COMMISSION REGULATION (EC) No 323/97

of 21 February 1997

amending Council Regulation (EC) No 2406/96 laying down common marketing standards for certain fishery products

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 (EC) No 3318/94 [2], and in particular Article 2 (4) thereof,

Whereas Council Regulation (EC) No 2406/96 [3] introduces in particular a new scale of size categories for herring of the species *Clupea harengus*; whereas in the case of Baltic herring this new scale establishes a specific size for products taken and landed north of 59° 30′ but does not include that previously applicable in the whole of the Baltic;

Whereas this omission fails to take account of the production and sales conditions of herring taken in the Baltic, south of 59° 30′; whereas steps should be taken therefore to establish the appropriate size category for this product again by amending Regulation (EC) No 2406/96 accordingly;

Whereas this amendment will constitute a technical adjustment to the common marketing standards as provided for in Article 2 (4) of Regulation (EEC) No 3759/92;

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

In Annex II to Regulation (EC) No 2406/96, the scale of size categories applicable to Baltic herring *(Clupea harengus)* is hereby amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 1997.

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

Done at Brussels, 21 February 1997.

For the Commission

Emma BONINO

Member of the Commission

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[1] OJ No L 388, 31. 12. 1992, p. 1.
[2] OJ No L 350, 31. 12. 1994, p. 15.
[3] OJ No L 334, 23. 12. 1996, p. 1.

ANNEX

Amendment to the scale of size categories for Baltic herring

Species	Size	kg/fish	Number of fish/kg
Herring *(clupea harengus)*	1	0,25 and over	4 or less
	2	0,125 to 0,25	5 to 8
	3	0,085 to 0,125	9 to 11
	4 (a)	0,05 to 0,085	12 to 20
Baltic herring, caught and landed, south of 59° 30′	(b)	0,036 to 0,085	12 to 27
Baltic herring, caught and landed, north of 59° 30′	5	0,031 to 0,085	12 to 32