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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2104/93

of 22 July 1993

amending Regulation (EEC) No 1382/91 on the submission of data on the landings of fishery products in Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, with the creation of the European Economic Area (EEA), the management of the market in fishery products would be enhanced by the existence of harmonized statistics on the landings of fishery products in all countries of the EEA;

Whereas, in Annex XXI.25 to the Agreement on the European Economic Area, the member countries of the European Free Trade Association (EFTA) have undertaken to submit to the Commission monthly data on the landings of fishery products in those countries by Community and EFTA vessels and, on an optimal basis, by vessels of third countries, starting at the latest in January 1995;

Whereas the need for harmonized statistics requires that the data submitted by the Community Member States under the provisions of Regulation (EEC) No 1382/91 ⁽³⁾ should be extended to include submissions of data on landings by EFTA vessels and, on an optional basis, by vessels of third countries;

Whereas the additional data required are generally already collected and processed by the competent authorities in Community Member States;

Whereas, in the course of implementing Regulation (EEC) No 1382/91, certain minor discrepancies have

come to light in the identification of the products for which data are required and it is desirable to introduce a harmonized format for the submission of data on magnetic media,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1382/91 shall be replaced by the following:

Article 1

Each Member State shall submit to the Commission data on the quantity and average price of fishery products landed by Community fishing vessels and by EFTA vessels in each calendar month in its territory taking due account of Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities ^(*).

For the purposes of this Regulation, "landings of fishery products" shall be:

- the products discharged by fishing vessels or other components of the fishing fleet,
- the products discharged by vessels of Member States in non-Community ports and covered by Document T2M annexed to Commission Regulation (EEC) No 137/79 ^(**), and
- the products transhipped to vessels of third countries from Community fishing vessels and other components of the Community fishing fleet within the territory of that Member State.

The Member States shall ensure that, except where derogations are granted in accordance with Article 5 (4), the data submitted shall cover all landings of the fishery products listed in Annex I in that calendar month. However, sampling techniques may be used to

⁽¹⁾ OJ No C 84, 25. 3. 1993, p. 6.

⁽²⁾ OJ No C 150, 31. 5. 1993.

⁽³⁾ OJ No L 133, 28. 5. 1991, p. 1.

estimate up to 10 % by weight of the fishery products landed in that month. These sampling techniques shall be reported under the provisions of Articles 5 (1) and 5 (2).

(^(*)) OJ No L 151, 15. 6. 1990, p. 1.

(^(**)) OJ No L 20, 27. 1. 1979, p. 1. Regulation as last amended by Regulation (EEC) No 3399/91 (OJ No L 320, 22. 11. 1991, p. 19).'

Article 2

Article 4 of Regulation (EEC) No 1382/91 shall be replaced by the following:

Article 4

1. Member States shall fulfil their obligations to the Commission pursuant to Articles 1 and 2 by submitting the data on magnetic media, the format of which is given in Annex IV.

2. Where Member States experience difficulty in submitting the data on magnetic medium, the data shall be submitted to the Commission in the form shown in Annex III.'

Article 3

Annexes I, II and III to Regulation (EEC) No 1382/91 shall be replaced by the Annexes appearing in Annex A to this Regulation.

Annex IV appearing in Annex B to this Regulation shall be added to Regulation (EEC) No 1382/91.

Article 4

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 22 July 1993.

For the Council

The President

M. OFFECIERS-VAN DE WIELE

ANNEX A

ANNEX I

LIST OF FISHERY PRODUCTS FOR WHICH DATA SUBMISSIONS ARE REQUIRED

Code	Species	Presentation
CDZ	Cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets Salted
HAD	Haddock (<i>Melanogrammus aeglefinus</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
POK	Saithe (Coalfish) (<i>Pollachius virens</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
HKE	Hake (<i>Merluccius</i> spp.)	Fresh whole Fresh gutted Frozen whole Frozen headed and gutted Frozen fillets Frozen, other
WHG	Whiting (<i>Merlangius merlangus</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
LNZ	Ling (<i>Molva</i> spp.)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
POL	Pollack (<i>Pollachius pollachius</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
BIB	Pouting (<i>Trisopterus luscus</i>)	Fresh
NOP	Norway pout (<i>Trisopterus esmarkii</i>)	Fresh
WHB	Blue whiting (<i>Micromesistius poutassou</i>)	Fresh
PLE	Plaice (<i>Pleuronectes platessa</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
SOL	Sole (<i>Solea vulgaris</i>)	Fresh whole Fresh gutted Frozen unfileted Frozen fillets
MEG	Megrim (<i>Lepidorhombus</i> spp.)	Fresh Frozen unfileted
DAB	Dab (<i>Limanda limanda</i>)	Fresh Frozen
LEM	Lemon sole (<i>Microstomus kitt</i>)	Fresh Frozen

Code	Species	Presentation
RED	Redfish (<i>Sebastes</i> spp.)	Fresh Frozen unfiletated Frozen fillets
MNZ	Monkfish (<i>Lophius</i> spp.)	Fresh whole Fresh tails Frozen tails
BOZ	Bogue (<i>Boops</i> spp.)	Fresh Frozen
PIC	Picarel (<i>Spicara</i> (= <i>Maena</i>) spp.)	Fresh Frozen
CGZ	Conger eel (<i>Conger</i> spp.)	Fresh Frozen
GUX	Gurnard (<i>Triglidae</i>)	Fresh Frozen
MUL	Mullet (<i>Mugilidae</i>)	Fresh Frozen
HER	Herring (<i>Clupea harengus</i>)	Fresh Frozen unfiletated Frozen fillets
PIL	Sardine (<i>Sardina pilchardus</i>)	Fresh Frozen
ANE	Anchovy (<i>Engraulis encrasicolus</i>)	Fresh Frozen
SPR	Sprat (<i>Sprattus sprattus</i>)	Fresh
ALB	Albacore (<i>Thunnus alalunga</i>)	Fresh Frozen
YFT	Yellowfin tuna (<i>Thunnus albacares</i>)	Fresh Frozen
SKJ	Skipjack tuna (<i>Katsuwonus pelamis</i>)	Fresh Frozen
BET	Big-eye tuna (<i>Thunnus obesus</i>)	Fresh Frozen
BFT	Bluefin tuna (<i>Thunnus thynnus</i>)	Fresh Frozen
SWO	Swordfish (<i>Xipbias gladius</i>)	Fresh Frozen
TUN	Other tuna (<i>Thunnini</i>)	Fresh Frozen
MAC	Atlantic mackerel (<i>Scomber scombrus</i>)	Fresh Frozen
MAZ	Other mackerel (<i>Scomber japonicus</i>)	Fresh Frozen
JAX	Horse mackerel (<i>Trachurus</i> spp.)	Fresh Frozen
SRX	Skate and ray (<i>Rajiformas</i>)	Fresh Frozen
DGZ	Dogfish (<i>Squalus acanthias</i> , <i>Scyliorhinus</i> spp.)	Fresh Frozen
NEP	Norway lobster (<i>Nephrops norvegicus</i>)	Fresh whole Fresh tails Frozen tails
CNZ	Shrimps (<i>Crangon</i> spp.)	Fresh Frozen

Code	Species	Presentation
PDZ	Prawns (<i>Pandalidae</i>)	Fresh Frozen
CRE	Edible crab (<i>Cancer pagurus</i>)	Fresh Frozen
CRS	Swimcrab (<i>Portunus</i> spp.)	Fresh
LBE	European lobster (<i>Homarus gammarus</i>)	Fresh Frozen tails
SCE	Common scallop (<i>Pecten maximus</i>)	Fresh
SQC	Common squid (<i>Loligo</i> spp.)	Fresh Frozen, not cleaned Frozen, cleaned
SQX	Shortfin and flying squid (<i>Todarodes sagittatus</i> , <i>Illex</i> spp.)	Fresh Frozen, not cleaned Frozen, cleaned
OMZ	Squid (other) (<i>Omnastrephidae</i>)	Fresh Frozen, not cleaned Frozen, cleaned
OCZ	Octopus (<i>Octopus</i> spp.)	Fresh Frozen
CTL	Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola rondeleti</i>)	Fresh Frozen
FIN	Other finfish	Fresh Frozen
CRU	Other crustaceans	Fresh Frozen
MOL	Other molluscs	Fresh Frozen

ANNEX II

DEFINITIONS TO BE USED IN THE SUBMISSION OF DATA ON LANDINGS OF FISHERY PRODUCTS

Units

Weight: The weight recorded shall be the weight of the product as landed.

The weight should be recorded in tonnes with one place of decimals.

Average price: The average price is to be reported in national currency per tonne. For products not immediately sold the average price should be estimated, using an appropriate method.

Destination

Human consumption: Included here are all products which are sold at first sale for human consumption or which are landed under contract or other agreement for human consumption. Excluded are quantities destined for human consumption but which, at the moment of first sale, due to market conditions, hygiene regulations or similar causes, are withdrawn from the market for human consumption.

Industrial uses: Included here are all products specifically landed for reduction to meal and oil or for consumption by animals plus quantities which, although originally destined for human consumption, are not sold for this purpose at first sale.

Presentation

Fillets refers to strips of flesh cut parallel to the backbone of the fish and consisting of the right or left side of the fish, provided that the head, viscera, fins (dorsal, anal, caudal, ventral, pectoral) and bones (vertebrae or large backbone, ventral or costal, bronchial or stirrup bones, etc.) have been removed and the two sides are not connected, for example by the back or stomach.

Whole fish refers to ungutted fish.

Cleaned refers to squid where the arms, head and internal organs have been removed from the body.

Frozen fish are fish that have been subjected to freezing in a manner to preserve the inherent quality of the fish by reducing the average temperature to -18°C or lower and which are then kept at a temperature of -18°C or lower.

Fresh fish are fish that have not been preserved, cured, frozen or otherwise treated other than chilled. They are generally presented whole or gutted.

Salted fish are fish often in gutted and headed form, that are preserved in salt or brine.

Nationality and coverage

The data are to include all products landed by Community and EFTA fishing vessels in ports of the reporting Member State. The reporting Member State is not required, under the provisions of this Regulation, to report the landings of its vessels in ports other than the national ports.

The data are to include products discharged within the territory of the Member State and covered by document T2M referred to in Commission Regulation (EEC) No 137/79. Also to be included are products transhipped to vessels of third countries from Community and EFTA fishing vessels and other components of the Community and EFTA fishing fleet and which are discharged within the territory of that Member State.

Community vessels are vessels flying the flag of, or registered in, a Community Member State.

EFTA vessels are vessels flying the flag of, or registered in, a member country of EFTA.

Third country vessels are vessels flying the flag, or registered in, a country other than those member countries of the Community or of EFTA.

ANNEX III

FORMAT FOR THE SUBMISSION OF DATA PURSUANT TO ARTICLE 1

LANDING STATISTICS

Landings for the month of 19..

Country

Species	Community vessels		EFTA vessels		Third countries vessels (*)	
	Quantity	Price	Quantity	Price	Quantity	Price
For human consumption :						
Cod (CDZ)						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Salted						
Haddock (HAD)						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Saithe (POK)						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Hake (HKE)						
Fresh whole						
Fresh gutted						
Frozen whole						
Frozen fillets						
Frozen gutted & headed						
Frozen, other						
Whiting (WHG)						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Ling (LNZ)						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Pollack (POL)						
Fresh whole						
Fresh gutted						
Frozen unfilleted						
Frozen fillets						
Plaice (PLE)						
Fresh whole						
Fresh gutted						
Frozen whole						
Frozen fillets						

(*) Optional.

Species	Community vessels		EFTA vessels		Third countries vessels (¹)	
	Quantity	Price	Quantity	Price	Quantity	Price
Sole (SOL)						
Fresh whole						
Fresh gutted						
Frozen whole						
Frozen fillets						
Megrim (MEG)						
Fresh						
Frozen						
Dab (DAB)						
Fresh						
Frozen						
Lemon sole (LEM)						
Fresh						
Frozen						
Redfish (RED)						
Fresh						
Frozen whole						
Frozen fillets						
Monkfish (MNZ)						
Fresh whole						
Fresh tails						
Frozen tails						
Bogue (BOZ)						
Fresh						
Frozen						
Picarel (PIC)						
Fresh						
Frozen						
Conger eel (CGZ)						
Fresh						
Frozen						
Gurnard (GUX)						
Fresh						
Frozen						
Mullet (MUL)						
Fresh						
Frozen						
Herring (HER)						
Fresh						
Frozen whole						
Frozen fillets						
Sardine (PIL)						
Fresh						
Frozen						
Anchovy (ANE)						
Fresh						
Frozen						

(¹) Optional.

Species	Community vessels		EFTA vessels		Third countries vessels (¹)	
	Quantity	Price	Quantity	Price	Quantity	Price
Albacore (ALB)						
Fresh						
Frozen						
Yellowfin tuna (YFT)						
Fresh						
Frozen						
Skipjack tuna (SKJ)						
Fresh						
Frozen						
Bigeye tuna (BET)						
Fresh						
Frozen						
Bluefin tuna (BFT)						
Fresh						
Frozen						
Swordfish (SWO)						
Fresh						
Frozen						
Other tuna (TUN)						
Fresh						
Frozen						
Atlantic mackerel (MAC)						
Fresh						
Frozen						
Other mackerel (MAZ)						
Fresh						
Frozen						
Horse mackerel (JAX)						
Fresh						
Frozen						
Skate and ray (SRX)						
Fresh						
Frozen						
Dogfish (DGZ)						
Fresh						
Frozen						
Norway lobster (NEP)						
Fresh whole						
Fresh tails						
Frozen tails						
Shrimps (CNZ)						
Fresh						
Frozen						
Prawns (PDZ)						
Fresh						
Frozen						
Edible crab (CRE)						
Fresh						
Frozen						

(¹) Optional.

Species	Community vessels		EFTA vessels		Third countries vessels (¹)	
	Quantity	Price	Quantity	Price	Quantity	Price
Swimcrab (CRS)						
Fresh						
European lobster (LBE)						
Fresh						
Frozen tails						
Common scallop (SCE)						
Fresh						
Common squid (SQC)						
Fresh						
Frozen clean						
Frozen not clean						
Shortfin and Flying squid (SQX)						
Fresh						
Frozen clean						
Frozen not clean						
Squid (other) (OMZ)						
Fresh						
Frozen clean						
Frozen not clean						
Octopus (OCZ)						
Fresh						
Frozen						
Cuttlefish (CTL)						
Fresh						
Frozen						
Other fish (FIN)						
Fresh						
Frozen						
Other molluscs (MOL)						
Fresh						
Frozen						
Other crustaceans (CRU)						
Fresh						
Frozen						
For industrial uses :						
Cod (CDZ)						
Haddock (HAD)						
Saithe (POK)						
Whiting (WHG)						
Pouting (BIB)						
Norway pout (NOP)						
Blue whiting (WHB)						
Herring (HER)						
Sprat (SPA)						
Other species						

(¹) Optional.

ANNEX B

ANNEX IV

FORMAT FOR THE SUBMISSION OF DATA ON MAGNETIC MEDIA

1. Magnetic media

Computer tapes: Nine track with a density of 1 600 or 6 250 BPI and EDCDIC or ASCII coding, preferably labelled. If labelled, an end-of-file code should be included.

Floppy discs: MS-DOS formatted 3,5" 720 Kbyte or 1,4 Mbyte or 5,25" 360 Kbyte or 1,2 Mbyte discs.

2. Coding format

Byte Nos	Item	Remarks
1 to 4	Country	ISO 3-alpha code (e.g. FRA = France)
5 to 6	Year	Example: 94 = 1994
7 to 8	Month	Example: 01 = January
9 to 11	Species	3-alpha identifier (e.g. CDZ = cod)
12 to 13	Presentation	See list of codes below
14	Destination	See list of codes below
15 to 25	Quantity	Tonnes with one decimal
26 to 36	Average price	National currency/tonne
37	Nationality code	See note below

Note:

- (a) All numeric fields should be right adjusted with leading blanks. All alpha-numeric fields should be left adjusted with trailing blanks.
- (b) The weight recorded shall be the weight landed.
- (c) Quantities of less than 50 kg shall be recorded as '0 0'.

3. List of codes

(a) *Presentation codes*

Fresh	10
Fresh whole	11
Fresh gutted	12
Fresh tails	13
Fresh, gutted and headed	16
Fresh, other	19
Frozen	20
Frozen whole	21
Frozen gutted	22
Frozen tails	23
Frozen unfilleted	25
Frozen gutted and headed	26
Frozen clean	27
Frozen, not clean	28
Frozen, other	29
Salted	30
Smoked	40
Cooked	50
Cooked, frozen and packed	60

(b) *Destination codes*

Human consumption	1
Industrial uses	2
Use unknown	9

(c) *Nationality code*

EEC vessels	1
EFTA vessels	2
Third country vessels	3'
