REGULATION (EEC) No 460/75 OF THE COMMISSION

of 26 February 1975

laying down protective measures in respect of the import of certain 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 2142/70 (1) of 20 October 1970 on the common organization of the market in fishery products, as last amended by Regulation (EEC) No 2682/74 (2), and in particular Article 20 (2) thereof;

Whereas on 25 February 1975 the French Republic notified the interim protective measures it has taken in respect of the import of saltwater fish originating in third countries;

Whereas France produces an average of 18 000 metric tons of frozen cod fillets per year; whereas in 1974 only part of this production could be marketed, mainly because the major consumer markets were already saturated;

Whereas during the past year, imports into France from third countries of fillets of frozen hake, a product which may be substituted for frozen cod, have increased considerably compared with previous years; whereas, in view of the saturation of the world market, imports of frozen hake can be expected to remain at their present level, at least for the next few weeks;

Whereas over the past few months the prices for frozen cod on the French market have fallen sharply, largely because of increased imports of frozen hake; whereas, moreover, prices for the latter product are lower than those recorded last year;

Whereas approximately 11 000 metric tons of frozen cod fillets are at present in storage in France; whereas market prices can therefore be expected to fall even more sharply over the next few weeks, since the demand for this product is limited;

Whereas since the beginning of 1975 France has imported from third countries approximately 2 000 metric tons of tunny for the canning industry, while its annual imports over the past few years amounted to 6 000 metric tons on average;

Whereas these latest imports have been effected at a price approximately 20 % lower than the price of the French product, which fell as a result; whereas there is reason to believe that this price will fall even lower in the near future; whereas France has approximately 12 000 metric tons of tunny in stock at present; whereas this stock represents a quarter of annual French production and the increased volume of imports will make it much more difficult to dispose of;

Whereas the Commission, in the light of the information at present at its disposal, which it has used in assessing the market situation of all the products in respect of which France has taken interim protective measures, considers that the French market in frozen cod and in tunny for the canning industry is experiencing, by reason of imports, serious disturbances which may endanger the objectives of Article 39 of the Treaty; whereas in these circumstances it is necessary to take protective measures in respect of these products; whereas to this end imports of the said products into France should be suspended for a relatively short period;

Whereas according to information at present available the market situation in other parts of the Community is not such as to call for special measures; whereas, therefore, the protective measures should apply only to imports into France,

HAS ADOPTED THIS REGULATION:

Article 1

The placing in free circulation in France of:

— tunny for the industrial manufacture of products falling within heading No 16.04 (subheading 03.01 B I c) 1 of the Common Customs Tariff),

— frozen hake fillets (subheading ex 03.01 B II b) 7 of the Common Customs Tariff),

originating in third countries shall be temporarily prohibited for the period 27 February to 17 March 1975.

Article 2

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

(1) OJ No L 236, 27. 10. 1970, p. 5.
(2) OJ No L 288, 25. 10. 1974, p. 3.

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

Done at Brussels, 26 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission