COMMISSION REGULATION (EC) No 275/94

of 4 February 1994

making imports of certain fishery products subject to observance of the reference price

(Text with EEA relevance)

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 last amended by Regulation (EEC) No 1891/93 [2], and in particular Article 22 (6) thereof,

Whereas Article 22 (4) of Regulation (EEC) No 3759/92 envisages *inter alia* that where the free-at-frontier price of a specified product, imported from a third country, stays below the reference price and where considerable quantities of that product are imported, imports of products listed, *inter alia* in Annex I Section A, Annex IV Section B and Annex V may be made subject to the condition that the free-at-frontier price is at least equal to the reference price;

Whereas Commission Regulation (EEC) No 3191/82 [3], amended by Regulation (EEC) No 3474/85 [4], laid down detailed rules for the reference price system in the fishery products sector and in particular for the determination of the free-at-frontier price referred to in Article 22 (3) of Regulation (EEC) No 3759/92;

Whereas the reference prices for fishery products for the 1994 fishing year were fixed by Commission Regulation (EC) No 3601/93 [5];

Whereas over recent months it has been established that on the Community market the free-at-frontier price of significant quantities of certain fishery products have remained below the reference price for these products; whereas, in view of this, there is a danger that the stabilization measures on the Community market could be threatened; whereas this situation is causing serious commercial difficulties in the fisheries sector and, given the current exceptional circumstances, the sector is demanding the adoption of immediate measures; whereas, therefore, in order to avoid disturbances due to offers at abnormally low prices, it is necessary to require that imports of the products in question comply with the reference price, this constituting the strictly necessary measure of protection to deal with this situation;

Whereas, in accordance with the second subparagraph of Article 22 (6) of Regulation (EEC) No 3759/92, the Commission may adopt the measure provided for in this Regulation in the interval between the scheduled meetings of the Management Committee for Fish Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The placing into free circulation in the Community of the fishery products listed in the Annex shall be subject to the condition that the free-at-frontier price is at least equal to the reference price given in the Annex.

2. This Regulation does not apply to the frozen products listed in the Annex provided it can be proved, to the satisfaction of the competent customs authorities, that they were in transit towards the Community on the date of entry into force of this Regulation, and provided they are put into free circulation by 28 February 1994 at the latest.

Article 2

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

It shall apply until 15 March 1994.

(1) OJ No L 388, 31. 12. 1992, p. 1.
(2) OJ No L 172, 15. 7. 1993, p. 1.
(3) OJ No L 338, 30. 11. 1982, p. 13.
(4) OJ No L 333, 11. 12. 1985, p. 16.
(5) OJ No L 330, 30. 12. 1993, p. 17.

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

Done at Brussels, 4 February 1994.

For the Commission
Yannis PALEOKRASSAS
Member of the Commission

ANNEX

1. Fresh or chilled products

Species	Size (1)	Reference price (ECU/tonne)			
		Gutted fish with head (1)		Whole fish (1)	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Cod of the species *Gadus morhua* ex 0302 50 10	1	926	874	669	514
	2	926	874	669	514
	3	874	720	514	412
	4	689	473	391	278
	5	484	278	288	185
Coalfish *(Pollachius virens)* ex 0302 63 00	1	473	473	368	368
	2	473	473	368	368
	3	468	468	363	363
	4	378	273	200	147
Haddock *(Melanogrammus aeglefinus)* ex 0302 62 00	1	660	586	513	440
	2	660	586	513	440
	3	564	476	396	271
	4	498	410	374	256
Hake of the species *Merluccius merluccius* ex 0302 69 65	1	2 812	2 643	2 221	2 052
	2	2 137	1 996	1 659	1 518
	3	2 109	1 968	1 631	1 490
	4	1 799	1 659	1 406	1 153
	5	1 687	1 546	1 321	1 068
		Whole or gutted fish with head		Without head	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Monkfish *(Lophius* spp.) ex 0302 69 81	1	1 343	970	3 452	2 685
	2	1 716	1 343	3 261	2 493
	3	1 716	1 343	3 069	2 302
	4	1 437	1 063	2 685	1 918
	5	821	448	1 918	1 151

(1) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

2. Frozen products

Species	Presentation	Reference prices (ECU/tonne)
1. Cod *(Gadus morhua, Gadus ogac* and *Gadus macrocephalus)* and fish of the species *Boreogadus saida*	Whole fish :	
ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41	— with or without head	935
	Fillets :	
ex 0304 20 21 ex 0304 20 29	— industrial blocks, with bones (standard)	2 032
	— industrial blocks, boneless	2 348
	— individual fillets, with skin	2 224
	— individual fillets, skinless	2 567
	— blocks in immediate packing weighing not more than 4 kg	2 456
ex 0304 90 35 ex 0304 90 38 ex 0304 90 39	Minced blocks	1 008
ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41, ex 0304 90 35, ex 0304 90 38, ex 0304 90 39	Pieces and other meat	1 188

Species	Presentation	Reference prices (ECU/tonne)
2. Coalfish *(Pollachius virens)*	Whole fish :	
ex 0303 73 00	— with or without head	615
	Fillets :	
	— industrial blocks, with bones (standard)	1 220
	— industrial blocks, boneless	1 344
ex 0304 20 31	— individual fillets, with skin	1 247
	— individual fillets, skinless	1 379
	— blocks in immediate packing weighing not more than 4 kg	1 408
ex 0304 90 41	Minced blocks	673
ex 0303 73 00, ex 0304 90 41	Pieces and other meat	809
3. Haddock *(Melanogrammus aeglefinus)*	Whole fish :	
ex 0303 72 00	— with or without head	815
	Fillets :	
	— industrial blocks, with bones (standard)	1 820
	— industrial blocks, boneless	2 391
ex 0304 20 33	— individual fillets, with skin	2 166
	— individual fillets, skinless	2 487
	— blocks in immediate packing weighing not more than 4 kg	2 427
ex 0304 90 45	Minced blocks	805
ex 0303 72 00, ex 0304 90 45	Pieces and other meat	952
4. Hake *(Merluccius* spp.)	Whole fish :	
ex 0303 78 10	— with or without head	771
	Fillets :	
	— industrial blocks, with bones (standard)	1 036
	— industrial blocks, boneless	1 220
ex 0304 20 57	— individual fillets, with skin	1 055
	— individual fillets, skinless	1 132
	— blocks in immediate packing weighing not more than 4 kg	1 197
ex 0304 90 47	Minced blocks	777
ex 0303 78 10 ex 0304 90 47	Pieces and other meat	1 023
5. Alaska pollack *(Theragra chalcogramma)*	Fillets :	
ex 0304 20 85	— industrial blocks, with bones (standard)	933
	— industrial blocks, boneless	1 086