COUNCIL REGULATION (EEC) No 4111/87

of 22 December 1987

opening and providing for the administration of Community tariff quotas for certain fisheries products originating in the Canary Islands (1988)

THE COUNCIL 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 3 of Protocol 2 thereto,

Having regard to the proposal from the Commission,

Whereas Article 3 of Protocol 2 and Article 10 of Protocol 3 to the Act of Accession provide that, within the limits of annual Community tariff quotas, fisheries products listed in the Annex and originating in the Canary Islands or Ceuta and Melilla are to qualify for reductions in duties when imported into the customs territory of the Community with the exception of Spain; whereas this tariff preference applies only to products which have been imported during 1982, 1983 or 1984; whereas there is no trade in the said products originating in Ceuta and Melilla and thus no need to open quotas for these products originating in those territories; whereas, calculated on the basis of the abovementioned Article 3, the quota volumes for these products originating in the Canary Islands are as follows:

— 604 tonnes of certain products falling within code ex 0301, ex 0302, ex 0303 or ex 0304 of the combined nomenclature,

— 3 429 tonnes of certain products falling within code ex 0306 or ex 0307,

— 539 tonnes of certain products falling within codes 1604 11 00 to 1604 30 00, and

— 227 tonnes of products falling within code 2301 20 00;

Whereas there are no imports of the other products;

Whereas the products imported under these quotas are to qualify for the progressive reduction in customs duties according to the same timetable and under the same conditions as provided for in Article 173 of at Act of Accession, provided the reference prices are observed; whereas, however, where the products concerned are imported into Portugal, the duties applicable are to be calculated in accordance with the relevant provisions of the Act of Accession;

Whereas, from 1 January 1988, the nomenclature in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes and, where appropriate, the TARIC code numbers of the products concerned;

Whereas equal and continuous access to the said quotas should be ensured for all Community importers and the rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted; whereas these quotas should not be allocated among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they may need under the conditions and according to the procedure laid down in Article 2; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used and inform the Member States accordingly;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duties applicable to imports into the Community with the exception of Spain of the products originating in the Canary Islands listed in the Annex shall be suspended at the levels indicated and within the limits of the Community tariff quotas shown.

Within the limits of these tariff quotas the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Act of Accession.

2. In order to qualify for these tariff quotas the products concerned must observe the reference prices which apply to them.

3. In whatever state the fisheries products referred to in this Article are presented, they shall not qualify for the tariff

quotas unless, when they are presented to the authorities responsible for the import formalities with a view to their entry for free circulation in the customs territory of the Community, they are presented in packagings which bear in a clearly visible and perfectly legible form:

— the words 'Origin: Canary Islands' or 'Origin: Ceuta and Melilla' or the equivalent thereof in another official Community language printed in Roman type at least 20 millimeters high, and

— the net weight in kilograms of the fish contained in the packings.

In addition, the immediate packings of pre-packaged foodstuffs falling within codes 1604 11 00 to 1604 30 00 of the combined nomenclature must bear the words 'Made in the Canary Islands' or 'Made in Ceuta and Melilla' or the equivalent thereof in another official Community language in a clearly visible, perfectly legible and indelible form.

This paragraph shall apply without prejudice to the specific rules contained in Council Regulation (EEC) No 103/76 of 19 January 1976 laying down common marketing standards for certain fresh or chilled fish [1], as last amended by Regulation (EEC) No 3396/85 [2], and Council Regulation (EEC) No 104/76 of 19 January 1976 laying down common marketing standards for shrimps of the genus *'Crangon'* spp. [3], as last amended by Regulation (EEC) No 3118/85 [4].

Article 2

1. If an importer gives notification of imminent imports of the products in question into a Member State and applies to take advantage of the quotas, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the quotas so permits.

2. The shares drawn pursuant to paragraph 1 shall be valid until the end of the quota period.

Article 3

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 2 (1) enable imports to be charged without interruption against their accumulated shares of the Community quotas.

2. Member States shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quota volumes so permits.

3. Member States shall charge imports of the products concerned against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quotas have been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 4

At the request of the Commission, Member States shall inform it of imports of the products concerned actually charged against the quotas.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 22 December 1987.

For the Council
The President
N. WILHJELM

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(1) OJ No L 20, 28. 1. 1976, p. 29.
(2) OJ No L 322, 3. 12. 1985, p. 1.
(3) OJ No L 20, 28. 1. 1976, p. 35.
(4) OJ No L 297, 9. 11. 1985, p. 3.

ANNEX

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rates of duties
(1)	(2)	(3)	(4)	(5)
09.0405	0301 91 00	– Trout *(Salmo trutta, Salmo gairdneri, Salmo clarki, Salmo aguabonita, Salmo gilae)*		
	0302 11 00			
	0303 21 00			7,5
	0304 10 11			
	0304 20 11	– Frozen fillets of trout		
	0301 99 11	– Pacific salmon (*Oncorhynchus* spp.)		
	0302 12 00	– Atlantic salmon *(Salmo salar)* and Danube salmon *(Hucho hucho)*		
	0303 10 00	– Pacific salmon (*Oncorhynchus* spp.), excluding livers and roes		1,2
	0303 22 00	– Atlantic salmon *(Salmo salar)* and Danube salmon *(Hucho hucho)*		
	0304 10 13	– Fillets of salmon		
	0304 20 13	– Fillets of salmon, frozen		
	0301 92 00	– Eels (*Anguilla* spp.)		
	0302 66 00	– Eels (*Anguilla* spp.)		1,8
	0303 76 00	– Eels (*Anguilla* spp.)		
	0301 93 00	– Carp		
	0302 69 11	– Carp		5
	0303 79 11	– Carp		
	0302 40 90	– Herrings:		
		– from 1 January to 14 February		
		– from 16 June to 31 December		
	0303 50 90	– Herrings:		
		– from 1 January to 14 February		9,3
		– from 16 June to 31 December		
	0304 90 25	– Other fish meat of herrings:		
		– from 1 January to 14 February		
		– from 16 June to 31 December		
	0302 61 99	– Brisling or sprats:		
		– from 1 January to 14 February		
		– from 16 June to 31 December		8,1
	0303 71 99	– Brisling or sprats:		
		– from 1 January to 14 February		
		– from 16 June to 31 December		
	0302 31 90	– Other tunas, fresh or chilled		
	0302 32 90	– Other tunas		
	0302 33 90	– Other skipjack or stripe-bellied bonito		
	0302 39 90	– Other tunas and skipjack or bonito		
	0302 69 25	– Other saltwater fish		
	0303 41 90	– Other albacore or longfinned tunas, frozen		13,7
	0303 42 90	– Other yellowfin tunas		
	0303 43 90	– Other skipjack of stripe-bellied bonito		
	0303 49 90	– Other tunas and skipjack or bonito		
	0303 79 31	– Other saltwater fish		
	0302 61 10	– Sardines of the species *Sardina pilchardus*		14,3
	0303 71 10	– Sardines of the species *Sardina pilchardus*		

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rates of duties
(1)	(2)	(3)	(4)	(5)
09.0405 *(cont'd)*	0302 65 10	– Dogfish (*Squalus acanthias* and *Scyliorhinus* spp.)		5
	0302 65 90	– Other dogfish and other sharks		
	0303 75 10	– Dogfish (*Squalus acanthias* and *Scyliorhinus* spp.)		
	0303 75 90	– Other		
	0302 69 31	– Redfish (*Sebastes* spp.)		5
	0302 69 33			
	0303 79 35	– Redfish (*Sebastes* spp.)		
	0303 79 37			
	0304 90 31	– Other fish meat of redfish		
	0302 21 30	– Atlantic halibut *(Hippoglossus hippoglossus)*		5
	0303 31 30	– Atlantic halibut *(Hippoglossus hippoglossus)*		
	0302 21 10	– Lesser or Greenland halibut *(Reinhardtius hippoglossoides)*		free
	0303 31 10	– Lesser or Greenland halibut *(Reinhardtius hippoglossoides)*		
	0302 50 10	– Cod of the species *Gadus morhua* and *Gadus ogac*		7,5
	ex 0302 50 90			
	0302 69 35	– Fish of the species *Boreogadus saida*		
	0303 60 10	– Cod of the species *Gadus morhua* and *Gadus ogac*		
	0303 79 41	– Fish of the species *Boreogadus saida*		
	ex 0304 90 37	– Other fish meat of cod of the species *Gadus morhua* and *Gadus ogac* and fish of the species *Boreogadus saida*		
	0302 63 00	– Coalfish *(Pollachius virens)*	604	9,3
	0303 73 00	– Coalfish *(Pollachius virens)*		
	ex 0304 90 41	– Other fish meat of coalfish		
	0302 62 00	– Haddock *(Melanogrammus aeglefinus)*		
	0303 72 00	– Haddock *(Melanogrammus aeglefinus)*		
	0304 90 45	– Other fish meat of haddock		
	0302 69 41	– Whiting *(Merlangus merlangus)*		
	0303 79 45	– Whiting *(Merlangus merlangus)*		
	0302 69 45	– Ling (*Molva* spp.)		
	0303 79 51	– Ling (*Molva* spp.)		
	0302 69 51	– Alaska pollack *(Theragra chalcogramma)* and pollack *(Pollachius pollachius)*		
	0303 79 55			
	0302 64 90	– Mackerel:		12,5
		– from 1 January to 14 February		
		– from 16 June to 31 December		
	0303 74 19	– Mackerel:		
		– from 1 January to 14 February		
		– from 16 June to 31 December		
	0303 79 63	– Fish of the species *Orcynopsis unicolor*:		
		– from 1 January to 14 February		
		– from 16 June to 31 December		
	0302 69 55	– Anchovies (*Engraulis* spp.)		
	0303 79 65	– Anchovies (*Engraulis* spp.)		
	0302 22 00	– Plaice *(Pleuronectes platessa)*		
	0303 32 00			

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rates of duties
(1)	(2)	(3)	(4)	(5)
09.0405 *(cont'd)*	ex 0302 29 00	– Flounder *(Platichthys flesus)*		
	0303 39 10	– Flounder *(Platichthys flesus)*		
	0302 69 61	– Sea bream (*Dentex dentex* and *Pagellus* spp.)		
	0303 79 71			
	0302 69 65	– Hake (*Merluccius* spp., *Urophycis* spp.)		
	0303 78 10	– Hake of the genus *Merluccius*		9,3
	0304 90 47	– Other fish meat of hake of the genus *Merluccius*		
	0302 69 71	– Megrim (*Lepidorhombus* spp.)		
	0303 79 73	– Megrim (*Lepidorhombus* spp.)		
	0304 10 51	– Other fish meat of megrim		
	0302 69 75	– Ray's bream (*Brama* spp.)		
	0303 79 75	– Ray's bream (*Brama* spp.)		
	0304 90 55	– Other fish meat of Ray's bream		
	0302 69 81	– Monkfish (*Lophius* spp.)		
	0303 79 81	– Monkfish (*Lophius* spp.)		
	0304 90 57	– Other fish meat of monkfish		
	0302 69 85	– Blue whiting *(Micromesistius poutassou* or *Gadus poutassou)*		
	0303 79 83			
	0304 90 59	– Other fish meat of blue whiting		
	0302 21 90	– Pacific halibut *(Hippoglossus stenolepis)*		
	0302 23 00	– Sole (*Solea* spp.)		
	ex 0302 29 00	– Other flatfish than halibut, plaice, sole or flounder		
	ex 0302 50 90	– Cod of the species *Gadus macrocephalus*		
	ex 0302 61 30	– Sardines of the genus *Sardinops,* sardinella (*Sardinella* spp.)		
	0303 31 90	– Pacific halibut *(Hippoglossus stenolepis)*		
	0303 33 00	– Sole (*Solea* spp.)		
	ex 0303 39 90	– Other flatfish		9,3
	0303 60 90	– Cod of the species *Gadus macrocephalus*		
	0303 71 30	– Sardines of the genus *Sardinops,* Sardinella (*Sardinella* spp.)		
	0303 74 90	– Mackerel of the genus *Scomber australasicus*		
	0303 77 00	– Sea bass *(Dicentrarchus labrax, Dicentrarchus punctatus)*		
	0303 78 90	– Hake of the genus *Urophycis*		
	0304 90 35	– Other fish meat of cod of the species *Gadus macrocephalus*		
	0304 90 49	– Other fish meat of hake of the genus *Urophycis*		
	0304 10 31	– Fillets of cod *(Gadus morhua, Gadus ogac, Gadus macrocephalus)* and of fish of the species *Boreogadus saida*		11,2
	0304 10 39	– Other		
	0304 20 29	– Other		
	0304 20 31	– Frozen fillets of coalfish *(Pollachius virens)*		9,3
	0304 20 33	– Frozen fillets of haddock		
	0304 20 35	– Frozen fillets of redfish		7,5
	0304 20 37			
	0304 20 41	– Frozen fillets of whiting		9,3
	0304 20 43	– Frozen fillets of ling (*Molva* spp.)		

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rate of duties
(1)	(2)	(3)	(4)	(5)
09.0405 *(cont'd)*	0304 20 45	– Frozen fillets of tuna and fish of the genus *Euthynnus*		11,2
	0304 20 53	– Other frozen fillets of mackerel		
	0304 20 57	– Frozen fillets of hake		
	0304 20 59			
	0304 20 71	– Frozen fillets of plaice		
	0304 20 73	– Frozen fillets of flounder		
	0304 20 75	– Frozen fillets of herring		
	0304 20 79	– Frozen fillets of megrim		
	0304 20 81	– Frozen fillets of ray's beam		9,3
	0304 20 83	– Frozen fillets of monkfish		
	0304 20 21	– Frozen fillets of cod of the species *Gadus macrocephalus*		
	0304 20 51	– Frozen fillets of mackerel of the genus *Scomber australasicus*		
	0304 20 59	– Frozen fillets of hake of the *genus Urophycis*		
	0304 20 61	– Frozen fillets of dogfish		
	0304 20 69	– Frozen fillets of other sharks		
	0304 20 99	– Other fillets of frozen fish		
	0302 70 00	– Livers and roes		
	0303 80 00	– Livers and roes		6,2
	0302 69 95	– Other		
	ex 0304 10 19	– Fillets, fresh or chilled, of eels and carps		
	ex 0304 10 91	– Fish meat other than fillets, fresh or chilled, of trout, salmon, eels and carps		
	0304 10 99	– Fish meat other than fillets, fresh or chilled, of saltwater fish		free
	ex 0304 20 19	– Frozen fillets of eels and carps		
	ex 0304 90 10	– Fish meat, other than fillets, frozen, of trout, salmon, eels and carps		
	0304 90 99	– Fish meat, other than fillets, frozen, of fish not elsewhere specified		
09.0407	0306 11 00	– Rock lobster and other sea crawfish		
	0306 21 00	– Rock lobster and other sea crawfish		7,8
	0306 12 00	– Lobsters, whole		
	0306 12 90	– Lobsters, other		
	0306 22 91	– Lobsters, whole not frozen		free
	0306 22 99	– Other lobsters		
	0306 14 10	– Crabs of the species *Paralithodes camchaticus, Chionoecetes* spp. and *Callinectes sapidus,* frozen		
	0306 24 10			5
	0306 14 30	– Crabs of the species *Cancer pagurus*		
	0306 14 90	– Other crabs, not frozen		
	0306 19 10	– Freshwater crayfish, frozen		
	0306 24 30	– Crabs of the species *Cancer pagurus,* not frozen		9,3
	0306 24 90	– Other crabs, not frozen		
	0306 29 10	– Freshwater crayfish, not frozen		
	0306 13 10	– Shrimps of the *Pandalidae* family		
	0306 23 10	– Shrimps of the *Pandalidae* family		7,5

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rate of duties
(1)	(2)	(3)	(4)	(5)
09.0407 *(cont'd)*	0306 13 30	– Shrimps of the genus *Crangon*		11,2
	0306 13 90	– Other shrimps		
	0306 23 31	– Shrimps of the genus *Crangon,* fresh, chilled or cooked by steaming or by boiling in water		
	0306 23 39	– Other shrimps		
	0306 23 90	– Other shrimps		
	0306 19 30	– Norway lobsters, frozen		7,5
	0306 19 90	– Other, frozen		
	0306 29 30	– Norway lobsters, not frozen		
	0306 29 90	– Other, not frozen		
	0307 10 90	– Other oysters		11,2
	0307 31 10	– Mussels *(Mytilus* spp.*)*, live, fresh, or chilled		4,6
	0307 39 10	– Mussels *(Mytilus* spp.*)*, other	3 429	
	0307 21 00	– Certain scallops, live, fresh or chilled		5
	0307 29 10	– Coquilles St. Jacques, frozen		5
	0307 29 90	– Other scallops		5
	0307 31 90	– Mussels *(Perma* spp.*)*		5
	0307 39 90	– Mussels *(Perma* spp.*)*, other		5
	0307 41 10	– Cuttle fish and squid		5
	0307 41 91	– Squid *(Loligo* spp., *Ommastrephes sagittatus)*		3,7
	0307 41 99	– Squid, other		5
	0307 49 11	– Cuttle fish of the genus *Sepiola,* other than *Sepiola rondeleti*		5
	0307 49 19	– Squid, other		5
	0307 49 31	– Squid *(Loligo vulgaris)*		3,7
	0307 49 33	– Squid *(Loligo pealei)*		
	0307 49 39	– Squid, other		
	0307 49 51	– Squid *(Ommastrephes sagittatus)*		3,7
	0307 49 71	– Cuttle fish		5
	0307 49 91	– Squid *(Loligo* spp., *Ommastrephes sagittatus)*		3,7
	0307 49 99	– Other		5
	0307 51 00	– Octopus, live, fresh or chilled		5
	0307 59 10	– Other, frozen		5
	0307 59 90	– Other		5
	ex 0307 91 00	– Other, live, fresh or chilled		5
	0307 99 11	– *Illex* spp., frozen		5
	0307 99 13	– Striped venus and other species of the genus *Veneridae*		5
	0307 49 59	– Other		5
	ex 0307 99 19	– Other molluscs		
	ex 0307 99 90	– Other molluscs		5
09.0409	1604 30 10	– Caviar (sturgeon roe)		18,7
	1604 30 90	– Caviar substitutes		
	1604 11 00	– Salmon		3,4
	1604 20 10	– Other prepared or preserved fish of salmon		
	1604 19 10	– Salmonidae, other than salmon		4,3
	1604 20 30	– Salmonidae, other than salmon		

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rate of duties
(1)	(2)	(3)	(4)	(5)
09.0409 *(cont'd)*	1604 12 10	– Fillets of herring, raw, merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep frozen		9,3
	1604 12 90	– Other		12,5
	ex 1604 20 90	– Other prepared or preserved fish of herring		
	1604 13 10	– Sardines		18,1
	ex 1604 20 50	– Other prepared or preserved fish of sardines		
	1604 14 10	– Tunas and skipjack	539	
	1604 19 30	– Fish of the genus *Euthynnus*, other than skipjack *(Euthynnus (katsuwonus) pelamis)*		15
	1604 20 70	– Other prepared or preserved fish of tunas, skipjack or other fish of the genus *Euthynnus*		
	1604 14 90	– Atlantic bonito (Sarda spp.)		
	ex 1604 20 50	– Other prepared or preserved fish of bonito		
	1604 15 10	– Mackerel of the species *Scomber scombrus* and *Scomber japonicus*		
	1604 19 50	– Fish of the species *Orcynopsis unicolor*		
	ex 1604 20 50	– Other prepared or preserved fish of mackerel of the species *Scomber scombrus* and *Scomber japonicus* and fish of the species *Orcynopsis unicolor*		15,6
	1604 16 00	– Anchovies		
	1604 20 40	– Other prepared or preserved fish of anchovies		
	1604 19 91	– Other fillets, raw, merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep frozen		9,3
	1604 13 90	– Other fish, whole or in pieces		
	1604 15 90	– Mackerel of the species *Scomber australasicus*		12,5
	1604 19 99	– Other		
	ex 1604 20 90	– Other prepared or preserved fish of other fish		
09.0411	2301 20 00	– Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	227	1,2