The Member States shall take, as far as is possible, all necessary steps to ensure compliance with the provisions of this Regulation within the maritime waters under their sovereignty or jurisdiction, and covered by the Community rules on fisheries.

The checks carried out by the Member States shall be reported at regular intervals to the Commission.

In each case they shall mention the type and the nationality of the vessel, any infringements recorded, and counter-measures taken.

Article 5

This Regulation shall enter into force on 1 June 1977.

It shall apply until the entry into force of the Community regime for the conservation and management of fishery resources or, at the latest, until 31 December 1977.

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

Done at Brussels,

1977.

For the Council,
The President.

A N N E X 1

Quantities of herrings, by stock, which may be caught by Member States.

Except where indicated to the contrary the regions shall be those defined by the International Council for the Exploration of the Sea (ICES) insofar as these are in the Member States' fishing zones.

Stock			Catches in thousand tonnes	
Species	Geographical region	ICES division	Quota	
			1 June - 31 December 1977	
Herring	West Celtic Sea	VII j, k	Ireland	1.0
			Other Member States	0.1
Herring	Irish Sea	VII a (1)	France	0.19
			Ireland	2.7
			Netherlands	0.11
			United Kingdom	10.2
Herring	West Ireland	VII b, c, (2)	Germany	1
			France	0.5
			Ireland	5.5
			Netherlands	10
			United Kingdom	1
Herring	West Scotland	VI a (3)	Germany	6.2
			Denmark	0.32
			France	2.0
			Ireland	10.6
			Netherlands	4.9
			United Kingdom	57.4

- (1) minus the zone bounded
on the north by 52° 30' north
on the south by 52° 00' north
on the west by the Irish coast
on the east by 6° 30' longitude west
- (2) except Donegal Bay
- (3) including Donegal Bay