COMMISSION REGULATION (EC) No 3479/93

of 17 December 1993

providing for the granting of compensation to producers' organizations in respect of tuna delivered to the canning industry during the period 1 January to 31 March 1993

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products (1), as amended by Regulation (EEC) No 1891/93 (2), and in particular Article 18 (8) thereof,

Whereas the compensation referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, the Community tuna producer' organizations in respect of quantities of tuna delivered to the canning industry, during the calendar quarter for which prices were recorded, where both the average quarterly price recorded on the Community market and the free-at-frontier price, plus, where it is applied, the countervailing charge, are both lower than 93 % of the Community producer price for the product in question;

Whereas examination of the situation of the Community market has shown that for three species of the product in question, for the period 1 January to 31 March 1993, both the average quarterly market price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 93 % of the Community producer price in force as laid down in Commission Regulation (EEC) No 351/93 (3) fixing, in respect of the 1993 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604;

Whereas the quantities eligible for compensation, within the meaning of Article 18 (2) of Regulation (EEC) No 3759/92, shall not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 4 of that Article;

Whereas during the quarter concerned the quantities sold and delivered to canning industries established in Community customs territory are higher both overall by 62,8 % of the quantity of tuna used in industry during the quarter and in the case of Bigeye tuna, higher than those sold and delivered during the same quarter of the last three fishing years and for yellowfin tuna, weighing more than 10 kg, higher than 110 % of those sold and delivered during the same quarter of the fishing years 1984 to 1986 whereas these quantities exceed the limits set in the first indent of paragraph 4 of Article 18 of Regulation (EEC) No 3759/92 for skipjack tuna, in the second indent for Bigeye tuna and in the third indent for Yellowfin tuna of over 10 kg, the total quantities of these products should therefore be limited to those eligible for compensation and the quantities granted to each producers' organization concerned should be determined in accordance with their respective output during the same quarter of the 1984 to 1986 fishing years;

Whereas, the granting of compensation for the products in question should be decided for the period from 1 January to 31 March 1993;

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 compensation referred to in Article 18 of Regulation (EEC) No 3759/92, shall be granted for the period 1 January to 31 March 1993, in respect of the products listed and within the limits set out below:

(ECU/tonne)

Products	Maximum amount of allowance within the meaning of the first and second indents of Article 18 (3) of Regulation (EEC) No 3759/92
Yellowfin tuna, larger than 10 kg	118
Skipjack tuna	73
Bigeye tuna	89

(1) OJ No L 388, 31. 12. 1992, p. 1.
(2) OJ No L 172, 15. 7. 1993, p. 1.
(3) OJ No L 41, 18. 2. 1993, p. 12.

Article 2

The total quantities of products set out below that may be eligible for the allowance are hereby limited for the three species as follows :

	(tonnes)
Yellowfin tuna, larger than 10 kg	24 780
Skipjack tuna	8 478
Bigeye tuna	326

The allocation of the total quantities amongst the producers' organizations concerned is specified in the Annex hereto.

Article 3

This Regulation shall enter into force on the third day following 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, 17 December 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

ANNEX

Allocation amongst the producers' organizations of the quantities of tuna, which may be eligible, during the period 1 January to 31 March 1993 for compensation, in accordance with Article 18 (5) of Regulation (EEC) No 3759/92, showing quantities by segment of compensation percentage

— Yellowfin tuna larger than 10 kg

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	5 138	514	740	6 392
Organización de Productores de Túnidos Congelados (Optuc)	7 685	0	0	7 685
Organisation de producteurs de thon congelé (Orthongel)	9 061	906	736	10 703
Total quantities	21 884	1 420	1 476	24 780

— Skipjack tuna

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	4 145	0	0	4 145
Organización de Productores de Túnidos Congelados (Optuc)	3 684	16	0	3 700
Organisation de producteurs de thon congelé (Orthongel)	156	0	0	156
Cooperativa de Pesca do Arquipélago de Madeira (Coopescamad)	0	0	477	477
Total quantities	7 985	0	477	8 478

— Bigeye tuna

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	36	0	0	36
Organización de Productores de Túnidos Congelados (Optuc)	5	1	237	243
Organisation de producteurs de thon congelé (Orthongel)	29	0	0	29
Cooperativa de Pesca do Arquipélago de Madeira (Coopescamad)	0	0	18	18
Total quantities	70	1	255	326