COMMISSION REGULATION (EEC) No 1251/76

of 26 May 1976

suspending imports of fresh and chilled cod

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products [1], in particular Article 19 (6) thereof,

Whereas Article 19 (4) of Regulation (EEC) No 100/76 provides *inter alia* that where the entry price for a given product imported from any third country is lower than the reference price, then, in the case of the products listed in Annex I (A), imports may be suspended or restricted to specified qualities, forms of presentation or end uses;

Whereas Commission Regulation (EEC) No 3373/75 of 23 December 1975 [2] fixed *inter alia* the reference prices for cod listed in Annex I (A) to Regulation (EEC) No 100/76 for the 1976 fishing year;

Whereas Article 19 (3) of Regulation (EEC) No 100/76 provides that, for products in respect of which a reference price is fixed, an entry price is to be established based on the lowest prices recorded for one and the same marketing stage on representative import markets or in representative ports of import, reduced by an amount equal to the customs duties and charges levied on the products and by the cost of transporting the products from those markets or ports to Community frontier crossing points;

Whereas by Regulation (EEC) No 1019/76 [3] the Commission suspended, between regular meetings of the management committee, all imports of fresh or chilled cod into the Community, in view of the fact that for the entry prices those products were far below the level of the reference prices and that this was likely to have an adverse effect on the measures taken to stabilize Community markets;

Whereas, despite the fact that supplies from non-member countries may still cause disturbances, there has been a slight improvement in the situation on the relevant markets; whereas the measures adopted in Regulation (EEC) No 1019/76 can therefore be relaxed by applying the conversion factors set out in Annex I to Commission Regulation (EEC) No 1109/71 of 28 May 1971 on detailed rules for determining the entry price for certain fishery products [4], as last amended by Regulation (EEC) No 3374/75 [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

1. All Community imports of fresh or chilled cod falling within subheading 03.01 B I h) 1 of the Common Customs Tariff are hereby suspended.

2. Paragraph 1 shall not apply to imports of products which, taking into account the conversion factors listed in Annex I to Regulation (EEC) No 1109/71, comply with the price given in the Annex hereto.

Article 2

The items to be taken into account in determining whether an import complies with the price referred to in Article 1 (2) shall be as follows:

(a) the free-at-Community frontier price, before customs clearance;

(b) unloading costs.

Article 3

Commission Regulation (EEC) No 1019/76 of 30 April 1976 suspending imports of fresh or chilled cod, is hereby repealed.

Article 4

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

(1) OJ No L 20, 28. 1. 1976, p. 1.
(2) OJ No L 333, 30. 12. 1975, p. 37.
(3) OJ No L 115, 1. 5. 1976, p. 64.
(4) OJ No L 117, 29. 5. 1971, p. 18.
(5) OJ No L 333, 30. 12. 1975, p. 41.

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

Done at Brussels, 26 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Description of goods	Price (u.a./metric ton net)
03.01 B I h) 1	Cod (Gadus morrhua or Gadus callarias), fresh or chilled	355