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Notice to readers (see page 3 of the cover)

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3863/91

of 16 December 1991

determining a minimum marketing size for crabs applicable in certain coastal areas of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 104/76 of 19 January 1976 laying down common marketing standards for shrimps (*Crangon crangon*), edible crabs (*Cancer pagurus*) and Norway lobsters (*Nephrops norvegicus*)⁽¹⁾, as last amended by Regulation (EEC) No 3162/91⁽²⁾, and in particular Article 7 (4) thereof,

1. The minimum marketing size for edible crabs shall be 12,5 centimetres in the coastal areas of Scotland, Wales from Cemaes Head to the northernmost point of its border with England, Kent, Essex, north-east England from the southern limit of Humberside to the northern limit of Northumberland, and north-west England from the southern limit of Cheshire to Haverigg Point in Cumbria at latitude 54°11,3' N.

Whereas exceptions to the minimum size laid down in Article 7 (1) (b) of Regulation (EEC) No 104/76 may be provided for in order to ensure the local or regional supply of crabs in certain coastal areas of the United Kingdom;

2. The minimum size shall be 11,5 centimetres in the coastal areas of Lincolnshire, Norfolk, Suffolk and the Cumbrian Sea Fisheries District.

Whereas the exceptions to the minimum size of the species concerned must be differentiated to reflect the fact that production conditions in the said areas are not all the same;

Article 2

Commission Regulation (EEC) No 1048/86⁽³⁾ is hereby repealed.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

Article 3

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 35.

⁽²⁾ OJ No L 300, 31. 10. 1991, p. 1.

⁽³⁾ OJ No L 96, 11. 4. 1986, p. 14.

COMMISSION REGULATION (EEC) No 3864/91

of 16 December 1991

fixing, for the 1992 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) of Council Regulation (EEC) No 3796/81

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 3571/90 ⁽²⁾, and in particular Article 12 (3) thereof,

Whereas Article 12 (1) of Regulation (EEC) No 3796/81 provides that the Community withdrawal and selling prices for each of the products listed in Annex I (A), (D) and (E) are to be fixed by applying the conversion factor for the product category concerned to an amount equal to at least 70 % but not more than 90 % of the relevant guide price;

Whereas changes in production and marketing structures in the Community make it necessary to alter the basis for calculating the withdrawal and the sale prices in the Community as compared with those of the preceding fishing year;

Whereas Article 12 (2) of Regulation (EEC) No 3796/81 provides that the withdrawal price may be multiplied by conversion factors in landing areas which are very distant from main centres of consumption in the Community;

Whereas, with regard to sardines of the species *Sardina pilchardus*, special conditions have been adopted in the Act of Accession in order to ensure a progressive alignment of prices of sardines from the Atlantic on price levels of sardines from the Mediterranean; whereas the production structure and access to the market of Atlantic sardines are different to those for Mediterranean sardines and meet the special needs of the processing industry; whereas, with a view to the smooth application of the alignment of prices which does not artificially disturb market supply conditions, it is necessary to fix a special adaptation coefficient for size 3 of this product in the landing areas concerned in Spain and Portugal;

Whereas the guide prices for the 1992 fishing year were fixed for all the products in question by Council Regulation (EEC) No 3569/91 ⁽³⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages of the guide price referred to in Article 12 (1) of Regulation (EEC) No 3796/81 which are used as a basis for calculating the Community withdrawal and selling prices shall be as shown in Annex I for the products concerned.

Article 2

The conversion factors referred to in Article 12 (1) of Regulation (EEC) No 3796/81 which are used for calculating the Community withdrawal and selling prices for the products listed in Annex I (A), (D) and (E) of the abovementioned Regulation, shall be as shown in Annex II.

Article 3

The Community withdrawal and selling prices as referred to in Article 12 (1) of Regulation (EEC) No 3796/81 applicable for the 1992 fishing year and the products to which they refer, shall be as shown in Annex III.

Article 4

The withdrawal and selling prices, as referred to in Article 12 (2) of Regulation (EEC) No 3796/81 and applicable for the 1992 fishing year in the landing areas which are very distant from the main centres of consumption in the Community, and the products to which those prices relate, shall be as shown in Annex IV.

Article 5

This Regulation shall enter into force on 1 January 1992.

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽³⁾ OJ No L 338, 10. 12. 1991, p. 4.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

ANNEX I

Percentage of guide price used in calculating withdrawal or sale prices

Product	%
Herrings of the species <i>Clupea harengus</i>	85
Sardines of the species <i>Sardina pilchardus</i>	
— from the Atlantic	85
— from the Mediterranean	85
Dogfish (<i>Squalus acanthias</i>)	80
Dogfish (<i>Scyliorhinus</i> spp.)	80
Redfish (<i>Sebastes</i> spp.)	90
Cod of the species <i>Gadus morhua</i>	80
Coalfish (<i>Pollachius virens</i>)	80
Haddock (<i>Melanogrammus aeglefinus</i>)	80
Whiting (<i>Merlangus merlangus</i>)	80
Ling (<i>Molva</i> spp.)	80
Mackerel of the species <i>Scomber scombrus</i>	85
Mackerel of the species <i>Scomber japonicus</i>	90
Anchovies (<i>Engraulis</i> spp.)	85
Plaice (<i>Pleuronectes platessa</i>)	83
Hake of the species <i>Merluccius merluccius</i>	90
Megrim (<i>Lepidorhombus</i> spp.)	80
Ray's bream (<i>Brama</i> spp.)	80
Monkfish (<i>Lophius</i> spp.)	85
Shrimps of the species <i>Crangon crangon</i>	90
Crabs of the species <i>Cancer pagurus</i>	90
Norway lobster (<i>Nephrops norvegicus</i>)	90

ANNEX II

Conversion factor of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Species	Size (l)	Conversion			
		Gutted fish, with head		Whole fish	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Herrings of the species <i>Clupea harengus</i>	1	0,00	0,00	0,85	0,85
	2	0,00	0,00	0,80	0,80
	3	0,00	0,00	0,50	0,50
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,00	0,55	0,35
	2	0,00	0,00	0,55	0,35
	3	0,00	0,00	0,85	0,35
	4	0,00	0,00	0,55	0,35
Dogfish (<i>Squalus acanthias</i>)	1	0,75	0,55	0,71	0,50
	2	0,64	0,45	0,60	0,40
	3	0,35	0,25	0,30	0,20
Dogfish (<i>Scyliorhinus</i> spp.)	1	0,80	0,60	0,75	0,50
	2	0,80	0,60	0,70	0,50
	3	0,55	0,40	0,45	0,25
Redfish (<i>Sebastes</i> spp.)	1	0,00	0,00	0,90	0,90
	2	0,00	0,00	0,90	0,90
	3	0,00	0,00	0,76	0,76

Species	Size (")	Conversion			
		Gutted fish, with head		Whole fish	
		Extra, A (")	B (")	Extra, A (")	B (")
Cod of the species <i>Gadus morhua</i>	1	0,90	0,85	0,65	0,50
	2	0,90	0,85	0,65	0,50
	3	0,85	0,70	0,50	0,40
	4	0,67	0,46	0,38	0,27
	5	0,47	0,27	0,28	0,18
Coalfish (<i>Pollachius virens</i>)	1	0,90	0,90	0,70	0,70
	2	0,90	0,90	0,70	0,70
	3	0,89	0,89	0,69	0,69
	4	0,72	0,52	0,38	0,28
Haddock (<i>Melanogrammus aeglefinus</i>)	1	0,90	0,80	0,70	0,60
	2	0,90	0,80	0,70	0,60
	3	0,77	0,65	0,54	0,37
	4	0,71	0,58	0,53	0,37
Whiting (<i>Merlangus merlangus</i>)	1	0,80	0,75	0,60	0,40
	2	0,80	0,75	0,60	0,40
	3	0,76	0,61	0,55	0,23
	4	0,55	0,37	0,40	0,23
Ling (<i>Molva</i> spp.)	1	0,85	0,65	0,70	0,50
	2	0,83	0,63	0,68	0,48
	3	0,75	0,55	0,60	0,40
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,00	0,85	0,85
	2	0,00	0,00	0,85	0,75
	3	0,00	0,00	0,85	0,70
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,00	0,85	0,75
	2	0,00	0,00	0,85	0,70
	3	0,00	0,00	0,70	0,57
	4	0,00	0,00	0,55	0,40
Anchovies (<i>Engraulis</i> spp.)	1	0,00	0,00	0,80	0,45
	2	0,00	0,00	0,85	0,45
	3	0,00	0,00	0,70	0,45
	4	0,00	0,00	0,29	0,29
Plaice (<i>Pleuronectes platessa</i>)	1	0,90	0,85	0,49	0,49
	2	0,90	0,85	0,49	0,49
	3	0,85	0,80	0,49	0,49
	4	0,65	0,60	0,46	0,46
Hake of the species <i>Merluccius merluccius</i>	1	1,00	0,94	0,79	0,73
	2	0,76	0,71	0,59	0,54
	3	0,75	0,70	0,58	0,53
	4	0,64	0,59	0,50	0,41
	5	0,60	0,55	0,47	0,38
Megrim (<i>Lepidorhombus</i> spp.)	1	0,85	0,65	0,80	0,60
	2	0,75	0,55	0,70	0,50
	3	0,70	0,50	0,65	0,45
	4	0,45	0,25	0,40	0,20
Ray's bream (<i>Brama</i> spp.)	1	0,85	0,65	0,80	0,60
	2	0,60	0,40	0,55	0,35

Species	Size (")	Conversion				
		Whole fish or gutted, with head		Fish without head		
		Extra, A (")	B (")	Extra, A (")	B (")	
Monkfish (<i>Lophius</i> spp.)	1	0,72	0,52	0,90	0,70	
	2	0,92	0,72	0,85	0,65	
	3	0,92	0,72	0,80	0,60	
	4	0,77	0,57	0,70	0,50	
	5	0,44	0,24	0,50	0,30	
		A (")		B (")		
Shrimps of the genus <i>Crangon</i>	1					
	2	0,65 0,30		0,55 0,30		
		Whole (")				
Edible crabs (<i>Cancer pagurus</i>)	1	0,80				
	2	0,60				
		Whole			Tails	
		E' (")	Extra, A (")	B (")	Extra, A (")	B (")
Norway lobster (<i>Nephrops norvegicus</i>)	1	0,95	0,95	0,68	0,85	0,57
	2	0,95	0,64	0,38	0,61	0,38
	3	0,63	0,45	0,18	0,36	0,19
	4	0,23	0,23	0,09	0,30	0,09

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

ANNEX III

Withdrawal or sale price in the Community of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Species	Size (l)	Withdrawal price (ECU/tonne)			
		Gutted fish with head		Whole fish	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Herrings of the species <i>Clupea harengus</i>					
— 1 January to 31 July 1992 and 1 October to 31 December 1992	{ 1 2 3	0 0 0	0 0 0	185 174 109	185 174 109
— 1 August to 30 September 1992	{ 1 2 3	0 0 0	0 0 0	157 148 92	157 148 92
Sardines of the species <i>Sardina pilchardus</i> from the Atlantic:					
(a) Member States other than Spain and Portugal	{ 1 2 3 4	0 0 0 0	0 0 0 0	223 223 344 223	142 142 142 142
(b) Spain and Portugal	{ 1 2 3 4	0 0 0 0	0 0 0 0	193 193 298 193	123 123 123 123

Species	Size (°)	Withdrawal price (ECU/tonne)			
		Gutted fish with head		Whole fish	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Sardines of the species <i>Sardina pilchardus</i> from the Mediterranean	1	0	0	214	136
	2	0	0	214	136
	3	0	0	331	136
	4	0	0	214	136
Dogfish (<i>Squalus acanthias</i>)	1	526	386	498	351
	2	449	316	421	281
	3	246	175	210	140
Dogfish (<i>Scyliorhinus</i> spp.)	1	484	363	454	303
	2	484	363	424	303
	3	333	242	273	151
Redfish (<i>Sebastes</i> spp.)	1	0	0	748	748
	2	0	0	748	748
	3	0	0	631	631
Cod of the species <i>Gadus morhua</i>	1	948	895	684	526
	2	948	895	684	526
	3	895	737	526	421
	4	705	484	400	284
	5	495	284	295	190
Coalfish (<i>Pollachius virens</i>)	1	480	480	373	373
	2	480	480	373	373
	3	474	474	368	368
	4	384	277	202	149
Haddock (<i>Melanogrammus aeglefinus</i>)	1	696	618	541	464
	2	696	618	541	464
	3	595	502	417	286
	4	549	448	410	286
Whiting (<i>Merlangus merlangus</i>)	1	526	493	395	263
	2	526	493	395	263
	3	500	401	362	151
	4	362	243	263	151
Ling (<i>Molva</i> spp.)	1	649	497	535	382
	2	634	481	520	367
	3	573	420	458	306
Mackerel of the species <i>Scomber scombrus</i>	1	0	0	189	189
	2	0	0	189	166
	3	0	0	189	155
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	0	246	217
	2	0	0	246	203
	3	0	0	203	165
	4	0	0	159	116
Anchovies (<i>Engraulis</i> spp.):	1	0	0	646	363
	2	0	0	686	363
	3	0	0	565	363
	4	0	0	234	234

Species	Size (')	Withdrawal price (ECU/t)				
		Gutted fish with head		Whole fish		
		Extra, A (')	B (')	Extra, A (')	B (')	
Plaice (<i>Pleuronectes platessa</i>):						
— 1 January to 30 April 1992	1	595	562	324	324	
	2	595	562	324	324	
	3	562	529	324	324	
	4	429	396	304	304	
— 1 May to 31 December 1992	1	810	765	441	441	
	2	810	765	441	441	
	3	765	720	441	441	
	4	585	540	414	414	
Hake of the species <i>Merluccius merluccius</i>	1	2 766	2 600	2 185	2 019	
	2	2 102	1 964	1 632	1 493	
	3	2 074	1 936	1 604	1 466	
	4	1 770	1 632	1 383	1 134	
	5	1 659	1 521	1 300	1 051	
Megrim (<i>Lepidorhombus</i> spp.)	1	1 307	999	1 230	923	
	2	1 153	846	1 076	769	
	3	1 076	769	999	692	
	4	692	384	615	308	
Ray's bream (<i>Brama</i> spp.)	1	1 059	810	996	747	
	2	747	498	685	436	
		Whole or gutted fish, with head		Without head		
		Extra, A (')	B (')	Extra, A (')	B (')	
Monkfish (<i>Lophius</i> spp.)	1	1 321	954	3 887	3 023	
	2	1 688	1 321	3 671	2 807	
	3	1 688	1 321	3 455	2 591	
	4	1 413	1 046	3 023	2 159	
	5	807	440	2 159	1 296	
		A (')		B (')		
Shrimps of the genus <i>Crangon crangon</i>	1	986		834		
	2	455		455		
		Sale prices (ECU/tonne)				
		Whole (')				
Edible crabs (<i>Cancer pagurus</i>)	1	1 067				
	2	800				
		Whole			Tails	
		E' (')	Extra, A (')	B (')	Extra, A (')	B (')
Norway lobster (<i>Nephrops norvegicus</i>)	1	3 755	3 755	2 688	5 918	3 969
	2	3 755	2 530	1 502	4 247	2 646
	3	2 490	1 779	712	2 506	1 323
	4	909	909	356	2 089	627

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

ANNEX IV

Species	Landing area	Conversion factor	Size ⁽¹⁾	Withdrawal prices (ECU/tonne)			
				Gutted fish, with head		Whole fish	
				Extra, A ⁽¹⁾	B ⁽¹⁾	Extra, A ⁽¹⁾	B ⁽¹⁾
Mackerel of the species <i>Scomber scombrus</i>	Coastal areas and islands of Ireland	0,80	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	151 151 151	151 133 124
	Coastal areas and islands of Cornwall and Devon in the United Kingdom	0,83	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	157 157 157	157 138 129
	Coastal areas from Portpatrick in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas, coastal areas and islands of Northern Ireland	0,89	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	168 168 168	168 148 138
	Coastal areas from Wick to Aberdeen in the north-east of Scotland	0,95	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	179 179 179	179 158 148
Sardines from sardines of the species <i>Sardina pilchardus</i> from the Atlantic	Coastal areas and islands of the counties of Cornwall and Devon in the United Kingdom	0,63	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	0 0 0 0	0 0 0 0	140 140 217 140	89 89 89 89
	Coastal areas of the Atlantic of Spain and Portugal	0,65	3	0	0	194	0
Hake of the species <i>Merluccius merluccius</i>	Coastal areas from Troon in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas	0,64	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \\ 5 \end{cases}$	1 770 1 345 1 328 1 133 1 062	1 664 1 257 1 239 1 044 974	1 398 1 044 1 027 885 832	1 292 956 938 726 673
	Coastal areas and islands of Ireland	0,87	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \\ 5 \end{cases}$	2 406 1 829 1 805 1 540 1 444	2 262 1 708 1 684 1 420 1 323	1 901 1 420 1 396 1 203 1 131	1 756 1 299 1 275 987 914

⁽¹⁾ The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

COMMISSION REGULATION (EEC) No 3865/91

of 16 December 1991

fixing the reference prices for fishery products for the 1992 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 3571/90 ⁽²⁾, and in particular the first subparagraph of Articles 21 (6) and 22 (5) thereof,

Whereas Article 21 (1) of Regulation (EEC) No 3796/81 provides, among other things, for reference prices valid for the Community to be fixed each year, by product category, for the products specified in Annexes I, II, III, IV (B) and V to that Regulation;

Whereas Article 22 (1) of Regulation (EEC) No 3796/81 allows, *inter alia*, the fixing of reference prices for the products referred to in Annex IV (A) (1) before the beginning of each marketing year;

Whereas Article 21 (2) of Regulation (EEC) No 3796/81 provides that the reference price for the products specified in Annex I (A), (D) and (E) thereto must be equal to the withdrawal and selling prices fixed in accordance with Article 12 (1) thereof;

Whereas the Community withdrawal and selling prices for the products concerned were fixed for the 1992 fishing year by Commission Regulation (EEC) No 3864/91 ⁽³⁾;

Whereas the reference prices for the products specified in Annex II to Regulation (EEC) No 3796/81 must be derived from their guide prices by reference to the price level at which the intervention measures provided for in Article 16 (1) thereof may be taken, and fixed taking account of the situation on the market in those products; whereas the reference prices for those products should therefore be 85 % of the guide prices fixed by Council Regulation (EEC) No 3569/91 ⁽⁴⁾;

Whereas the reference prices for the fishes of the species *Thunnus* and *Euthynnus* specified in Annex III to Regulation (EEC) No 3796/81, are based on the weighted average of the free-at-frontier prices recorded on the most

representative markets in the Member States during the three preceding years;

Whereas the reference prices for the products specified in Annexes I (B) and (C) and IV (B) to Regulation (EEC) No 3796/81 are determined on the basis of the average of the reference prices for the fresh product, account being taken of the processing costs and of the need to ensure a price relationship in keeping with the market situation;

Whereas the reference prices for carp referred to in Annex IV (A) (1) of Regulation (EEC) No 3796/81 are fixed on the basis of the average of the producer prices recorded during the three years preceding the date on which the reference price is fixed for a product with commercial characteristics as set out in Commission Regulation (EEC) No 1985/74 of 25 July 1974 laying down detailed rules of application for the fixing of reference prices and free-at-frontier prices for carp ⁽⁵⁾, as last amended by Regulation (EEC) No 1106/90 ⁽⁶⁾;

Whereas, for the frozen and salted products specified in Annex V to Regulation (EEC) No 3796/81 for which no reference price is fixed for the fresh product, the reference prices are determined on the basis of the reference price applied to a commercially similar fresh product;

Whereas, given the quantities of certain frozen and salted products and the conditions governing their importation, it does not appear necessary to fix a reference price for such products in the immediate future;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 1992 fishing year for the products specified in Annexes I, II, III, IV (A) 1 and (B) and V to Regulation (EEC) No 3796/81 shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1992.

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽³⁾ See page 2 of this Official Journal.

⁽⁴⁾ OJ No L 338, 10. 12. 1991, p. 4.

⁽⁵⁾ OJ No L 207, 29. 7. 1974, p. 30.

⁽⁶⁾ OJ No L 111, 1. 5. 1990, p. 50.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

ANNEX

1. Reference prices of products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Fresh or chilled		Reference price (ECU/tonne)			
Species	Size (l)	Gutted fish with head		Whole fish	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Herring of the species <i>Clupea harengus</i> ex 0302 40 10 and ex 0302 40 90					
— 1 January to 31 July 1992 and 1 October to 31 December 1992	{ 1 2 3	0 0 0	0 0 0	185 174 109	185 174 109
— 1 August to 30 September 1992	{ 1 2 3	0 0 0	0 0 0	157 148 92	157 148 92
Sardines of the species <i>Sardina pilchardus</i> from the Atlantic ex 0302 61 10					
(a) Member States other than Spain and Portugal	{ 1 2 3 4	0 0 0 0	0 0 0 0	223 223 344 223	142 142 142 142
(b) Spain and Portugal	{ 1 2 3 4	0 0 0 0	0 0 0 0	193 193 298 193	123 123 123 123
Sardines of the species <i>Sardina pilchardus</i> from the Mediterranean ex 0302 61 10	1 2 3 4	0 0 0 0	0 0 0 0	214 214 331 214	136 136 136 136
Dogfish (<i>Squalus acanthias</i>) 0302 65 20	1 2 3	526 449 246	386 316 175	498 421 210	351 281 140
Dogfish (<i>Scyliorhinus</i> spp.) 0302 65 50	1 2 3	484 484 333	363 363 242	454 424 273	303 303 151
Redfish (<i>Sebastes</i> spp.) 0302 69 31 and 0302 69 33	1 2 3	0 0 0	0 0 0	748 748 631	748 748 631
Cod of the species <i>Gadus morhua</i> 0302 50 10	1 2 3 4 5	948 948 895 705 495	895 895 737 484 284	684 684 526 400 295	526 526 421 284 190
Coalfish (<i>Pollachius virens</i>) 0302 63 00	1 2 3 4	480 480 474 384	480 480 474 277	373 373 368 202	373 373 368 149
Haddock (<i>Melanogrammus aeglefinus</i>) 0302 62 00	1 2 3 4	696 696 595 549	618 618 502 448	541 541 417 410	464 464 286 286

Fresh or chilled		Reference price (ECU/tonne)			
Species	Size (l)	Gutted fish with head		Whole fish	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Whiting (<i>Merlangus merlangus</i>) 0302 69 41	1	526	493	395	263
	2	526	493	395	263
	3	500	401	362	151
	4	362	243	263	151
Ling (<i>Molva</i> spp.) 0302 69 45	1	649	497	535	382
	2	634	481	520	367
	3	573	420	458	306
Mackerel of the species <i>Scomber scombrus</i> ex 0302 64 10 and ex 0302 64 90	1	0	0	189	189
	2	0	0	189	166
	3	0	0	189	155
Spanish mackerel of the species <i>Scomber japonicus</i> ex 0302 64 10 and ex 0302 64 90	1	0	0	246	217
	2	0	0	246	203
	3	0	0	203	165
	4	0	0	159	116
Anchovies (<i>Engraulis</i> spp.) 0302 69 55	1	0	0	646	363
	2	0	0	686	363
	3	0	0	565	363
	4	0	0	234	234
Plaice (<i>Pleuronectes platessa</i>) 0302 22 00	{ 1 2 3 4	595	562	324	324
		595	562	324	324
		562	529	324	324
		429	396	304	304
	{ 1 2 3 4	810	765	441	441
		810	765	441	441
		765	720	441	441
		585	540	414	414
	1 2 3 4 5	2 766	2 600	2 185	2 019
		2 102	1 964	1 632	1 493
		2 074	1 936	1 604	1 466
		1 770	1 632	1 383	1 134
		1 659	1 521	1 300	1 051
Megrim (<i>Lepidorhombus</i> spp.) 0302 29 10	1	1 307	999	1 230	923
	2	1 153	846	1 076	769
	3	1 076	769	999	692
	4	692	384	615	308
Ray's bream (<i>Brama</i> spp.) 0302 69 75	1	1 059	810	996	747
	2	747	498	685	436
		Whole or gutted fish with head		Without head	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Monkfish (<i>Lophius</i> spp.) 0302 69 81	1	1 321	954	3 887	3 023
	2	1 688	1 321	3 671	2 807
	3	1 688	1 321	3 455	2 591
	4	1 413	1 046	3 023	2 159
	5	807	440	2 159	1 296

Fresh or chilled		Reference price (ECU/tonne)				
Species	Size (l)	Whole or gutted fish, with head			Without head	
		A (l)			B (l)	
Shrimps of the genus <i>Crangon crangon</i> ex 0306 23 31	1	986			834	
	2	455			455	
		Whole (l)				
Edible crabs <i>(Cancer pagurus)</i> ex 0306 24 30	1	1 067				
	2	800				
		Whole			Tails	
		E' (l)	Extra, A (l)	B (l)	Extra, A (l)	B (l)
Norway lobster <i>(Nephrops norvegicus)</i> ex 0306 29 30	1	3 755	3 755	2 688	5 918	3 969
	2	3 755	2 530	1 502	4 247	2 646
	3	2 490	1 779	712	2 506	1 323
	4	909	909	356	2 089	627

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81

2. Reference prices for the products listed in Annex II to Regulation (EEC) No 3796/81

CN code	Description	Reference prices (ECU/tonne)
A. Frozen products falling within CN code 0303 :		
0303 71 10	Sardines of the species <i>Sardina pilchardus</i>	330
0303 79 71	Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	1 158
B. Frozen products falling within CN code 0307 :		
Squid of the genus <i>Loligo</i> :		
0307 49 35	— <i>Loligo patagonica</i> :	whole, not cleaned 788
		cleaned 946
0307 49 31	— <i>Loligo vulgaris</i> :	whole, not cleaned 1 576
		cleaned 1 891
0307 49 33	— <i>Loligo pealei</i> :	whole, not cleaned 946
		cleaned 1 103
ex 0307 49 38	— <i>Loligo opalescens</i> :	whole, not cleaned 630
		cleaned 749
0307 49 38	— Other species :	whole, not cleaned 867
		cleaned 1 024
0307 49 51	Squid	
	(<i>Ommastrephes sagittatus</i>) :	whole, not cleaned 685
		tube 1 302
ex 0307 99 11	<i>Illex</i> spp.	
	— <i>Illex argentinus</i> :	whole, not cleaned 687
		tube 1 305
ex 0307 99 11		
	— <i>Illex illecebrosus</i> :	cylinder 1 958
		whole, not cleaned 687
ex 0307 99 11		
	— Other species :	tube 1 305
		cylinder 1 958
0307 49 19	Cuttle-fish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>) and sépioles (<i>Sepioloa rondeleti</i>)	
		1 393
0307 59 10	Octopus (<i>Octopus</i> spp.)	
		1 123

3. Reference prices for the products listed in Annex III to Regulation (EEC) No 3796/81

Tuna (of the genus *Thunnus*), skipjack or stripe-bellied bonito (*Euthynnus* (*Katsuwonus*) *pelamis*) and other species of the genus *Euthynnus*, fresh, chilled or frozen, for the industrial manufacture of products falling within CN code 1604 :

Product	Reference prices (ECU/tonne)		
	Whole	Gilled and gutted	Other (for example 'heads off')
A. Albacore or longfinned tuna (<i>Thunnus alalunga</i>): excluding fresh or chilled tuna : 0303 41 11, 0303 41 13, 0303 41 19	978	1 114	1 212
B. Yellowfin tuna (<i>Thunnus albacares</i>): 1. weighing more than 10 kg each (!) 0302 32 10, 0303 42 12, 0303 42 32, 0303 42 52	850	969	1 054
2. weighing not more than 10 kg each (!) ex 0302 32 10, 0303 42 18, 0303 42 38, 0303 42 58	680	775	843
C. Lisatos or stripe-bellied bonito (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>): 0302 33 10, 0303 43 11, 0303 43 13, 0303 43 19	527	601	653
D. Fish of the genus <i>Thunnus</i> and <i>Euthynnus</i> , excluding bluefin tuna (<i>Thunnus thynnus</i>), fresh or chilled and bigeye tuna (<i>Parathunnus obesus</i> or <i>Thunnus obesus</i>), fresh or chilled : ex 0302 39 10, 0302 69 21, 0303 49 11, 0303 49 13, 0303 49 19, 0303 79 21, 0303 79 23, 0303 79 29	502	572	622

(!) Reference to weight applies to whole products.

4. Reference prices for certain products listed in Annex IV (A) (1) to Regulation (EEC) No 3796/81 :

Product	Form	Periods from	Reference prices (ECU/tonne)
Carp falling within CN code ex 0301 93 00	Live, weighing at least 800 grams	1. 1. 1992 to 31. 7. 1992	1 265
		1. 8. 1992 to 30. 11. 1992	1 580
		1. 12. 1992 to 31. 12. 1992	1 387

5. Reference prices for the products listed in Annexes IV (B) and V to Regulation (EEC) No 3796/81

Frozen products falling within CN codes 0303 and 0304 :

Species	Presentation	Reference prices (ECU/tonne)
1. Redfish (<i>Sebastes</i> spp.) ex 0303 79 35 ex 0303 79 37	Whole fish : — With or without head	783
ex 0304 20 35 ex 0304 20 37	Fillets : — With bones (standard) — Boneless — Blocks in immediate packing weighing not more than 4 kg	1 575 1 834 1 940
ex 0304 90 31	Minced blocks	979
ex 0303 79 35 ex 0303 79 37 ex 0304 90 31	Pieces and other meat	1 100

Species	Presentation	Reference prices (ECU/tonne)
2. Cod (<i>Gadus morhua</i>, <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i> ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41 ex 0304 20 21 ex 0304 20 29 ex 0304 90 35 ex 0304 90 38 ex 0304 90 39 ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41, ex 0304 90 35, ex 0304 90 38, ex 0304 90 39	Whole fish : — With or without head Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless — Individual fillets, with skin — Individual fillets, skinless — Blocks in immediate packing weighing not more than 4 kg Minced blocks Pieces and other meat	928 2 019 2 332 2 210 2 550 2 488 1 022 1 192
3. Coalfish (<i>Pollachius virens</i>) ex 0303 73 00 ex 0304 20 31 ex 0304 90 41 ex 0303 73 00, ex 0304 90 41	Whole fish : — With or without head Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless — Individual fillets, with skin — Individual fillets, skinless — Blocks in immediate packing weighing not more than 4 kg Minced blocks Pieces and other meat	624 1 236 1 334 1 250 1 371 1 427 675 820
4. Haddock (<i>Melanogrammus aeglefinus</i>) ex 0303 72 00 ex 0304 20 33 ex 0304 90 45 ex 0303 72 00, ex 0304 90 45	Whole fish : — With or without head Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless — Individual fillets, with skin — Individual fillets, skinless — Blocks in immediate packing weighing not more than 4 kg Minced blocks Pieces and other meat	810 1 844 2 398 2 173 2 494 2 459 816 964
5. Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> and fish of the species <i>Orcynopsis unicolor</i> 0303 74 11 0303 74 19 0303 79 61 0303 79 63 ex 0304 20 53 ex 0304 90 98	Whole fish : — With head — Without head Fillets Sides	345 366 596 482

Species	Presentation	Reference prices (ECU/tonne)
6. Hake (<i>Merluccius</i> spp.) ex 0303 78 10	Whole fish : — With or without head	781
ex 0304 20 57	Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless — Individual fillets, with skin — Individual fillets, skinless — Blocks in immediate packing weighing not more than 4 kg	1 040 1 224 1 069 1 147 1 237
ex 0304 90 47	Minced blocks	787
ex 0303 78 10 ex 0304 90 47	Pieces and other meat	1 047
7. Alaska pollack (<i>Theragra chalcogramma</i>) ex 0304 20 85	Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless	936 1 079

COMMISSION REGULATION (EEC) No 3866/91

of 16 December 1991

fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 1992 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 3571/90 ⁽²⁾, and in particular Article 13 (7) thereof,

Whereas Article 13 of Regulation (EEC) No 3796/81 provides for the payment of financial compensation to producers' organizations which intervene, on certain conditions, in respect of the products listed in Annex I (A) and (D) to that Regulation; whereas the amount of such financial compensation must be reduced by standard values in the case of products intended for purposes other than human consumption;

Whereas Commission Regulation (EEC) No 1501/83 ⁽³⁾ specifies the ways in which the products withdrawn must be disposed of; whereas the value of such products must be fixed at a standard level for each of these modes of disposal, taking into account the average receipts which may be obtained from such disposal;

Whereas, on the basis of the relevant information on this value, it should be fixed for the 1992 fishing year as shown in the Annex hereto;

Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 3137/82 ⁽⁴⁾, as last amended by Regulation (EEC) No 3507/89 ⁽⁵⁾, the body responsible for payment of the financial compensation is that of the Member State in which the producers' organization was recognized;

Whereas the standard value deductible should therefore be the value applied in that Member State;

Whereas the abovementioned provisions are equally applicable to the advance on the financial compensation provided for in Article 5 (2) of Council Regulation (EEC) No 2202/82 ⁽⁶⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The standard values to be used in calculating the financial compensation and the advance pertaining thereto provided for in Article 13 of Regulation (EEC) No 3796/81 in respect of products withdrawn by producers' organizations and used for purposes other than human consumption shall be for the 1992 fishing year as shown in the Annex hereto for each of the uses indicated therein.

Article 2

The standard value to be deducted from the financial compensation and the advance pertaining thereto shall be that applied in the Member State in which the producers' organization was recognized.

Article 3

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽³⁾ OJ No L 152, 10. 6. 1983, p. 22.

⁽⁴⁾ OJ No L 335, 29. 11. 1982, p. 1.

⁽⁵⁾ OJ No L 342, 24. 11. 1989, p. 13.

⁽⁶⁾ OJ No L 235, 10. 8. 1982, p. 1.

ANNEX

Use of products withdrawn	ECU/tonne
1. Used as animal feed after drying and cutting up or processing into meal :	
(a) herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Spain, United Kingdom, Denmark	45
— other Member States	20
(b) for shrimps of the species <i>Crangon crangon</i> :	
— all Member States	25
(c) for other products :	
— United Kingdom, Denmark	40
— Portugal, Spain	30
— other Member States	15
2. Used otherwise than as under animal feed (bait included) :	
(a) Sardines of the species <i>Sardina pilchardus</i> and anchovy (<i>Engraulis</i> spp.)	
— France	10
— other Member States	25
(b) for other products :	
— Ireland	25
— other Member States	40
3. Used for purposes other than animal feed	0

COMMISSION REGULATION (EEC) No 3867/91

of 16 December 1991

fixing the amount of the carry-over premium for certain fishery products for the 1992 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 3571/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2203/82 of 28 July 1982 laying down general rules for the granting of a carry-over premium for certain fishery products ⁽³⁾, as last amended by Regulation (EEC) No 3469/88 ⁽⁴⁾, and in particular Article 3 thereof,

Whereas the purpose of the carry-over premium is to give suitable encouragement to producers' organizations to carry over products withdrawn from the market so that their destruction can be avoided;

Whereas the amount of the premium must be such as not to disturb the balance of the market for the products in question;

Whereas the amount of the premium may not be more than 50 % of the Community withdrawal price for the fresh product or exceed the technical costs of processing, highest costs discounted, recorded in the Community during the previous fishing year;

Whereas withdrawal prices for the 1992 fishing year for the fishery products listed in the Annex to Regulation (EEC) No 2203/82 have been set by Commission Regulation (EEC) No 3864/91 ⁽⁵⁾;

Whereas, on the basis of the information on technical processing costs recorded in the Community, the amount of the premium should, for the 1992 fishing year, be as indicated in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992 fishing year, the carry-over premium for the products listed in Annex I to Regulation (EEC) No 2203/82 shall be as indicated in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽³⁾ OJ No L 235, 10. 8. 1982, p. 4.

⁽⁴⁾ OJ No L 305, 10. 11. 1988, p. 7.

⁽⁵⁾ See page 2 of this Official Journal.

ANNEX

Amount of the premium

Processing methods listed in Article 14 (5) of the basic Regulation	Products listed in Annex I to Regulation (EEC) No 2203/82	Amounts for products listed in column 2 (ECU/tonne)
1	2	3
I. Freezing and storage of whole, gutted and with head or cutting-up products	Redfish (<i>Sebastes</i> spp.) Cod of the species <i>Gadus morhua</i> Saithe (<i>Pollachius virens</i>) Haddock (<i>Melanogrammus aeglefinus</i>) Whiting (<i>Merlangus merlangus</i>) Megrin (<i>Lepidorhombus</i> spp.) Ray's bream (<i>Brama</i> spp.) Monkfish (<i>Lobius</i> spp.) Shrimps of the species <i>Crangon crangon</i> Sardine of the species <i>Sardina pilchardus</i> Anchovy (<i>Engraulis</i> spp.) Herring of the species <i>Clupea harengus</i> Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	82 ⁽¹⁾
II. Filleting, freezing and storage	Redfish (<i>Sebastes</i> spp.) Cod of the species <i>Gadus morhua</i> Saithe (<i>Pollachius virens</i>) Haddock (<i>Melanogrammus aeglefinus</i>) Whiting (<i>Merlangus merlangus</i>) Megrin (<i>Lepidorhombus</i> spp.) Ray's bream (<i>Brama</i> spp.) Monkfish (<i>Lobius</i> spp.) Sardine of the species <i>Sardina pilchardus</i> Anchovy (<i>Engraulis</i> spp.) Herring of the species <i>Clupea harengus</i> Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	145 ⁽¹⁾
III. Salting and/or drying and storage of whole, gutted and with head, cutting-up or filleted products	Redfish (<i>Sebastes</i> spp.) Cod of the species <i>Gadus morhua</i> Saithe (<i>Pollachius virens</i>) Haddock (<i>Melanogrammus aeglefinus</i>) Whiting (<i>Merlangus merlangus</i>) Megrin (<i>Lepidorhombus</i> spp.) Ray's bream (<i>Brama</i> spp.) Monkfish (<i>Lobius</i> spp.) Sardine of the species <i>Sardina pilchardus</i> Anchovy (<i>Engraulis</i> spp.) Herring of the species <i>Clupea harengus</i> Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	130 ⁽¹⁾

⁽¹⁾ Given that the amount of the premium may not in particular exceed 50 % of Community withdrawal price for the fresh product (Article 14 (2) of Regulation (EEC) No 3796/81), this amount shall be reduced:

(a) for Atlantic sardines of the species *Sardina pilchardus*:

- to ECU 70/tonne in the coastal areas of and islands of the counties of Cornwall and Devon in the United Kingdom (I, II and III),
- to ECU 97/tonne in Spain and Portugal (II and III),
- to ECU 112/tonne in the other regions of the Community (II and III);

-
- (b) for anchovies (*Engraulis* spp.):
 - to ECU 117/tonne in all Member States (II and III);
 - (c) for Mediterranean sardines of the species *Sardina pilchardus*:
 - to ECU 107/tonne in all Member States (II and III);
 - (d) for herring:
 - to ECU 74/tonne in all Member States (I, II and III);
 - (e) for mackerel:
 - for *Scomber japonicus*:
 - to ECU 80/tonne in all Member States (I, II and III),
 - for *Scomber scombrus*:
 - all Member States other than the regions concerned in Ireland and the United Kingdom:
 - to ECU 95/tonne (II and III),
 - regions concerned in Ireland:
 - to ECU 76/tonne (I, II and III),
 - regions concerned in the United Kingdom:
 - to ECU 79/tonne (I, II and III).
-

COMMISSION REGULATION (EEC) No 3868/91

of 16 December 1991

fixing the storage premium for certain fishery products for the 1992 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 3571/90 ⁽²⁾, and in particular Article 14a thereof,

Whereas, in accordance with Article 14a (4) of Regulation (EEC) No 3796/81, the storage premium may not exceed the technical and financial costs relating to operations indispensable for stabilization and storage of the products in question;

Whereas the premium should be an incentive to producers' organizations to apply the storage aid system and in particular the relevant selling price in order to stabilize the market for such products;

Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 314/86 ⁽³⁾, as last amended by Regulation (EEC) No 2201/89 ⁽⁴⁾, the premium is to be fixed on the basis of the technical costs relating to the operations concerned,

as recorded in the Community in the previous fishing year, excluding the highest costs;

Whereas, on the basis of figures for the technical and financial costs recorded in the Community for the operations in question, the premium should be as set out in the Annex for the 1992 fishing year;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992 fishing year, the storage premium for Norway lobsters (*Nephrops norvegicus*) and edible crabs (*Cancer pagurus*) shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽³⁾ OJ No L 39, 14. 2. 1986, p. 8.

⁽⁴⁾ OJ No L 209, 21. 7. 1989, p. 30.

ANNEX

Amount of premium

Stabilization and storage operations as referred to in Article 7 of Regulation (EEC) No 314/86	Products listed in Annex I to Regulation (EEC) No 314/86	Amount of premium for products listed in column 2 (ECU/tonne)	
		First month	Per additional month (1)
1	2	3	
I. Freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	210	21
	Norway lobster tails (<i>Nephrops norvegicus</i>)	126	31
II. Removing the head, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	108	21
III. Cooking, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	227	21
	Edible crabs (<i>Cancer pagurus</i>)	87	15
IV. Storage in suitable fixed tanks or cages	Edible crabs (<i>Cancer pagurus</i>)	130	

(1) The amount refers to the net weight of products in stock, covered by Article 11 (1) (b) of Regulation (EEC) No 314/86.

COMMISSION REGULATION (EEC) No 3869/91

of 16 December 1991

fixing the amount of the flat-rate premium for certain fishery products during the 1992 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 3571/90⁽²⁾,

Having regard to Commission Regulation (EEC) No 4176/88 of 28 December 1988 laying down detailed rules for the grant of a flat-rate aid for certain fishery products⁽³⁾, and in particular Article 11 thereof,

Whereas the premium should encourage the producers' organizations to prevent the destruction of products withdrawn from the market;

Whereas the amount of the premium must be fixed in such a way as to take account of the interdependence of the markets concerned and of the need to prevent distortion of competition;

Whereas the amount of the premium may not exceed 50 % of the level referred to in Article 14b (1) (a) of Regulation (EEC) No 3796/81 or exceed the technical costs of processing and storage recorded during the previous fishing year, the highest costs being disregarded;

Whereas, on the basis of the information concerning the technical costs of processing recorded in the Community,

the amount of the premium should be fixed for the 1992 fishing year as shown below;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1992 fishing year, the amount of the flat-rate premium for the products listed in Annex VI to Regulation (EEC) No 3796/81 shall be as follows:

- (a) freezing and storage of products,
whole, gutted with head, or cut: ECU 82/tonne
- (b) filleting, freezing and storage: ECU 145/tonne

2. Member States shall reduce the abovementioned amounts to the appropriate extent where the limit of 50 % of the level referred to in Article 14b (1) (a) of Regulation (EEC) No 3796/81 is exceeded.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽³⁾ OJ No L 367, 31. 12. 1988, p. 63.

COMMISSION REGULATION (EEC) No 3870/91

of 16 December 1991

opening tariff quotas for the 1992 fishing year for fishery products coming from joint ventures set up between natural or legal persons from Spain and from other countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 168 thereof,

Whereas Article 168 of the Act of Accession provides for the gradual elimination of the exemptions, suspensions or tariff quotas granted by Spain for fishery products coming from joint ventures set up between natural or legal persons from Spain and from other countries;

Whereas annual quotas should be opened corresponding to such progressive elimination, for each CN code, subject to the overall quantities provided for in the Act of Accession;

Whereas, within the framework of overall quantities, the quotas per CN code are allocated proportionally according to the scheme applicable in 1983;

Whereas provision should be made for the supply of information to the Commission so that it can keep watch on the management of these arrangements;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 January to 31 December 1992, tariff quotas shall be opened in Spain for the fishery

products referred to in Article 168 of the Act of Accession, in accordance with the provisions of that Article and with the rules laid down in the Annex hereto.

2. The customs duties applicable shall be wholly suspended on each of the products referred to in paragraph 1, subject to each of the tariff quotas specified in the Annex.

Article 2

Distribution of the quantities referred to in Article 1 which may, where appropriate, be subject to partial allocation on a half-yearly basis, between the undertakings referred to in Annex XII to the Act of Accession, shall be undertaken by the competent Spanish authorities.

Article 3

Each quarter, not later than 15 days after the end of each quarter, Spain shall inform the Commission of the quantities actually imported under these quota arrangements. The Commission may at any time request a statement of the extent to which the quotas have been used up.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January to 31 December 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

ANNEX

CN code	Description	Authorized zero duty
0303 78 10 0304 90 47	Hake of the genus <i>Merluccius</i> spp., frozen	3 274
0304 20 29 0304 20 31 0304 20 43 0304 20 53 0304 20 57 0304 20 83 ex 0304 20 97	Fillets, frozen, miscellaneous	637
ex 0305 62 00 ex 0305 69 10	Certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , non-dried, salted	289
ex 0303 42 ex 0303 43 ex 0303 49	Yellowfin tunas (<i>Thunnus albacares</i>), skipjack or stripe-bellied bonito (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>) and bigeye (<i>Parathunnus obesus</i>), frozen	288
ex 0303 ex 0304 20 13 ex 0304 90	Salmon (<i>Oncorhynchus</i> spp., <i>Salmo salar</i> , <i>Hucho bucho</i>) frozen, other various fish products, frozen and including livers and roes	821
ex 0302 ex 0304 10 98	Various fish, fresh	2 296
ex 0307 99 11	<i>Illex</i> spp., frozen	1 440
ex 0307 21 ex 0307 29 ex 0307 41 ex 0307 49 ex 0307 51 ex 0307 59 ex 0307 91 ex 0307 99	Certain molluscs, live, fresh, chilled or frozen	1 251
0306 11 00 0306 13 90 0306 14 30 0306 19 30	Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.), crabs of the species <i>Cancer pagurus</i> , Norway lobsters (<i>Nephrops norvegicus</i>) and shrimps other than of the family Pandalidae and of the genus <i>Crangon</i> , frozen	1 194
ex 0306 21 00 0306 22 10 ex 0306 24 30 ex 0306 29 30	Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.), lobsters (<i>Homarus</i> spp.), crabs of the species <i>Cancer pagurus</i> and Norway lobsters (<i>Nephrops norvegicus</i>), live and fresh	113
Total		11 603

COMMISSION REGULATION (EEC) No 3871/91

of 16 December 1991

suspending for the 1992 fishing year the duties applicable to fresh fishery products originating in Morocco and coming from joint fisheries ventures set up between natural or legal persons from Portugal and Morocco, on the direct landing of such products in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 355 thereof,

Whereas Article 355 of the Act of Accession provides for the elimination, by 31 December 1992, of the exemptions, suspensions or tariff quotas granted by Portugal on fresh fishery products originating in Morocco and coming from joint fish ventures set up between natural or legal persons from Portugal and Morocco, when such products are landed directly in Portugal;

Whereas the present arrangements applied by Portugal to such products may be maintained on a transitional basis;

Whereas the duties applicable to such products should be suspended for 1992;

Whereas provision should be made for the supply of information to the Commission so that it can keep watch on the management of these arrangements;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 December 1992 the customs duties applicable to the fishery products referred to in Article 355 of the Act of Accession, landed directly in Portugal, shall be wholly suspended.

Article 2

Portugal shall inform the Commission, not later than 15 days after the end of each quarter, of the quantities and species actually imported under the suspension arrangements.

Article 3

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January to 31 December 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

COMMISSION REGULATION (EEC) No 3872/91

of 16 December 1991

fixing, for the 1992 fishing year, the annual import quotas for the products subject to the rules for the application by Spain of quantitative restrictions on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 360/86 of 17 February 1986 laying down rules for the application by Spain and Portugal of quantitative restrictions on fishery products⁽¹⁾, as amended by Regulation (EEC) No 4064/86⁽²⁾, and in particular Article 2 thereof,

Whereas Article 2 of Regulation (EEC) No 360/86 provides, in respect of a number of fishery products imported into Spain and Portugal from third countries, for fixing, in accordance with a specific method, of annual import quotas divided into four quarterly instalments;

Whereas the Republic of Portugal has stated its intention of waiving the right to maintain the remaining quantitative restrictions;

Whereas, for the application of Regulation (EEC) No 360/86, the quotas in question for the 1992 fishing year should be fixed for Spain and for each product concerned;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For each of the fishery products imported into Spain, the annual import quotas and their division into four quarterly instalments including any quantities that may be allocated to third countries pursuant to Article 6 of Regulation (EEC) No 360/86 are hereby fixed for the 1992 fishery year as set out in the Annex.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 43, 20. 2. 1986, p. 8.

⁽²⁾ OJ No L 371, 31. 12. 1986, p. 9.

ANNEX

**Annual quotas of imports from third countries and quarterly instalments of Article 2
of Regulation (EEC) No 360/86**

(tonnes)

CN code	Description	Annual quota of importation	Quarterly instalments			
			1	2	3	4
0302 50 10 ex 0302 50 90 0302 69 35 ex 0304 10 98	Certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	9 000	3 780	2 520	1 350	1 350
0302 69 55 ex 0304 10 98	Anchovies (<i>Engraulis</i> spp.), fresh or chilled	7 000	1 750	1 750	1 750	1 750
ex 0302 69 65 ex 0304 10 98	Hake of the genus <i>Merluccius</i> , fresh or chilled	12 000	3 430	2 570	1 715	4 285
0302 69 85 0303 79 83	Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>), fresh, chilled or frozen	2 000	500	500	500	500
ex 0302 69 98 ex 0304 10 98	Horse mackerel (<i>Trachurus trachurus</i>), fresh or chilled	100	25	25	25	25
0303 78 10 0304 90 47	Hake of the genus <i>Merluccius</i> , frozen	46 000	11 500	11 500	11 500	11 500
ex 0304 10 31	Fillets of certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	4 000	1 000	1 000	1 000	1 000
0304 20 57	Fillets of hake of the genus <i>Merluccius</i> , frozen	18 000	4 500	4 500	4 500	4 500
ex 0305 62 00 0305 69 10	Certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , non-dried, salted or in brine	25 000	11 250	3 710	3 710	6 330
ex 0306 24 90	Spinous spider crab, live	2 000	500	500	500	500
ex 0307 91 00	Venus clams, live, fresh or chilled	25 000	3 305	6 640	3 305	11 750

COMMISSION REGULATION (EEC) No 3873/91

of 16 December 1991

fixing, for the 1992 fishing year, the overall foreseeable level of imports for the products subject to the supplementary trade mechanism in the fisheries sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 546/86 laying down detailed rules for applying the supplementary trade mechanism to fishery products⁽¹⁾, as amended by Regulation (EEC) No 237/87⁽²⁾, and in particular Articles 2 and 3 thereof,

Whereas Article 2 of Regulation (EEC) No 546/86 provides, in respect of a number of fishery products imported into Spain and Portugal, for the definition, in accordance with a specific method, of an overall foreseeable level of imports, distinguishing for each product an intra-Community share established in accordance with paragraph 3 of the said Article 2;

Whereas the import quotas for products subject to quantitative restrictions were abolished for the Portuguese Republic; whereas these products should therefore no longer be subject to the supplementary trade mechanism;

Whereas, for the purposes of the application of Regulation (EEC) No 546/86, the overall foreseeable level of imports and the intra-Community share relating thereto should be fixed for the 1992 fishing year and for each of

the products concerned, dividing the share into four quarterly instalments in accordance with Article 3 of Regulation (EEC) No 546/86;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For each of the fishery products imported into Spain, the overall foreseeable level of imports and the intra-Community share relating thereto, divided into four quarterly instalments, are hereby fixed for 1992 as set out in the Annex.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 47.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 13.

ANNEX

Overall level of imports, intra-Community share and quarterly instalments of Articles 2 and 3 of Regulation (EEC) No 546/86

1. Imports from other Member States (tonnes)

CN code	Description	Overall level of imports	Intra-Community share increase by 15 %	Quarterly instalment			
				1	2	3	4
0302 50 10 ex 0302 50 90 0302 69 35 ex 0304 10 98	Certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	12 955	4 550	1 405	1 725	600	820
ex 0302 69 65 ex 0304 10 98	Hake of the species <i>Merluccius merluccius</i> , fresh or chilled	29 050	19 610	2 555	5 000	7 255	4 800
0302 69 85	Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>), fresh or chilled	2 085	100	25	25	25	25
ex 0302 69 98 ex 0304 10 98	Horse mackerel (<i>Trachurus trachurus</i>), fresh or chilled	650	630	157	158	157	158
ex 0304 10 31	Fillets of certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	10 085	7 000	3 000	1 605	1 405	1 890
ex 0305 62 00 0305 69 10	Certain species of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i>) and fish of the species <i>Boreogadus saida</i> , non-dried, salted or in brine	32 895	9 080	2 085	2 725	2 090	2 180
ex 0306 24 90	Spinous spider crab, live	5 045	3 500	460	625	1 105	1 310
ex 0307 91 00	Venus clams, live, fresh or chilled	91 615	76 610	13 785	16 085	11 500	35 240

2. Imports from Portugal (tonnes)

CN code	Description	Overall level of imports	Intra-Community share increase by 15 %	Quarterly instalment			
				1	2	3	4
ex 1604 13 10 ex 1604 20 50 ex 1902 20 10	Preserves and stuffed pasta (whether or not cooked or otherwise prepared) containing sardines of the species <i>Sardina pilchardus</i>	1 096	1 260	315	315	315	315

COMMISSION REGULATION (EEC) No 3874/91

of 16 December 1991

fixing the guaranteed minimum price for Atlantic sardines of the species
Sardina pilchardus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3117/85 of 4 November 1985 laying down general rules on the granting of compensatory indemnities in respect of sardines of the species *Sardina pilchardus*(⁽¹⁾), as amended by Regulation (EEC) No 3940/87(⁽²⁾), and in particular Article 4 thereof,Whereas Article 2 (1) of Regulation (EEC) No 3117/85 provides for the granting of a compensatory indemnity for producers of Atlantic sardines of the species *Sardina pilchardus* in the Community as constituted at 31 December 1985 who sell their products at a price below a guaranteed minimum price ;

Whereas Article 2 (3) of Regulation (EEC) No 3117/85 lays down that the guaranteed minimum price is to be the same as the withdrawal price in force in the year preceding accession, corrected in accordance with any adjustment applicable to the guide price for the following fishing year ;

Whereas the guide prices for the 1992 fishing year were fixed for the products in question by Council Regulation (EEC) No 3569/91 (⁽³⁾) ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION :

Article 1

The guaranteed minimum provided for in Article 2 of Council Regulation (EEC) No 3117/85 shall be as follows for the 1992 fishing year :

(in ECU/tonne)

Whole fish		
Size	Extra, A	B
1	254	162
2	254	162
3	392	162
4	254	162

The freshness, size and presentation categories shall be those defined pursuant to Article 2 of Council Regulation (EEC) No 3796/81 (⁽⁴⁾).

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 297, 9. 11. 1985, p. 1.⁽²⁾ OJ No L 373, 31. 12. 1987, p. 6.⁽³⁾ OJ No L 338, 10. 12. 1991, p. 4.⁽⁴⁾ OJ No L 379, 31. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 3875/91

of 16 December 1991

fixing the compensatory allowance for Mediterranean sardines of the species
Sardina pilchardus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 171 and 358 thereof,

Having regard to Council Regulation (EEC) No 3117/85 of 4 November 1985 laying down general rules on the granting of compensatory indemnities in respect of sardines of the species *Sardina pilchardus*⁽¹⁾, as amended by Regulation (EEC) No 3940/87⁽²⁾, and in particular Article 4 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 3117/85 lays down that the granting of the compensatory allowance is to be limited to sardines of the species *Sardina pilchardus* of the Mediterranean of sizes 3 and 4 and freshness categories E and A, as defined in Council Regulation (EEC) No 103/76 of 19 January 1976 laying down common marketing standards for certain fresh or chilled products⁽³⁾, as last amended by Regulation (EEC) No 33/89⁽⁴⁾;

Whereas Article 3 (3) of Regulation (EEC) No 3117/85 lays down that the allowance is to be equal to the difference between the withdrawal price for sardines of the species *Sardina pilchardus* of the Atlantic of the size in question, applicable in the Community as constituted on 31 December 1985, and the withdrawal price for Atlantic sardines of the species *Sardina pilchardus* of size 2 applicable in the new Member States;

Whereas the withdrawal prices for the 1992 fishing year were fixed for the products in question by Commission Regulation (EEC) No 3864/91⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory allowance granted for sardines of the species *Sardina pilchardus* of the Mediterranean as provided for in Article 3 of Regulation (EEC) No 3117/85, shall be as follows for the 1992 fishing year:

- sardines, size 3 (E, A): 151 ECU/tonne,
- sardines, size 4 (E, A): 30 ECU/tonne.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 297, 9. 11. 1985, p. 1.
⁽²⁾ OJ No L 373, 31. 12. 1987, p. 6.
⁽³⁾ OJ No L 20, 28. 1. 1976, p. 29.
⁽⁴⁾ OJ No L 5, 7. 1. 1989, p. 18.

⁽⁵⁾ See page 2 of this Official Journal.

COMMISSION REGULATION (EEC) No 3876/91

of 16 December 1991

fixing the reference prices for intra-Community trade in Atlantic sardines of the species *Sardina pilchardus* for the 1992 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 170 and 357 thereof,

Whereas Articles 170 (1) and 357 (1) of the Act of Accession provide that, notably during the period of moves towards alignment of the prices of Atlantic sardines of the species *Sardina pilchardus* listed in Annex I(A) to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 3571/90⁽²⁾, a monitoring system is to be introduced based on the annual fixing of reference prices applicable to certain trade in the products in question between the new Member States and the Community as constituted at 31 December 1985;

Whereas Articles 170 (2) and 357 (2) of the Act of Accession provide that the reference prices in question are to be the same as the withdrawal prices applicable in the Member States for Mediterranean sardines of the species *Sardina pilchardus* respectively, fixed in accordance with Article 12(1) of Regulation (EEC) No 3796/81;

Whereas the withdrawal prices for the 1992 fishing year for Mediterranean sardines of the species *Sardina pilchardus* listed in Annex I(A) to Regulation (EEC) No 3796/81 were fixed by Commission Regulation (EEC) No 3864/91⁽³⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 1992 fishing year applicable under the monitoring system provided for in Articles 170 and 357 of the Act of Accession shall be as follows:

— for imports of Atlantic sardines of the species *Sardina pilchardus* into the Community as constituted at 31 December 1985 from Portugal and Spain, fresh products:

(ECU/tonne)

Whole fish		
Size (1)	Extra, A (1)	B (1)
1	214	136
2	214	136
3	331	136
4	214	136

(1) The freshness, size and presentation categories are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Commission

Manuel MARÍN

Vice-President

(1) OJ No L 379, 31. 12. 1981, p. 1.

(2) OJ No L 353, 17. 12. 1990, p. 10.

(3) See page 2 of this Official Journal.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 3 December 1991

adapting to technical progress Annex I to Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (asbestos)

(91/659/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations ⁽¹⁾, as last amended by Directive 91/339/EEC ⁽²⁾, and in particular Article 2a thereof, introduced by Directive 89/678/EEC ⁽³⁾,

Whereas the use of asbestos and even products containing it can, by releasing fibres, cause asbestosis, mesothelioma and lung cancer; whereas placing on the market and use should therefore be subject to the severest possible restrictions;

Whereas Council Directive 83/478/EEC ⁽⁴⁾ amending for the fifth time Directive 76/769/EEC specified that the crocidolite type of asbestos fibre and products containing it may, with three possible exceptions, no longer be placed on the market and used; whereas this same Directive established obligatory labelling provisions for all products containing asbestos fibres;

Whereas Council Directive 85/610/EEC ⁽⁵⁾ amending for the seventh time Directive 76/769/EEC specified that

asbestos fibres can no longer be placed on the market and used in toys, materials and preparations applied by spraying, retail products in powder form, smoking accessories, catalytic heaters, paints and varnishes;

Whereas improved monitoring of the marketing and use of dangerous asbestos fibres is necessary to protect human health, especially as there are for certain uses substitute products regarded, on the basis of risk analysis, as less dangerous;

Whereas a very effective way of protecting human health and the environment is to prohibit the use of certain fibres, such as those of amphibole asbestos, which according to some scientific sources are particularly dangerous; whereas for practical reasons such a prohibition can not for the time being be extended to naturally-occurring materials such as ores and sand containing asbestos fibres as natural impurities;

Whereas a fibre fixity test to assess the dangers posed by particular asbestos-containing products is not yet widely available; whereas, notwithstanding this, products should be promoted which reduce the overall risk to man and the environment;

Whereas Council Directive 91/382/EEC ⁽⁶⁾ amends Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC);

⁽¹⁾ OJ No L 262, 27. 9. 1976, p. 201.

⁽²⁾ OJ No L 186, 12. 7. 1991, p. 64.

⁽³⁾ OJ No L 398, 30. 12. 1989, p. 24.

⁽⁴⁾ OJ No L 263, 24. 9. 1983, p. 33.

⁽⁵⁾ OJ No L 375, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 206, 29. 7. 1991, p. 16.

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the Adaption to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in Dangerous Substances and Preparations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 76/769/EEC is hereby adapted to technical progress as set out in the Annex hereto.

Article 2

1. Member States shall adopt and publish the provisions necessary to comply with this Directive by 1 January 1993 and shall forthwith inform the Commission thereof. They shall apply these provisions as from 1 July 1993.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission no later than 18 months after the date of its adoption the text of the basic provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 3 December 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

In Annex I to Directive 76/769/EEC point 6 shall be replaced by the following point :

'6.1. Crocidolite, CAS No 12001-28-4

Amosite, CAS No 12172-73-5

Anthophyllite asbestos, CAS No 77536-67-5

Actinolite asbestos, CAS No 77536-66-4

Tremolite asbestos, CAS No 77536-68-6

6.2. Chrysotile, CAS No 12001-29-5

6.1. The placing on the market and use of these fibres and of products containing these fibres intentionally added shall be prohibited.

6.2. The placing on the market and use of products containing this fibre shall be prohibited for :

- (a) toys ;
- (b) materials or preparations intended to be applied by spraying ;
- (c) finished products which are retailed to the public in powder form ;
- (d) items for smoking such as tobacco pipes and cigarette and cigar holders ;
- (e) catalytic filters and insulation devices for incorporation in catalytic heaters using liquefied gas ;
- (f) paints and varnishes ;
- (g) filters for liquids.

By way of derogation, this prohibition will not apply to filters for medicinal use until after 31 December 1994 ;

- (h) road surfacing material where the fibre content is greater than 2 % ;
- (i) mortars, protective coatings, fillers, sealants, jointing compounds, mastics, glues, decorative powders and finishes ;
- (j) low density insulating or soundproofing materials (density less than 1 g/cm³) ;
- (k) air filters and filters in transport distribution and utilization of natural gas and town gas ;
- (l) underlays for plastic floor and wall coverings ;
- (m) textiles finished in the form intended to be supplied to the end user unless treated to avoid fibre release.
By way of derogation, this prohibition will not apply to diaphragms for electrolysis processes until after 31 December 1998 ;
- (n) roofing felt.

Without prejudice to the application of other Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the placing on the market and use of products containing this fibre may be permitted only if the products bear a label in accordance with the provisions of Annex II to Directive 76/769/EEC.'

COMMISSION DIRECTIVE**of 6 December 1991****amending Directive 88/272/EEC amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products****(91/660/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Commission Directive 91/27/EEC ⁽²⁾, and in particular the second indent of Article 13 (2) thereof,

Having regard to the requests made by Greece, Spain, France, Ireland, Italy, Portugal and the United Kingdom,

Whereas Directive 77/93/EEC laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas those measures include measures to be taken by Member States in respect of plants, plant products and other objects coming from third countries;

Whereas certain Member States have stricter measures in respect of those plants and plant products;

Whereas those stricter measures include, in the requesting Member States, certain restrictions applicable to certain products originating in a third country;

Whereas, by Commission Directive 88/272/EEC ⁽³⁾, the Annexes to Directive 77/93/EEC were amended so that the Member States concerned could also impose the relevant restrictions where the products concerned, originating in a third country, come from other Member States; whereas these amendments were only interim protective measures for a limited period to enable the Commission to study the phytosanitary basis of the restrictions case by case;

Whereas it appeared impossible to finalize this study within the limited period originally allowed by Directive 88/272/EEC;

Whereas Commission Directive 90/113/EEC ⁽⁴⁾ extended the said period for one year, namely until the end of 1990

and Commission Directive 91/102/EEC ⁽⁵⁾ extended the said period for a further year, namely until the end of 1991;

Whereas it appears impossible to finalize this study despite the two-year extension to the original period; whereas this period should be further extended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 4 of Directive 88/272/EEC, '31 December 1991' is replaced by '31 December 1992'.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 6 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 16, 22. 1. 1991, p. 29.

⁽³⁾ OJ No L 116, 4. 5. 1988, p. 19.

⁽⁴⁾ OJ No L 67, 15. 3. 1990, p. 51.

⁽⁵⁾ OJ No L 52, 27. 2. 1991, p. 50.

COMMISSION DIRECTIVE

of 6 December 1991

amending Directive 86/547/EEC amending Annex III B to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(91/661/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Commission Directive 91/27/EEC ⁽²⁾, and in particular the first indent of Article 13 (2) thereof,

Having regard to the requests made by Greece, Spain, France, Ireland, Italy, Portugal and the United Kingdom,

Whereas Directive 77/93/EEC laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas those measures include measures to be taken by Member States in respect of plants, plant products and other objects coming from third countries;

Whereas certain Member States have stricter measures in respect of those plants and plant products;

Whereas those stricter measures include, in the requesting Member States, certain prohibitions applicable to certain products originating in a third country;

Whereas, by Commission Directive 86/547/EEC ⁽³⁾, Annex III B to Directive 77/93/EEC was amended so that the Member States concerned could also impose the relevant prohibitions where the products concerned, originating in a third country, come from other Member States; whereas these amendments were only interim protective measures lasting for a period of three years;

Whereas that period was allotted for the Commission to study these protective measures in relation to the plant health situation existing in the various third countries concerned, in order to arrive, at the end of the period, at more permanent provisions;

Whereas it appeared impossible to finalize this study within the period originally allotted by Directive 86/547/EEC;

Whereas Commission Directive 90/80/EEC ⁽⁴⁾ extended the said period for one year, namely until the end of 1990and Commission Directive 91/103/EEC ⁽⁵⁾ extended the said period for a further year, namely until the end of 1991;

Whereas it appears impossible to finalize this study despite the two-year extension to the original period; whereas this period should be further extended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 3 of Directive 86/547/EEC, '31 December 1991' is replaced by '31 December 1992'.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 6 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.⁽²⁾ OJ No L 16, 22. 1. 1991, p. 29.⁽³⁾ OJ No L 323, 18. 11. 1986, p. 21.⁽⁴⁾ OJ No L 51, 27. 2. 1990, p. 34.⁽⁵⁾ OJ No L 52, 27. 2. 1991, p. 51.