

Official Journal of the European Union

L 2



English edition

Legislation

Volume 63

6 January 2020

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Delegated Regulation (EU) 2020/3 of 28 August 2019 establishing a discard plan for Venus shells (*Venus* spp.) in certain Italian territorial waters** 1
- ★ **Commission Delegated Regulation (EU) 2020/4 of 29 August 2019 amending Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea** 5
- ★ **Commission Implementing Regulation (EU) 2020/5 of 19 December 2019 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ‘Olives noires de la Vallée des Baux-de-Provence’ (PDO)** 11

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/3**of 28 August 2019****establishing a discard plan for Venus shells (*Venus* spp.) in certain Italian territorial waters**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Article 15(6) thereof,

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 ⁽²⁾, and in particular Article 15(2) thereof,

Having regard to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ⁽³⁾, and in particular Article 15a thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits and, in the Mediterranean, also catches of species subject to minimum sizes.
- (2) According to Article 15(1)(d) of Regulation (EU) No 1380/2013, the landing obligation applies for demersal fisheries in the Mediterranean Sea at the latest from 1 January 2017 to species that define the fisheries and at the latest from 1 January 2019 to all other species.
- (3) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act, for a period of no more than three years that may be renewed for a further total period of three years, on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils. Discard plans may contain the specifications referred to in Article 15(5)(a) to (e) of Regulation (EU) No 1380/2013, including the fixing of minimum conservation reference sizes.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ OJ L 198, 25.7.2019, p. 105.

⁽³⁾ OJ L 409, 30.12.2006, p. 11.

- (4) Article 15a of Regulation (EC) No 1967/2006 and Article 15(2) of Regulation (EU) 2019/1241 empower the Commission to establish, for the purpose of adopting discard plans and for the species subject to the landing obligation, a minimum conservation reference size with the aim of ensuring the protection of juveniles of marine organisms. According to these Articles, minimum conservation reference sizes may derogate, where appropriate, from the sizes established in Annex III to that Regulation and, following the entry into force of Article 32 of Regulation (EU) 2019/1241 from the sizes established in Annex IX to Regulation (EU) 2019/1241.
- (5) Commission Delegated Regulation (EU) 2016/2376 established a discard plan for Venus shells (*Venus* spp.) in the Italian territorial waters from 1 January 2017 to 31 December 2019, following a recommendation submitted by Italy.
- (6) Italy, as the single Member State with a direct management interest in the Venus shells (*Venus* spp.) fisheries, in the Italian territorial waters of GFCM Geographical Sub-Areas 9, 10, 17 and 18, submitted to the Commission, in line with the procedure of Article 18 of Regulation (EU) No 1380/2013, a new joint recommendation for a discard plan for the Venus shells (*Venus* spp.) stock, after consultation of the Mediterranean Advisory Council (MEDAC).
- (7) The new joint recommendation submitted by Italy was reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF) at its plenary session of 1-5 July 2019 ⁽⁴⁾.
- (8) The new joint recommendation suggests applying a high survivability exemption for Venus shells (*Venus* spp.) in the fishery carried out with hydraulic dredges in Italian territorial waters of GFCM Geographical Sub-Areas 9, 10, 17 and 18. The Member State provided scientific evidence in order to demonstrate high discard survival rates for Venus shells (*Venus* spp.) in that fishery and transmitted a scientific monitoring programme. The evidence was submitted to STECF, which concluded that discard survival is expected to be substantial. The STECF also concluded that the proposed scientific monitoring programme should provide robust data and information to allow evaluating the effects of the discard plan. In light of that assessment, it is appropriate to include that exemption in this Regulation for a period of 3 years.
- (9) The new joint recommendation suggests furthermore that the reduced minimum conservation reference size for Venus shells (*Venus* spp.) established in Delegated Regulation (EU) 2016/2376 by way of derogation from Annex III to Council Regulation (EC) No 1967/2006 should continue to apply. The STECF noted that the reduced minimum conservation reference size is still larger than the defined size at first maturity and that there is no evidence to suggest that the reduction in the minimum conservation reference size has had a detrimental impact on the stock. The STECF concluded that the request for a continuation of the reduced minimum conservation reference size seems reasonable. However, the STECF also concluded that the past and the predicted future impacts of the reduced minimum size on exploitation rates and stock biomass cannot be fully assessed. Further studies and data on those impacts would be therefore needed. Regulation (EU) 2019/1241, which establishes regional technical measures for the Mediterranean Sea in Annex IX, came into force only on 14 August 2019, and does not provide for transitional measures as regards the procedure for the adoption of delegated acts amending such regional technical measures. The joint recommendation was submitted by Italy and assessed by the STECF before the entry into force of Regulation (EU) 2019/1241 and therefore did not refer to Regulation (EU) 2019/1241. Nevertheless, in view of these exceptional circumstances, the Commission considers that on the basis of information available to it at this stage in the joint recommendation and STECF assessment there does not appear any element indicating that the proposed reduced minimum conservation reference size would fail to comply with the requirements established for technical measures in Article 15 of Regulation (EU) 2019/1241. In light of the above conclusions, it is appropriate to grant the requested derogation for one year only.

⁽⁴⁾ <https://stecf.jrc.ec.europa.eu/plen1902>

- (10) The measures suggested in the joint recommendation are in line with Article 18(3) of Regulation (EU) No 1380/2013.
- (11) In order to ensure appropriate control over the implementation of the landing obligation, the Member State should establish a list of vessels covered by the present Regulation.
- (12) As the measures provided for in this Regulation have a direct impact on the economic activities linked to fisheries and the planning of the fishing season for Union vessels, it should enter into force immediately after its publication.
- (13) It should apply from 1 January 2020 for a duration of three years. The application of a reduced minimum conservation reference size for Venus shells (*Venus* spp.) of 22 mm, should be limited to one year.

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation specifies the details for implementing the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013 in Venus shells (*Venus* spp.) fisheries carried out in certain Italian territorial waters.
2. This Regulation shall apply to the Italian territorial waters of the General Fisheries Commission for the Mediterranean (GFCM) geographical subareas 9, 10, 17 and 18, as defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council ^(⁹).

Article 2

Survivability exemption for Venus shells (*Venus* spp.)

1. The survivability exemption referred to in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply, in Italian territorial waters of GFCM Geographical Sub-Areas 9, 10, 17 and 18, to catches of Venus shells (*Venus* spp.) below the minimum conservation reference size made with hydraulic dredges.
2. When discarding Venus shells (*Venus* spp.) caught in the cases referred to in paragraph 1, the Venus shells (*Venus* spp.) shall be released immediately.

Article 3

Minimum conservation reference size

1. By way of derogation from the minimum conservation reference size established in Annex IX to Regulation (EU) 2019/1241, the minimum conservation reference size for Venus shells (*Venus* spp.) in Italian territorial waters of GFCM Geographical Sub-Areas 9, 10, 17 and 18 shall be of a total length of 22 mm.
2. The measurement of the size of the Venus shells (*Venus* spp.) shall take place in accordance with Annex IV to Regulation (EU) 2019/1241.

⁽⁹⁾ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

*Article 4***List of vessels**

By 31 December 2019, Member State authorities shall submit to the Commission, using the secure Union control website, the list of all vessels authorised to fish Venus shells (*Venus* spp.) using hydraulic dredges in Italian territorial waters of GFCM Geographical Sub-Areas 9, 10, 17 and 18. Member State authorities shall maintain this list updated at all times.

*Article 5***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 2020 until 31 December 2022.

However, Article 3 shall apply until 31 December 2020.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 28 August 2019.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION DELEGATED REGULATION (EU) 2020/4**of 29 August 2019****amending Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ⁽¹⁾, and in particular Articles 15(6) and 18(1) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to eliminate progressively discards in Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits and, in the Mediterranean, also catches of species subject to minimum sizes as defined in Annex IX to Regulation (EU) 2019/1241 of the European Parliament and of the Council ⁽²⁾.
- (2) According to Article 15(1)(d) of Regulation (EU) No 1380/2013, the landing obligation applies for demersal fisheries in the Mediterranean Sea at the latest from 1 January 2017 to species that define the fisheries and at the latest from 1 January 2019 to all other species.
- (3) Regulation (EU) 2019/1022 of the European Parliament and of the Council ⁽³⁾ establishes a multiannual plan concerning demersal fisheries in the western Mediterranean Sea. France, Italy and Spain submitted a joint recommendation requesting a *de minimis* exemption for catches made with bottom trawls. However, that request applies to a group of thirteen species taken together, of which only one falls within the scope of the multiannual plan. The Joint recommendation also request an exemption for by-catches of pelagic species made with bottom trawls. However, that request applies to fisheries exploiting demersal stocks that are not limited to those included in the multiannual plan.
- (4) No multiannual plans have been adopted so far as regards the Adriatic Sea and the south-eastern Mediterranean Sea.
- (5) In order to implement the landing obligation, Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act, for a period of no more than three years that may be renewed for a further total period of three years, on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (6) Commission Delegated Regulation (EU) 2017/86 ⁽⁴⁾ established a discard plan for certain demersal fisheries in the Mediterranean Sea applicable from 1 January 2017 until 31 December 2019, following three joint recommendations submitted to the Commission in 2016 by a number of Member States having a direct management interest in the Mediterranean Sea (Greece, Spain, France, Croatia, Italy, Cyprus, Malta and Slovenia). Those three joint recommendations concerned respectively the western Mediterranean Sea, the Adriatic Sea and the south-eastern Mediterranean Sea.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ 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).

⁽³⁾ Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1).

⁽⁴⁾ Commission Delegated Regulation (EU) 2017/86 of 20 October 2016 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea (OJ L 14, 18.1.2017, p. 4).

- (7) Delegated Regulation (EU) 2017/86 was amended by Commission Delegated Regulation (EU) 2018/153 ⁽⁵⁾ and by Commission Delegated Regulation (EU) 2018/2036 ⁽⁶⁾ following joint recommendations submitted by the relevant Member States having a direct management interest and concerning the western Mediterranean Sea, the Adriatic Sea and the south-eastern Mediterranean Sea.
- (8) In May 2019, France, Italy and Spain submitted to the Commission a joint recommendation for a discard plan for demersal fisheries in the western Mediterranean after consultations within the regional Pescamed High-Level Group.
- (9) In May 2019, Cyprus, Greece, Italy and Malta submitted to the Commission a joint recommendation for a discard plan for demersal fisheries in the south-eastern Mediterranean after consultations within the regional Sudestmed High-Level Group.
- (10) In May 2019, Croatia, Italy and Slovenia submitted to the Commission a joint recommendation for a discard plan for demersal fisheries in the Adriatic Sea after consultations within the regional Adriatica High-Level Group.
- (11) The three joint recommendations were assessed by the Scientific, Technical and Economic Committee for Fisheries (STECF) during its summer Plenary on 1-5 July 2019 ⁽⁷⁾.
- (12) In July 2019, the three Member States High-Level Groups submitted updated joint recommendations that were aligned with the scientific advice.
- (13) Under Article 18 of Regulation (EU) No 1380/2013, the Commission has considered both the STECF's assessment and the need for Member States to ensure the full implementation of the landing obligation.
- (14) The updated joint recommendation for the western Mediterranean suggests applying the survivability exemption, as provided for in Article 15(5)(b) of Regulation (EU) No 1380/2013, to red seabream (*Pagellus bogaraveo*) caught with hooks and lines (LHP, LHM, LLS, LLD, LL, LTL, LX) until 31 December 2021. The STECF considered that some evidence to support this exemption had been provided in 2018. Further data provided in 2019 strengthen this request. It is therefore appropriate to extend the application of that exemption until 31 December 2021.
- (15) The three updated joint recommendations suggest applying the survivability exemption to lobster (*Homarus gammarus*) and crawfish (Palinuridae) caught with nets (GNS, GN, GND, GNC, GTN, GTR, GEN) and pots and traps (FPO, FIX) in the western Mediterranean Sea, in the Adriatic Sea and in the south-eastern Mediterranean Sea until 31 December 2021. The STECF considered that the method used to provide additional evidence was robust and that the survival rate was high (64 %). In light of the above, it is appropriate to extend the application of those exemptions until 31 December 2021.
- (16) The updated joint recommendation for the western Mediterranean suggests applying the *de minimis* exemption, as provided for in Article 15(5)(c) of Regulation (EU) No 1380/2013, to European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpnose seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*), gilthead seabream (*Sparus aurata*) and deep-water rose shrimp (*Parapenaeus longirostris*), up to 5 % in 2020 and 2021 of the total annual catches of those species made by vessels using bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX); up to 3 % in 2020 and 2021 of the total annual catches of those species, except for deep-water rose shrimp, caught by vessels using

⁽⁵⁾ Commission Delegated Regulation (EU) 2018/153 of 23 October 2017 amending Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea (OJ L 29, 1.2.2018, p. 1).

⁽⁶⁾ Commission Delegated Regulation (EU) 2018/2036 of 18 October 2018 amending Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea (OJ L 327, 21.12.2018, p. 27).

⁽⁷⁾ <https://stecf.jrc.ec.europa.eu/plen1902>

gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN); and up to 1 % in 2020 and 2021 of the total annual catches of those species, except for red seabream and deep-water rose shrimp, made by vessels using hooks and lines (LHP, LHM, LLS, LLD, LL, LTL, LX). The STECF considered that there was evidence of increased costs resulting from additional handling and sorting times on board. The STECF further noted the evidence regarding the cost of handling unwanted catches ashore, which is difficult in the Mediterranean because the fleet mainly comprises small-scale vessels landing their catch in many ports spread out along the coast. The STECF concluded that, due to the small quantities and the very large number of landing places, even in the case that landed unwanted catches could be sold, the evidence indicated that the collection costs would be disproportionate.

- (17) The updated joint recommendation for the Adriatic Sea suggests applying the *de minimis* exemption to European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), gilthead seabream (*Sparus aurata*) and deep-water rose shrimp (*Parapenaeus longirostris*), up to 5 % in 2020 and 2021 of the total annual catches of those species made by vessels using bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX); up to 3 % in 2020 and 2021 of the total annual catches of those species, except for deep-water rose shrimp but including common sole, caught by vessels using gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN); and up to 1 % in 2020 and 2021 of the total annual catches of those species, except for red seabream and deep-water rose shrimp but including common sole, made by vessels using hooks and lines (LHP, LHM, LLS, LLD, LL, LTL, LX). The STECF considered that there was evidence of increased costs resulting from additional handling and sorting times on board. The STECF further noted the evidence regarding the cost of handling unwanted catches ashore, which is difficult in the Mediterranean because the fleet mainly comprises small-scale vessels landing their catch in many ports spread out along the coast. The STECF concluded that, due to the small quantities and the very large number of landing places, even in the case that landed unwanted catches could be sold, the evidence indicated that the collection costs would be disproportionate.
- (18) The updated joint recommendation for the south-eastern Mediterranean Sea suggests applying the *de minimis* exemption to European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to 5 % in 2020 and 2021 of the total annual catches of those species made by vessels using bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX); up to 3 % in 2020 and 2021 of the total annual catches of those species made by vessels using gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN) and up to 1 % in 2020 and 2021 of the total annual catches of those species, except for red seabream but including hake, made by vessels using hooks and lines (LHP, LHM, LLS, LLD, LL, LTL, LX). The STECF considered that there was evidence of increased costs resulting from additional handling and sorting times on board. The STECF further noted the evidence regarding the cost of handling unwanted catches ashore, which is difficult in the Mediterranean because the fleet mainly comprises small-scale vessels landing their catch in many ports spread out along the coast. The STECF concluded that, due to the small quantities and the very large number of landing places, even in the case that landed unwanted catches could be sold, the evidence indicated that the collection costs would be disproportionate.
- (19) The STECF also noted that the exemptions mentioned in recitals (16), (17) and (18) cover a broad group of species with a wide range of discard rates but considered such broad coverage a valid approach given the complexity of the fisheries concerned. Finally, the STECF considered that individual *de minimis* exemptions covering a single species would likely result in many separate exemptions that would be equally challenging to monitor. The proposed exemptions apply to groups of species which cover the rest of species subject to minimum sizes as defined in Annex IX to Regulation (EU) 2019/1241 and which are not, at this stage, subject to catch limits; therefore, Article 15(8) and (9) of Regulation (EU) No 1380/2013 are not applicable. In addition, those species are caught at the same time, at highly varying quantities, which makes a single stock approach challenging. Those species are furthermore caught by small-scale fishing vessels and landed at many different landing points spread out geographically along the coast.

- (20) The three updated joint recommendations suggest applying the *de minimis* exemption to anchovy (*Engraulis encrasicolus*), sardine (*Sardina pilchardus*), mackerel (*Scomber* spp.) and horse mackerel (*Trachurus* spp.), up to 5 % in 2020 and 2021 of the total annual by-catches of those species made by vessels using bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX) in the western Mediterranean Sea, in the Adriatic Sea and in the south-eastern Mediterranean Sea. The STECF considered that there was evidence of increased costs resulting from additional handling and sorting times on board. STECF further noted the evidence regarding the cost of handling unwanted catches ashore, which is difficult in the Mediterranean. The STECF concluded that, due to the small quantities and the very large number of landing places, even in the case that landed unwanted catches could be sold, the evidence indicated that the collection costs would be disproportionate.
- (21) In light of the above, it is appropriate to apply the *de minimis* exemptions mentioned in recitals (16), (17), (18) and (20) until 31 December 2021 in accordance with the percentage levels proposed in the joint recommendations and at levels which do not exceed those allowed under Article 15(1) of Regulation (EU) No 1380/2013.
- (22) Finally, the updated joint recommendation for the south-eastern Mediterranean Sea suggests extending the geographical scope of the discard plan to Geographical subareas (GSAs) 14, 21, 24, 26 and 27. The STECF referred to that suggestion but provided no further comments. Extending the scope to cover the entire south-eastern Mediterranean basin will increase consistency and allow a better implementation of the landing obligation. Such extension of the geographical scope appears therefore to be suitable.
- (23) Member States renewed their commitment to increase the selectivity of the fishing gears in accordance with the results of current research programmes in order to reduce and limit unwanted catches and particularly catches below minimum conservation reference sizes.
- (24) Furthermore, Member States commit to identify further nursery areas in order to reduce juvenile mortality.
- (25) In line with the joint recommendation for the western Mediterranean Sea, the concerned Member States encourage the use of codend trawls or extension fitted with a T90 50mm mesh size and the continuation of real time closures trials.
- (26) The measures suggested by the updated joint recommendations are in line with Article 15(4), Article 15(5)(c) and Article 18(3) of Regulation (EU) No 1380/2013 and may thus be included in the discard plan established by Commission Delegated Regulation (EU) 2017/86.
- (27) The *de minimis* exemptions for small pelagic species in fisheries targeting those species are set out in Commission Delegated Regulation (EU) 2018/161 ⁽⁸⁾. By contrast, *de minimis* exemptions for by-catches of small pelagic species made in demersal fisheries should be included in Delegated Regulation (EU) 2017/86.
- (28) Commission Delegated Regulation (EU) 2017/86 should therefore be amended accordingly.
- (29) Since the measures provided for in this Regulation impact directly on the planning of the fishing season of Union vessels and on related economic activities, this Regulation should enter into force immediately after its publication. It should apply from 1 January 2020,

⁽⁸⁾ Commission Delegated Regulation (EU) 2018/161 of 23 October 2017 establishing a *de minimis* exemption to the landing obligation for certain small pelagic fisheries in the Mediterranean Sea (OJ L 30, 2.2.2018, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2017/86 is amended as follows:

(1) In Article 2, point (e) is replaced by the following:

‘(e) south-eastern Mediterranean Sea means GFCM geographical subareas 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26 and 27.’;

(2) In Article 3(1), points (g) to (i) are replaced by the following:

‘(g) red sea bream (*Pagellus bogaraveo*) caught with hooks and lines (LHP, LHM, LLS, LLD, LL, LTL, LX) in the western Mediterranean Sea;

(h) lobster (*Homarus gammarus*) caught with nets (GNS, GN, GND, GNC, GTN, GTR, GEN) and with pots and traps (FPO, FIX) in the western Mediterranean Sea, in the Adriatic Sea and in the south-eastern Mediterranean Sea;

(i) crawfish (Palinuridae) caught with nets (GNS, GN, GND, GNC, GTN, GTR, GEN) and with pots and traps (FPO, FIX) in the western Mediterranean Sea, in the Adriatic Sea and in the south-eastern Mediterranean Sea.’;

(3) In Article 4(1)(a), points (iii) to (vi) are replaced by the following:

‘(iii) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*), gilthead seabream (*Sparus aurata*) and deep-water rose shrimp (*Parapenaeus longirostris*), up to a maximum of 5 % of the total annual catches of those species made by vessels using bottom trawls;

(iv) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to a maximum of 3 % of the total annual catches of those species made by vessels using gillnets and trammel nets;

(v) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to a maximum of 1 % of the total annual catches of those species made by vessels using hooks and lines;

(vi) for anchovy (*Engraulis encrasicolus*), sardine (*Sardina pilchardus*), mackerel (*Scomber* spp.) and horse mackerel (*Trachurus* spp.), up to a maximum of 5 % of the total annual by-catches of those species by vessels using bottom trawls.’;

(4) In Article 4(1)(b), points (v) to (viii) are replaced by the following:

‘(v) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), gilthead seabream (*Sparus aurata*) and deep-water rose shrimp (*Parapenaeus longirostris*), up to a maximum of 5 % of the total annual catches of those species made by vessels using bottom trawls;

- (vi) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to a maximum of 3 % of the total annual catches of those species made by vessels using gillnets and trammel nets;
 - (vii) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to a maximum of 1 % of the total annual catches of those species made by vessels using hooks and lines;
 - (viii) for anchovy (*Engraulis encrasicolus*), sardine (*Sardina pilchardus*), mackerel (*Scomber* spp.) and horse mackerel (*Trachurus* spp.), up to a maximum of 5 % of the total annual by-catches of those species by vessels using bottom trawls;.
- (5) In Article 4(1)(c), points (iv) to (vii) are replaced by the following:
- ‘(iv) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to a maximum of 5 % of the total annual catches of those species made by vessels using bottom trawls;
 - (v) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), red seabream (*Pagellus bogaraveo*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*) and gilthead seabream (*Sparus aurata*), up to a maximum of 3 % of the total annual catches of those species made by vessels using gillnets and trammel nets;
 - (vi) for European seabass (*Dicentrarchus labrax*), annular seabream (*Diplodus annularis*), sharpsnout seabream (*Diplodus puntazzo*), white seabream (*Diplodus sargus*), two-banded seabream (*Diplodus vulgaris*), groupers (*Epinephelus* spp.), striped seabream (*Lithognathus mormyrus*), Spanish seabream (*Pagellus acarne*), common pandora (*Pagellus erythrinus*), common seabream (*Pagrus pagrus*), wreckfish (*Polyprion americanus*), common sole (*Solea solea*), hake (*Merluccius merluccius*) and gilthead seabream (*Sparus aurata*), up to a maximum of 1 % of the total annual catches of those species made by vessels using hooks and lines;
 - (vii) for anchovy (*Engraulis encrasicolus*), sardine (*Sardina pilchardus*), mackerel (*Scomber* spp.) and horse mackerel (*Trachurus* spp.), up to a maximum of 5 % of the total annual by-catches of those species by vessels using bottom trawls.’

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 2020.

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

Done at Brussels, 29 August 2019.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2020/5**of 19 December 2019****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ‘Olives noires de la Vallée des Baux-de-Provence’ (PDO)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin ‘Olives noires de la Vallée des Baux-de-Provence’, registered under Commission Regulation (EC) No 378/1999 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.
- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name ‘Olives noires de la Vallée des Baux-de-Provence’ (PDO) are hereby approved.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 378/1999 of 19 February 1999 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the ‘Register of protected designations of origin and protected geographical indications’ provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 46, 20.2.1999, p. 13).

⁽³⁾ OJ C 281, 20.8.2019, p. 3.

Article 2

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

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

Done at Brussels, 19 December 2019.

*For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission*

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

