

**Question for written answer P-004051/2014  
to the Commission  
Rule 117  
Guido Milana (S&D)**

Subject: Venus clam

Regulation (EC) No 1967/2006 stipulates that the minimum size for Venus spp. clams shall be 25 mm. The Commission was asked whether or not it would be possible to introduce a tolerance margin of 5 % in cases where stocks are being actively managed.

I did not ask in my question whether or not it would be possible to allow a de minimis exemption to the landing obligation in Regulation (EU) No 1380/2013, which was, however, the focus of Commissioner Damanaki's answer. It is perfectly clear that a de minimis exception of this kind would be allowed for some fish species in cases where increasing gear selectivity is demonstrably not possible or the costs of handling unwanted catches are shown to be disproportionate.

The Commission was in fact asked about the specific case in which clam stocks are being actively managed (fry planted out, rotation of fishing grounds to ensure clams grow to average market size, regular fishing moratoria, maximum daily catch quotas, etc.). The Commission's answer did not consider in the slightest the specific conditions pertaining to aquaculture-based fisheries of this kind. Well documented in literature, these conditions turn minimum catch size into an extremely contentious, if not indeed unjustified, principle. That being so, we repeat the question:

1. Will the Commission consider introducing an exemption to zero tolerance, allowing a tolerance of 5 % under the minimum size for Venus spp. clams, in cases where stocks are actively managed?
2. As the obligation to land undersized catch will come into force once Article 15 of the Common Fisheries Policy Regulation has been implemented, would it not be appropriate to authorise Member States to introduce this obligation in advance in the specific case of the Venus clam?