

# Official Journal

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## Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 3958/89  
of 20 December 1989**

**fixing, for the 1990 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) of Council Regulation (EEC) No 3796/81**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products <sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89 <sup>(2)</sup>, and in particular Article 12 (3) thereof,

Whereas Article 12 (1) of Regulation (EEC) No 3796/81 provides that the Community withdrawal and selling prices for each of the products listed in Annex I (A), (D) and (E) are to be fixed by applying the conversion factor for the product category concerned to an amount equal to at least 70 % but not more than 90 % of the relevant guide price;

Whereas changes in production and marketing structures in the Community make it necessary to alter the basis for calculating the withdrawal and the sale prices in the Community as compared with those of the preceding fishing year;

Whereas Article 12 (2) of Regulation (EEC) No 3796/81 provides that the withdrawal price may be multiplied by conversion factors in landing areas which are very distant from main centres of consumption in the Community;

Whereas, with regard to sardines of the species *Sardina pilchardus*, special conditions have been adopted in the Act of Accession in order to ensure a progressive alignment of prices of sardines from the Atlantic on price levels of sardines from the Mediterranean; whereas the production structure and access to the market of Atlantic sardines are different to those for Mediterranean sardines and meet the special needs of the processing industry; whereas, with a view to the smooth application of the alignment of prices which does not artificially disturb market supply conditions, it is necessary to fix a special adaptation coefficient for size 3 of this product in the landing areas concerned in Spain and Portugal;

Whereas, with regard to monkfish (*Lophius spp.*), Norway lobsters (*Nephrops norvegicus*) and crabs (*Cancer pagurus*)

the statistical data available during the accession negotiations did not permit a clear appreciation of the differences between the prices ruling on the markets in the different regions of the Community; whereas it appears that the substantial price differences established since then for these species are basically explained by the absence, until now, of a Community price system favouring their unity within the Community; whereas, in these particular circumstances, it is necessary to fix adjustment coefficients for these species which allow for the smooth application of the price system set out within the Act of Accession by a progressive alignment of them under favourable conditions which guarantee market access to the producers in these regions;

Whereas the guide prices for the 1990 fishing year were fixed for all the products in question by Council Regulation (EEC) No 3646/89 <sup>(3)</sup>;

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*

The percentages of the guide price referred to in Article 12 (1) of Regulation (EEC) No 3796/81 which are used as a basis for calculating the Community withdrawal and selling prices shall be as shown in Annex I for the products concerned.

*Article 2*

The conversion factors referred to in Article 12 (1) of Regulation (EEC) No 3796/81 which are used for calculating the Community withdrawal and selling prices for the products listed in Annex I (A), (D) and (E) of the above-mentioned Regulation, shall be as shown in Annex II.

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> OJ No L 357, 7. 12. 1989, p. 1.

*Article 3*

The Community withdrawal and selling prices as referred to in Article 12 (1) of Regulation (EEC) No 3796/81 applicable for the 1990 fishing year and the products to which they refer, shall be as shown in Annex III.

the 1990 fishing year in the landing areas which are very distant from the main centres of consumption in the Community, and the products to which those prices relate, shall be as shown in Annex IV.

*Article 4*

The withdrawal and selling prices, as referred to in Article 12 (2) of Regulation (EEC) No 3796/81 and applicable for

*Article 5*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

## ANNEX I

## Percentage of guide price used in calculating withdrawal or sale prices

Product	%
Herrings of the species <i>Clupea harengus</i>	85
Sardines of the species <i>Sardina pilchardus</i>	
— from the Atlantic	85
— from the Mediterranean	85
Dogfish ( <i>Squalus acanthias</i> )	80
Dogfish ( <i>Scyliorhinus</i> spp.)	80
Redfish ( <i>Sebastes</i> spp.)	90
Cod of the species <i>Gadus morhua</i>	80
Coalfish ( <i>Pollachius virens</i> )	80
Haddock ( <i>Melanogrammus aeglefinus</i> )	80
Whiting ( <i>Merlangus merlangus</i> )	80
Ling ( <i>Molva</i> spp.)	80
Mackerel of the species <i>Scomber scombrus</i>	85
Mackerel of the species <i>Scomber japonicus</i>	90
Anchovies ( <i>Engraulis</i> spp.)	85
Plaice ( <i>Pleuronectes platessa</i> )	83
Hake of the species <i>Merluccius merluccius</i>	90
Megrim ( <i>Lepidorhombus</i> spp.)	80
Rays' bream ( <i>Brama</i> spp.)	80
Monkfish ( <i>Lophius</i> spp.)	85
Shrimps of the species <i>Crangon crangon</i>	90
Crabs of the species <i>Cancer pagurus</i>	90
Norway lobster ( <i>Nepbrops norvegicus</i> )	90

## ANNEX II

## Conversion factor of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Species	Size (°)	Conversion			
		Gutted fish, with head (°)		Whole fish (°)	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Herrings of the species <i>Clupea harengus</i>	1	0,00	0,00	0,85	0,85
	2	0,00	0,00	0,80	0,80
	3	0,00	0,00	0,50	0,50
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,00	0,55	0,35
	2	0,00	0,00	0,55	0,35
	3	0,00	0,00	0,85	0,35
	4	0,00	0,00	0,55	0,35
Dogfish ( <i>Squalus acanthias</i> )	1	0,75	0,55	0,71	0,50
	2	0,64	0,45	0,60	0,40
	3	0,35	0,25	0,30	0,20
Dogfish ( <i>Scyliorhinus</i> spp.)	1	0,80	0,60	0,75	0,50
	2	0,80	0,60	0,70	0,50
	3	0,55	0,40	0,45	0,25
Redfish ( <i>Sebastes</i> spp.)	1	0,00	0,00	0,90	0,90
	2	0,00	0,00	0,90	0,90
	3	0,00	0,00	0,76	0,76

Species	Size (°)	Conversion			
		Gutted fish, with head (°)		Whole fish (°)	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Cod of the species <i>Gadus morhua</i>	1	0,90	0,85	0,65	0,50
	2	0,90	0,85	0,65	0,50
	3	0,85	0,70	0,50	0,40
	4	0,67	0,46	0,38	0,27
	5	0,47	0,27	0,28	0,18
Coalfish ( <i>Pollachius virens</i> )	1	0,90	0,90	0,70	0,70
	2	0,90	0,90	0,70	0,70
	3	0,89	0,89	0,69	0,69
	4	0,72	0,52	0,38	0,28
Haddock ( <i>Melanogrammus aeglefinus</i> )	1	0,90	0,80	0,70	0,60
	2	0,90	0,80	0,70	0,60
	3	0,77	0,65	0,54	0,37
	4	0,71	0,58	0,53	0,37
Whiting ( <i>Merlangus merlangus</i> )	1	0,80	0,75	0,60	0,40
	2	0,80	0,75	0,60	0,40
	3	0,76	0,61	0,55	0,23
	4	0,55	0,37	0,40	0,23
Ling ( <i>Molva</i> spp.)	1	0,85	0,65	0,70	0,50
	2	0,83	0,63	0,68	0,48
	3	0,75	0,55	0,60	0,40
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,00	0,85	0,85
	2	0,00	0,00	0,85	0,75
	3	0,00	0,00	0,85	0,70
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,00	0,85	0,75
	2	0,00	0,00	0,85	0,70
	3	0,00	0,00	0,70	0,57
	4	0,00	0,00	0,55	0,40
Anchovies ( <i>Engraulis</i> spp.)	1	0,00	0,00	0,80	0,45
	2	0,00	0,00	0,85	0,45
	3	0,00	0,00	0,70	0,45
	4	0,00	0,00	0,29	0,29
Plaice ( <i>Pleuronectes platessa</i> )	1	0,90	0,85	0,49	0,49
	2	0,90	0,85	0,49	0,49
	3	0,85	0,80	0,49	0,49
	4	0,65	0,60	0,46	0,46
Hake of the species <i>Merluccius merluccius</i>	1	1,00	0,94	0,79	0,73
	2	0,76	0,71	0,59	0,54
	3	0,75	0,70	0,58	0,53
	4	0,64	0,59	0,50	0,41
	5	0,60	0,55	0,47	0,38
Megrim ( <i>Lepidorhombus</i> spp.)	1	0,85	0,65	0,80	0,60
	2	0,75	0,55	0,70	0,50
	3	0,70	0,50	0,65	0,45
	4	0,45	0,25	0,40	0,20
Rays' bream ( <i>Brama</i> spp.)	1	0,85	0,65	0,80	0,60
	2	0,60	0,40	0,55	0,35

Species	Size (°)	Conversion				
		Whole fish or gutted, with head (°)		Fish without head (°)		
		Extra, A (°)	B (°)	Extra, A (°)	B (°)	
Monkfish ( <i>Lophius</i> spp.)	1	0,72	0,52	0,90	0,70	
	2	0,92	0,72	0,85	0,65	
	3	0,92	0,72	0,80	0,60	
	4	0,77	0,57	0,70	0,50	
	5	0,44	0,24	0,50	0,30	
		A (°)		B (°)		
Shrimps of the genus <i>Crangon</i>	1	0,65		0,55		
	2	0,30		0,30		
		Whole (°)				
Crabs of the species <i>Cancer pagurus</i>	1	0,80				
	2	0,60				
		Whole (°)			Tails (°)	
		E'	Extra, A	B	Extra, A	B
Norway lobster ( <i>Nephrops norvegicus</i> )	1	0,95	0,95	0,68	0,85	0,57
	2	0,95	0,64	0,38	0,61	0,38
	3	0,63	0,48	0,19	0,36	0,19
	4	0,24	0,24	0,09	0,30	0,09

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

### ANNEX III

Withdrawal or sale price in the Community of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Species	Size (°)	Withdrawal price (ECU/tonne)				
		Gutted fish with head		Whole fish		
		Extra, A (°)	B (°)	Extra, A (°)	B (°)	
Herrings of the species <i>Clupea harengus</i>	— 1 January to 31 July 1990 and of 1 October to 31 December 1990	1	0	0	193	193
		2	0	0	182	182
		3	0	0	113	113
	— 1 August to 30 September 1990	1	0	0	176	176
		2	0	0	165	165
		3	0	0	103	103
Sardines of the species <i>Sardina pilchardus</i> from the Atlantic :	(a) Member States other than Spain and Portugal	1	0	0	225	143
		2	0	0	225	143
		3	0	0	348	143
		4	0	0	225	143
	(b) Spain and Portugal	1	0	0	177	112
		2	0	0	177	112
		3	0	0	273	112
		4	0	0	177	112

Species	Size (l)	Withdrawal price (ECU/tonne)			
		Gutted fish with head		Whole fish	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Sardines of the species <i>Sardina pilchardus</i> from the Mediterranean	1	0	0	215	137
	2	0	0	215	137
	3	0	0	332	137
	4	0	0	215	137
Dogfish ( <i>Squalus acanthias</i> )	1	511	375	484	341
	2	436	307	409	273
	3	239	170	204	136
Dogfish ( <i>Scyliorhinus</i> spp.)	1	490	368	460	306
	2	490	368	429	306
	3	337	245	276	153
Redfish ( <i>Sebastes</i> spp.)	1	0	0	727	727
	2	0	0	727	727
	3	0	0	614	614
Cod of the species <i>Gadus morhua</i>	1	886	836	640	492
	2	886	836	640	492
	3	836	689	492	394
	4	659	453	374	266
	5	462	266	276	177
Coalfish ( <i>Pollachius virens</i> )	1	467	467	363	363
	2	467	467	363	363
	3	461	461	358	358
	4	373	270	197	145
Haddock ( <i>Melanogrammus</i> <i>aeglefinus</i> )	1	644	573	501	430
	2	644	573	501	430
	3	551	465	387	265
	4	508	415	379	265
Whiting ( <i>Merlangus merlangus</i> )	1	511	479	384	256
	2	511	479	384	256
	3	486	390	352	147
	4	352	237	256	147
Ling ( <i>Molva</i> spp.)	1	626	478	515	368
	2	611	464	500	353
	3	552	405	442	294
Mackerel of the species <i>Scomber scombrus</i>	1	0	0	191	191
	2	0	0	191	168
	3	0	0	191	157
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	0	247	218
	2	0	0	247	203
	3	0	0	203	166
	4	0	0	160	116
Anchovies ( <i>Engraulis</i> spp.) :	1	0	0	622	350
	2	0	0	661	350
	3	0	0	544	350
	4	0	0	226	226



Species	Size (°)	Withdrawal price (ECU/t)				
		Gutted fish with head		Whole fish		
		Extra, A (°)	B (°)	Extra, A (°)	B (°)	
Plaice ( <i>Pleuronectes platessa</i> ):	— 1 January to 30 April 1990	1	578	546	315	315
		2	578	546	315	315
		3	546	514	315	315
		4	418	385	296	296
	— 1 May to 31 December 1990	1	788	744	429	429
		2	788	744	429	429
		3	744	701	429	429
		4	569	525	403	403
Hake of the species <i>Merluccius merluccius</i>	1	2 689	2 528	2 124	1 963	
	2	2 044	1 909	1 587	1 452	
	3	2 017	1 882	1 560	1 425	
	4	1 721	1 587	1 345	1 103	
	5	1 614	1 479	1 264	1 022	
Megrim ( <i>Lepidorhombus</i> spp.)	1	1 271	972	1 196	897	
	2	1 121	822	1 047	748	
	3	1 047	748	972	673	
	4	673	374	598	299	
Rays' bream ( <i>Brama</i> spp.)	1	1 020	780	960	720	
	2	720	480	660	420	
		Whole or gutted fish, with head		Without head		
		Extra, A (°)	B (°)	Extra, A (°)	B (°)	
Monkfish ( <i>Lophius</i> spp.)	1	1 298	937	3 856	2 999	
	2	1 659	1 298	3 641	2 785	
	3	1 659	1 298	3 427	2 570	
	4	1 388	1 028	2 999	2 142	
	5	793	433	2 142	1 285	
		A (°)		B (°)		
Shrimps of the genus <i>Crangon</i>	1	922		780		
	2	426		426		
		Sale prices (ECU/tonne)				
		Whole (°)				
Edible crabs ( <i>Cancer pagurus</i> )	1	1 080				
	2	810				
		Whole			Tails	
		E' (°)	Extra, A (°)	B (°)	Extra, A (°)	B (°)
Norway lobster ( <i>Nephrops norvegicus</i> )	1	3 762	3 762	2 693	6 933	4 649
	2	3 762	2 534	1 505	4 976	3 100
	3	2 495	1 901	752	2 936	1 550
	4	950	950	356	2 447	734

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

## ANNEX IV

Species	Landing area	Conversion factor	Size (°)	Withdrawal prices (ECU/tonne)			
				Gutted fish, with head		Whole fish	
				Extra, A (°)	B (°)	Extra, A (°)	B (°)
Mackerel of the species <i>Scomber scombrus</i>	Coastal areas and islands of Ireland	0,78	{ 1 2 3	0 0 0	0 0 0	149 149 149	149 131 123
	Coastal areas and islands of Cornwall and Devon in the United Kingdom	0,81	{ 1 2 3	0 0 0	0 0 0	154 154 154	154 136 127
	Coastal areas from Portpatrick in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas, coastal areas and islands of Northern Ireland	0,87	{ 1 2 3	0 0 0	0 0 0	166 166 166	166 146 137
	Coastal areas from Wick to Aberdeen in the north-east of Scotland	0,93	{ 1 2 3	0 0 0	0 0 0	177 177 177	177 156 146
Sardines from sardines of the species <i>Sardina pilchardus</i> from the Atlantic	Coastal areas and islands of the counties of Cornwall and Devon in the United Kingdom	0,61	{ 1 2 3 4	0 0 0 0	0 0 0 0	137 137 212 137	87 87 87 87
	Coastal areas of the Atlantic of Spain and Portugal	0,65	3	0	0	177	—
Hake of the species <i>Merluccius merluccius</i>	Coastal areas from Troon in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas	0,62	{ 1 2 3 4 5	1 667 1 267 1 250 1 067 1 000	1 567 1 184 1 167 984 917	1 317 984 967 834 784	1 217 900 884 684 634
	Coastal areas and islands of Ireland	0,85	{ 1 2 3 4 5	2 286 1 737 1 714 1 463 1 371	2 149 1 623 1 600 1 349 1 257	1 806 1 349 1 326 1 143 1 074	1 669 1 234 1 211 937 869
				Whole or gutted fish			
				Extra, A (°)		B (°)	
Monkfish ( <i>Lophius</i> spp.)	Coastal areas and islands of Ireland and the United Kingdom	0,97	2	1 609		1 259	
		0,95	3	1 576		1 233	
		0,96	4	1 332		987	
				Selling prices (ECU/tonne)			
				Whole fish			
				Extra, A (°)		B (°)	
Norway lobster ( <i>Nephrops norvegicus</i> )	Coastal areas and islands of Ireland and the United Kingdom	0,96	1	3 612		2 585	
		0,94	2	2 382		1 415	
		0,84	3	1 597		632	
		0,87	4	827		310	
Edible crabs ( <i>Cancer pagurus</i> )	Coastal areas and islands of Ireland and the United Kingdom	0,92	1	994			
		0,92	2	745			

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

## COMMISSION REGULATION (EEC) No 3959/89

of 20 December 1989

fixing the reference prices for fishery products for the 1990 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89<sup>(2)</sup>, and in particular the first subparagraph of Articles 21 (6) and 22 (5) thereof,

Whereas Article 21 (1) of Regulation (EEC) No 3796/81 provides, among other things, for reference prices valid for the Community to be fixed each year, by product category, for the products specified in Annexes I, II, III, IV (B) and V to that Regulation;

Whereas Article 22 (1) of Regulation (EEC) No 3796/81 allows, *inter alia*, the fixing of reference prices for the products referred to in Annex IV (A) (1) before the beginning of each marketing year;

Whereas Article 21 (2) of Regulation (EEC) No 3796/81 provides that the reference price for the products specified in Annex I (A), (D) and (E) thereto must be equal to the withdrawal and selling prices fixed in accordance with Article 12 (1) thereof;

Whereas the Community withdrawal and selling prices for the products concerned were fixed for the 1990 fishing year by Commission Regulation (EEC) No 3958/89<sup>(3)</sup>;

Whereas the reference prices for the products specified in Annex II to Regulation (EEC) No 3796/81 must be derived from their guide prices by reference to the price level at which the intervention measures provided for in Article 16 (1) thereof may be taken, and fixed taking account of the situation on the market in those products; whereas the reference prices for those products should therefore be 85 % of the guide prices fixed by Council Regulation (EEC) No 3646/89<sup>(4)</sup>;

Whereas the reference prices for the fishes of the species *Thunnus* and *Euthynnus* specified in Annex III to Regulation (EEC) No 3796/81 are based on the weighted average of the free-at-frontier prices recorded on the most

representative markets in the Member States during the three preceding years;

Whereas the reference prices for the products specified in Annexes I (B) and (C) and IV (B) to Regulation (EEC) No 3796/81 are determined on the basis of the average of the reference prices for the fresh product, account being taken of the processing costs and of the need to ensure a price relationship in keeping with the market situation;

Whereas the reference prices for carp referred to in Annex IV (A) (1) of Regulation (EEC) No 3796/81 are fixed on the basis of the average of the producer prices recorded during the three years preceding the date on which the reference price is fixed for a product with commercial characteristics as set out in Commission Regulation (EEC) No 1985/74 of 25 July 1974 laying down detailed rules of application for the fixing of reference prices and free-at-frontier prices for carp<sup>(5)</sup>, as amended by Regulation (EEC) No 2046/85<sup>(6)</sup>;

Whereas, for the frozen and salted products specified in Annex V to Regulation (EEC) No 3796/81 for which no reference price is fixed for the fresh product, the reference prices are determined on the basis of the reference price applied to a commercially similar fresh product;

Whereas, given the quantities of certain frozen and salted products and the conditions governing their importation, it does not appear necessary to fix a reference price for such products in the immediate future;

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*

The reference prices for the 1990 fishing year for the products specified in Annexes I, II, III, IV (B) and V to Regulation (EEC) No 3796/81 shall be as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1990.

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> See page 1 of this Official Journal.

<sup>(4)</sup> OJ No L 357, 7. 12. 1989, p. 1.

<sup>(5)</sup> OJ No L 207, 29. 7. 1974, p. 30.

<sup>(6)</sup> OJ No L 193, 25. 7. 1985, p. 15.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

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## ANNEX

## 1. Reference prices of products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3796/81

Fresh or chilled		Reference price (ECU/tonne)			
Species	Size (l)	Gutted fish with head		Whole fish	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
<b>Herring of the species <i>Clupea harengus</i></b> ex 0302 40 10 and ex 0302 40 90					
— 1 January to 31 July 1990 and of 1 October to 31 December 1990	{ 1	0	0	193	193
	{ 2	0	0	183	182
	{ 3	0	0	113	113
— 1 August to 30 September 1990	{ 1	0	0	176	176
	{ 2	0	0	165	165
	{ 3	0	0	103	103
<b>Sardines of the species <i>Sardina pilchardus</i> from the Atlantic</b> ex 0302 61 10					
(a) Member States other than Spain and Portugal	{ 1	0	0	225	143
	{ 2	0	0	225	143
	{ 3	0	0	348	143
	{ 4	0	0	225	143
(b) Spain and Portugal	{ 1	0	0	177	112
	{ 2	0	0	177	112
	{ 3	0	0	273	112
	{ 4	0	0	177	112
<b>Sardines of the species <i>Sardina pilchardus</i> from the Mediterranean</b> ex 0302 61 10					
	1	0	0	215	137
	2	0	0	215	137
	3	0	0	332	137
	4	0	0	215	137
<b>Dogfish (<i>Squalus acanthias</i>)</b> ex 0302 65 20					
	1	511	375	484	341
	2	436	307	409	273
	3	239	170	204	136
<b>Dogfish (<i>Scyliorhinus</i> spp.)</b> ex 0302 65 50					
	1	490	368	460	306
	2	490	368	429	306
	3	337	245	276	153
<b>Redfish (<i>Sebastes</i> spp.)</b> 0302 69 31 0302 69 33					
	1	0	0	727	727
	2	0	0	727	727
	3	0	0	614	614
<b>Cod of the species <i>Gadus morhua</i></b> 0302 50 10					
	1	886	836	640	492
	2	886	836	640	492
	3	836	689	492	394
	4	659	453	374	266
	5	462	266	276	177
<b>Coalfish (<i>Pollachius virens</i>)</b> 0302 63 00					
	1	467	467	363	363
	2	467	467	363	363
	3	461	461	358	358
	4	373	270	197	145
<b>Haddock (<i>Melanogrammus aeglefinus</i>)</b> 0302 62 00					
	1	644	573	501	430
	2	644	573	501	430
	3	551	465	387	265
	4	508	415	379	265

Fresh or chilled		Reference price (ECU/tonne)				
Species	Size (l)	Gutted fish with head		Whole fish		
		Extra, A (l)	B (l)	Extra, A (l)	B (l)	
Whiting ( <i>Merlangus merlangus</i> ) 0302 69 41	1	511	479	384	256	
	2	511	479	384	256	
	3	486	390	352	147	
	4	352	237	256	147	
Ling ( <i>Molva</i> spp.) 0302 69 45	1	626	478	515	368	
	2	611	464	500	353	
	3	552	405	442	294	
Mackerel of the species <i>Scomber scombrus</i> ex 0302 64 10 and ex 0302 64 90	1	0	0	191	191	
	2	0	0	191	168	
	3	0	0	191	157	
Spanish mackerel of the species <i>Scomber japonicus</i> ex 0302 64 10 and ex 0302 64 90	1	0	0	247	218	
	2	0	0	247	203	
	3	0	0	203	166	
	4	0	0	160	116	
Anchovy ( <i>Engraulis</i> spp.) 0302 69 55	1	0	0	622	350	
	2	0	0	661	350	
	3	0	0	544	350	
	4	0	0	226	226	
Plaice ( <i>Pleuronectes platessa</i> ) 0302 22 00	— 1 January to 30 April 1990	1	578	546	315	315
		2	578	546	315	315
		3	546	514	315	315
		4	418	385	296	296
	— 1 May to 31 December 1990	1	788	744	429	429
		2	788	744	429	429
		3	744	701	429	429
		4	569	525	403	403
Hake of the species ( <i>Merluccius merluccius</i> ) ex 0302 69 65	1	2 689	2 528	2 124	1 963	
	2	2 044	1 909	1 587	1 452	
	3	2 017	1 882	1 560	1 425	
	4	1 721	1 587	1 345	1 103	
	5	1 614	1 479	1 264	1 022	
Megrim ( <i>Lepidorhombus</i> spp.) 0302 29 10	1	1 271	972	1 196	897	
	2	1 121	822	1 047	748	
	3	1 047	748	972	673	
	4	673	374	598	299	
Rays' bream ( <i>Brama</i> spp.) 0302 69 75	1	1 020	780	960	720	
	2	720	480	660	420	
		Whole or gutted fish with head		Without head		
		Extra, A (l)	B (l)	Extra, A (l)	B (l)	
Monkfish ( <i>Lophius</i> spp.) 0302 69 81	1	1 298	937	3 856	2 999	
	2	1 659	1 298	3 641	2 785	
	3	1 659	1 298	3 427	2 570	
	4	1 388	1 028	2 999	2 142	
	5	793	433	2 142	1 285	

Fresh or chilled		Reference price (ECU/tonne)				
Species	Size (°)	Gutted fish with head			Whole fish	
		A (°)			B (°)	
Shrimps of the genus <i>Crangon</i> ex 0306 23 31	1	922			780	
	2	426			426	
		Whole (°)				
Crab of the species <i>Cancer pagurus</i> ex 0306 24 30	1	1 080				
	2	810				
		Whole			Tails	
		E' (°)	Extra, A (°)	B (°)	Extra, A (°)	B (°)
Norway lobster ( <i>Nephrops norvegicus</i> ) ex 0306 29 30	1	3 762	3 762	2 693	6 933	4 649
	2	3 762	2 534	1 505	4 976	3 100
	3	2 495	1 901	752	2 936	1 550
	4	950	950	356	2 447	734

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

## 2. Reference prices for the products listed in Annex II to Regulation (EEC) No 3796/81

CN code	Description	Reference prices (ECU/tonne)
A. Frozen products falling within CN code 0303 :		
0303 71 10	Sardines of the species <i>Sardina pilchardus</i>	331
0303 79 71	Sea bream ( <i>Dentex dentex</i> and <i>Pagellus</i> spp.)	1 115
B. Frozen products falling within CN code 0307 :		
Squid of the genus <i>Loligo</i> :		
ex 0307 49 35	— <i>Loligo patagonica</i> : whole, not cleaned	964
	cleaned	1 157
0307 49 31	— <i>Loligo vulgaris</i> : whole, not cleaned	1 928
	cleaned	2 314
0307 49 33	— <i>Loligo pealei</i> : whole, not cleaned	1 157
	cleaned	1 350
ex 0307 49 38	— <i>Loligo opalescens</i> : whole, not cleaned	771
	cleaned	916
ex 0307 49 38	— other species : whole, not cleaned	1 060
	cleaned	1 253
0307 49 51	Squid ( <i>Ommastrephes sagittatus</i> ) :	
	whole, not cleaned	762
	tube	1 448
	cylinder	2 172
<i>Illex</i> spp.		
ex 0307 99 11	— <i>Illex argentinus</i> : whole, not cleaned	764
	tube	1 452
	cylinder	2 177
ex 0307 99 11	— <i>Illex illecebrosus</i> : whole, not cleaned	764
	tube	1 452
	cylinder	2 177
ex 0307 99 11	— other species : whole, not cleaned	764
	tube	1 452
	cylinder	2 177
0307 49 19	Cuttle-fish ( <i>Sepia officinalis</i> and <i>Rossia macrosoma</i> ) and sépioles ( <i>Sepiola rondeleti</i> )	1 369
0307 59 10	Octopus ( <i>Octopus</i> , spp.)	1 071

### 3. Reference prices for the products listed in Annex III to Regulation (EEC) No 3796/81

Tuna (of the genus *Thunnus*), skipjack or stripe-bellied bonito (*Euthynnus* (*Katsuwonus*) *pelamis*) and other species of the genus *Euthynnus*, fresh, chilled or frozen, for the industrial manufacture of products falling within CN code 1604:

Product	Reference prices (ECU/tonne)		
	Whole	Gilled and gutted	Other (for example 'heads off')
A. Albacore or longfinned tuna ( <i>Thunnus alalunga</i> ): excluding fresh or chilled tuna: 0303 41 11, ex 0303 41 13, ex 0303 41 19	841	958	1 042
B. Yellowfin tuna ( <i>Thunnus albacares</i> ):			
1. weighing more than 10 kg each (!) ex 0302 32 10, 0303 42 12, 0303 42 32, 0303 42 52	731	833	906
2. weighing not more than 10 kg each (!) ex 0302 32 10, 0303 42 18, 0303 42 38, 0303 42 58	585	667	725
C. Lisatos or stripe-bellied bonito ( <i>Euthynnus</i> ( <i>Katsuwonus</i> ) <i>pelamis</i> ): 0302 33 10, 0303 43 11, 0303 43 13, 0303 43 19	453	517	562
D. Fish of the genus <i>Thunnus</i> and <i>Euthynnus</i> , excluding bluefin tuna ( <i>Thunnus Thynnus</i> ), fresh or chilled and bigeye tuna ( <i>Parathunnus obesus</i> or <i>Thunnus obesus</i> ), fresh or chilled: ex 0302 39 10, 0302 69 21, 0303 49 11, 0303 49 13, 0303 49 19, 0303 79 21, 0303 79 23, 0303 79 29	431	492	535

(!) Reference to weight applies to whole products.

### 4. Reference prices for certain products listed in Annex IV (A) 1 of Regulation (EEC) No 3796/81:

Product	Form	Periods from	Reference price (ECU/tonne)
Carp falling within CN code ex 0301 93 00	Live, weighing at least 800 grams	1. 1. 1990 to 31. 7. 1990	1 387
		1. 8. 1990 to 30. 11. 1990	1 732
		1. 12. 1990 to 31. 12. 1990	1 521

### 5. Reference prices for the products listed in Annex IV (B) and V to Regulation (EEC) No 3796/81

Frozen products falling within CN codes 0303 and 0304:

Species	Presentation	Reference prices (ECU/tonne)
1. Redfish ( <i>Sebastes</i> spp.) ex 0303 79 35 ex 0303 79 37  ex 0304 20 35 ex 0304 20 37  ex 0304 90 31 ex 0303 79 35 ex 0303 79 37 ex 0304 90 31	Whole fish: — With or without head	767
	Fillets: — With bones (standard) — Boneless — Blocks in immediate packing weighing not more than 4 kg	1 529
		1 798
		1 940
	Minced blocks	959
Pieces and other meat	1 100	



Species	Presentation	Reference prices (ECU/tonne)	
2. Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i> ) and fish of the species <i>Boreogadus saida</i> ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41  ex 0304 20 21 ex 0304 20 29  ex 0304 90 35 ex 0304 90 38 ex 0304 90 39  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	Whole fish :  — With or without head	892	
	Fillets :	— Industrial blocks, with bones (standard)	1 999
		— Industrial blocks, boneless	2 263
		— Individual fillets, with skin	2 125
		— Individual fillets, skinless	2 475
		— Blocks in immediate packing weighing not more than 4 kg	2 463
	Minced blocks	1 022	
	Pieces and other meat	1 229	
	3. Coalfish ( <i>Pollachius virens</i> ) ex 0303 73 00  ex 0304 20 31  ex 0304 90 41 ex 0303 73 00, ex 0304 90 41	Whole fish :  — With or without head	618
		Fillets :	— Industrial blocks, with bones (standard)
— Industrial blocks, boneless			1 321
— Individual fillets, with skin			1 213
— Individual fillets, skinless			1 357
— Blocks in immediate packing weighing not more than 4 kg			1 427
Minced blocks		675	
Pieces and other meat		836	
4. Haddock ( <i>Melanogrammus aeglefinus</i> ) ex 0303 72 00  ex 0304 20 33  ex 0304 90 45 ex 0303 72 00, ex 0304 90 45	Whole fish :  — With or without head	764	
	Fillets :	— Industrial blocks, with bones (standard)	1 790
		— Industrial blocks, boneless	2 260
		— Individual fillets, with skin	2 049
		— Individual fillets, skinless	2 350
		— Blocks in immediate packing weighing not more than 4 kg	2 363
	Minced blocks	816	
Pieces and other meat	964		
5. Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> and fish of the species <i>Orcynopsis unicolor</i>  0303 74 11 0303 74 19 0303 79 61 0303 79 63  ex 0304 20 53 ex 0304 90 99	— With head	339	
	— Without head	366	
	Fillets	596	
	Sides	477	

Species	Presentation	Reference prices (ECU/tonne)
6. Hake ( <i>Merluccius</i> spp.) ex 0303 78 10  ex 0304 20 57  ex 0304 90 47 ex 0303 78 10 ex 0304 90 47	Whole fish : — With or without head  Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless — Individual fillets, with skin — Individual fillets, skinless — Blocks in immediate packing weighing not more than 4 kg  Minced blocks  Pieces and other meat	773   1 030 1 212 1 091 1 195  1 274  787  1 048
7. Alaska pollack ( <i>Theragra chalcogramma</i> ) ex 0304 20 85	Fillets : — Industrial blocks, with bones (standard) — Industrial blocks, boneless	936 1 090

## COMMISSION REGULATION (EEC) No 3960/89

of 20 December 1989

fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 1990 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89<sup>(2)</sup>, and in particular Article 13 (7) thereof,

Whereas Article 13 of Regulation (EEC) No 3796/81 provides for the payment of financial compensation to producers' organizations which intervene, on certain conditions, in respect of the products listed in Annex I (A) and (D) to that Regulation; whereas the amount of such financial compensation must be reduced by standard values in the case of products intended for purposes other than human consumption;

Whereas Commission Regulation (EEC) No 1501/83<sup>(3)</sup> specifies the ways in which the products withdrawn must be disposed of; whereas the value of such products must be fixed at a standard level for each of these modes of disposal, taking into account the average receipts which may be obtained from such disposal;

Whereas, on the basis of the relevant information on this value, it should be fixed for the 1990 fishing year as shown in the Annex hereto;

Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 3137/82<sup>(4)</sup>, as last amended by Regulation (EEC) No 4175/88<sup>(5)</sup>, the body responsible for payment of the financial compensation is that of the Member State in which the producers' organization was recognized;

Whereas the standard value deductible should therefore be the value applied in that Member State;

Whereas the abovementioned provisions are equally applicable to the advance on the financial compensation provided for in Article 5 (2) of Council Regulation (EEC) No 2202/82<sup>(6)</sup>;

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*

The standard values to be used in calculating the financial compensation and the advance pertaining thereto provided for in Article 13 of Regulation (EEC) No 3796/81 in respect of products withdrawn by producers' organizations and used for purposes other than human consumption shall be for the 1990 fishing year as shown in the Annex hereto for each of the uses indicated therein.

*Article 2*

The standard value to be deducted from the financial compensation and the advance pertaining thereto shall be that applied in the Member State in which the producers' organization was recognized.

*Article 3*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> OJ No L 152, 10. 6. 1983, p. 22.

<sup>(4)</sup> OJ No L 335, 29. 11. 1982, p. 1.

<sup>(5)</sup> OJ No L 367, 31. 12. 1988, p. 61.

<sup>(6)</sup> OJ No L 235, 10. 8. 1982, p. 1.

## ANNEX

Use of products withdrawn	ECU/tonne
1. Used as animal feed after drying and cutting up or processing into meal :	
(a) herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Spain, United Kingdom, Denmark	35
— other Member States	20
(b) for shrimps of the species <i>Crangon crangon</i> :	
— Netherlands	25
— other Member States	10
(c) for other products :	
— Germany, Ireland	10
— other Member States	15
2. Used otherwise than as under animal feed (bait included) :	
(a) Sardines of the species <i>Sardina pilchardus</i> and anchovy ( <i>Engraulis</i> spp.)	
— All Member States	25
(b) for other products :	
— Ireland	25
— other Member States	45
3. Used for purposes other than animal feed	0

**COMMISSION REGULATION (EEC) No 3961/89**

of 20 December 1989

**fixing the amount of the carry-over premium for certain fishery products for the 1990 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2203/82 of 28 July 1982 laying down general rules for the granting of a carry-over premium for certain fishery products<sup>(3)</sup>, as last amended by Regulation (EEC) No 3469/88<sup>(4)</sup>, and in particular Article 3 thereof,

Whereas the purpose of the carry-over premium is to give suitable encouragement to producers' organizations to carry over products withdrawn from the market so that their destruction can be avoided;

Whereas the amount of the premium must be such as not to disturb the balance of the market for the products in question;

Whereas the amount of the premium may not be more than 50 % of the Community withdrawal price for the fresh product or exceed the technical costs of processing, highest costs discounted, recorded in the Community during the previous fishing year;

Whereas withdrawal prices for the 1990 fishing year for the fishery products listed in the Annex to Regulation (EEC) No 2203/82 have been set by Commission Regulation (EEC) No 3958/89<sup>(5)</sup>;

Whereas, on the basis of the information on technical processing costs recorded in the Community, the amount of the premium should, for the 1990 fishing year, be as indicated in the Annex;

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*

For the 1990 fishing year, the carry-over premium for the products listed in Annex I to Regulation (EEC) No 2203/82 shall be as indicated in the Annex.

*Article 2*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> OJ No L 235, 10. 8. 1982, p. 4.

<sup>(4)</sup> OJ No L 305, 10. 11. 1988, p. 7.

<sup>(5)</sup> See page 1 of this Official Journal.

## ANNEX

## Amount of the premium

Processing methods listed in Article 14 (5) of the basic Regulation	Products listed in Annex I to Regulation (EEC) No 2203/82	Amounts for products listed in column 2 (ECU/tonne)
1	2	3
I. Freezing and storage of whole, gutted and with head or cutting-up products	Redfish ( <i>Sebastes</i> spp.) Cod of the species <i>Gadus morhua</i> Saithe ( <i>Pollachius virens</i> ) Haddock ( <i>Melanogrammus aeglefinus</i> ) Whiting ( <i>Merlangus merlangus</i> ) Megrim ( <i>Lepidorhombus</i> spp.) Rays' bream ( <i>Brama</i> spp.) Monkfish ( <i>Lobius</i> spp.) Shrimps of the species <i>Crangon crangon</i> Sardine of the species <i>Sardina pilchardus</i> Anchovy ( <i>Engraulis</i> spp.) Herring of the species <i>Clupea harengus</i> Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	80 (1)
II. Filletting, freezing and storage	Redfish ( <i>Sebastes</i> spp.) Cod of the species <i>Gadus morhua</i> Saithe ( <i>Pollachius virens</i> ) Haddock ( <i>Melanogrammus aeglefinus</i> ) Whiting ( <i>Merlangus merlangus</i> ) Megrim ( <i>Lepidorhombus</i> spp.) Rays' bream ( <i>Brama</i> spp.) Monkfish ( <i>Lobius</i> spp.) Sardine of the species <i>Sardina pilchardus</i> Anchovy ( <i>Engraulis</i> spp.) Herring of the species <i>Clupea harengus</i> Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	135 (1)
III. Slating and/or drying and storage of whole, gutted and with head, cutting-up or filleted products	Redfish ( <i>Sebastes</i> spp.) Cod of the species <i>Gadus morhua</i> Saithe ( <i>Pollachius virens</i> ) Haddock ( <i>Melanogrammus aeglefinus</i> ) Whiting ( <i>Merlangus merlangus</i> ) Megrim ( <i>Lepidorhombus</i> spp.) Rays' bream ( <i>Brama</i> spp.) Monkfish ( <i>Lobius</i> spp.) Sardine of the species <i>Sardina pilchardus</i> Anchovy ( <i>Engraulis</i> spp.) Herring of the species <i>Clupea harengus</i> Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	120 (1)

(1) Given that the amount of the premium may not in particular exceed 50 % of Community withdrawal price for the fresh product (Article 14 (2) of Regulation (EEC) No 3796/81), this amount shall be reduced:

(a) for Atlantic sardines of the species *Sardina pilchardus*:

- to 69 ECU/tonne in the coastal areas of and islands of the counties of Cornwall and Devon in the United Kingdom (I, II and III),
- to 89 ECU/tonne in Spain and Portugal (II and III),
- to 113 ECU/tonne in the other regions of the Community (II and III);

- 
- (b) for anchovies (*Engraulis* spp.):
    - to 113 ECU/tonne in all Member States (II and III);
  - (c) for Mediterranean sardines of the species *Sardina pilchardus*:
    - to 108 ECU/tonne in all Member States (II and III);
  - (d) for herring:
    - to 83 ECU/tonne in all Member States (II and III);
  - (e) for mackerel:
    - for *Scomber japonicus*:
      - to ECU 80/tonne in all Member States (II and III),
    - for *Scomber scombrus*:
      - all Member States other than the regions concerned in Ireland and the United Kingdom:
        - to 96 ECU/tonne (II and III),
      - regions concerned in Ireland:
        - to 75 ECU/tonne (I, II and III),
      - regions concerned in the United Kingdom:
        - to 77 ECU/tonne (I, II and III).
-

## COMMISSION REGULATION (EEC) No 3962/89

of 20 December 1989

fixing the amount of the flat-rate premium for certain fishery products during the 1990 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 4176/88 of 28 December 1988 laying down detailed rules for the grant of a flat-rate aid for certain fishery products<sup>(3)</sup>, and in particular Article 11 thereof,

Whereas the premium should encourage the producers' organizations to prevent the destruction of products withdrawn from the market;

Whereas the amount of the premium must be fixed in such a way as to take account of the interdependence of the markets concerned and of the need to prevent distortion of competition;

Whereas the amount of the premium may not exceed 50 % of the level referred to in Article 14b (1) (a) of Regulation (EEC) No 3796/81 or exceed the technical costs of processing and storage recorded during the previous fishing year, the highest costs being disregarded;

Whereas, on the basis of the information concerning the technical costs of processing recorded in the Community,

the amount of the premium should be fixed for the 1990 fishing year as shown below;

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*

1. For the 1990 fishing year, the amount of the flat-rate premium for the products listed in Annex VI to Regulation (EEC) No 3796/81 shall be as follows:

- (a) freezing and storage of products,  
whole, gutted with head, or cut: ECU 80/tonne
- (b) filleting, freezing and storage: ECU 135/tonne

2. Member States shall reduce the abovementioned amounts to the appropriate extent where the limit of 50 % of the level referred to in Article 14b (1) (a) of Regulation (EEC) No 3796/81 is exceeded.

*Article 2*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> OJ No L 367, 31. 12. 1988, p. 63.



## COMMISSION REGULATION (EEC) No 3963/89

of 20 December 1989

fixing the storage premium for certain fishery products for the 1990 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products <sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89 <sup>(2)</sup>, and in particular Article 14a thereof,

Whereas, in accordance with Article 14a (4) of Regulation (EEC) No 3796/81 the storage premium may not exceed the technical and financial costs relating to operations indispensable for stabilization and storage of the products in question ;

Whereas the premium should be an incentive to producers' organizations to apply the storage aid system and in particular the relevant selling price in order to stabilize the market for such products ;

Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 314/86 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2201/89 <sup>(4)</sup>, the premium is to be fixed on the basis of the technical costs relating to the operations concerned,

as recorded in the Community in the previous fishing year, excluding the highest costs ;

Whereas, on the basis of figures for the technical and financial costs recorded in the Community for the operations in question, the premium should be as set out in the Annex for the 1990 fishing year ;

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*

For the 1990 fishing year, the storage premium for Norway lobsters (*Nephrops norvegicus*) and edible crabs (*Cancer pagurus*) shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> OJ No L 39, 14. 2. 1986, p. 8.

<sup>(4)</sup> OJ No L 209, 21. 7. 1989, p. 30.

## ANNEX

## Amount of premium

Stabilization and storage operations as referred to in Article 7 of Regulation (EEC) No 314/86	Products listed in Annex I to Regulation (EEC) No 314/86	Amount of premium for products listed in column 2 (ECU/tonne)	
		First month	Per additional month (1)
1	2	3	
I. Freezing and storage	Norway lobster ( <i>Nephrops norvegicus</i> )	210	20
	Norway lobster tails ( <i>Nephrops norvegicus</i> )	126	30
II. Removing the head, freezing and storage	Norway lobster ( <i>Nephrops norvegicus</i> )	100	20
III. Cooking, freezing and storage	Norway lobster ( <i>Nephrops norvegicus</i> )	220	20
	Edible crabs ( <i>Cancer pagurus</i> )	84	15
IV. Storage in suitable fixed tanks or cages	Edible crabs ( <i>Cancer pagurus</i> )	120	

(1) The amount refers to the net weight of products in stock, covered by Article 11 (1) (b) of Regulation (EEC) No 314/86.

COMMISSION REGULATION (EEC) No 3964/89  
of 20 December 1989

opening tariff quotas for the 1990 fishing year for fishery products coming from joint ventures set up between natural or legal persons from Spain and from other countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 168 thereof,

Whereas Article 168 of the Act of Accession provides for the gradual elimination of the exemptions, suspensions or tariff quotas granted by Spain for fishery products coming from joint ventures set up between natural or legal persons from Spain and from other countries;

Whereas annual quotas should be opened corresponding to such progressive elimination, for each CN code, subject to the overall quantities provided for in the Act of Accession;

Whereas provision should be made for the supply of information to the Commission so that it can keep watch on the management of these arrangements;

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*

1. For the period from 1 January to 31 December 1990, tariff quotas shall be opened in Spain for the fishery

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

Done at Brussels, 20 December 1989.

products referred to in Article 168 of the Act of Accession, in accordance with the provisions of that Article and with the rules laid down in the Annex hereto.

2. The customs duties applicable shall be wholly suspended on each of the products referred to in paragraph 1, subject to each of the tariff quotas specified in the Annex.

*Article 2*

Distribution of the quantities referred to in Article 1 which may, where appropriate, be subject to partial allocation on a half-yearly basis, between the undertakings referred to in Annex XII to the Act of Accession, shall be undertaken by the competent Spanish authorities.

*Article 3*

Each quarter, not later than 15 days after the end of each quarter, Spain shall inform the Commission of the quantities actually imported under these quota arrangements. The Commission may at any time request a statement of the extent to which the quotas have been used up.

*Article 4*

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

It shall apply from 1 January to 31 December 1990.

*For the Commission*

Manuel MARÍN

*Vice-President*

## ANNEX

CN code	Description	Authorized zero duty
0303 78 10 0304 90 47	Hake of the genus <i>Merluccius</i> spp., frozen	9 820
0304 20 29 0304 20 31 0304 20 43 0304 20 53 0304 20 57 0304 20 83 ex 0304 20 98	Fillets, frozen, miscellaneous	1 910
ex 0305 62 00 ex 0305 69 10	Certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , non-dried, salted	865
ex 0303 42 ex 0303 43 ex 0303 49	Yellowfin tunas ( <i>Thunnus albacares</i> ), skipjack or stripe-bellied bonito ( <i>Euthynnus (Katsuwonus) pelamis</i> ) and bigeye ( <i>Parathunnus obesus</i> ), frozen	865
ex 0303 ex 0304 20 13 ex 0304 90	Salmon ( <i>Oncorhynchus</i> spp., <i>Salmo salar</i> , <i>Hucho hucho</i> ) frozen, other various fish products, frozen and including livers and roes	2 465
ex 0302 ex 0304 10 98	Various fish, fresh	6 888
ex 0307 99 11	<i>Illex</i> spp., frozen	4 320
ex 0307 21 ex 0307 29 ex 0307 41 ex 0307 49 ex 0307 51 ex 0307 59 ex 0307 91 ex 0307 99	Certain molluscs, live, fresh, chilled or frozen	3 755
0306 11 00 0306 13 90 0306 14 30 0306 19 30	Rock lobster and other sea crawfish ( <i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.), crabs of the species <i>Cancer pagurus</i> , Norway lobsters ( <i>Nephrops norvegicus</i> ) and shrimps other than of the family Pandalidae and of the genus <i>Crangon</i> , frozen	3 580
ex 0306 21 00 0306 22 10 ex 0306 24 30 ex 0306 29 30	Rock lobster and other sea crawfish ( <i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.), lobsters ( <i>Homarus</i> spp.), crabs of the species <i>Cancer pagurus</i> and Norway lobsters ( <i>Nephrops norvegicus</i> ), live and fresh	340
Total		34 808

COMMISSION REGULATION (EEC) No 3965/89  
of 20 December 1989

suspending for the 1990 fishing year the duties applicable to fresh fishery products originating in Morocco and coming from joint fisheries ventures set up between natural or legal persons from Portugal and Morocco, on the direct landing of such products in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 355 thereof,

Whereas Article 355 of the Act of Accession provides for the elimination, by 31 December 1992, of the exemptions, suspensions or tariff quotas granted by Portugal on fresh fishery products originating in Morocco and coming from joint fish ventures set up between natural or legal persons from Portugal and Morocco, when such products are landed directly in Portugal;

Whereas the present arrangements applied by Portugal to such products may be maintained on a transitional basis;

Whereas the duties applicable to such products should be suspended for 1990;

Whereas provision should be made for the supply of information to the Commission so that it can keep watch on the management of these arrangements;

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*

For the period 1 January to 31 December 1990 the customs duties applicable to the fishery products referred to in Article 355 of the Act of Accession, landed directly in Portugal, shall be wholly suspended.

*Article 2*

Portugal shall inform the Commission, not later than 15 days after the end of each quarter, of the quantities and species actually imported under the suspension arrangements.

*Article 3*

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

It shall apply from 1 January to 31 December 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

**COMMISSION REGULATION (EEC) No 3966/89**  
**of 20 December 1989**

**fixing, for the 1990 fishing year, the annual import quotas for the products  
subject to the rules for the application by Spain and Portugal of quantitative  
restrictions on fishery products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 360/86 of 17 February 1986 laying down rules for the application by Spain and Portugal of quantitative restrictions on fishery products <sup>(1)</sup>, as amended by Regulation (EEC) No 4064/86 <sup>(2)</sup>, and in particular Article 2 thereof,

Whereas Article 2 of Regulation (EEC) No 360/86 provides, in respect of a number of fishery products imported into Spain and Portugal from third countries, for fixing, in accordance with a specific method, of annual import quotas divided into four quarterly instalments;

Whereas, for the application of Regulation (EEC) No 360/86, the quotas in question for the 1990 fishing year should be fixed for each of the new Member States and for each product concerned;

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*

For each of the fishery products imported into Spain and Portugal, the annual import quotas and their division into four quarterly instalments including any quantities that may be allocated to third countries pursuant to Article 6 of Regulation (EEC) No 360/86 are hereby fixed for the 1990 fishery year as set out in the Annex.

*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 from 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 43, 20. 2. 1986, p. 8.

<sup>(2)</sup> OJ No L 371, 31. 12. 1986, p. 9.

## ANNEX

## Annual quotas of imports from third countries and quarterly instalments of Article 2 of Regulation (EEC) No 360/86

## A. Concerning Spain (tonnes)

CN code	Description	Annual quota of importation	Quarterly instalments			
			1	2	3	4
0302 50 10 ex 0302 50 90 0302 69 35 ex 0304 10 98	Certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	7 000	2 940	1 960	1 050	1 050
0302 69 55 ex 0304 10 98	Anchovies ( <i>Engraulis</i> spp.), fresh or chilled	6 000	1 500	1 500	1 500	1 500
ex 0302 69 65 ex 0304 10 98	Hake of the genus <i>Merluccius</i> , fresh or chilled	7 000	2 000	1 500	1 000	2 500
0302 69 85 0303 79 83	Blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> ), fresh, chilled or frozen	1 400	350	350	350	350
ex 0302 69 95 ex 0304 10 98	Horse mackerel ( <i>Trachurus trachurus</i> ), fresh or chilled	50	12	13	12	13
0303 78 10 0304 90 47	Hake of the genus <i>Merluccius</i> , frozen	34 000	8 500	8 500	8 500	8 500
ex 0304 10 31	Fillets of certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	3 000	750	750	750	750
0304 20 57	Fillets of hake of the genus <i>Merluccius</i> , frozen	11 000	2 750	2 750	2 750	2 750
ex 0305 62 00 0305 69 10	Certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , non-dried, salted or in brine	20 500	9 225	3 045	3 045	5 185
ex 0306 24 90	Spinous spider crab, live	1 000	250	250	250	250
ex 0307 91 00	Venus clams, live, fresh or chilled	20 000	2 645	5 315	2 645	9 395

## B. Concerning Portugal (tonnes)

CN code	Description	Annual quota of importation	Quarterly instalments			
			1	2	3	4
0306 13 90	Other shrimps, frozen	1 000	305	370	185	140

**COMMISSION REGULATION (EEC) No 3967/89**  
**of 20 December 1989**

**fixing, for the 1990 fishing year, the overall foreseeable level of imports for the products subject to the supplementary trade mechanism in the fisheries sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 546/86 laying down detailed rules for applying the supplementary trade mechanism to fishery products <sup>(1)</sup>, as amended by Regulation (EEC) No 237/87 <sup>(2)</sup>, and in particular Articles 2 and 3 thereof,

Whereas Article 2 of Regulation (EEC) No 546/86 provides, in respect of a number of fishery products imported into Spain and Portugal, for the definition, in accordance with a specific method, of an overall foreseeable level of imports, distinguishing for each product an intra-Community share established in accordance with paragraph 3 of the said Article 2;

Whereas, for the purposes of the application of Regulation (EEC) No 546/86, the overall foreseeable level of imports and the intra-Community share relating thereto should be fixed for the 1990 fishing year and for each of the products concerned, dividing the share into four quarterly instalments in accordance with Article 3 of Regulation (EEC) No 546/86;

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*

For each of the fishery products imported into Spain and Portugal, the overall foreseeable level of imports and the intra-Community share relating thereto, divided into four quarterly instalments, are hereby fixed for 1990 as set out in the Annex.

*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 from 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 55, 1. 3. 1986, p. 47.

<sup>(2)</sup> OJ No L 25, 28. 1. 1987, p. 13.



## ANNEX

## Overall level of imports, intra-Community share and quarterly instalments of Article 2 and 3 of Regulation (EEC) No 546/86

## A. Concerning Spain

## 1. Imports from other Member States (tonnes)

CN code	Description	Overall level of imports	Intra-Community share increase by 15 %	Quarterly instalment			
				1	2	3	4
0302 50 10 ex 0302 50 90 0302 69 35 ex 0304 10 98	Certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	9 990	3 440	1 065	1 305	450	620
ex 0302 69 65 ex 0304 10 98	Hake of the species <i>Merluccius merluccius</i> , fresh or chilled	19 890	14 825	1 930	3 780	5 485	3 630
0302 69 85	Blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> ), fresh or chilled	1 460	70	17	18	17	18
ex 0302 69 95 ex 0304 10 98	Horse mackerel ( <i>Trachurus trachurus</i> ), fresh or chilled	460	470	115	120	115	120
ex 0304 10 31	Fillets of certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , fresh or chilled	7 600	5 290	1 585	1 215	1 060	1 430
ex 0305 62 00 0305 69 10	Certain species of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> ) and fish of the species <i>Boreogadus saida</i> , non-dried, salted or in brine	26 470	6 865	1 580	2 060	1 580	1 645
ex 0306 24 90	Spinous spider crab, live	4 300	2 645	345	475	835	990
ex 0307 91 00	Venus clams, live, fresh or chilled	70 375	57 930	10 425	12 165	8 690	26 650

## 2. Imports from Portugal (tonnes)

CN code	Description	Overall level of imports	Intra-Community share increase by 15 %	Quarterly instalment			
				1	2	3	4
ex 1604 13 10 ex 1604 20 50 ex 1902 20 10	Preserves and stuffed pasta (whether or not cooked or otherwise prepared) containing sardines of the species <i>Sardina pilchardus</i>	826	950	237	238	237	238

## B. Concerning Portugal

## Imports from other Member States (tonnes)

CN code	Description	Overall level of imports	Intra-Community share increase by 15 %	Quarterly instalment			
				1	2	3	4
0306 13 90	Other shrimps, frozen	1 404	465	116	116	116	117

**COMMISSION REGULATION (EEC) No 3968/89  
of 20 December 1989**

**fixing the guaranteed minimum price for Atlantic sardines of the species  
*Sardina pilchardus***

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3117/85 of 4 November 1985 laying down general rules on the granting of compensatory indemnities in respect of sardines<sup>(1)</sup>, as amended by Regulation (EEC) No 3940/87<sup>(2)</sup>, and in particular Article 4 thereof,

Whereas Article 2 (1) of Regulation (EEC) No 3117/85 provides for the granting of a compensatory indemnity for producers of Atlantic sardines of the species *Sardina pilchardus* in the Community as constituted at 31 December 1985 who sell their products at a price below a guaranteed minimum price;

Whereas Article 2 (3) of Regulation (EEC) No 3117/85 lays down that the guaranteed minimum price is to be the same as the withdrawal price in force in the year preceding accession, corrected in accordance with any adjustment applicable to the guide price for the following fishing year;

Whereas the guide prices for the 1990 fishing year were fixed for the products in question by Council Regulation (EEC) No 3646/89<sup>(3)</sup>;

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*

The guaranteed minimum provided for in Article 2 of Council Regulation (EEC) No 3117/85 shall be as follows for the 1990 fishing year:

*(in ECU/tonne)*

Whole fish		
Size	Extra, A	B
1	248	158
2	248	158
3	384	158
4	248	158

The freshness, size and presentation categories shall be those defined pursuant to Article 2 of Council Regulation (EEC) No 3796/81<sup>(4)</sup>.

*Article 2*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 297, 9. 11. 1985, p. 1.

<sup>(2)</sup> OJ No L 373, 31. 12. 1987, p. 6.

<sup>(3)</sup> OJ No L 357, 7. 12. 1989, p. 1.

<sup>(4)</sup> OJ No L 379, 31. 12. 1981, p. 1.

## COMMISSION REGULATION (EEC) No 3969/89

of 20 December 1989

fixing the compensatory allowance for Mediterranean sardines of the species  
*Sardina pilchardus*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 171 and 358 thereof,

Having regard to Council Regulation (EEC) No 3117/85 of 4 November 1985 laying down general rules on the granting of compensatory allowances in respect of sardines<sup>(1)</sup>, amended by Regulation (EEC) No 3940/87<sup>(2)</sup>, and in particular Article 4 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 3117/85 lays down that the granting of the compensatory allowance is to be limited to sardines of the species *Sardina pilchardus* of the Mediterranean of sizes 3 and 4 and freshness categories E and A, as defined in Council Regulation (EEC) No 103/76 of 19 January 1976, laying down common marketing standards for certain fresh or chilled products<sup>(3)</sup>, as last amended by Regulation (EEC) No 33/89<sup>(4)</sup>;

Whereas Article 3 (3) of Regulation (EEC) No 3117/85 lays down the allowance is to be equal to the difference between the withdrawal price for sardines of the species *Sardina pilchardus* of the Atlantic of the size in question, applicable in the Community as constituted at 31 December 1985, and the withdrawal price for Atlantic sardines of the species *Sardina pilchardus* of size 2 applicable in the new Member States;

Whereas the withdrawal prices for the 1990 fishing year were fixed for the products in question by Commission Regulation (EEC) No 3958/89<sup>(5)</sup>;

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*

The compensatory allowance granted for sardines of the species *Sardina pilchardus* of the Mediterranean as provided for in Article 3 of Regulation (EEC) No 3117/85, shall be as follows for the 1990 fishing year:

- sardines, size 3 (E, A): 171 ECU/tonne,
- sardines, size 4 (E, A): 48 ECU/tonne.

*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 from 1 January 1990.

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

Done at Brussels, 20 December 1989.

For the Commission

Manuel MARÍN

Vice-President

<sup>(1)</sup> OJ No L 297, 9. 11. 1985, p. 1.

<sup>(2)</sup> OJ No L 373, 31. 12. 1987, p. 6.

<sup>(3)</sup> OJ No L 20, 28. 1. 1976, p. 29.

<sup>(4)</sup> OJ No L 5, 7. 1. 1989, p. 18.

<sup>(5)</sup> See page 1 of this Official Journal.

**COMMISSION REGULATION (EEC) No 3970/89  
of 20 December 1989**

**fixing the reference prices for intra-Community trade in Atlantic sardines of the species *Sardina pilchardus* for the 1990 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 170 and 357 thereof,

Whereas Articles 170 (1) and 357 (1) of the Act of Accession provide that, notably during the period of moves towards alignment of the prices of Atlantic sardines of the species *Sardina pilchardus* listed in Annex I(A) to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89<sup>(2)</sup>, a monitoring system is to be introduced based on the annual fixing of reference prices applicable to certain trade in the products in question between the new Member States and the Community as constituted at 31 December 1985;

Whereas Articles 170 (2) and 357 (2) of the Act of Accession provide that the reference prices in question are to be the same as the withdrawal prices applicable in the Member States for Mediterranean sardines of the species *Sardina pilchardus* respectively, fixed in accordance with Article 12(1) of Regulation (EEC) No 3796/81;

Whereas the withdrawal prices for the 1990 fishing year for Mediterranean sardines of the species *Sardina pilchardus* listed in Annex I(A) to Regulation (EEC) No 3796/81 were fixed by Commission Regulation (EEC) No 3958/89<sup>(3)</sup>;

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*

The reference prices for the 1990 fishing year applicable under the monitoring system provided for in Articles 170 and 357 of the Act of Accession shall be as follows:

— for imports of Atlantic sardines of the species *Sardina pilchardus* into the Community as constituted at 31 December 1985 from Portugal and Spain, fresh products:

*(ECU/tonne)*

Whole fish		
Size (')	Extra, A (')	B (')
1	215	137
2	215	137
3	332	137
4	215	137

<sup>(1)</sup> The freshness, size and presentation categories are those defined pursuant to Article 2 of Regulation (EEC) No 3796/81.

*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 from 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> See page 1 of this Official Journal.

**COMMISSION REGULATION (EEC) No 3971/89**  
**of 20 December 1989**  
**amending Regulation (EEC) No 3510/82 fixing the conversion factors applicable**  
**to tuna**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2886/89<sup>(2)</sup>, and in particular Article 17(6) thereof,

Whereas Commission Regulation (EEC) No 3510/82<sup>(3)</sup>, as last amended by Regulation (EEC) No 3940/87<sup>(4)</sup>, fixes the conversion factors applicable to the different species, sizes and presentations of tuna;

Whereas the developments on the tuna market since the fixing of the conversion factors have brought about a change in the commercial value ratio between the products concerned and the pilot product; whereas this state of affairs calls for the conversion factors in question and the products for which they are specifically intended to be reviewed;

Whereas, therefore, the Annex to Regulation (EEC) No 3510/82 should be amended;

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*

The Annex to Regulation (EEC) No 3510/82 is replaced by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(3)</sup> OJ No L 368, 28. 12. 1982, p. 27.

<sup>(4)</sup> OJ No L 373, 31. 12. 1987, p. 6.

## ANNEX

## ANNEX

## I. Conversion factors applicable to the different species of tuna

Species	Conversion factor
A. Yellowfin tuna ( <i>Thunnus albacares</i> )	
— weighing more than 10 kg each	1,0
— weighing not more than 10 kg each	0,80
B. Albacore ( <i>Thunnus alalunga</i> )	1,15
C. Skipjack ( <i>Euthynnus (Katsuwonus) pelamis</i> )	0,62
D. Other species	0,59

## II. Conversion factors applicable to each of the species referred to in Section I depending on the presentation

Presentation	Conversion factor
A. Whole	1
B. Gutted and without gills	1,14
C. Other	1,24