# COMMISSION REGULATION (EC) No 585/94

## of 16 March 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 8 April 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 17 May 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, 16 March 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<br>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 |