COMMISSION REGULATION (EEC) No 147/78

of 26 January 1978

amending Regulation (EEC) No 2956/77 as regards plaice and mackerel

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), as amended by Regulation (EEC) No 2429/76 (2), and in particular Article 11 (5) thereof,

Whereas Article 2 (1) of Commission Regulation (EEC) No 3559/73 of 21 December 1973 laying down detailed rules for granting financial compensation and indemnities, fixing the withdrawal price and determining the buying in price for certain fishery products (3), as last amended by Regulation (EEC) No 2955/77 (4), provides *inter alia* that in order to be considered to have been withdrawn from the market within the meaning of Article 11 (1) (c), (2) and (3) of Regulation (EEC) No 100/76, products must have been withdrawn from the market by a producers' organization which has applied the withdrawal price fixed in accordance with Article 11 (4) of the said Regulation throughout the period of validity of that price ;

Whereas the withdrawal prices for the fishery products listed in Annex I (A) (C) to Regulation (EEC) No 100/76 were fixed for the 1978 fishing year by Regulation (EEC) No 2956/77 (5) ; whereas, in the case of plaice, the period of validity of the withdrawal prices was divided into two parts each with a different price level ;

Whereas Article 11 of Regulation (EEC) No 100/76 does not prevent the grant of financial compensation where a producers' organization applies the withdrawal price fixed for one of the periods only ; whereas Regulation (EEC) No 2956/77 should therefore be added to accordingly ;

Whereas an error has been found in Annex II to Regulation (EEC) No 2956/77 which should be corrected ;

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 following Article is hereby added to Regulation (EEC) No 2956/77 :

'Article 2a

For the purpose of applying Article 2 (1) (d) of Regulation (EEC) No 3559/73 of 21 December 1973, the period of validity of a withdrawal price shall be considered to be any period into which the fishing year is subdivided.'

Article 2

In Annex II to Regulation (EEC) No 2956/77, points 2 and 3 relating to 'mackerel' are hereby amended to read as follows :

(1) OJ No L 20, 28. 1. 1976, p. 1.
(2) OJ No L 276, 7. 10. 1976, p. 5.
(3) OJ No L 361, 29. 12. 1973, p. 53.
(4) OJ No L 348, 30. 12. 1977, p. 29.
(5) OJ No L 348, 30. 12. 1977, p. 35.

'2. Coastal areas of and islands off Northern Ireland and the counties of Cornwall and Devon in the United Kingdom	Extra, A Extra B	1, 2 3 1	Whole fish	128
	B A	2 3	Whole fish	113
	B	3	Whole fish	105
	All categories	4	Whole fish	60
3. Coastal areas of the west, north and north-east, as far as Aberdeen in Scotland, and the islands to the west and north of these areas	Extra, A Extra B	1, 2 3 1	Whole fish	106
	B A	2 3	Whole fish	93
	B	3	Whole fish	86
	All categories	4	Whole fish	50'

Article 3

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

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

Done at Brussels, 26 January 1978.

For the Commission

Finn GUNDELACH

Vice-President