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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3958/89

of 20 December 1989

fixing, for the 1990 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) of Council Regulation (EEC) No 3796/81

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products (1), as last amended by Regulation (EEC) No 2886/89 (2), and in particular Article 12 (3) thereof,

Whereas Article 12 (1) of Regulation (EEC) No 3796/81 provides that the Community withdrawal and selling prices for each of the products listed in Annex I (A), (D) and (E) are to be fixed by applying the conversion factor for the product category concerned to an amount equal to at least 70 % but not more than 90 % of the relevant guide price;

Whereas changes in production and marketing structures in the Community make it necessary to alter the basis for calculating the withdrawal and the sale prices in the Community as compared with those of the preceding fishing year;

Whereas Article 12 (2) of Regulation (EEC) No 3796/81 provides that the withdrawal price may be multiplied by conversion factors in landing areas which are very distant from main centres of consumption in the Community;

Whereas, with regard to sardines of the species *Sardina pilchardus,* special conditions have been adopted in the Act of Accession in order to ensure a progressive alignment of prices of sardines from the Atlantic on price levels of sardines from the Mediterranean; whereas the production structure and access to the market of Atlantic sardines are different to those for Mediterranean sardines and meet the special needs of the processing industry; whereas, with a view to the smooth application of the alignment of prices which does not artificially disturb market supply conditions, it is necessary to fix a special adaptation coefficient for size 3 of this product in the landing areas concerned in Spain and Portugal;

Whereas, with regard to monkfish *(Lophius* spp.), Norway lobsters *(Nephrops norvegicus)* and crabs *(Cancer pagurus)* the statistical data available during the accession negotiations did not permit a clear appreciation of the differences between the prices ruling on the markets in the different regions of the Community; whereas it appears that the substantial price differences established since then for these species are basically explained by the absence, until now, of a Community price system favouring their unity within the Community; whereas, in these particular circumstances, it is necessary to fix adjustment coefficients for these species which allow for the smooth application of the price system set out within the Act of Accession by a progressive alignment of them under favourable conditions which guarantee market access to the producers in these regions;

Whereas the guide prices for the 1990 fishing year were fixed for all the products in question by Council Regulation (EEC) No 3646/89 (3);

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 percentages of the guide price referred to in Article 12 (1) of Regulation (EEC) No 3796/81 which are used as a basis for calculating the Community withdrawal and selling prices shall be as shown in Annex I for the products concerned.

Article 2

The conversion factors referred to in Article 12 (1) of Regulation (EEC) No 3796/81 which are used for calculating the Community withdrawal and selling prices for the products listed in Annex I (A), (D) and (E) of the abovementioned Regulation, shall be as shown in Annex II.

(1) OJ No L 379, 31. 12. 1981, p. 1.
(2) OJ No L 282, 2. 10. 1989, p. 1.
(3) OJ No L 357, 7. 12. 1989, p. 1.

Article 3

The Community withdrawal and selling prices as referred to in Article 12 (1) of Regulation (EEC) No 3796/81 applicable for the 1990 fishing year and the products to which they refer, shall be as shown in Annex III.

Article 4

The withdrawal and selling prices, as referred to in Article 12 (2) of Regulation (EEC) No 3796/81 and applicable for the 1990 fishing year in the landing areas which are very distant from the main centres of consumption in the Community, and the products to which those prices relate, shall be as shown in Annex IV.

Article 5

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

For the Commission

Manuel MARÍN

Vice-President

ANNEX I

Percentage of guide price used in calculating withdrawal or sale prices

Product	%
Herrings of the species *Clupea harengus*	85
Sardines of the species *Sardina pilchardus*	
— from the Atlantic	85
— from the Mediterranean	85
Dogfish *(Squalus acanthias)*	80
Dogfish *(Scyliorhinus* spp.)	80
Redfish *(Sebastes* spp.)	90
Cod of the species *Gadus morhua*	80
Coalfish *(Pollachius virens)*	80
Haddock *(Melanogrammus aeglefinus)*	80
Whiting *(Merlangus merlangus)*	80
Ling *(Molva* spp.)	80
Mackerel of the species *Scomber scombrus*	85
Mackerel of the species *Scomber japonicus*	90
Anchovies *(Engraulis* spp.)	85
Plaice *(Pleuronectes platessa)*	83
Hake of the species *Merluccius merluccius*	90
Megrim *(Lepidorhombus* spp.)	80
Rays' bream *(Brama* spp.)	80
Monkfish *(Lophius* spp.)	85
Shrimps of the species *Crangon crangon*	90
Crabs of the species *Cancer pagurus*	90
Norway lobster *(Nephrops norvegicus)*	90

ANNEX II

Conversion factor of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Species	Size (1)	Conversion			
		Gutted fish, with head (1)		Whole fish (1)	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Herrings of the species *Clupea harengus*	1	0,00	0,00	0,85	0,85
	2	0,00	0,00	0,80	0,80
	3	0,00	0,00	0,50	0,50
Sardines of the species *Sardina pilchardus*	1	0,00	0,00	0,55	0,35
	2	0,00	0,00	0,55	0,35
	3	0,00	0,00	0,85	0,35
	4	0,00	0,00	0,55	0,35
Dogfish *(Squalus acanthias)*	1	0,75	0,55	0,71	0,50
	2	0,64	0,45	0,60	0,40
	3	0,35	0,25	0,30	0,20
Dogfish *(Scyliorhinus* spp.*)*	1	0,80	0,60	0,75	0,50
	2	0,80	0,60	0,70	0,50
	3	0,55	0,40	0,45	0,25
Redfish *(Sebastes* spp.*)*	1	0,00	0,00	0,90	0,90
	2	0,00	0,00	0,90	0,90
	3	0,00	0,00	0,76	0,76

Species	Size (1)	Conversion			
		Gutted fish, with head (1)		Whole fish (1)	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Cod of the species *Gadus morhua*	1	0,90	0,85	0,65	0,50
	2	0,90	0,85	0,65	0,50
	3	0,85	0,70	0,50	0,40
	4	0,67	0,46	0,38	0,27
	5	0,47	0,27	0,28	0,18
Coalfish *(Pollachius virens)*	1	0,90	0,90	0,70	0,70
	2	0,90	0,90	0,70	0,70
	3	0,89	0,89	0,69	0,69
	4	0,72	0,52	0,38	0,28
Haddock *(Melanogrammus aeglefinus)*	1	0,90	0,80	0,70	0,60
	2	0,90	0,80	0,70	0,60
	3	0,77	0,65	0,54	0,37
	4	0,71	0,58	0,53	0,37
Whiting *(Merlangus merlangus)*	1	0,80	0,75	0,60	0,40
	2	0,80	0,75	0,60	0,40
	3	0,76	0,61	0,55	0,23
	4	0,55	0,37	0,40	0,23
Ling *(Molva* spp.*)*	1	0,85	0,65	0,70	0,50
	2	0,83	0,63	0,68	0,48
	3	0,75	0,55	0,60	0,40
Mackerel of the species *Scomber scombrus*	1	0,00	0,00	0,85	0,85
	2	0,00	0,00	0,85	0,75
	3	0,00	0,00	0,85	0,70
Spanish mackerel of the species *Scomber japonicus*	1	0,00	0,00	0,85	0,75
	2	0,00	0,00	0,85	0,70
	3	0,00	0,00	0,70	0,57
	4	0,00	0,00	0,55	0,40
Anchovies *(Engraulis* spp.*)*	1	0,00	0,00	0,80	0,45
	2	0,00	0,00	0,85	0,45
	3	0,00	0,00	0,70	0,45
	4	0,00	0,00	0,29	0,29
Plaice *(Pleuronectes platessa)*	1	0,90	0,85	0,49	0,49
	2	0,90	0,85	0,49	0,49
	3	0,85	0,80	0,49	0,49
	4	0,65	0,60	0,46	0,46
Hake of the species *Merluccius merluccius*	1	1,00	0,94	0,79	0,73
	2	0,76	0,71	0,59	0,54
	3	0,75	0,70	0,58	0,53
	4	0,64	0,59	0,50	0,41
	5	0,60	0,55	0,47	0,38
Megrim *(Lepidorhombus* spp.*)*	1	0,85	0,65	0,80	0,60
	2	0,75	0,55	0,70	0,50
	3	0,70	0,50	0,65	0,45
	4	0,45	0,25	0,40	0,20
Rays' bream *(Brama* spp.*)*	1	0,85	0,65	0,80	0,60
	2	0,60	0,40	0,55	0,35

Species	Size (1)	Conversion			
		Whole fish or gutted, with head (1)		Fish without head (1)	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Monkfish *(Lophius* spp.*)*	1	0,72	0,52	0,90	0,70
	2	0,92	0,72	0,85	0,65
	3	0,92	0,72	0,80	0,60
	4	0,77	0,57	0,70	0,50
	5	0,44	0,24	0,50	0,30
		A (1)		B (1)	
Shrimps of the genus *Crangon*	1	0,65		0,55	
	2	0,30		0,30	
		Whole (1)			
Crabs of the species *Cancer pagurus*	1	0,80			
	2	0,60			
		Whole (1)			Tails (1)
		E'	Extra, A	B	Extra, A	B
Norway lobster *(Nephrops norvegicus)*	1	0,95	0,95	0,68	0,85	0,57
	2	0,95	0,64	0,38	0,61	0,38
	3	0,63	0,48	0,19	0,36	0,19
	4	0,24	0,24	0,09	0,30	0,09

(1) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

ANNEX III

Withdrawal or sale price in the Community of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Species	Size (1)	Withdrawal price (ECU/tonne)			
		Gutted fish with head		Whole fish	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Herrings of the species *Clupea harengus*					
— 1 January to 31 July 1990 and of 1 October to 31 December 1990	1	0	0	193	193
	2	0	0	182	182
	3	0	0	113	113
— 1 August to 30 September 1990	1	0	0	176	176
	2	0	0	165	165
	3	0	0	103	103
Sardines of the species *Sardina pilchardus* from the Atlantic :					
(a) Member States other than Spain and Portugal	1	0	0	225	143
	2	0	0	225	143
	3	0	0	348	143
	4	0	0	225	143
(b) Spain and Portugal	1	0	0	177	112
	2	0	0	177	112
	3	0	0	273	112
	4	0	0	177	112

Species	Size (1)	Withdrawal price (ECU/tonne)			
		Gutted fish with head		Whole fish	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Sardines of the species *Sardina pilchardus* from the Mediterranean	1	0	0	215	137
	2	0	0	215	137
	3	0	0	332	137
	4	0	0	215	137
Dogfish *(Squalus acanthias)*	1	511	375	484	341
	2	436	307	409	273
	3	239	170	204	136
Dogfish *(Scyliorhinus* spp.*)*	1	490	368	460	306
	2	490	368	429	306
	3	337	245	276	153
Redfish *(Sebastes* spp.*)*	1	0	0	727	727
	2	0	0	727	727
	3	0	0	614	614
Cod of the species *Gadus morhua*	1	886	836	640	492
	2	886	836	640	492
	3	836	689	492	394
	4	659	453	374	266
	5	462	266	276	177
Coalfish *(Pollachius virens)*	1	467	467	363	363
	2	467	467	363	363
	3	461	461	358	358
	4	373	270	197	145
Haddock *(Melanogrammus aeglefinus)*	1	644	573	501	430
	2	644	573	501	430
	3	551	465	387	265
	4	508	415	379	265
Whiting *(Merlangus merlangus)*	1	511	479	384	256
	2	511	479	384	256
	3	486	390	352	147
	4	352	237	256	147
Ling *(Molva* spp.*)*	1	626	478	515	368
	2	611	464	500	353
	3	552	405	442	294
Mackerel of the species *Scomber scombrus*	1	0	0	191	191
	2	0	0	191	168
	3	0	0	191	157
Spanish mackerel of the species *Scomber japonicus*	1	0	0	247	218
	2	0	0	247	203
	3	0	0	203	166
	4	0	0	160	116
Anchovies *(Engraulis* spp.*)*:	1	0	0	622	350
	2	0	0	661	350
	3	0	0	544	350
	4	0	0	226	226

Species	Size (1)	Withdrawal price (ECU/t)			
		Gutted fish with head		Whole fish	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Plaice *(Pleuronectes platessa)*:					
— 1 January to 30 April 1990	1	578	546	315	315
	2	578	546	315	315
	3	546	514	315	315
	4	418	385	296	296
— 1 May to 31 December 1990	1	788	744	429	429
	2	788	744	429	429
	3	744	701	429	429
	4	569	525	403	403
Hake of the species *Merluccius merluccius*	1	2 689	2 528	2 124	1 963
	2	2 044	1 909	1 587	1 452
	3	2 017	1 882	1 560	1 425
	4	1 721	1 587	1 345	1 103
	5	1 614	1 479	1 264	1 022
Megrim *(Lepidorhombus* spp.*)*	1	1 271	972	1 196	897
	2	1 121	822	1 047	748
	3	1 047	748	972	673
	4	673	374	598	299
Rays' bream *(Brama* spp.*)*	1	1 020	780	960	720
	2	720	480	660	420
		Whole or gutted fish, with head		Without head	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Monkfish *(Lophius* spp.*)*	1	1 298	937	3 856	2 999
	2	1 659	1 298	3 641	2 785
	3	1 659	1 298	3 427	2 570
	4	1 388	1 028	2 999	2 142
	5	793	433	2 142	1 285
		A (1)		B (1)	
Shrimps of the genus *Crangon*	1	922		780	
	2	426		426	
		Sale prices (ECU/tonne)			
		Whole (1)			
Edible crabs *(Cancer pagurus)*	1	1 080			
	2	810			
		Whole			Tails	
		E' (1)	Extra, A (1)	B (1)	Extra, A (1)	B (1)
Norway lobster *(Nephrops norvegicus)*	1	3 762	3 762	2 693	6 933	4 649
	2	3 762	2 534	1 505	4 976	3 100
	3	2 495	1 901	752	2 936	1 550
	4	950	950	356	2 447	734

(1) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

ANNEX IV

Species	Landing area	Conversion factor	Size (1)	Withdrawal prices (ECU/tonne)			
				Gutted fish, with head		Whole fish	
				Extra, A (1)	B (1)	Extra, A (1)	B (1)
Mackerel of the species *Scomber scombrus*	Coastal areas and islands of Ireland	0,78	1	0	0	149	149
			2	0	0	149	131
			3	0	0	149	123
	Coastal areas and islands of Cornwall and Devon in the United Kingdom	0,81	1	0	0	154	154
			2	0	0	154	136
			3	0	0	154	127
	Coastal areas from Portpatrick in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas, coastal areas and islands of Northern Ireland	0,87	1	0	0	166	166
			2	0	0	166	146
			3	0	0	166	137
	Coastal areas from Wick to Aberdeen in the north-east of Scotland	0,93	1	0	0	177	177
			2	0	0	177	156
			3	0	0	177	146
Sardines from sardines of the species *Sardina pilchardus* from the Atlantic	Coastal areas and islands of the counties of Cornwall and Devon in the United Kingdom	0,61	1	0	0	137	87
			2	0	0	137	87
			3	0	0	212	87
			4	0	0	137	87
	Coastal areas of the Atlantic of Spain and Portugal	0,65	3	0	0	177	—
Hake of the species *Merluccius merluccius*	Coastal areas from Troon in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas	0,62	1	1 667	1 567	1 317	1 217
			2	1 267	1 184	984	900
			3	1 250	1 167	967	884
			4	1 067	984	834	684
			5	1 000	917	784	634
	Coastal areas and islands of Ireland	0,85	1	2 286	2 149	1 806	1 669
			2	1 737	1 623	1 349	1 234
			3	1 714	1 600	1 326	1 211
			4	1 463	1 349	1 143	937
			5	1 371	1 257	1 074	869

				Whole or gutted fish	
				Extra, A (1)	B (1)
Monkfish *(Lophius* spp.*)*	Coastal areas and islands of Ireland and the United Kingdom	0,97	2	1 609	1 259
		0,95	3	1 576	1 233
		0,96	4	1 332	987

				Selling prices (ECU/tonne)	
				Whole fish	
				Extra, A (1)	B (1)
Norway lobster *(Nephrops norvegicus)*	Coastal areas and islands of Ireland and the United Kingdom	0,96	1	3 612	2 585
		0,94	2	2 382	1 415
		0,84	3	1 597	632
		0,87	4	827	310
Edible crabs *(Cancer pagurus)*	Coastal areas and islands of Ireland and the United Kingdom	0,92	1	994	
		0,92	2	745	

(1) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.