

Brussels, 11 03. 2009
CAB/D(2009) 92

Dear Mr Allister,

Thank you for your letter of 2 February concerning the Regulation on eel management.

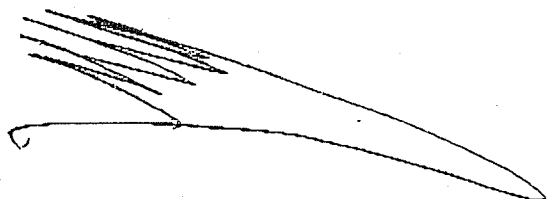
According to Article 2(1) of Regulation 1100/2007 establishing measures for the recovery of the stock of European eel, a Member State may designate the whole of its national territory or an existing regional administrative unit as one eel river basin. In addition, according to Article 2(3) of this Regulation Member States shall prepare an Eel Management Plan for each eel river basin defined under paragraph 1.

The Regulation furthermore says in Article 4(2) that a Member State which has not submitted an Eel Management Plan to the Commission for approval by 31 December 2008 either has to reduce fishing effort by at least 50 % relative to the average effort deployed from 2004 to 2006 or reduce the fishing effort to ensure a reduction in eel catches by at least 50 % relative to the average catch from 2004 to 2008. This can either be done by shortening the fishing season for eel or by other means.

For Member States which submitted several Eel Management Plans, each covering distinct River Basin Districts, the 50% reduction in fishing effort or catch applies on a plan-by-plan basis. Therefore, in the event that a Member State has submitted two or more plans, one or more of which cannot be approved by the Commission, the 50% reduction will apply only to the non-approved plans and not to the ones that have been approved.

The penalty described in Article 4(2) is the only penalty foreseen by the Regulation if a Member State fails to submit an adequate Eel Management Plan. As long as the 50% reduction is maintained, no infringement proceedings would be foreseen.

Yours sincerely,



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