COMMISSION REGULATION (EC) No 584/2001

of 26 March 2001

amending Regulations (EC) No 1103/2000 and (EC) No 1926/2000 providing for the granting of compensation to producers' organisations in respect of tuna delivered to the processing industry from 1 July to 30 September 1999 and from 1 October to 31 December 1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the market in fishery and aquaculture products [1], and in particular Article 27(6) thereof,

Whereas:

(1) Regulation (EC) No 104/2000 replaced Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products [2] with effect from 1 January 2001. Article 27 of Regulation (EC) No 104/2000 provides for an allowance to be granted to producers' organisations in respect of tuna delivered to the processing industry, which was formerly provided for in Article 18 of Regulation (EEC) No 3759/92.

(2) By Commission Regulations (EC) No 1103/2000 [3] and (EC) No 1926/2000 [4], the allowance provided for in Article 18 of Regulation (EEC) No 3759/92 was granted respectively from 1 July to 30 September and from 1 October to 31 December 1999 to producer organisations in respect of yellowfin tuna (*Thunnus albacares*) weighing more than 10 kg each, yellowfin tuna (*Thunnus albacares*) not weighing more than 10 kg each and skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus) pelamis*).

(3) According to the Spanish authorities, some members of the producer organisation OPTUC (Organización de Productores de Túnidos Congelados) withdrew their membership in June 1998 and became members of the producer organisation Opagac (Organización de Productores Asociados de Grandes Atuneros Congeladores de España). On 16 October 2000 the Spanish authorities provided the Commission with final data concerning the quantities of tuna that were sold and delivered to the processing industry by the members of the concerned producer organisations in the period from 1 July 1995 until 30 June 1998. These final data modified the data sent to the Commission on 30 July 1998 following the change of enterprises and vessels from OPTUC to Opagac.

(4) The data provided by the Spanish authorities do affect the allocation of quantities eligible for compensation among the two producer organisations concerned for the periods from 1 July to 30 September 1999 and from 1 October to 31 December 1999 as laid down respectively in the Annex to Regulation (EC) No 1103/2000 and in the Annex to Regulation (EC) No 1926/2000.

(5) Regulations (EC) No 1103/2000 and (EC) No 1926/2000 should therefore be amended accordingly.

(6) 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

The Annex to Regulation (EC) No 1103/2000 is replaced by the text shown in Annex I to this Regulation.

Article 2

The Annex to Regulation (EC) No 1926/2000 is replaced by the text shown in Annex II to this Regulation.

Article 3

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

[1] OJ L 17, 21.1.2000, p. 22.
[2] OJ L 388, 31.12.1992, p. 1.
[3] OJ L 125, 26.5.2000, p. 18.
[4] OJ L 230, 12.9.2000, p. 10.

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

Done at Brussels, 26 March 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

'ANNEX

Allocation among producers' organisations of quantities of tuna on which the compensatory allowance is payable for the period 1 July to 30 September 1999, broken down by compensation percentage band

1. *(tonnes)*

Yellowfin tuna *(Thunnus albacares)* weighing more than 10 kg each	Quantities 100 % of which is eligible for compensation	Quantities 50 % of which is eligible for compensation	Total quantities on which compensation is payable
Opagac	1 835,411	0	1 835,411
OPTUC	1 212,810	0	1 212,810
OP 42 (Can.)	196,277	0	196,277
Orthongel	1 604,884	205,236	1 810,120
APASA	0	0	0
Madeira	0	0	0
EU — Total	4 849,382	205,236	5 054,618

2. *(tonnes)*

Yellowfin tuna *(Thunnus albacares)* not weighing more than 10 kg each	Quantities 100 % of which is eligible for compensation	Quantities 50 % of which is eligible for compensation	Total quantities on which compensation is payable
Opagac	1 603,622	50,322	1 653,944
OPTUC	706,830	22,181	729,011
OP 42 (Can.)	0	0	0
Orthongel	2,467	0,077	2,544
APASA	0	0	0
Madeira	0	0	0
EU — Total	2 312,919	72,580	2 385,499

3. *(tonnes)*

Skipjack or stripe-bellied bonito *(Euthynnus (Katsuwonus) pelamis)*	Quantities 100 % of which is eligible for compensation	Quantities 50 % of which is eligible for compensation	Total quantities on which compensation is payable
Opagac	6 030,949	1 416,642	7 447,591
OPTUC	4 995,189	1 173,347	6 168,536
OP 42 (Can.)	282,770	0	282,770
Orthongel	25,619	6,018	31,637
APASA	921,880	0	921,880
Madeira	107,270	0	107,270
EU — Total	12 363,677	2 596,007	14 959,684'

ANNEX II

'ANNEX

Allocation among producers' organisations of quantities of tuna on which the compensatory allowance is payable for the period 1 October to 31 December 1999, broken down by compensation percentage band

1. *(tonnes)*

Yellowfin tuna *(Thunnus albacares)* weighing more than 10 kg each	Quantities 100 % of which is eligible for compensation	Quantities 50 % of which is eligible for compensation	Total quantities on which compensation is payable
Opagac	2 990,747	0	2 990,747
OPTUC	2 651,937	943,088	3 595,025
OP 42 (Can.)	108,256	0	108,256
Orthongel	1 777,962	109,592	1 887,554
APASA	0	0	0
Madeira	0	0	0
EU — Total	7 528,902	1 052,680	8 581,582

2. *(tonnes)*

Yellowfin tuna *(Thunnus albacares)* not weighing more than 10 kg each	Quantities 100 % of which is eligible for compensation	Quantities 50 % of which is eligible for compensation	Total quantities on which compensation is payable
Opagac	4 019,423	11,635	4 031,058
OPTUC	2 525,672	110,640	2 636,312
OP 42 (Can.)	0	0	0
Orthongel	0	0	0
APASA	0	0	0
Madeira	0	0	0
EU — Total	6 545,095	122,275	6 667,370

3. *(tonnes)*

Skipjack or stripe-bellied bonito *(Euthynnus (Katsuwonus) pelamis)*	Quantities 100 % of which is eligible for compensation	Quantities 50 % of which is eligible for compensation	Total quantities on which compensation is payable
Opagac	5 766,904	460,494	6 227,398
OPTUC	5 718,278	456,610	6 174,888
OP 42 (Can.)	159,639	0	159,639
Orthongel	1,190	0	1,190
APASA	0	0	0
Madeira	0	0	0
EU — Total	11 646,011	917,104	12 563,115'