



European Commission Communications on EU fisheries in line with Maximum Sustainable Yield

COMPARISON 2015 TO 2018

SCIAENA
Associação de Ciências Marinhas e Cooperação





Photo | Bo Eide

Background

The Common Fisheries Policy (CFP) requires that the maximum sustainable yield (MSY) exploitation rate be achieved by 2015 where possible, and on a progressive, incremental basis at the latest by 2020 for all fish stocks, to allow them to recover to sustainable levels.

Since the CFP entered into force in early 2014, what progress has been made to set fishing limits in line with the scientific advice on MSY fishing rates?

Following the decisions by EU fisheries ministers at their December meetings in 2014, 2015, 2016 and 2017, the European Commission published communications listing which stocks fished in the north-east Atlantic, North Sea and Baltic Sea it considers would be harvested “in line with maximum sustainable yield (MSY)” for the following year, provided that the corresponding fishing limits (Total Allowable Catches (TACs) were respected (See Commission documents “in line with MSY” for [2018](#); [2017](#); [2016](#); and [2015](#)).

This document compares the different communications, raises a number of concerns, draws conclusions and makes specific recommendations to the European Commission on how to improve the reporting on progress towards ending overfishing. As from previous editions, the document ends with a detailed overview illustrating which TACs the Commission reported as being “in line with MSY” in the different years.

† See Fundació ENT, Sciaena and Ecologistas en Acció comparison “in line with MSY” for [2017](#) and [2016](#).



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Observations

| According to the different communications of the European Commission, 67 TACs have been set “in line with MSY” at least once between 2015 and 2018.

| Multiple TACs that were reported as being in line with MSY in 2015, 2016 or 2017 are no longer in that category in 2018.

| 5 TACsⁱⁱ that were considered as being in line with MSY in 2017 are no longer in that category in the Commission’s 2018 list. Furthermore, our analysis indicates that 3 additional TACsⁱⁱⁱ should also have been removed from that category (as they have been set above ICES MSY advice in 2018). Therefore, 8 TACs in total have lost their “in line with MSY” status since last year (see table below for more details). This “two steps forward, one step back” trend, which appears in our analyses for each year, raises concerns in terms of the “progressive, incremental” trajectory towards MSY exploitation rates required by the CFP.

| According to the Commission, 15 new TACs are in line with MSY in 2018. However, when comparing against earlier Commission communications, 5 out of those 15 TACs^{iv} had already been listed at least once in previous years. For 2 additional TACs^v we do not consider that they should be listed as “in line with MSY” (see table below for more details). As a consequence, our analysis indicates that only 8 TACs can be truly considered new in the 2018 list (or 9 TACs if we take into account that our analysis indicates that haddock in the Irish Sea has been set “in line with MSY” for the first time in 2018).

| Footnotes corrections: The Commission mentions in its 2018 communication 3 TACs that had already been in line with MSY in 2017, although those 3 TACs^{vi} did not appear in the 2017 list. In the 2017 communication the Commission mentioned as a footnote 2 TACs^{vii} that did not appear in the document but were considered in line with MSY in 2016.

ⁱⁱ **Herring** in the Celtic Sea North; **haddock** in the Celtic Sea; **plaice** in the Kattegat; **Greenland halibut** in Union waters of Norwegian Sea and North Sea, etc.; and **Greenland halibut** in Greenland waters of Iceland, etc.

ⁱⁱⁱ **Whiting** in West Ireland; **salmon** in the Baltic (main basin); and **common sole** in the Skagerrak and Kattegat, etc.

^{iv} **Cod** in the North Sea; and Union waters of Norwegian Sea; **cod** in the Eastern English Channel; **cod** in the Skagerrak; **horse mackerel** in the Norwegian Sea, Northern North Sea; Rockall; and **horse mackerel** in the Bay of Biscay (south).

^v **Megrim** in the Irish Sea and **megrim** in the Bay of Biscay.

^{vi} **Sandeel** in Union waters of Norwegian Sea; Kattegat and Skagerrak; North Sea; **haddock** in the north-west Coast of Scotland and north Ireland or west of Scotland; and **haddock** in the Irish Sea.

^{vii} **Herring** in Union, Faroese, Norwegian and International waters of Barents Sea and Norwegian Sea, Spitzbergen, and Bear Island; and **haddock** in EU and international waters of Rockall, north of Azores and east Greenland.



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Observations

Overall, the Commission reported 36 TACs as being in line with MSY in 2015 and 2016, 44 TACs in 2017 and 53 TACs in 2018. But taking into consideration the footnotes corrections included in the Commission's communications for 2018 and 2017, the overall number of TACs set in line with MSY according to the Commission would be 36 for 2015 TACs, 38 for 2016 TACs, 47 for 2017 TACs and 53 for 2018 TACs.

Regardless of the footnotes corrections, we consider that the above numbers are not fully correct and some TACs should be removed from the Commission's list because:

- i) some fishing limits have been set above scientific advice on MSY;
- ii) ICES considers the available information as inadequate to evaluate the status of some stocks in relation to MSY; and/or
- iii) some of the TACs listed do not correspond to a TAC or a stock area.

In contrast, we consider that there may be some missing TACs from the list given by the Commission that should be listed as "in line with MSY"^{viii}. These findings have not been included in the detailed table below, for simplicity's sake.

Our analysis indicates that the number of TACs being "in line with MSY" has been overestimated by the Commission each year.

Overall, we consider that the methodology and the communication used by the Commission is not clear enough, making it very difficult to know the real number of TACs set "in line with MSY". This poses a challenge in terms of transparency, as it hinders stakeholders from assessing progress towards achieving the CFP's MSY objective.

^{viii} For example, we would consider **blue whiting** in the north-east Atlantic and adjacent waters (lines 34, 35 and 36) and plaice in the Kattegat should be listed as TACs being set in line with MSY for 2018.



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Concerns

| The lists provided by the Commission should mention the total number of TACs decided by ministers in a given year. This would allow a better evaluation of progress in setting fishing limits in line with MSY, in particular as the number of stocks with scientific advice for MSY catch limits varies from one year to another.

| The CFP requires MSY exploitation rates to be achieved on a progressive, incremental basis. Therefore it is of great concerns that a large number of TACs that had already been set in line with MSY have been later set above the scientific advice, i.e. resuming overfishing.

| The communications published by the Commission look only at individual years without illustrating developments and trends that are important to judge progress made towards ending overfishing.

| Besides the above observations, the Commission defines several TACs as “in line with MSY” and hails them as a success, although their fishing limits were set above scientific advice on MSY. As a consequence we consider that the following TACs should not be listed in the 2018 Commission’s list:

* The TAC for **whiting** (landings) in the west of Ireland, Porcupine Bank, eastern English Channel, western English Channel, etc., was set above ICES MSY advice for the stock.

* The TAC for **Norway lobster** in Faroes grounds (EU and international waters), Rockall, north-west coast of Scotland & north Ireland was set above ICES MSY advice for the stock.

* The TAC for **salmon** in the Baltic Sea (main basin) appears to be set above ICES MSY advice for the stock^{ix}.

* The TAC for **common sole** in the Skagerrak and Kattegat, Sound, Belt Sea, Union waters of Subdivisions 22-32 was set above ICES MSY advice for the stock.

^{ix} We consider that the Commission should improve transparency on how the scientific advice is transposed into a TAC.



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Concerns

| In addition, there are stocks that should not be classified as being “in line with MSY” in 2018 due to stock status information available by ICES:

- * The TAC for **sandeel** in Union waters of Norwegian Sea; Kattegat and Skagerrak; and North Sea is listed as being “in line with MSY”, while according to ICES its status in Division 4a, Shetland area 7 (Northern North Sea, Shetland) is undefined.
- * The **megrim** in the Irish Sea (7a) listed in the 2018 list does not correspond to a TAC or a stock area. If the area considered is the Celtic Sea (7) a single TAC covers both megrim species (*L. whiffiagonis* and *L. boscii*). According to ICES in area 7 the state and exploitation status of the four-spot megrim (*L. boscii*) are presently unknown.
- * The TAC for **megrim** in the Bay of Biscay - north - central - offshore and west, which catch advice corresponds to 7.b-k and 8.a,b,d (west and south-west of Ireland, Bay of Biscay), includes also two megrim species (*L. whiffiagonis* and *L. boscii*). According to ICES in this area the state and exploitation status of *L. boscii* are presently unknown.

- * For **Norway lobster** in the Norwegian Sea (EU waters) & North Sea (EU waters) the state of some Functional Units are undefined.

- * The **Norway lobster** in the Irish Sea (7a) included in the 2018 list does not correspond to a TAC or a stock area. If the area considered is the Celtic Sea (7), the state of some Functional Units is considered undefined.

| In other cases, the Commission has included stocks instead of single TACs. For instance:

- * The Commission list regroups the overall TACs from northern **hake** in a single row, instead of including 4 TACs covering the different ICES areas.

| The table below highlights that the Commission have hailed the setting of several TACs in line with advice in previous years, when the TACs were actually set above scientific advice on MSY, or had insufficient information to be considered an MSY TAC, or listed stocks instead of TACs. This means that the number of TACs touted as set in line with MSY is likely overestimated in each year.



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Recommendations

| We welcome that the European Commission is measuring the progress made by EU fisheries ministers towards setting TACs in line with CFP requirements, even if strong concerns about the methodology remain.

| The Commission should be specific about its definitions and methodology, avoid using stocks instead of TACs, provide the overall number of TACs set and report on several years to allow identification of trends.

| The Commission should also be very clear when a given TAC has been set following scientific advice or specifically MSY advice (i.e. it requires MSY reference points or FMSY proxy). This will be extremely helpful to evaluate the real progress towards ending overfishing in the north-east Atlantic, North Sea and Baltic Sea.

| Taking into account the inconsistencies of the Commission's lists we would recommend amending these documents and improving communication in order to reflect the real number of TACs set in line with MSY. In addition, we encourage the European Commission to increase the transparency and the public information provided, e.g. regarding the numbers of TACs established following scientific advice, number of TACs subject or partially subject to the Landing Obligation, methodologies used for TAC adjustments to account for the Landing Obligation and for matching scientific advice with TAC areas, access to the reports containing socio-economic evidence used to justify further delays in reaching MSY exploitation rates for certain TACs, etc.

| As the CFP 2015 deadline to end overfishing has passed, and the 2020 one draws near, the comparison of the Commission communications must illustrate the need for EU fisheries ministers to significantly increase their efforts to end overfishing in line with the reformed CFP.

Comparison table

“TACs in line with MSY”

Fish images are property of the © Scandinavian Fishing Year Book.

● Present from the European Commission’s annual list “TACs in line with MSY”

● Absent from the European Commission’s annual list “TACs in line with MSY”

⊗ Present in Commission’s list, but TAC should not be considered as “in line with MSY”

New TAC listed by the Commission as in the line with MSY for first time in 2018

~~New~~ TAC should not be listed as new in 2018, as TAC has been set in line with MSY at least once before or it is not at MSY levels

	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
1	 Sandeel	Union waters of Norwegian Sea; Kattegat and Skagerrak; North Sea	●	●	⊗ ¹	⊗ ²
2	 Herring	Irish Sea	●	●	●	●
3	 Herring	Baltic Sea: Western (22-24)	●	●	●	●
4	 Herring	Baltic Sea: Central (25-29, 32)	●	●	●	●
5	 Herring	Baltic Sea: Riga (28.1)	●	●	⊗ ³	●
6	 Herring	Baltic Sea: Central (25-29, 32)	●	●	●	●
7	 Herring	Baltic Sea: Riga (28.1)	●	●	●	●

¹ According to the Commission, the TAC was set in line with MSY in 2017, but it was not included in the previous edition of the document (Council of December 2016).

² According to ICES, fishing mortality reference points with respect to MSY are undefined in some sandeel areas (e.g. sandeel in area 7 - northern North Sea, Shetland). Therefore, we do not consider this TAC should be listed as being “in line with MSY” for 2018.

³ The TAC has been set in line with upper ranges, but above FMSY. Therefore this TAC cannot be listed as being “in line with MSY”.



Photo | Bo Eide

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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
8	 Herring	Celtic Sea North, Celtic Sea South, South-West of Ireland – East, South-West of Ireland – West	●	●	●	●
9	 Herring	Union, Faroese, Norwegian and International waters of Barents Sea and Norwegian Sea, Spitzbergen, and Bear Island	●	● ⁴	●	●
10	 Herring	Southern North Sea, Eastern English Channel (directed fishery)	●	●	●	●
11	 Herring	Baltic Sea: Central (25-29, 32)	●	●	●	●
12	 Roundnose Grenadier	EU and international waters of Faroes Grounds; Rockall, the Northwest Coast of Scotland and North Ireland, West of Ireland, Porcupine Bank, Eastern and Western; English Channel, Bristol Channel, Celtic Sea North and South, and Southwest of Ireland - East and West	●	●	●	●
13	 Cod	West of Ireland, Porcupine Bank, Western English Channel, Bristol Channel, Celtic Sea, South-West of Ireland, Bay of Biscay, Portuguese Waters, Azores Grounds, Union waters of CECAF	⊗ ⁵	●	●	● New
14	 Cod	Irish Sea	●	●	●	● New

⁴ According to the Commission, the TAC was set in line with MSY in 2016, but it was not included in the previous edition of the document (Council of December 2015).

⁵ The TAC has been set above ICES MSY advice or has a precautionary approach. Therefore this TAC cannot be listed as being "in line with MSY".



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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
15	 Cod	North Sea; Union waters of Norwegian Sea; that part of IIIa not covered by the Skagerrak and Kattegat	●	●	●	● New
16	 Cod	Eastern English Channel	●	●	●	● New
17	 Cod	Skagerrak	●	●	●	● New
18	 Megrims	Norwegian Sea (EU waters), North Sea (EU waters)	●	●	●	●
19	 Megrims	Union and international waters of Faroes Grounds; Rockall, Northwest Coast of Scotland and North Ireland, the Northwest Coast of Scotland and North Ireland also known as the West of Scotland; international waters of North of Azores and East Greenland	●	●	●	●
20	 Megrims	Irish Sea	●	●	●	⊗ ^{5,6,7} New
21	 Megrims	Bay of Biscay - North - Central - Offshore and West	●	●	●	⊗ ^{5,8} New

⁵ The TAC has been set above ICES MSY advice or has a precautionary approach. Therefore this TAC cannot be listed as being "in line with MSY".

⁶ **Megrims** in the Irish Sea (7a) does not correspond to a TAC or a stock area. We assume the Commission are referring to the TAC in the Celtic Sea (west and south-west of Ireland - area 7b-k).

⁷ This is a combined TAC and according to ICES in area 7b-k the state and exploitation status of the **four-spot megrim** (*L. boscii*) are presently unknown.

⁸ This is a combined TAC and according to ICES in area 8abd the state and exploitation status of the **four-spot megrim** (*L. boscii*) are presently unknown.



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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
22	 Megrims	Bay of Biscay - South, Portuguese Waters, Azores Grounds, CECAF 34.1.1	●	●	●	● New
23	 Anglerfish	Bay of Biscay - South, Portuguese Waters, Azores Grounds, CECAF 34.1.1	●	●	●	●
24	 Haddock	Faroes Grounds, Northwest Coast of Scotland and North Ireland or West of Scotland	●	⊗ ⁵	● ¹	●
25	 Haddock	North Sea, Norwegian Sea (EU waters)	●	⊗ ⁵	●	●
26	 Haddock	Kattegat and Skagerrak, Union waters of subdivisions 22-32	●	⊗ ⁵	●	●
27	 Haddock	Celtic Sea ⁹	●	●	●	●
28	 Haddock	Irish Sea ¹⁰	●	●	⊗ ^{1,5}	●

¹ According to the Commission, the TAC was set in line with MSY in 2017, but it was not included in the previous edition of the document (Council of December 2016).

⁵ The TAC has been set above ICES MSY advice or has a precautionary approach. Therefore this TAC cannot be listed as being "in line with MSY".

⁹ Catch area described in previous communications as: West of Ireland, Porcupine Bank, eastern and western English Channel, Bristol Channel, Celtic Sea (north and south), south-west of Ireland (east and west), Bay of Biscay, Portuguese waters and Azores grounds; EU waters of CECAF 34.1.1.

¹⁰ If there is a mistake and **haddock** in Irish Sea listed in Commission's list refers in reality to **haddock** in Celtic Sea, then this TAC should only be listed in accordance with MSY advice in 2017.



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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
29	 Haddock	EU and international waters of Rockall, North of Azores and East Greenland	●	● ⁴	●	●
30	 Whiting	North Sea; Union waters of Norwegian Sea	●	●	⊗ ⁵	●
31	 Whiting	West of Ireland, Porcupine Bank, Eastern English Channel, Western English Channel, Bristol Channel, Celtic Sea North, Celtic Sea South, South-West of Ireland - East, South-West of Ireland - West	●	⊗ ⁵	●	⊗ ⁵
32	 Hake	Overall northern stock ¹¹	●	⊗ ⁵	●	●
33	 Blue Ling	EU and international waters of Faroes Grounds, Rockall, Northwest Coast of Scotland and North Ireland, the Northwest Coast of Scotland and North Ireland also known as the West of Scotland; Irish Sea, West of Ireland, Porcupine Bank, Eastern and Western English Channel, Bristol Channel, Celtic Sea North and South, and Southwest of Ireland - East and West	●	●	●	●
34	 Blue Whiting	Barents Sea, Norwegian Sea, Spitzbergen, Bear Island, Skagerrak, Kattegat, Sound, Belt Sea, and Baltic Sea; the Sound and Belt together known also as the Transition Area; North Sea, Iceland and Faroes Grounds, Rockall, the Northwest Coast of Scotland and North Ireland also known as the West of Scotland, Irish Sea, West of Ireland, Porcupine Bank, Eastern and Western English Channel, Bristol Channel, Celtic Sea North and South, and Southwest of Ireland - East and West, Bay of Biscay (North, Central, Offshore, West), North of Azores, East Greenland (EU and International waters)	⊗ ⁵	⊗ ⁵	●	●

⁴ According to the Commission, the TAC was set in line with MSY in 2016, but it was not included in the previous edition of the document (Council of December 2015).

⁵ The TAC has been set above ICES MSY advice or has a precautionary approach. Therefore this TAC cannot be listed as being "in line with MSY".

¹¹ Overall TACs from northern **hake** are summarized in a single row instead of multiple TACs.



Photo | Bo Elde

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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
35	 Blue whiting	EU waters of Norwegian Sea, Spitzbergen, Bear Island, Northern North Sea, Iceland and Faroes Grounds, Rockall, the Northwest Coast of Scotland and North Ireland also known as the West of Scotland north of 56 30'N and Irish Sea, West of Ireland, Porcupine Bank, Eastern and Western English Channel, Bristol Channel, Celtic Sea North and South, and Southwest of Ireland - East and West, west of 12 W	⊗ ⁵	⊗ ⁵	●	●
36	 Blue whiting	Bay of Biscay - South, Portuguese Waters, Azores Grounds, CECAF 34.1.1 (EU Waters)	⊗ ⁵	⊗ ⁵	●	●
37	 Norway lobster	Norwegian Sea (EU waters), North Sea (EU waters)	⊗ ¹²	⊗ ¹²	⊗ ¹²	⊗ ¹²
38	 Norway lobster	Faroes Grounds (EU and international waters), Rockall, Northwest Coast of Scotland and North Ireland (also known as the West of Scotland)	⊗ ¹²	⊗ ¹²	⊗ ¹²	⊗ ^{5,12}
39	 Norway lobster	Skagerrak and Kattegat, Union waters of subdivisions 22-32	●	⊗ ⁵	⊗ ⁵	●
40	 Norway lobster	Bay of Biscay - North - Central - Offshore and West	●	●	●	●
41	 Norway lobster	Irish Sea ¹³	●	●	●	● New

⁵ The TAC has been set above ICES MSY advice or has a precautionary approach. Therefore this TAC cannot be listed as being "in line with MSY".

¹² Some Functional Units are considered undefined by ICES or have no MSY advice. Therefore this TAC cannot be listed as being "in line with MSY".

¹³ **Norway lobster** in Irish Sea is listed as a TAC, while it is not the case as the TAC covers a larger area.



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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
42	 Northern Prawn	Skagerrak and Kattegat	⊗ ⁵	●	●	●
43	 Northern Prawn	EU waters of Norwegian Sea and North Sea	⊗ ⁵	●	●	●
44	 Plaice	Eastern English Channel, Western English Channel	●	●	●	●
45	 Plaice	Irish Sea	●	●	●	● ^{New}
46	 Plaice	North Sea, Norwegian Sea (EU waters), that part of IIIa not covered by the Skagerrak and the Kattegat	●	●	⊗ ⁵	●
47	 Plaice	Baltic Sea: 22-32	●	⊗ ⁵	⊗ ⁵	●
48	 Plaice	Kattegat	●	●	●	●
49	 Plaice	Skagerrak	●	●	⊗ ⁵	●

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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
50	 Saithe	Skagerrak and Kattegat, North Sea, EU waters of Norwegian Sea, Sound, Belt Sea	●	●	●	●
51	 Saithe	Rockall, Northwest Coast of Scotland and North Ireland also known as the West of Scotland; EU and international waters of Faroes Grounds, North of Azores and East Greenland	●	●	●	●
52	 Greenland halibut	Union waters of Norwegian Sea and North Sea; Union and international waters of Faroes Grounds and Rockall, Northwest Coast of Scotland and North Ireland, the Northwest Coast of Scotland and North Ireland	●	●	●	●
53	 Greenland halibut	Greenland waters of Iceland and Faroes Grounds and East Greenland	●	●	●	●
54	 Salmon	Baltic main basin	●	●	●	⊗ ⁵
55	 Common sole	Western English Channel	●	●	●	●
56	 Common sole	Skagerrak and Kattegat, Sound, Belt Sea, Union waters of Subdivisions 22-32	●	●	●	⊗ ⁵
57	 Common sole	Eastern English Channel	●	●	●	● New

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	Common name	Catch areas	2015 list	2016 list	2017 list	2018 list
58	 Common sole	Bristol Channel and Celtic Sea North	●	●	●	● New
59	 Common sole	Bay of Biscay - North and Central	●	●	●	● New
60	 Common sole	Irish Sea	⊗ ⁵	●	●	●
61	 Common sole	Norwegian Sea (EU waters), North Sea (EU waters)	●	●	⊗ ⁵	●
62	 Sprat	Norwegian Sea (EU waters), North Sea (EU waters)	●	●	●	●
63	 Sprat	Baltic Sea: 22-32	⊗ ⁵	●	●	●
64	 Horse Mackerel	Portuguese waters	●	●	●	●
65	 Horse Mackerel	Norwegian Sea, Northern North Sea; Rockall, the Northwest Coast of Scotland and North Ireland also known as the West of Scotland; Irish Sea, West of Ireland, Porcupine Bank, Eastern and Western; English Channel, Bristol Channel, Celtic Sea North and South, and Southwest of Ireland - East and West; Bay of Biscay (North, Central, Offshore, West); EU waters of Faroes Grounds, North of Azores, East Greenland	●	●	●	● New
66	 Horse Mackerel	Bay of Biscay - South	●	●	●	● New
67	 Norway pout	Skagerrak and Kattegat; EU waters of Norwegian Sea and North Sea	●	●	●	●

⁵ The TAC has been set above ICES MSY advice or has a precautionary approach. Therefore this TAC cannot be listed as being "in line with MSY".

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European Commission Communications on EU fisheries in line with Maximum Sustainable Yield

COMPARISON 2015 TO 2018

February 2018

