COMMISSION REGULATION (EEC) No 1106/90

of 18 April 1990

on the communication of information for the purposes of the common organization of the market in fishery products

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 Articles 9 (5), 11 (4), 15 (4), 17 (6), 22 (5) and 31 thereof,

Whereas the Commission has to be able to monitor the price stabilization activities of producers' organizations and the way in which they apply the systems of financial compensation, carry-over premiums and storage premiums;

Whereas the Community intervention arrangements under Regulation (EEC) No 3796/81 require information to be available on the prices recorded on the wholesale markets and in representative ports of the Community;

Whereas the markets and ports of the Member States to be considered representative for a given product have to be established;

Whereas it is also necessary to stipulate how frequently the market prices are to be recorded and related notifications made;

Whereas improved organization has led to an increase in the number of notifications relating to the application and monitoring of Community intervention arrangements in the common organization of the markets;

Whereas experience has shown the need to simplify, standardize and rearrange the data transmitted;

Whereas this Regulation is therefore to replace Commission Regulation (EEC) No 3598/83 [3], as last amended by Regulation (EEC) No 1528/88 [4], and 3599/83 [5]; whereas these Regulations should be repealed;

Whereas, since various data in several Commission Regulations have been grouped together in this Regulation, the following articles should be repealed: Article 2 (1) and (2) of Regulation (EEC) No 1985/74 of 25 July 1974 laying down detailed rules of application for the fixing of reference prices and free-at-frontier prices for carp [6], as last amended by Regulation (EEC) No 2046/85 [7]; Article 4 of Regulation (EEC) No 1501/83 of 9 June 1983 on the disposal of certain fishery products which have been the subject of measures to stabilize the market [8]; Article 15 (2) of Regulation (EEC) No 3321/82 of 9 December 1982 laying down detailed rules for the granting of a carry-over premium for certain fishery products [9], as last amended by Regulation (EEC) No 3507/89 [10]; Article 18 (2) of Regulation (EEC) No 314/86 of 11 February 1986 laying down detailed rules for the grant of a storage premium for certain fishery products [11], as last amended by Regulation (EEC) No 2201/89 [12]; Article 14 (1) and (2) of Regulation (EEC) No 2415/89 of 3 August 1989 laying down detailed rules of application for the granting of private storage aid for certain fishery products [13];

Whereas, in order that Member States may adapt the notifications in time and in the required form required by this Regulation, it should be adopted several months before its entry into force;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries Products,

HAS ADOPTED THIS REGULATION:

TITLE I

Communication of information concerning withdrawal and selling prices by producers' organizations

Article 1

1. Member States shall communicate the information specified in Article 9 (4) of Regulation (EEC) No 3796/81, hereinafter referred to as 'the basic Regulation', to the Commission within one month of the beginning of the fishing year during which the withdrawal and selling prices are to be applied.

(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, 21. 12. 1983, p. 17.
(4) OJ No L 136, 2. 6. 1988, p. 9.
(5) OJ No L 357, 21. 12. 1983, p. 22.
(6) OJ No L 207, 29. 7. 1974, p. 30.
(7) OJ No L 193, 25. 7. 1985, p. 15.
(8) OJ No L 152, 10. 6. 1983, p. 22.
(9) OJ No L 351, 11. 12. 1982, p. 20.
(10) OJ No L 342, 24. 11. 1989, p. 13.
(11) OJ No L 39, 14. 2. 1986, p. 8.
(12) OJ No L 209, 21. 7. 1989, p. 30.
(13) OJ No L 228, 5. 8. 1989, p. 10.

Where the withdrawal and selling prices are fixed by an association grouping two or more producers' organizations, each producers' organization intending to apply the arrangements communicated must be named.

2. Any change in the information referred to in paragraph 1 must be notified to the Commission by the Member States without delay.

TITLE II

Notifications concerning the products listed in Annexes I (A), (D) and (E) and IV (B) to the basic Regulation

Article 2

The notifications specified in Article 11 (1) of the basic Regulation shall comprise, for each of the products listed in Annex I (A), (D) and (E) to that Regulation and for each representative market or port:

1. the following monthly data:

   (a) the average market price weighted according to the quantity marketed

   — of each product

   and

   — the product category used for fixing the guide price;

   (b) the total quantity marketed of the product and of the category referred to in the second indent of (a);

   (c) the total quantity withdrawn from the market;

2. the following six-monthly data:

   (a) the average six-monthly market price of each product category;

   (b) the quantities marketed, broken down by product category.

3. Moreover, if the market in a product slumps or undergoes disturbance or is threatened with such, the data shall be communicated at least weekly, with separate figures for each market day.

Article 3

Member States shall communicate to the Commission the information referred to in Article 11 (3) of the basic Regulation every six months. For products referred to in Annex IV (B) and frozen on board, it shall comprise the average selling price and the quantities sold on the wholesale market, broken down by usual commercial presentation.

Article 4

1. In respect of each product listed in Annex I (A), (D) and (E) of the basic Regulation, Member States shall notify the Commission every six months of:

(a) the quantities withdrawn from or remaining unsold on the market at, as appropriate:

   — the Community withdrawal price and the Community selling price and, where applicable, the regionalized withdrawal price,

   — the autonomous withdrawal price.

   The categories of each product withdrawn must be specified;

(b) the average price obtained, per disposal option provided for in Article 1 of Regulation (EEC) No 1501/83; in addition, not later than six months following the end of the fishing year concerned, the annual quantities disposed of broken down by manner of disposal and by product.

(c) the quantity of each product on which the carry-over premium is to be granted, broken down by category, the type of processing carried out and the average wholesale selling price of the processed products;

(d) the quantity of each product on which the storage premium is to be granted, broken down by category, the type of storage and the average wholesale selling price of the products that have been in storage.

2. After the fishing year has ended, producers' organizations shall communicate to the Member State to which they belong, in respect of the products listed in Annex I (A), (D) and (E) of the basic Regulation, the quantities of products sold by the organization and the quantities for which financial compensation, carry-over premiums or storage premiums, as provided for in Articles 13, 14 and 14 (a) of the basic Regulation, have been granted. Member States shall forward these data to the Commission not later than six months after the beginning of the following fishing year.

TITLE III

Notifications concerning the products listed in Annexes II and III to the basic Regulation

Article 5

Member States shall communicate to the Commission the information referred to in Article 15 (2) of the basic Regulation, which shall contain, for each product listed in Annex II to that Regulation selected for fixing the guide price, and for each representative market and port:

— the average monthly market price, weighted according to the quantities marketed,

— the total quantities during that month.

Article 6

Member States shall communicate to the Commission the information referred to in Article 17 (4) of the basic Regulation, which shall contain, for each species and form of presentation referred to in Annex III to that Regulation and for each representative market or port :

— the average monthly market price, weighted according to the quantities marketed,

— the total of the quantities marketed during that month.

Separate notifications shall be made for fresh and chilled products on the one hand, and for frozen products.

Article 7

1. For products listed in Annexes II and III of the basic Regulation, producers' organizations shall communicate to the relevant authorities of the Member State concerned at least the following monthly data for each species and commercial presentation :

— the quantity landed by their members,

— the quantity sold and the average selling price, in the case of products listed to in Annex II,

— the quantity sold and delivered to the processing industry and the average selling price, in the case of products listed in Annex III,

— the quantity unsold put into cold storage,

— the quantity put back on the market following storage.

The Member State shall forward these communications to the Commission monthly.

2. Should it be found that selling prices are lower than the level specified in Article 16 (1) (a) of the basic Regulation and are likely to remain so, the producers' organizations shall communicate the abovementioned information to the Member State weekly, broken down by each market day. The Member State shall forward this information to the Commission immediately.

TITLE IV

Notifications concerning certain products of Annex IV (A) to the basic Regulation

Article 8

Member States shall communicate to the Commission, every year before 1 November, the average monthly production prices recorded in the representative production zones and the quantities of carp marketed in the form of presentation referred to in Article 1 of Regulation (EEC) No 1985/74. Each notification shall cover the three years preceding the fixing of the reference prices.

The production price shall be the producer's selling price to the wholesaler.

The representative production zones shall be :

Germany : Oberpfalz,
the whole of Oberfranken and Mittelfranken ;

France : Dombes,
the whole of the Brenne/Sologne area.

TITLE V

General provisions

Article 9

1. The representative wholesale markets and ports mentioned in Articles 11 (2), 15 (3) and 17 (5) of the basic Regulation shall be those listed in Annex I hereto for the products indicated.

2. The average market price shall be the average price at the stage of first sale, weighted by the quantities marketed, no account being taken of any quantities withdrawn.

Article 10

1. All notifications referred to in this Regulation shall be transmitted to the Commission by telex, fax or direct data-processing link in the form set out in Annexes II to XIII.

2. Save as otherwise provided, communications to the Commission shall be made by the following dates :

— monthly communications shall be transmitted before the 15th day of the following month,

— six-monthly communications shall be transmitted before 1 September, for the first half year, and before 1 March of the following year, for the second half.

Article 11

1. Regulations (EEC) No 3598/83 and (EEC) No 3599/83 are hereby repealed.

2. Article 2 (1) and (2) of Regulation (EEC) No 1985/74, Article 4 of Regulation (EEC) No 1501/83, Article 15 (2) of Regulation (EEC) No 3321/82, Article 18 (2) of Regulation (EEC) No 314/86 and Article 14 (1) and (2) of Regulation (EEC) No 2415/89 are hereby repealed.

Article 12

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 18 April 1990.

For the Commission
Manuel MARÍN
Vice-President

ANNEX I

REPRESENTATIVE WHOLESALE MARKETS AND PORTS FOR FISHERY PRODUCTS

I. Products listed in Annex I (A) to Regulation (EEC) No 3796/81

1. Herrings *(Clupea harengus)*		Boulogne-sur-Mer
	the combined markets of	Fehmarn/Kiel/Maasholm
	the combined markets of	Hirtshals/Skagen
		Killybegs
		Lerwick
	the combined markets of	Mallaig/Oban/Ullapool/Stornoway
		Rossaveal
	the combined markets of	Scheveningen/IJmuiden
2. Sardines *(Sardina pilchardus)*		
(a) Atlantic		La Turballe
		Saint-Guénolé
		Santa Eugenia de Riveira
		Sada
		Vigo
		Matosinhos
		Peniche
		Figueira da Foz
		Olhão
		Portimão
(b) Mediterranean		Kavala
	the combined markets of	Ancona/Cesenatico
	the combined markets of	Chioggia/Porto Garibaldi
		Sciacca
	the combined markets of	Martigues
		Port-Vendres
		Sète
		Pirée
		Salonika
		Castellón
		Tarragona
3. Spur dogfish *(Squalus acanthias)*		Burtonport
		Grimsby
		Aberdeen/Peterhead
		Holyhead
		Mallaig
		Concarneau
		Cherbourg
		Lorient
4. Spotted dogfish *(Scyliorhinus* spp.)		Concarneau
		Cherbourg
		Lorient
		Ostend
		Nazaré
		Matosinhos
5. Redfish *(Sebastes* spp.)		Boulogne-sur-Mer
	the combined markets of	Bremerhaven/Cuxhaven
		Ostend
6. Cod *(Gadus morrhua)*	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Grimsby/Hull
		Boulogne-sur-Mer
		Lorient
	the combined markets of	Bremerhaven/Cuxhaven
	the combined markets of	Heiligenhafen/Kiel

		Hvide Sande
		Neskso
		Ronne
		Howth
		IJmuiden
		Scheveningen
		Ostend
7. Saithe *(Pollachius virens)*		Boulogne-sur-Mer
		Lorient
	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Grimsby/Hull
	the combined markets of	Bremerhaven/Cuxhaven
	the combined markets of	Hanstholm
8. Haddock *(Melanogrammus aeglefinus)*	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Grimsby/Hull
		Boulogne-sur-Mer
		Lorient
	the combined markets of	Hanstholm/Thyboron
		IJmuiden
		Killybegs
9. Whiting *(Merlangus merlangus)*	the combined markets of	Aberdeen/Peterhead
		Boulogne-sur-Mer
		Lorient
		IJmuiden
10. Ling *(Molva* spp.)	the combined markets of	Aberdeen/Peterhead
		Newlyn
	the combined markets of	Bremerhaven/Cuxhaven
		Lorient
		Concarneau
11. Mackerel *(Scomber scombrus)*		Boulogne-sur-Mer
		Castletownbere
		Killybegs
	the combined markets of	Mallaig/Ullapool
	the combined markets of	Hirtshals
		Laredo
		Ondarroa
		Santoña
		Guetaria
		Matosinhos
		Peniche
12. Spanish mackerel *(Scomber japonicus)*		Punta Umbría
		Santoña
		Olhão
		Setúbal
		Portimão
		Peniche
13. Anchovy *(Engraulis* spp.)	the combined markets of	Ancona/Cesenatico
	the combined markets of	Chioggia/Porto Garibaldi
		Viareggio
		Goro
		Fano
		Kavala
		Salonika
		Pirée
		Sètes
		Saint-Jean-de-Luz
		Barbate
		Bermeo
		Cádiz
		Guetaria
		Ondarroa
		Rosas
		Santoña

14. Plaice *(Pleuronectes platessa)*	the combined markets of	Boulogne-sur-Mer Esbjerg/Thyboron Lowestoft IJmuiden Urk Zeebrugge
15. Hake *(Merluccius merluccius)*		Ayr Castletownbere Lorient Concarneau
	the combined markets of	Les Sables d'Olonne La Coruña Vigo Pasajes Ondarroa
	the combined markets of	Cillero/Burela Algeciras Olhão Matosinhos Lisbon Póvoa de Varzim Setúbal
16. Megrim *(Lepidorhombus* spp.)		Concarneau Le Guilvinec
	the combined markets of	Aberdeen/Peterhead Newlyn Castletownbere La Coruña Vigo
17. Rays' bream *(Brama* spp.)		Vigo Santa Eugenia de Riveira Sesimbra Olhão Lisboa
18. Anglerfish *(Lophius* spp.)		Concarneau Le Guilvinec Lorient Zeebrugge
	the combined markets of	Aberdeen/Peterhead Lerwick/Scalloway Newlyn Ondarroa Avilés La Coruña Vigo Marín Peniche Matosinhos Lagos Póvoa de Varzim Vila Real de Santo António

II. Products listed in Annex I (D) to Regulation (EEC) No 3796/81

Shrimps *(Crangon crangon)*		Cuxhaven/Dorum/Spieka/Wremem
	the combined markets of	Husum/Tonning/Busum
	the combined markets of	Den Oever Lij Colijnsplaat Zeebrugge Havney Kings Lynn

III. **Products listed in Annex I (E) to Regulation (EEC) No 3796/81**

Edible crabs *(Cancer pagurus)*		Kingswear Morlaix Brest Noirmoutier
Norway lobster whole *(Nephrops norvegicus)*	the combined markets of	Mallaig Eyemouth Ayr North Shields Osterby Rossaveal Skagen Guilvinec Zeebrugge La Coruña Marín Huelva Vila Real de Santo António
Norway lobster (tails) *(Nephrops norvegicus)*		Mallaig Kilkeel Portavogie Fraserburgh Zeebrugge

IV. **Products listed in Annex II (A) to Regulation (EEC) No 3796/81**

Sea-bream of the species *Dentex dentex* and *Pagellus* spp.	Anzio Bari San Benedetto del Tronto Pirée

V. **Products listed in Annex II (B) to Regulation (EEC) No 3796/81**

1. Squid *(Loligo* spp.)	Anzio Bari San Benedetto del Tronto Pirée Vigo Aveiro
2. Squid *(Ommastrephes sagittatus)*	Anzio Bari San Benedetto del Tronto Vigo Aveiro
3. Squid *(Illex* spp.)	Anzio Bari San Benedetto del Tronto Pirée Vigo Aveiro
4. Cuttlefish of the species *Sepia officinalis, Rossia macrosoma, Sepiola rondeleti*	Anzio Bari San Benedetto del Tronto Pirée
5. Octopus	Anzio Bari Pirée San Benedetto del Tronto

VI. Products listed in Annex III to Regulation (EEC) No 3796/81

All species of tunny	Concarneau Douarnenez Lorient Saint-Jean-de-Luz Ancona Salerno Bermeo Caramiñal Santa Eugenia de Riveira Algeciras Cádiz Villagarcía de Arosa Funchal (Madeira) Ponta Delgada (São Miguel, Azçores) S. Roque/Madalena (Pico, Azores) Horta (Faial, Azores)

ANNEX II

(Annual) notification specified in Article 1
(to be transmitted one month after end of year)

WITHDRAWAL AND SELLING PRICES APPLIED BY PRODUCERS' ORGANIZATIONS

MEMBER STATE : .....

Application of withdrawal selling prices in the fisheries sector in 19..

by (name and address of producers' organization or association of producers' organizations (1)) .....

.....

Area of activity : .....

1	2		3
Products listed in Annex I (A), (D) or (E) of basic Regulation for which Community withdrawal or selling prices (Article 12 of Regulation) are applied ; indicate any products for which regional withdrawal prices (Article 12 (2)) are applied	Indicate any categories of product for which Community withdrawal prices are selectively applied or sale of which is banned (Article 13 (1) (d) of basic Regulation)		Products listed in Annexes I to IV for which an autonomous withdrawal price (Article 9 (1) of basic Regulation) is applied for all categories of a product or products concerned ; indicate price level, form of presentation and packaging
	Selective application	Sales ban	

(1) As provided for in the second indent of Article 1 (1), in the case of an association of producers a list of the producers' organizations intending to apply the prices must be notified.

ANNEX III

(Monthly) notifications specified in Article 2 (1) (a) (b) and (c)
(to be transmitted 15 days after end of month)

QUANTITIES AND PRICE OF ANNEX I PRODUCTS

Month : .....

MEMBER STATE : .....

Port/market	Species (1)	Total quantity marketed (tonnes) (1)	Quantity withdrawn (tonnes) (1)	Overall average price (ECU per tonne) (1)	Quantities marketed pilot product (tonnes)			Price (ECU per tonne) pilot product		
					E/A-1 (2)	E/A-2 (2)	E/A-3 (2)	E/A-1 (2)	E/A-2 (2)	E/A-3 (2)

(1) Give separate data for monkfish with or without head and for Norway lobster whole or tails only.
(2) State presentation, where necessary (whole or gutted with head).

ANNEX IV

Notifications (six-monthly) specified in Article 2 (2) (a) and (b)
(to be transmitted two months after end of of period)

QUANTITIES AND PRICES OF ANNEX I PRODUCTS

Period : .....

MEMBER STATE : .....

Market/port	Species	Category	Quantity marketed per category (tonnes)	Average price per category (ECU per tonne)

ANNEX V

Notifications (six-monthly) specified in Article 3
(to be transmitted two months after end of period)

PRODUCTS OF ANNEX IV (B)

Period : .....

MEMBER STATE : .....

Species	Whole fish		Standard fillet blocks		Boneless fillet blocks		Individual fillets with skin		Individual fillets, skinless		Blocks in immediate packing weighing not more than 4 kg		Other presentations	
	Quantity (tonnes)	Price (ECU per tonne)	Quantity (tonnes)	Price (ECU per tonne)	Quantity (tonnes)	Price (ECU per tonne)	Quantity (tonnes)	Price (ECU per tonne)	Quantity (tonnes)	Price (ECU per tonne)	Quantity (tonnes)	Price (ECU per tonne)	Quantity (tonnes)	Price (ECU per tonne)

ANNEX VI

(Six-monthly) notification specified in Article 4 (1) (a)
(to be transmitted two months after end of period)

WITHDRAWALS/QUANTITIES UNSOLD

Period : .....

MEMBER STATE : .....

Species	Category	Quantities withdrawn (tonnes)		Quantities unsold (tonnes)
		At Community withdrawal price	At autonomous withdrawal price	At Community selling price

ANNEX VII

(Six-monthly) communication specified in Article 4 (1) (b)
(to be transmitted two months after end of of period)

STANDARD VALUE

Period : .....

MEMBER STATE : .....

Species	Use	Quantity (1) (tonnes)	Average price (ECU per tonne)

(1) To be forwarded once a year, six months following the end of the fishing year concerned.

ANNEX VIII

(Six-monthly) notification specified in Article 4 (1) (c) and (d)
(to be transmitted two months after end of period)

CARRY-OVER PREMIUM AND STORAGE PREMIUM

Period : .....

MEMBER STATE : .....

CARRY-OVER PREMIUM

Species	Category	Quantity (tonnes)	Type of processing	Wholesale price of processed products (ECU per tonne)

STORAGE PREMIUM

Species	Category	Quantity (tonnes)	Type of storage	Wholesale price of stored products (ECU per tonne)

ANNEX IX

(Annual) notification specified in Article 4 (2)
(to be transmitted six months after end of year)

WITHDRAWALS AND USES BY INDIVIDUAL PRODUCERS' ORGANIZATIONS

MEMBER STATE : .....

Application of the Community withdrawal price in the fishery products sector during 19...

by (name and address of producers' organization) : .....

.....

Product	Quantity put up for sale during year (Annex I column 1 of Regulation (EEC) No 3137/82)	Total withdrawals (Annex I column 5 of Regulation (EEC) No 3137/82)	Total carried over (Annex I column 6 of Regulation (EEC) No 3137/82)	Total quantity stored under Regulation (EEC) No 3796/81 Article 14a arrangement

ANNEX X

(Monthly) notification specified in Article 5
(to be transmitted 15 days after end of month)

ANNEX II PRODUCTS

Period : .....

MEMBER STATE : .....

Market/port	Pilot product	Quantity of pilot products marketed (tonnes)	Average price (ECU per tonne)

ANNEX XI

(Monthly) notification specified in Article 6
(to be transmitted 15 days after end of month)

ANNEX II PRODUCTS

Period : .....

MEMBER STATE : .....

Market/port	Species	Commercial presentation	Quantity marketed (tonnes)	Average price (ECU per tonne)

ANNEX XII

(Monthly) notification specified in Article 7 (1)
(to be transmitted 15 days after end of month)

ANNEX II AND III PRODUCTS

Period : .....

MEMBER STATE : .....

Name of producers' organization : .....

Species	Commercial presentation	Quantity landed (tonnes)	Quantity sold/ delivered to industry (tonnes)	Average price (ECU per tonne)	Quantity in storage (tonnes)	Quantity removed from storage (tonnes)

ANNEX XIII

(Annual) notification (with separate monthly figures) specified in Article 8
(to be transmitted before 1 November)

PRODUCTION PRICE FOR CARP

MEMBER STATE : .....

Month-year	Production zone	Quantity marketed (tonnes)	Production price (ECU per tonne)