

GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

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ARTICLE XIX - ACTION BY THE EUROPEAN COMMUNITIES

Imports of Whitefish

Temporary Emergency Action

The following communication, dated 25 March 1993, has been received from the Permanent Delegation of the European Communities.

In accordance with Article XIX of the GATT, the European Community has decided to take emergency action in respect of imports into the Community of whitefish from all origins, in particular cod, haddock, coalfish, hake, monkfish and Alaska pollack and falling within sub-headings of the Common Customs Tariff as reflected in the attached annexes.

Under this measure, in force since 26 February 1993 (and 13 March 1993 for Alaska pollack), release to the Community market of the above-mentioned whitefish is subject to observance of the reference price for imported fresh or frozen whitefish. The measure does not apply to products in respect of which there is evidence of dispatch to the Community prior to the date on which the measure took effect.

Substantial imports of these products in the second half of 1992 and during January and February 1993 at abnormally low prices have caused prices of commercially similar domestic products on the Community market to fall by up to 25 per cent of the average price for 1992 on the EC market.

This situation has caused serious difficulties for Community production and would, if it continued, aggravate the injury caused to Community producers of directly-competing products.

Before putting the above-mentioned measures into effect, the Community held urgent consultations with the authorities concerned. It maintains its readiness to enter into further bilateral consultations with any country affected by this measure.

This measure will remain in force until 30 June 1993.

ANNEX I

No L 48/12

Official Journal of the European Communities

26.2.93

COMMISSION REGULATION (EEC) No 420/93

of 25 February 1993

making imports of certain fishery products subject
to observance of the reference price

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 organization¹ of the
market in fishery products¹, and in
particular Article 22 (6) thereof,

Whereas Article 22 (4) of Regulation
(EEC) No 3759/92 envisages,
inter alia, that where the
free-at-frontier price of a
specified product, imported from a
third country, stays below the
reference price and where
considerable quantities of that
product are imported, imports of
products listed, inter alia, in
Annex I (Section A), Annex IV
(Section B) and Annex V may be made
subject to the condition that the
free-at-frontier price is at least
equal to the reference price;

Whereas Commission Regulation (EEC)
No 3191/82² laid down detailed rules
for the reference price system in
the fishery products sector and in

particular for the determination of
the free-at-frontier price referred
to in Article 22 (3) of Regulation
(EEC) No 3759/92;

Whereas the reference prices for
fishery products for the 1993
fishing year were fixed by
Commission³ Regulation (EEC)
No 3893/92³, as amended by⁴
Regulation (EEC) No 351/93⁴;

Whereas for the last months it has
been established that on the
Community market the
free-at-frontier price of
significant quantities of certain
fishery products remained below the
reference price for these products;
whereas, in view of this, there is a
danger that the stabilization
measures on the Community market
could be threatened; whereas, in
order to avoid disturbances due to
offers at abnormally low prices, it
is necessary to require imports for
the products in question to observe
the reference price;

Whereas the measures provided for in
this Regulation are in accordance
with the opinion of the Management
Committee for Fishery Products,

¹OJ No L 388, 31.12.1992, p. 1.

²OJ No L 338, 30.11.1982, p. 13.

³OJ No L 392, 31.12.1992, p. 9.

⁴OJ No L 41, 18.2.1993, p. 12.

HAS ADOPTED THIS REGULATION:

Article 1

1. The placing into free circulation in the Community of the fishery products listed in the Annex shall be subject to the condition that the free-at-frontier price is at least equal to the reference price given in the Annex.

2. This Regulation does not apply to the frozen products listed in the Annex provided it can be proved, to the satisfaction of the competent

customs authorities, that they were in transit towards the Community on the date of entry into force of this Regulation, and provided they are put into free circulation by 15 March 1993 at the latest.

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 until 30 June 1993.

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

Done at Brussels, 25 February 1993,

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

ANNEX

1. Chilled or fresh products

(Ecu/tonne)

Species	Size ¹	Reference price			
		Gutted fish with head		Whole fish	
		Extra A ¹	B ¹	Extra A ¹	B ¹
Cod of the species Gadus morhua 0302 50 10	1 2 3 4 5	947 947 894 705 494	894 894 736 484 284	684 684 526 400 295	526 526 421 284 189
Coalfish (pollacbius virens) 0302 63 00	1 2 3 4	484 484 478 387	484 484 478 280	376 376 371 204	376 376 371 151
Haddock (Melanogrammus aeglefinus) 0302 62 00	1 2 3 4	696 696 595 526	618 618 502 433	541 541 417 394	464 464 286 270
Hake of the species Merluccius merluccius ex 0302 69 65	1 2 3 4 5	2819 2142 2114 1804 1691	2650 2001 1973 1663 1550	2227 1663 1635 1409 1325	2058 1522 1494 1156 1071
		Whole or gutted fish with head		Without head	
		Extra A ¹	B ¹	Extra A ¹	B ¹
Monkfish (Lophius spp.) 0302 69 81	1 2 3 4 5	1334 1704 1704 1426 815	963 1334 1334 1056 445	3462 3269 3077 2692 1923	2692 2500 2308 1923 1154
¹ The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.					

2. Frozen products

(Ecu/tonne)

Species	Presentation	Reference prices
<p>1. Cod (<i>Gadus morhua</i>, <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i></p> <p>ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41</p> <p>ex 0304 20 21 ex 0304 20 29</p>	<p>Whole fish:</p> <p>- with or without head</p> <p>{ 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</p>	<p>937</p> <p>2037</p> <p>2354</p> <p>2230</p> <p>2574</p> <p>2462</p>
<p>ex 0304 90 35 ex 0304 90 38 ex 0304 90 39</p> <p>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</p>	<p>Minced blocks</p> <p>Pieces and other meat</p>	<p>1011</p> <p>1191</p>
<p>2. Coalfish (<i>Pollachius virens</i>) ex 0303 73 00</p> <p>ex 0304 20 31</p>	<p>Whole fish: - with or without head</p> <p>{ 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</p>	<p>617</p> <p>1223</p> <p>1347</p> <p>1250</p> <p>1383</p> <p>1412</p>

(Ecu/tonne)

Species	Presentation	Reference prices
ex 0304 90 41	Minced blocks	675
ex 0303 73 00, ex 0304 90 41	Pieces and other meat	811
3. Haddock (Melanogrammus aeglefinus) ex 0303 72 00	Whole fish: - with or without head	817
	{ Fillets: { - industrial blocks, { with bones (standard)	1825
	{ - industrial blocks, { boneless	2397
ex 0304 20 33	{ - individual fillets, { with skin	2172
	{ - individual fillets, { skinless	2493
	{ - blocks in immediate { packing weighing not { more than 4 Kg	2433
ex 0304 90 45	Minced blocks	807
ex 0303 72 00, ex 0304 90 45	Pieces and other meat	954
4. Hake (Merluccius spp.) ex 0303 78 10	Whole fish: - with or without head	773
	{ Fillets: { - industrial blocks, { with bones (standard)	1039
	{ - industrial blocks, { boneless	1223
ex 0304 20 57	{ - individual fillets, { with skin	1058
	{ - individual fillets, { skinless	1135
	{ - blocks in immediate { packing weighing not { more than 4 Kg	1224
ex 0304 90 47	Minced blocks	779
ex 0303 78 10 ex 0304 90 47	Pieces and other meat	1026

ANNEX II

13.3.93

Official Journal of the European Communities

No L 61/51

COMMISSION REGULATION (EEC) No 592/93

of 12 March 1993

amending Regulation (EEC) No 420/93 making imports of certain fishery products subject to observance of the reference price

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 products¹, and in particular Article 22 (6) thereof,

Whereas Commission Regulation (EEC) No 420/93² makes imports of certain fishery products subject to observance of reference prices;

Whereas the free-at-frontier prices of large quantities of products other than those specified in Regulation (EEC) No 420/93 have fallen below the reference prices for those products; whereas the list of products made subject to observance of reference prices should accordingly be extended;

Whereas the Management Committee for Fishery Products could not express an opinion as regards the measures provided for in this Regulation within the time required by its President,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 420/93 is amended as follows:

1. point 2 (frozen products) in the Annex reads as follows:

(Ecu/tonne)

Species	Presentation	Reference prices
5. Alaska pollack (Theragra chalcogramma) ex 0304 20 85	{ Fillets: { - industrial blocks, { with bones (standard) { - industrial blocks, { boneless	935 1089

¹OJ No L 388, 31.12.1992, p. 1.

²OJ No L 48, 26.2.1993, p. 12.

2. With respect to Alaska pollack, the date of release for free circulation as laid down in Article 1 (2), shall be 31 March 1993 at the latest.

Article 2

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

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

Done at Brussels, 12 March 1993

For the Commission

Yannis PALEOKRASSAS

Member of the Commission