COMMISSION REGULATION (EEC) No 889/76

of 14 April 1976

suspending imports of frozen hake and saithe, whether whole or in fillets

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], and in particular the third subparagraph of 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 IV (B), 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 among others the reference prices for hake and saithe listed in Annex IV (B) 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, there shall be established an entry price, 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 any customs duties and charges levied on these products and by the cost of transporting the product from these markets or ports to Community frontier crossing points;

Whereas in the case of frozen hake and saithe, whole, headless or in pieces and of frozen fillets of these products, the entry prices are apparently far below the level of the reference prices; whereas this is likely to have an adverse effect on the measures taken to stabilize Community markets; whereas, in order to prevent disturbances as a result of abnormally low prices, imports of the products in question should be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

1. All Community imports of:

— frozen hake, whole, headless or in pieces of subheading ex 03.01 B I q) of the Common Customs Tariff, as well as frozen fillets of hake of subheading ex 03.01 B II b) 7 of the Common Customs Tariff,

— frozen saithe, whole, headless or in pieces of subheading 03.01 B I ij) 2 of the Common Customs Tariff, as well as frozen fillets of saithe of subheading 03.01 B II b) 2 of the Common Customs Tariff are hereby suspended.

2. Paragraph 1 shall not apply to imports of products which comply with the reference prices set out in the Annex hereto.

Article 2

The items to be taken into account in determining whether an import complies with the reference price as 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

This Regulation shall enter into force on 15 April 1976.

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

Done at Brussels, 14 April 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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[1] OJ No L 20, 28. 1. 1976, p. 1.
[2] OJ No L 333, 30. 12. 1975, p. 37.

ANNEX

CCT heading No	Description of goods	Price (u.a./metric ton net)
ex 03.01 B I q)	Frozen hake, whole, headless or in pieces	350
ex 03.01 B II b) 7	Frozen fillets of hake	625
03.01 B I ij) 2	Frozen saithe, whole, headless or in pieces	250
03.01 B II b) 2	Frozen fillets of saithe	548