

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 505 final

Brussels, 18.11.1994

Proposal for a

COUNCIL REGULATION (EC)

**temporarily suspending totally or partially the autonomous duties of the Common Customs
Tariff for certain fishery products (1995)**

(presented by the Commission)

2

EXPLANATORY MEMORANDUM

1. In the third quarter of this year, the Commission, with the assistance of the Economic Tariff Questions Group, examined all requests, submitted by Member States, for temporary suspension of common customs tariff duties, including the requests for prolongation of the suspensions currently in force.
2. The attached proposal concerns a number of fishery products. The proposal for industrial products is being prepared.
3. Requests for suspension relating to the above products were examined in the light of the criteria defined in the Commission communication to the Council and the Member States, concerning autonomous tariff suspensions (cf. O.J. No. C 235 of 13.9.89, p. 2).

As a result of this examination, the Commission deems it justifiable to suspend the duty on those products listed in the Annex to the attached draft Regulation.

4. As stated in Article 1 of the aforementioned proposal for a Regulation, the proposed period of validity is 12 months.

Proposal for a

**COUNCIL REGULATION (EC) No 194
of 1994**

**temporarily suspending totally or partially the autonomous duties of the
Common Customs Tariff for certain fishery products (1995)**

**THE COUNCIL OF THE EUROPEAN
UNION,**

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas Community supplies for certain fishery products currently depend on imports from third countries; whereas it is in the Community's interest to suspend totally or partially the customs duties for the products in question; whereas, in order not to jeopardize the development prospects of production of competitive products in the Community and to ensure an adequate supply to satisfy user industries, it is advisable to limit these suspension measures to a period 1 January to 31 December 1995;

Whereas the decision for the suspension of these autonomous duties should be taken by the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1995, the autonomous duties of the Common Customs Tariff applicable to the products listed in the Annex shall be suspended at the level indicated in respect of each of them.

2. Imports of the products in question shall not be covered by the suspensions referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States in accordance with Article 22 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products ⁽¹⁾, is at least equal to the reference price fixed, or to be fixed, by the Community for the products under consideration or the categories of the products concerned.

Article 2

This Regulation shall enter into force on 1 January 1995.

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

Done at , 1994.

For the Council

The President

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

CN code	TARIC	Description of goods	Autonomous duties (X)
1 03026520 03037520 ex03041098 ex03049097	#60 #31	Dogfish of the species <i>Squalus acanthias</i> , fresh, chilled or frozen	6
2 ex03026997 ex03037997	#30 #30	Sturgeons, fresh, chilled or frozen, for processing (a) (b)	0
3 ex03026997	#40	Lump fish (<i>Cyclopterus lumpus</i>) with roe, fresh or chilled, for processing (a)	0
4 ex03026997 ex03037997	#50 #40	Red Snapper (<i>Lutjanus purpureus</i>), fresh, chilled or frozen, for processing (a) (c)	0
5 ex03027000 ex03027000 ex03038000 ex03038000	#11 #91 #21 #29	Hard fish roes, fresh, chilled or frozen	0
6 ex03031000	#10	Pacific salmon (<i>Oncorhynchus spp.</i>), frozen and headless, for the processing industry for manufacture into pastes or spreads (a)	0
7 ex03038000 ex03038000	#11 #19	Soft roe, frozen, for the manufacture of deoxyribonucleic acid or protamine sulphate (a)	0
9 ex03042085 ex03049061	#10 #10	Filets and meat of Alaska pollack (<i>Theragra chalcogramma</i>), in the form of industrial blocks, frozen, for processing (a) (b)	10
10 ex03052000	#10	Hard fish roes, salted or in brine	0
11 ex03061990 ex03062990	#10 #10	Krill for processing (a)	0
12 ex16041100 ex16042010	#20 #20	Pacific salmon (<i>Oncorhynchus spp.</i>), for the processing industry for manufacture into pastes or spreads (a)	0
13 ex16043090	#10	Hard fish roes, washed, cleaned of adherent organs and simply salted or in brine, for processing (a)	0
14 ex16051000 ex16051000	#11 #19	Crabs of the species 'King' (<i>Paralithodes camchaticus</i>), 'Hanasaki' (<i>Paralithodes brevipes</i>), 'Kegani' (<i>Erimacrus isenbeckii</i>), 'Queen' and 'Snow' (<i>Chionoecetes spp.</i>), 'Red' (<i>Geryon quinquegens</i>), 'Rough stone' (<i>Neolithodes asperimus</i>), <i>Lithodes antarctica</i> , 'Mud' (<i>Scylla serrata</i>), 'Blue' (<i>Portunus spp.</i>), simply boiled in water and shelled, whether or not frozen, in immediate packings of a net content of 2kg or more	0
15 ex16053000	#10	Lobster flesh, cooked, for the processing industry for the manufacture of butters based on lobster, or of pastes, pâtés, soups or sauces (a) (c)	0

5

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The suspension shall apply to fish intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations:

- cleaning, gutting, tailing, heading,
- cutting (excluding filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (or operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.

(c) However, the suspension is not allowed where processing is carried out by retail or catering undertakings.

FINANCIAL RECORD

1. **Budget line concerned** : Chap. 12 Art. 120
2. **Title of the tariff measure concerned** : Proposal for a Council Regulation, temporarily suspending totally or partially the autonomous duties of the Common Customs Tariff for certain fishery products (1995).
3. **Legal basis** : Art. 28 of the EC-Treaty
4. **Objective** : suspension of CCT duties on the abovementioned products
5. **Cost of this tariff-measure** :

To be borne by the EC-budget :

- for the same exercise in 1994, the loss of own resources was expected to be of the order of 35 300 000 ECU.
- for the current exercise, based on the Community statistics available, a reasonable estimate for the cost of the operation for the period covered by the attached draft Regulation would be of the order of 37 000 000 ECU.

COM(94) 505 final

DOCUMENTS

EN

03 02

Catalogue number : CB-CO-94-530-EN-C

ISBN 92-77-82191-4

Office for Official Publications of the European Communities
L-2985 Luxembourg
