COMMISSION REGULATION (EEC) No 2210/93

of 26 July 1993

on the communication of information for the purposes of the common organization of the market in fishery and aquaculture products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 697/93 [2], and in particular Articles 8 (5), 10 (3), 14 (5), 15 (8), 17 (6), 23 (5) and 30 thereof,

Whereas the Commission has to be able to monitor the price stabilization activities of the producers' organizations and the way in which they apply the systems of financial compensation and carry-over premiums;

Whereas the Community intervention arrangements pursuant to Regulation (EEC) No 3759/92 require information to be available on the prices recorded on the wholesale markets and in representative ports of the Community;

Whereas the markets and ports of the Member States to be considered representative for a given product have to be established;

Whereas it is also necessary to stipulate how frequently the market prices are to be recorded and related notifications made;

Whereas improved organization has led to an increase in the number of notifications relating to the application and monitoring of Community intervention arrangements in the common organization of the markets;

Whereas the provisions relating to the communication of data are laid down in Commission Regulation (EEC) No 1106/90 of 18 April 1990 concerning the communication of information for the purposes of the common organization of the market in fishery products [3], as last amended by Regulation (EEC) No 1672/92 [4]; whereas experience has shown the need to simplify, standardize and rearrange the data transmitted; whereas it is also necessary to take account of the contents of Regulation (EEC) No 3759/92; whereas it is therefore necessary to drawn up a new regulation and to repeal Regulation (EEC) No 1106/90;

Whereas it is necessary to have certain data available in order to establish the flat-rate aid; whereas the communication of this data is provided for in Commission Regulation (EEC) No 4176/88 of 28 December 1988 setting down detailed rules of application for the granting of flat-rate aid for certain fishery products [5]; whereas, since various provisions of that Regulation have been regrouped in this Regulation, Article 15 thereof should be repealed;

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:

TITLE I

Application of withdrawal and selling prices by producers' organizations

Article 1

1. Member States shall communicate the information specified in Article 8 (4) of Regulation (EEC) No 3759/92, hereinafter referred to as 'the basic Regulation', to the Commission within two months of commencement of the fishing year in which the withdrawal and selling prices apply.

Where the withdrawal and selling prices are fixed by an association grouping two or more producers' organizations, each producers' organization intending to apply the arrangements communicated must be named.

2. Member States shall, without delay, notify the Commission of any change in the information referred to in paragraph 1.

TITLE II

Products listed in Annex I (A), (D) and (E) to the basic Regulation

Article 2

The notifications specified in Article 10 (1) of the basic Regulation shall comprise, for each of the products listed in Annex I (A), (D) and (E) to that Regulation and for each representative market or port:

[1] OJ No L 388, 31. 12. 1992, p. 1.
[2] OJ No L 76, 30. 3. 1993, p. 12.
[3] OJ No L 111, 1. 5. 1990, p. 50.
[4] OJ No L 176, 30. 6. 1992, p. 6.
[5] OJ No L 367, 31. 12. 1988, p. 63.

1. the following monthly data for each product:

   (a) the average market price weighted according to the quantity marketed;

   (b) the total quantity marketed;

   (c) the total quantity withdrawn from the market;

2. the following six-monthly data for each product category:

   (a) the average six-monthly market price;

   (b) the quantities marketed;

3. moreover, if the market in a product slumps or undergoes disturbance or is threatened with such, the data shall be communicated at least weekly, with separate figures for each market day.

Article 3

1. In respect of each product listed in Annex I (A), (D) and (E) to the basic Regulation, Member States shall notify the Commission every six months of:

(a) the quantities withdrawn from a remaining unsold on the market at, as appropriate:

   — the Community withdrawal and selling prices and, where applicable, the regionalized withdrawal price,

   — the autonomous withdrawal price.

   The categories of each product withdrawn must be specified;

(b) thew average price obtained and the quantities disposed of broken down by manner of disposal referred to in Article 1 of Regulation (EEC) No 1501/83 (1) and by product;

(c) the quantity of each product benefiting from the carry-over premium broken down by category, the type of processing carried out and the average wholesale selling price of the processed products.

2. After the fishing year has ended, producers' organizations shall communicate to the Member State to which they belong, in respect of the products listed in Annex I (A), (D) and (E) of the basic Regulation, the quantities of products sold by the organization and the quantities for which financial compensation or carry-over premiums, as provided for in Articles 12 and 14 of the basic Regulation, have been granted.

Article 4

Member States shall communicate to the Commission by 15 September each year the amount of technical costs in respect of freezing, storage, filleting, salting and drying, cooking and keeping live in tanks.

(1) OJ No L 152, 10. 6. 1983, p. 22.

The communications shall refer to the data of the previous year and shall relate to the products listed in Annex I (A), (D) and (E) of the basic Regulation.

TITLE III

Notifications concerning the products listed in Annexes II and III to the basic Regulation

Article 5

Member States shall communicate to the Commission the information referred to in Article 10 (1) of the basic Regulation, which shall comprise, for each product listed in Annex II to that Regulation selected for the fixing of the guide, price and for each representative market or port:

— the average monthly market price, weighted according to the quantities marketed,

— the total of the quantities sold during that month.

Article 6

Member States shall communicate to the Commission the information referred to in Article 17 (4) of the basic Regulation, which shall comprise, for each species and commercial presentation specified in Annex III to that Regulation, and for each representative market or port:

— the average monthly market price, weighted according to the quantities marketed,

— the total of the quantities marketed during that month.

Figures shall be given separately for fresh and chilled products on the one hand and frozen products on the other.

Article 7

1. For products referred to in Annexes II and III of the basic Regulation, producers' organizations shall communicate to the relevant authorities of the Member States concerned at least the following monthly data for each species and commercial presentation:

(a) for products referred to in Annex II:

   — the quantity landed by their members,

   — the quantity sold and the average selling price,

   — the quantity unsold and intended to be put into cold storage,

   — the quantity put back on the market following storage;

(b) for products referred to in Annex III :

— the quantity sold and delivered to the processing industry and the average selling price.

The Member States shall forward these communications to the Commission monthly.

2. Should it be found that selling prices are lower than the level specified in Article 16 (2) of the basic Regulation and are likely to remain so, the producers' organizations shall communicate the information referred to in paragraph 1 of this Article to the Member State weekly, with separate figures for each market day. The Member State shall transmit this information to the Commission immediately.

TITLE IV

Notifications concerning certain products of Annex IV (A) to the basic Regulation

Article 8

Member States shall communicate to the Commission, every year before 1 November, the average monthly production prices recorded in the representative production zones and the quantities marketed for products with defined commercial characteristics. Each notification shall cover the three years preceding fixing of the reference prices.

'Product with defined commercial characteristics' means :

— for carp : live carp of a minimum weight of 800 grams,

— for salmon : whole Atlantic salmon of a minimum weight of 900 grams.

'Production price' means the producer's selling price to the wholesaler.

TITLE V

Notifications concerning communication regarding products listed in Annex VI to the basic Regulation

Article 9

Member States shall communicate to the Commission for each of the products listed in Annex VI to the basic Regulation :

(a) the standard value deduction, broken down in accordance with Article 7 of Regulation (EEC) No 4176/88, within one month of the beginning of each fishing year at the latest ;

(b) a table giving details, by product and product category, of the average prices observed and the quantities marketed through the wholesale markets or representative ports, within one month of the end of each half-year ;

(c) the average product price (all categories) and total landings in the Member State concerned during the preceding fishing year within five months of the end of each fishing year.

TITLE VI

General provisions

Article 10

1. The representative wholesale markets and ports referred to in Articles 10 (2) and 17 (4) of the basic Regulation shall be those listed in Annex I hereto for the products indicated.

2. The average market price shall be the average price at the stage of first sale, weighted by the quantities marketed, no account being taken of any withdrawn.

Article 11

1. All notifications referred to in this Regulation shall be transmitted to the Commission by telex, fax of direct computer link (electronic mail) in the form set out in Annexes II to XIII hereto.

2. Save as otherwise provided, communications to the Commission shall be transmitted by the following dates :

— in the case of monthly communications, by the final day of the following month,

— in the case of six-monthly communications, by 31 August for the first half-year, and before 1 March of the following year, for the second half-year.

Article 12

Regulation (EEC) No 1106/90 is repealed.

Article 13

Article 15 of Regulation (EEC) No 4176/88 is deleted.

Article 14

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 26 July 1993.

For the Commission
Yannis PALEOKRASSAS
Member of the Commission

ANNEX I

REPRESENTATIVE WHOLESALE MARKETS AND PORTS FOR FISHERY PRODUCTS

I. Products listed in Annex I (A) to Regulation (EEC) No 3759/92

1. Herrings *(Clupea harengus)*		Boulogne-sur-Mer
	the combined markets of	Fehmarn/Kiel/Maasholm
	the combined markets of	Hirtshals/Skagen
		Killybegs
		Lerwick
	the combined markets of	Mallaig/Oban/Ullapool/Stornoway
		Rossaveal
	the combined markets of	Scheveningen/IJmuiden
2. Sardines *(Sardina pilchardus)*		
(a) Atlantic		La Turballe
		Saint-Guénolé
		Sada
		Vigo
		Arrecife
		Matosinhos
		Peniche
		Figueira da Foz
		Olhão
		Portimão
(b) Mediterranean	the combined markets of	Ancona/Cesenatico
	the combined markets of	Chioggia/Porto Garibaldi
	the combined markets of	Martigues
		Port-Vendres
		Sète
		Kavala
		Piraeus
		Salonique
		Castellón
		Tarragona
3. Spur dogfish *(Squalus acanthias)*		Burtonport
		Grimsby
		Aberdeen/Peterhead
		Mallaig
		Concarneau
		Cherbourg
		Lorient
4. Spotted dogfish *(Scyliorhinus* spp.)		Concarneau
		Cherbourg
		Lorient
		Oostend
5. Redfish *(Sebastes* spp.)		Boulogne-sur-Mer
	the combined markets of	Bremerhaven/Cuxhaven
6. Cod *(Gadus morhua)*	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Grimsby/Hull
		Fraserburgh
		Boulogne-sur-Mer
		Lorient
	the combined markets of	Bremerhaven/Cuxhaven
	the combined markets of	Heiligenhafen/Kiel
	the combined markets of	Hvide Sande/Thyborøn
		Neksø
		Howth
		IJmuiden
		Scheveningen
		Oostend

7. Saithe *(Pollachius virens)*		Boulogne-sur-Mer
		Lorient
	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Grimsby/Hull
		Shetlands
	the combined markets of	Bremerhaven/Cuxhaven
	the combined markets of	Hanstholm/Skagen
8. Haddock *(Melanogrammus aeglefinus)*	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Grimsby/Hull
		Fraserburgh
		Boulogne-sur-Mer
		Lorient
	the combined markets of	Hanstholm/Thyborøn
		IJmuiden
		Killybegs
9. Whiting *(Merlangius merlangus)*	the combined markets of	Aberdeen/Peterhead
		Fraserburgh
		Boulogne-sur-Mer
		Lorient
		IJmuiden
10. Ling *(Molva* spp.)	the combined markets of	Aberdeen/Peterhead
		Newlyn
	the combined markets of	Bremerhaven/Cuxhaven
		Lorient
		Concarneau
11. Mackerel *(Scomber scombrus)*		Boulogne-sur-Mer
		Castletownbere
		Killybegs
	the combined markets of	Mallaig/Ullapool
	the combined markets of	Hirtshals/Skagen
		Laredo
		Ondarroa
		Santoña
		Guetaria
		Matosinhos
		Peniche
12. Spanish mackerel *(Scomber japonicus)*		Punta Umbría
		Santoña
		Olhão
		Setúbal
		Portimão
		Peniche
13. Anchovy *(Engraulis* spp.)	the combined markets of	Ancona/Cesenatico
	the combined markets of	Chioggia/Porto Garibaldi
		Goro
		Fano
		Kavala
		Salonika
		Piraeus
		Sète
		Saint-Jean-de-Luz
		Barbate
		Bermeo
		Cádiz
		Guetaria
		Ondarroa
		Rosas
		Santoña
14. Plaice *(Pleuronectes platessa)*		Boulogne-sur-Mer
	the combined markets of	Thyborøn/Hvide Sande
		Lowestoft
		IJmuiden
		Urk
		Zeebrugge

15. Hake *(Merluccius merluccius)*		Ayr
		Castletownbere
		Lorient
		Concarneau
	the combined markets of	Les Sables d'Olonne
		Hanstholm
		La Coruña
		Vigo
		Pasajes
		Ondarroa
	the combined markets of	Cillero/Burela
		Algeciras
		Olhão
		Matosinhos
		Lisboa
		Póvoa de Varzim
		Setúbal
		Mazara del Vallo
16. Megrim *(Lepidorhombus* spp.)		Concarneau
		Le Guilvinec
	the combined markets of	Aberdeen/Peterhead
		Newlyn
		Castletownbere
		La Coruña
		Vigo
17. Rays' bream *(Brama* spp.)		Vigo
		Sesimbra
		Olhão
		Lisboa
18. (a) Whole anglerfish *(Lophius* spp.)	the combined markets of	Aberdeen/Peterhead
	the combined markets of	Lerwick/Scalloway
		Ondarroa
		La Coruña
		Vigo
		Marín
		Peniche
		Matosinhos
(b) Anglerfish — heads off *(Lophius* spp.)		Zeebrugge
		Newlyn
		Concarneau
		Le Guilvinec
		Lorient
19. Dab *(Limanda limanda)*	the combined markets of	Thyborøn/Hirtshals
		Boulogne
		Dieppe
		Zeebrugge
		Oostende
	the combined markets of	Maasholm/Heiligenhafen
		Aberdeen
		Peterhead
		Arbroath
		IJmuiden
		Urk
20. Flounder *(Platichthys flesus)*	the combined markets of	Rügen/Usedom
		Sjællands Odde
		Grenå
		Boulogne
		IJmuiden
		Urk

21. Albacore or long finned tuna *(Thunnus alalunga)*		Burela Guetaria Bermeo Santoña Lorient Concarneau Douarnenez S. Roque/Madalena (Pico, Azores) Horta (Faial, Azores) Piraeus
22. Cuttlefish *(Sepia officinalis* and *Rossia macrosoma)*	the combined markets of	Port en Bessin Les Sables d'Olonne Granville Puerto de Santa Maria Huelva Chioggia Setúbal

II. **Products listed in Annex I (D) to Regulation (EEC) No 3759/92**

Shrimps *(Crangon crangon)*	the combined markets of	Cuxhaven/Dorum/Spieka/Wremem
	the combined markets of	Husum/Tonning/Busum
	the combined markets of	Den Oever Lij Colijnsplaat Zeebrugge Havneby Kings Lynn

III. **Products listed in Annex I (E) to Regulation (EEC) No 3759/92**

1. Edible crabs *(Cancer pagurus)*		Kingswear Morlaix Brest Noirmoutier
2. (a) Norway lobster whole *(Nephrops norvegicus)*		Mallaig Eyemouth Ayr North Shields Rossaveal Østerby Skagen
	the combined markets of	Guilvinec Zeebrugge La Coruña Marín Huelva Vila Real de Santo António
(b) Norway lobster (tails) *(Nephrops norvegicus)*		Mallaig Kilkeel Portavogie Fraserburgh Zeebrugge Skagen
3. Sole *(Solea* spp.)		Zeebrugge Oostend
	the combined markets of	Les Sables d'Olonne Boulogne La Rochelle Puerto de Santa Maria Mazara del Vallo Ancona

the combined markets of	Ostfriesland
the combined markets of	Büsum/Husum
the combined markets of	Hvide Sande/Thorsminde
	Brixham
	Lowestoft
	IJmuiden
	Urk

IV. Products listed in Annex II (A) to Regulation (EEC) No 3759/92

1. Greenland halibut *(Reinhardtius hippoglossoïdes)*	Vigo Aveiro Boulogne
2. Hake *(Merluccius* spp.)	Vigo Aveiro Lorient Concarneau
the combined markets of	Les Sables d'Olonne Hendaye
3. Sea-bream of the species *Dentex dentex* and *Pagellus* spp.	Anzio Bari San Benedetto del Tronto Piraeus

V. Products listed in Annex II (B) to Regulation (EEC) No 3759/92

Prawns *(Penaeidae)*	Huelva Larivot (Guyane)

VI. Products listed in Annex II (C) to Regulation (EEC) No 3759/92

1. Cuttlefish of the species *Sepia officinalis, Rossia macrosoma, Sepiola rondeletti*	Anzio Bari San Benedetto del Tronto Piraeus Las Palmas
2. Squid *(Loligo* spp.)	Anzio Bari San Benedetto del Tronto Piraeus Vigo Aveiro Las Palmas
3. Squid *(Ommastrephes sagittatus)*	Anzio Bari San Benedetto del Tronto Vigo Aveiro Las Palmas
4. Octopus	Anzio Bari Piraeus San Benedetto del Tronto Las Palmas
5. Squid *(Illex* spp.)	Anzio Bari San Benedetto del Tronto Piraeus Vigo Aveiro Las Palmas

VII. **Products listed in Annex III to Regulation (EEC) No 3759/92**

All species of tunny	Concarneau Douarnenez Lorient Saint-Jean-de-Luz Bermeo Laxe Caramiñal Villagarcía de Arosa Arrecife Santa Eugenia de Riveira Algeciras Cádiz Funchal (Madeira) Ponta Delgada (São Miguel, Azores) S. Roque/Madalena (Pico, Azores) Horta (Faial, Azores)

VIII. **Products listed in Annex IV (A) to Regulation (EEC) No 3759/92**

Representative production zones :

1. Carp :

— Germany :	Oberpfalz the combined areas of Oberfranken/Mittelfranken the combined areas of Sachsen and Brandenburg
— France :	Dombes the combined areas of Brenne/Sologne

2. Salmon :

— United Kingdom :	the combined coastal areas and islands of Scotland
— Ireland :	the combined coastal areas
— Denmark :	the combined coastal areas of Bornholm

ANNEX II

(Annual) notification specified in Article 1
(to be transmitted one month after end of year)

WITHDRAWAL AND SELLING PRICES APPLIED BY PRODUCERS' ORGANIZATIONS

MEMBER STATE : .....

Application of withdrawal selling prices in the fisheries sector in 19 . .

by (name and address of producers' organization or association of producers' organizations (1)) .....

.....

Area of activity : .....

1	2		3
Products listed in Annex I (A), (D) or (E) of basic Regulation for which Community withdrawal or selling prices (Articles 11 and 13 of Regulation) are applied ; indicate any products for which regional withdrawal prices (Articles 11 (2) and 13 of basic Regulation) are applied	Indicate any categories of product for which Community withdrawal prices are selectively applied or sale of which is banned (Article 12 (1) (d) of basic Regulation)		Products listed in Annexes I to IV for which an autonomous withdrawal price (Article 8 (1) of basic Regulation) is applied for all categories of a product or products concerned ; indicate price level, form of presentation and packaging
	Selective application	Sales ban	

(1) As provided for in the second indent of Article 1 (1), in the case of an association of producers a list of the producers' organizations intending to apply the prices must be notified.

ANNEX III

(Monthly) notifications specified in Article 2 (1) (a) (b) and (c)
(to be transmitted 30 days after end of month)

QUANTITIES AND PRICE OF ANNEX I PRODUCTS

Month : .....

MEMBER STATE : .....

Port/market	Species (1)	Total quantity marketed (tonnes) (1)	Quantity withdrawn (tonnes) (1)	Overall average price (ECU per ton) (1)

(1) Give separate data for monkfish with or without head and for Norway lobster whole or tails only.

ANNEX IV

(Six-monthly) notifications specified in Article 2 (2) (a) and (b)
(to be transmitted two months after end of period)

QUANTITIES AND PRICES OF ANNEX I PRODUCTS

Period : .....

MEMBER STATE : .....

Market/port	Species	Category	Quantity marketed per commercial category (E/A, B) (tonnes)	Average price per commercial category (E/A, B) (ECU per tonne)

ANNEX V

(Six-monthly) notification specified in Article 3 (1) (a)
(to be transmitted two months after end of period)

WITHDRAWALS/QUANTITIES UNSOLD

Period : .....

MEMBER STATE : .....

Species	Category	Quantities withdrawn (tonnes)		Quantities unsold (tonnes)
		At Community withdrawal price	At autonomous withdrawal price	At Community selling price

ANNEX VI

(Six-monthly) communication specified in Article 3 (1) (b)
(to be transmitted two months after end of period)

STANDARD VALUE

Period : .....

MEMBER STATE : .....

Species	Use	Quantity (tonnes)	Average price (ECU per tonne)

ANNEX VII

(Six-monthly) notification specified in Article 3 (1) (c)
(to be transmitted two months after end of period)

CARRY-OVER PREMIUM

Period : .....

MEMBER STATE : .....

Species	Category	Quantity (tonnes)	Type of processing	Wholesale price of processed products (ECU per tonne)

ANNEX VIII (a)

(Annual) notification specified in Article 4
(to be transmitted before 15 September following the year in question)

I. PRODUCTS OF ANNEX I (A) TO (D) TO THE BASIC REGULATION

Technical costs

Period : (year) : .....

Member State : .....

Operation	Amount (ECU per tonne)
I. *Freezing*	
Labour	
Energy	
Total	
II. *Storage*	
Labour	
Energy	
Immediate packing	
Total	
III. *Filleting*	
Labour	
Energy	
Total	
IV. *Salting/drying*	
Labour	
Energy	
Salt	
Total	

ANNEX VIII (b)

(Annual) notification specified in Article 4
(to be transmitted before 15 September following the year in question)

I. PRODUCTS OF ANNEX I (E) TO THE BASIC REGULATION

Technical costs

Period : (year) : .....

Member State : .....

Operations	Amount (ECU per tonne)
I. *Freezing*	
Labour	
Energy	
Total	
II. *Storage*	
Labour	
Energy	
Immediate packing	
Total	
III. *Filleting*	
Labour	
Energy	
Total	
IV. *Cooking*	
Labour	
Energy	
Total	
V. *Keeping live in tank*	
Labour	
Energy	
Total	

ANNEX IX

(Monthly) notification specified in Article 5
(to be transmitted 30 days after end of month)

ANNEX III PRODUCTS

Period : .....

MEMBER STATE : .....

Market/port	Pilot product	Quantity of pilot products marketed (tonnes)	Average price (ECU per tonne)

ANNEX X

(Monthly) notification specified in Article 6
(to be transmitted 30 days after end of month)

ANNEX II PRODUCTS

Period : .....

MEMBER STATE : .....

Market/port	Species	Commercial presentation	Quantity marketed (tonnes)	Average monthly price (ECU per tonne)

ANNEX XI

(Monthly) notification specified in Article 7 (1) (a)
(to be transmitted 30 days after end of month)

ANNEX II PRODUCTS

Period : .....

MEMBER STATE : .....

Name of producers' organization : .....

Species	Commercial presentation	Quantity landed (tonnes)	Quantity sold (tonnes)	Average price (ECU per tonne)	Quantity	
					Placed in storage (tonnes)	Removed from storage (tonnes)

ANNEX XII

(Monthly) notification specified in Article 7 (1) (b)
(to be transmitted 30 days after end of month)

ANNEX III PRODUCTS

Period : .....

MEMBER STATE : .....

Name of producers' organization : .....

Species	Commercial presentation	Quantity sold/ delivered to industry (tonnes)	Average price (ECU per tonne)

ANNEX XIII

(Annual) notification (with separate monthly figures) specified in Article 8
(to be transmitted before 1 November)

PRODUCTION PRICE FOR CARP AND SALMON

MEMBER STATE : .....

Month — year	Production zone	Quantity marketed (tonnes)	Production price (ECU per tonne)