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Cc: DG MARE

Brussels, 22 April 2024

**NSAC Advice Ref. 08-2324**  
**NSAC Advice on *de minimis* exemption for Lemon sole**

*This paper was approved by the NSAC Executive Committee on 19 April 2024 via a fast-track written procedure.*

## 1 Background

On the 27th of March 2024, the NSAC received a request for advice from the Swedish Presidency of the Scheveningen Group for amending specifying details of the landing obligation for certain fisheries in the Western Waters and the North Sea 2024-2027, concretely on the *de minimis* exemption for Lemon sole.

Regulation (EU) 2018/973 establishes a multiannual plan for demersal stocks in the Union waters of the North Sea and the fisheries exploiting those stocks (the “North Sea MAP”). Article 11 of that Regulation provides that for all stocks of species in the North Sea, to which the landing obligation applies, the Commission is empowered to adopt delegated acts to supplement the plan, specifically regarding details of the landing obligation as outlined in Article 15(5) of the Basic Regulation.

According to Article 14 of the North Sea MAP, Member States having a direct management interest, may agree to submit Joint Recommendations for measures linked to the landing obligation. The Scheveningen Group, comprising concerned North Sea Member States since 2014, may submit Joint Recommendations to the Commission for adoption via Delegated Act.

In the draft joint recommendation for which NSAC advice has been sought the North Western Waters Group and the Scheveningen group request an amendment to the 2024-2027 discard plans, particularly a *de minimis* exemption for catches of Lemon sole by vessels using beam trawls (TBB) of mesh sizes equal to and above 80mm in Union waters of ICES subareas 4 and 7d. The request is for a quantity of lemon sole which shall not exceed 5% of the total annual catches. The *de minimis* exemption is sought under article 15, 5 c) (ii) and (i) of Regulation (EU) No 1380/2013 due to disproportionate handling costs of lemon sole catches and difficulties to increase selectivity.

## 2 NSAC Advice

The NSAC members **generally support the *de minimis* exemption for Lemon sole** proposed by the North Western Waters and the Scheveningen groups.

For the fleets concerned by the requested exemption, it is advised to amend the Dutch scenario to include the impact of the recent fleet decommissioning<sup>1</sup>. The gradual decrease of Dutch vessels reporting landings of Lemon sole, along with a decrease in Lemon sole landings since 2019 might be explained by the effects of decommissioning. This is particularly relevant for the BT 2 fleet and should be considered not only for the present circumstances but also for future years.

## 3 Conclusion

The NSAC wishes to thank the Scheveningen group for the possibility of providing input to the draft amendment regarding the *de minimis* exemption for Lemon sole and remains open for further deliberations on the matter.

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<sup>1</sup> <https://library.wur.nl/WebQuery/wurpubs/fulltext/573868>