

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 19.12.1994

94/0309 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

**opening and providing for the administration of
Community tariff quotas and ceilings and
establishing Community surveillance for
certain fish and fishery products originating in the Faroe Islands
and establishing the detailed provisions for adapting these quotas**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Council Decision No 91/668/EEC concerning the conclusion of the Agreement between the European Economic Community, the Government of Denmark and the Home Government of the Faroe Islands provided for customs duties to be abolished from 1 January 1992 on imports into the Community of the fish and fishery products listed in Annexes I, II and III.
2. The attached annexes show how the abolition of customs duties applies to products of this kind originating in the Faroes:

Annex I covers products subject to Community tariff quotas.

Annex 2 covers products subject to Community tariff ceilings.

Annex 3 covers products subject to Community statistical surveillance.
3. The preferential rates of duty specified in Annexes I, II and III apply only if the free-at-frontier price determined by the Member States in accordance with Article 22 of Regulation (EEC) No 3759/92, as last amended by Regulation (EEC) No 1891/93, is at least equal to the reference price set or to be set by the Community for the products or categories of products concerned.
4. Following Council Decision concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community, the Government of Denmark, and the home Government of the Faroe Islands amending the tables of the Annex to Protocol I of the Agreement of 2 December 1991 between the European Economic Community, the Government of Denmark, and the home Government of the Faroe Islands, certain amendments were brought in the table of products listed in Annex I:
5. Since the Agreement provides for tariff quotas, tariff ceilings and statistical surveillance for an indefinite period, a multiannual Regulation would be the most effective and simplest way of implementing the measures concerned.
6. On the other hand, given that amendments may need to be made each year as a result of changes to the Combined Nomenclature, the TARIC, Council legislation implementing decisions taken by the EEC-Faroe Islands Joint Committee and any changes made to the Agreement itself, it is proposed that the Council empower the Commission to implement such changes by means of a Regulation for the duration of the Agreement. The Commission would be assisted in this task by the Customs Code Committee, whose advice would be sought in line with the procedure set out in Article 10 of Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.
7. With regard to Community tariff quotas, the proposal provides for Member States to draw the amounts they need to cover actual imports from the quotas.
8. As to the administration of the tariff ceilings, it is proposed to establish a surveillance system for imports of products listed in Annex II and to empower the Commission to restore the customs duties in certain circumstances. This involves the adoption of common specific rules to be applied by all Member States consistently in a context of close cooperation between the competent departments of the Member States and the Commission.
9. The statistical surveillance proposed for certain products does not involve the adoption of common rules other than those currently applied uniformly by all the Member States in the field of the Community's external trade statistics.

This sums up the purpose of the attached proposal.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof;

Having regard to the proposal from the Commission,

Whereas Articles 3 and 8 of the Council Decision 91/668/EEC of 2 December 1991 concerning the conclusion of the Agreement between the European Economic Community, the Government of Denmark and the Home Government of the Faroe Islands,¹ provided for the abolition of customs duties applicable to imports into the Community of Ten of certain fish and fishery products listed in Protocol 1 attached to the said Decision; whereas the abolition is subject to Community tariff quotas and ceilings and, for some of these products, Community statistical surveillance; whereas the said Community tariff quotas and ceilings in respect of products originating in the Faroe Islands were therefore to be opened for the volumes indicated respectively in Annexes I and II, and Community statistical surveillance established in respect of the products listed in Annex III;

Whereas the preferential rates of duty indicated in Annexes I, II and III apply only where the free-at-frontier price determined by the Member States in accordance with Article 22 of Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery products and aquaculture² is at least equal to the reference price set, or to be set, by the Community for the products or categories of products concerned;

Whereas following Council Decision nr./94 concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community, the Government of Denmark, and the home Government of the Faroe Islands amending the tables of the Annex to Protocol 1 of the Agreement of 2 December 1991 between the European Economic Community, the Government of Denmark, and the home Government of the Faroe Islands, certain amendments were brought in the table of products listed in Annex I;³

Whereas, for reasons of simplification; provision should be made to empower the Commission to give effect, following receipt of the opinion of the Customs Code Committee, to necessary amendments and technical adaptations of this regulation arising from amendments of the combined nomenclature and TARIC codes and to adaptations of volume, periods and quota rates arising from decisions by the Council or by the Commission;

Whereas this Regulation must apply subject to any amendment of the existing Agreement between the Community and the Faroe Islands which may specify the products eligible for tariff quotas or subject to statistical surveillance, quota-volumes, duties and tariff periods, and any eligibility criteria; whereas provision should therefore be made for the Commission to make corresponding amendments to this Regulation and the annexes thereto, after first having obtained the opinion of the Customs Code Committee;

¹ OJ Nr L 371, 31.12.1991, p.1.

² OJ Nr L 388, 31.12.1992, p.1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ Nr. L 172, 15.7.1993, p.1).

³ OJ Nr. L.....,, p.

Whereas the Agreement provides for tariff quotas, tariff ceilings and statistical surveillance for an indefinite period; whereas, therefore, to make its implementation more efficient and simpler, this Regulation should apply on a multiannual basis;

Whereas equal and continuous access to the quotas in respect of the products listed in Annex I should be ensured for all Community importers and the rates of duty laid down for the quotas should be applied consistently to all imports of the products in question in all Member States until the quotas are exhausted;

Whereas Community should take the decision to open tariff quotas in the execution of its international obligations; whereas, to ensure the efficiency of a common administration of these quotas, there is no reason why the Member States should not be authorized to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas this method of administration does, however, require close cooperation between the Member States and the Commission, which must be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, in respect of products listed in Annex II and subject to Community tariff ceilings, Community surveillance may be effected by charging imports of these products against the ceilings at Community level as and when the products are presented at customs and declared for free circulation; whereas this method of administering the ceilings should enable customs duties to be restored as soon as the ceilings in question are reached at Community level;

Whereas this method of administering the ceilings calls for close and speedy cooperation between the Member States and the Commission, which must be able to monitor the level reached by imports charged against the ceilings and inform the Member States accordingly; whereas this cooperation should be close enough to allow the Commission to take the appropriate steps to restore customs duties as soon as one of the ceilings is reached;

Whereas, for the products listed in Annex III, it would seem appropriate to have recourse to the system of statistical surveillance administered by the Commission pursuant to the relevant provisions of Regulations (EEC) No 2658/87⁴ and (EEC) No 1736/75,⁵

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December each year, the customs duty applicable to imports into the Community of products listed in Annex I and originating in the Faroe Islands shall be suspended at the levels and within the limits of the Community tariff quotas specified therein.

Article 2

The tariff quotas referred to in Article 1 shall be administered by the Commission, which may take any appropriate administrative measure to ensure efficient operation.

Article 3

Where an importer enters a product covered by this Regulation for free circulation in a Member State accompanied by a request for preferential treatment and by a movement certificate, and his declaration is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission accordingly, draw a quantity from the quota concerned to satisfy the requirement.

⁴ OJ Nr. L 256, 7.9.1987, p.1.

⁵ OJ Nr. L 183, 14.7.1975, p.3.

Applications for drawings from the quotas shall indicate the date on which the declarations were accepted and shall be sent to the Commission forthwith.

Drawings shall be granted by the Commission on the basis of the date when the declarations for free circulation were accepted by the customs authorities of the Member State concerned, provided the available balance is sufficient.

Where a Member State fails to use the quantities drawn it shall return them as soon as possible to the relevant quota.

Where the quantities applied for are in excess of the available balance, allocation shall be made in proportion to the requirements. The Member States shall be informed by the Commission of the quantities drawn.

Article 4

1. From 1 January to 31 December each year imports into the Community of certain products originating in the Faroe Islands, listed in Annexes II and III, shall be subject respectively to import ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, the ceilings and the customs duty applicable are specified in the said Annexes.

2. Imports shall be charged against the ceilings as and when the products are presented to customs under cover of declarations for free circulation accompanied by a movement certificate complying with the rules laid down in the Protocol concerning the definition of the concept of originating products and methods of administrative cooperation, attached to Council Decision 91/668/EEC.

Goods may be charged against the ceiling only if the movement certificate is presented before the date when collection of customs duty is resumed.

Utilization of ceilings shall be recorded at Community level on the basis of imports charged against them as specified in the first and second subparagraphs.

Member States shall inform the Commission of any import operation carried out in accordance with the procedure determined above at the intervals and within the deadlines laid down in paragraph 4.

3. As soon as the ceilings are reached, the Commission may, by adopting a Regulation, resume the collection of the customs duties applicable to third countries until the end of the calendar year.

4. Member States shall send the Commission, no later than the 15th of each month, the statements showing the quantities charged during the preceding month.

5. The statistical surveillance provided for in respect of products specified in Annex III to this Regulation shall be carried out at Community level on the basis of imports charged as specified in the first subparagraph of paragraph 2 and notified to the Statistical Office of the European Communities pursuant to Regulations (EEC) No 2658/87 and (EEC) No 1736/75.

Article 5

1. The provisions necessary to apply this Regulation, in particular:

- (a) any technical amendments and adaptations which may be needed as a result of changes to the Combined Nomenclature or TARIC codes;

- (b) any adaptations needed following a change to the Agreement between the European Community and the Faroe Islands, as approved by an act of the Council,

shall be adopted in accordance with the procedure set out in Article 6(2).

2. The provisions adopted pursuant to paragraph 1 do not authorize the Commission to:
- carry over preferential quantities from one quota period to another,
 - amend the timetables laid down in the Agreements or protocols,
 - transfer quantities from one quota to another,
 - open and administer quotas resulting from new agreements,
 - adopt legislation affecting the administration of quotas subject to import certificates

Article 6

1. The Commission shall be assisted by the Customs Code Committee established by Article 247 of Regulation (EEC) No 2913/92.⁶
2. The Commission's representative shall submit a proposal to the Committee concerning the measures to be taken. The Committee shall give its opinion on the proposal within a time limit to be specified at the Chairman's discretion, depending on the urgency of the matter in question. The Committee shall give its opinion by a majority vote as laid down in Article 148(2) of the Treaty for acts which the Council is required to adopt on a proposal from the Commission. In Committee votes, the Member States' votes shall be weighted according to the method given in Article 148(2). The Chairman shall not vote.

The measures adopted by the Commission shall apply with immediate effect. However, if they differ from the Committee's opinion, the Commission shall immediately submit the proposed measures to the Council and delay their implementation for three months from the date of submission.

The Council may take a different decision, by a qualified majority, within the time limit specified in the previous subparagraph.

3. The Committee may examine any question concerning the application or adaptation of this Regulation which is raised by its chair either at the latter's initiative or at the request of a Member State.

Article 7

Rates of duty specified in Annexes I, II and III shall apply only where the free-at-frontier price determined by Member States in accordance with Regulations (EEC) No 3759/92 and (EEC) No 1891/93 is at least equal to the reference price set or to be set by the Community in respect of the products or categories of products concerned.

Article 8

The Commission shall adopt all appropriate measures, in close cooperation with the Member States, to apply this Regulation.

⁶ OJ Nr. L 302, 19.10.1992, p.1.

Article 9

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

It shall apply from 1 January 1995.

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

Done at Brussels,

For the Council

The President

ANNEX I

On certain fish and fishery products subject to tariff quotas

Order No	CN code	TARIC sub-division	Description	Rate of duty	Tariff quota (tonnes)
09.0671	0301		Live fish:		700 ⁷
	ex 0301 91 00	*10	- Other live fish: -- Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>): ⁸ - Trout (<i>Salmo gairdneri</i>)	0	
	0302		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:		
	ex 0302 11 00	*10	- Salmonidae, excluding livers and roes: -- Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>): ⁸ - Trout (<i>Salmo gairdneri</i>)	0	
	0303		Fish, frozen, excluding fish fillets and other fish meat of heading No 0304:		
	ex 0303 21 00	*10	- Other salmonidae, excluding livers and roes: -- Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>): ⁸ - Trout (<i>Salmo gairdneri</i>)	0	
	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
	0304 10		- Fresh or chilled:		
			-- Fillets:		
	cx 0304 10 11	*10	--- Of freshwater fish: ---- Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>): ⁸ - Of trout (<i>Salmo gairdneri</i>)	0	
	0304 20		- Frozen fillets:		
	ex 0304 20 11	*10	-- Of freshwater fish: --- Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>): ⁹ - Of trout (<i>Salmo gairdneri</i>)	0	
	0304 09		- Other:		
	ex 0304 09 10	*11	--- Of freshwater fish: - Of trout (<i>Salmo gairdneri</i>)	0	

⁷ Figures refer to the commercial presentation 'whole and gutted'. For imports falling within HS code 0304, a coefficient of 2 shall be applied for quantities drawn from the respective tariff quota reference ceiling.

⁸ Note new scientific names:

Obsolete scientific name New name

<i>Salmo gairdneri</i>	<i>Oncorhynchus mykiss</i>
<i>Salmo clarki</i>	<i>Oncorhynchus clarki</i>
<i>Salmo aguabonita</i>	<i>Oncorhynchus aguabonita</i>
<i>Salmo gilae</i>	<i>Oncorhynchus gilae</i>

Order No	CN code	TARIC sub-division	Description	Rate of duty	Tariff quota (tonnes)
09.0673	0301		Live fish:		4 900 ¹
	0301 99		- Other live fish:		
	ex 0301 99 11	*10	-- Other: --- Freshwater fish: ---- Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>): ¹⁰		
	0302		- Atlantic salmon (<i>Salmo salar</i>)	0	
	ex 0302 12 00	*11 *13 *15 *19	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304: - Salmonidae, excluding livers and roes: -- Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>): ³	0	
	0303		- Atlantic salmon (<i>Salmo salar</i>)		
	ex 0303 22 00	*20	Fish, frozen, excluding fish fillets and other fish meat of heading No 0304: - Other salmonidae, excluding livers and roes: -- Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>):		
	0304		- Atlantic salmon (<i>Salmo salar</i>)	0	
09.0673 (cont'd)	0304 10		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen: - Fresh or chilled:		
	ex 0304 10 13	*10	-- Fillets: --- Of freshwater fish: ---- Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>): ³		
	0304 20		- Of Atlantic salmon (<i>Salmo salar</i>)	0	
	ex 0304 20 13	*10	-Frozen fillets: --- Of freshwater fish: ---- Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>): ³		
	0304 09		- Of Atlantic salmon (<i>Salmo salar</i>)	0	
	ex 0304 90 10	*13	- Other: --- Of freshwater fish: - Of Atlantic salmon (<i>Salmo salar</i>)	0	

¹ Figures refer to the commercial presentation 'whole and gutted'. For imports falling within HS code 0304, a coefficient of 2 shall be applied for quantities drawn from the respective tariff quota reference ceiling.

³ *Oncorhynchus* spp.: with the exception of the species listed in footnote n 2, also *Oncorhynchus apache* and *Oncorhynchus chryogaster*.

⁹ Note new scientific names:

Obsolete scientific name

Salmo gairdneri

Salmo clarki

Salmo aguabonita

Salmo gilae

New name

Oncorhynchus mykiss

Oncorhynchus clarki

Oncorhynchus aguabonita

Oncorhynchus gilae

¹⁰ *Oncorhynchus* spp.: with the exception of the species listed in footnote 2, also *Oncorhynchus apache* and *Oncorhynchus chryogaster*.

Order No	CN code	TARIC sub-division	Description	Rate of duty	Tariff quota (tonnes)
09.0675	1604		Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		400
	ex 1604 11 00	*30	- Fish, whole or in pieces, but not minced: -- Salmon:	0	
	1604 19		- Atlantic Salmon (<i>Salmo salar</i>)		
	ex 1604 19 10	*10	-- Other: --- Salmonidae, other than salmon:	0	
	1604 20		- Trout (<i>Salmo gairdneri</i>)		
ex 1604 20 10	*30	- Other prepared or preserved fish: --- Of salmon:	0		
ex 1604 20 30	*10	- Of Atlantic salmon (<i>Salmo salar</i>) --- Of salmonidae, other than salmon: - Of trout (<i>Salmo gairdneri</i>)			
09.0677	1604		Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		150
	1604 12		- Fish, whole or in pieces, but not minced:	0	
	1604 12 10		-- Herrings: --- Fillets, raw merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep frozen		
	1604 15		-- Mackerel: --- Of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	0	
	ex 1604 15 11	*10	---- Fillets: - Of the species <i>Scomber scombrus</i>		
ex 1604 15 19	*10	---- Other: - Of the species <i>Scomber scombrus</i>	0		

Order No	CN code	TARIC sub-division	Description	Rate of duty	Tariff quota (tonnes)
	1604 20 ex 1604 20 05	*10	- Other prepared or preserved fish: -- Preparations of surimi: --- Of herring and mackerel	0	0
	ex 1604 20 50	*40	--- Of sardines, bonito, mackerel of the species Scomber scombrus and Scomber japonicus, fish of the species Orcynopsis unicolor: - Of mackerel of the species Scomber scombrus	0	
	ex 1604 20 90	*10	--- Of other fish ---- Of herring	0 0	
	1604 19		-- Other: --- Other: ---- Other:		
	1604 19 92		----- Cod (Gadus morhua, Gadus ogac, Gadus macrocephalus)	0	1 200
	1604 19 93		----- Coalfish (Pollachius virens)	0	
	1604 19 94		----- Hake (Merluccius spp., Urophycis spp.)	0	
	1604 19 95		----- Alaska pollack (Theragra chalcogramma) and pollack (Pollachius pollachius)	0	
	1604 19 98		----- Other	0	
	1604 20 ex 1604 20 05 ex 1604 20 05	*90	- Other prepared or preserved fish: - Preparations of surimi: --- Other than of herring and mackerel	0	
	1604 20 90 ex 1604 20 90	*90	--- Of other fish --- Of other than herring	0	
09.0679	1605		Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved:		2 000
	1605 20 1605 20 10		- Shrimps and prawns: -- In airtight containers -- Other:	0	
	1605 20 91		--- In immediate packings of a net content not exceeding 2 kg	0	
	ex 1605 20 99 ex 1605 40 00	*20	--- Other - Other crustaceans: - Nephrops norvegicus	0	

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ANNEX II

On certain fishery products subject to Community tariff ceilings

Order No	CN code	TARIC sub-division	Description	Rate of duty	Amount of tariff ceiling (in tonnes)
17.0011	0302		Fish, fresh or chilled, excluding fish fillers and other fish meat of heading No 0304:		2 000 (1)
	0302 40		— Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes:		
	0302 40 90		— — From 16 June to 14 February	0	
	0303		Fish, frozen, excluding fish fillets and other fish meat of heading No 0304:		
	0303 50		— Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes:		
	0303 50 90		— — From 16 June to 14 February	0	
	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
	0304 20		— Frozen fillets:		
	0304 20 75		— — Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)	0	
	0304 90 25		— Other: — — Other: — — — Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>): — — — — From 16 June to 14 February	0	
17.0013	0302		Fish, fresh or chilled, excluding fish fillers and other fish meat of heading No 0304:		3 000
	0302 64		— — Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>):		
	ex 0302 64 90	*10	— — — From 16 June to 14 February: — — Mackerel (<i>Scomber scombrus</i>)	0	
17.0015	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		25 000
	0304 20		— Frozen fillets:		
	0304 20 31		— — Of coalfish (<i>Pollachius virens</i>)	0	
	0304 90		— Other:		
	0304 90 41		— — Other: — — — Of coalfish (<i>Pollachius virens</i>)	0	

(1) Figures refer to the commercial presentation whole and gutted. For imports falling within HS code 0304, a coefficient of 2 shall be applied for quantities drawn from the respective tariff quota reference ceiling.

Order No	CN code	TARIC sub-division	Description	Rate of duty	Amount of tariff ceiling (in tonnes)
17.0017	0305		Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; fish meal fit for human consumption:		5 000
	0305 30		— Fish fillets, dried, salted or in brine, but not smoked:		
	0305 30 50		— — Of lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>), salted or in brine	0	
	0305 30 90		— — Other	0	
17.0019	0305		Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; fish meal fit for human consumption:		1 000
	ex 0305 41 00	*10	— Smoked fish, including fillets: — — Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho bucho</i>) (3): — — Atlantic salmon (<i>Salmo salar</i>)	0	
	0305 49		— — Other:		
	0305 49 10		— — — Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	0	
	0305 49 20	*10	— — — Atlantic halibut (<i>Hippoglossus hippoglossus</i>)	0	
	ex 0305 49 30		— — — Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>):		
	ex 0305 49 40	*10	— — — Mackerel (<i>Scomber scombrus</i>)	0	
			— — Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>) (2):		
			— — — Trout (<i>Salmo gairdneri</i>)	0	
			— — — Eels (<i>Anguilla</i> spp.)	0	
		— — — Other	0		
17.0021	0302		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:		12 600 (1)
	0302 69		— Other fish, excluding livers and roes: — — Other: — — — Redfish (<i>Sebastes</i> spp.):		

(a) The Taric codes are set out in Annex IV.

(1) Figures refer to the commercial presentation whole and gutted. For imports falling within HS code 0304, a coefficient of 3 shall be applied for quantities drawn from this reference ceiling.

(2) Change of scientific names:

Obsolete scientific name	Replaced by
<i>Salmo gairdneri</i>	<i>Oncorhynchus mykiss</i>
<i>Salmo clarki</i>	<i>Oncorhynchus clarki</i>
<i>Salmo aguabonita</i>	<i>Oncorhynchus aguabonita</i>
<i>Salmo gilae</i>	<i>Oncorhynchus gilae</i>

(3) *Oncorhynchus* spp.: with the exception of the species listed in footnote 2 as well as *Oncorhynchus apache* and *Oncorhynchus chrysogaster*.

Order No	CN code	TARIC sub-division	Description	Rate of duty	Amount of tariff ceiling (in tonnes)
17.0021 (cont'd)	0302 69 31	*10	----- Of the species <i>Sebastes marinus</i>	0	
	ex 0302 69 33		----- Other: -- Of the species <i>Sebastes mentella</i>	0	
	0303	*10	Fish, frozen, excluding fish fillets and other fish meat of heading No 0304: -- Other fish, excluding livers and roes:	0	
	0303 79		-- Other: -- -- Saltwater fish: -- -- -- Redfish (<i>Sebastes</i> spp.):		
	0303 79 35		----- Of the species <i>Sebastes marinus</i>		
	ex 0303 79 37		----- Other: -- Of the species <i>Sebastes mentella</i>		
	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
	0304 10	*10	-- Fresh or chilled -- -- Fillets -- -- -- Other: -- -- -- -- Of red fish (<i>Sebastes</i> spp.)	0	
	0304 10 35		-- Frozen fillets: -- -- Of redfish (<i>Sebastes</i> spp.):		
	0304 20		-- -- -- Of the species <i>Sebastes marinus</i>		
	0304 20 35		-- -- -- Other: -- Of the species <i>Sebastes mentella</i>		
	ex 0304 20 37				
17.0023	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:	0	3 000
	0304 10		-- Fresh or chilled -- -- Fillets: -- -- -- Other:		
	0304 10 33		----- Of coalfish (<i>Pollachius virens</i>)		
	0304 10 38		----- Other		
17.0025	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:	0	550
	0304 20		-- Frozen fillets:		
	0304 20 43		-- -- Of ling (<i>Molva</i> spp.)		

Order No	CN code	TARIC sub-division	Description	Rate of duty	Amount of tariff ceiling (in tonnes)
17.0027	0304 0304 20 ex 0304 20 97 0304 90 0304 90 59	•40	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen: — Frozen fillets: — — Other: — — — Of blue whiting — Other: — — Other: — — — — Of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)	0 0	1,800
17.0029	0305 0305 69 0305 69 90		Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; fish meal fit for human consumption: — Fish, salted but not dried or smoked and fish in brine: — — Other: — — — Other	0	1 400
17.0031	0306 0306 13 0306 13 10		Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine: — Frozen: — — Shrimps and prawns: — — — Of the family <i>pandalidae</i>	0	11 000
17.0033	0305 0305 61 00 1604 1604 12 1604 12 91 1604 12 99		Fish, dried, salted or in brine; smoked fish whether or not cooked before or during the smoking process; fish meal fit for human consumption: — Fish, salted but not dried or smoked and fish in brine: — — Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>) Prepared or preserved fish, caviar or caviar substitutes prepared from fish eggs: — Fish, whole or in pieces, but not minced: — — Herrings: — — — Other: — — — — In airtight containers — — — — Other	0 0 0 0	500

ANNEX III

On fish subject to statistical surveillance

Order No	CN code	TARIC sub-division	Description	Rate of duty
17.0035	0302		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:	
	0302 29 0302 29 90		— Flat fish (<i>Pleuronectidae</i> , <i>Bothidae</i> , <i>Cynoglossidae</i> , <i>Soleidae</i> , <i>Scophthalmidae</i> and <i>Citharidae</i>), excluding livers, and roes: — — Other: — — — Other	0
17.0037	0302 69		— Other fish, excluding livers and roes: — — Other:	
	0302 69 91 0302 69 97		— — — Saltwater fish: — — — — Horse mackerel (scad) (<i>Caranx trachurus</i> , <i>Trachurus trachurus</i>) — — — — Other	0 0
17.0039	0303		Fish, frozen, excluding fish fillets and other fish meat of heading No 0304	
	0303 79 0303 79 91 0303 79 97		— Other fish, excluding livers and roes: — — Other: — — — Saltwater fish: — — — — Horse mackerel (scad) (<i>Caranx trachurus</i> , <i>Trachurus trachurus</i>) — — — — Other	0 0
17.0041	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:	
	0304 20 ex 0304 20 97	*20 *50 *70 *90	— Frozen fillets: — — Other: — — — Other excluding blue whiting	0
17.0043	0304 90 0304 90 97		— Other: — — Other: — — — — Other	0

FINANCIAL STATEMENT

1. Budget heading concerned: Chapter 12, Article 120
2. Legal basis: Article 113 of the Treaty.
3. Description of tariff measures: Proposal for a Council Regulation opening and providing for the administration of Community tariff quotas and ceilings and establishing Community surveillance for certain fish and fishery products originating in the Faroe Islands and establishing the detailed provisions for adapting these quotas
4. Aim: Fulfilment of an obligation ensuing from a Council Decision
5. Method of calculation:
 - (a) Tariff quotas

Product description	CN code	Volume of quota (ECU/T)	Rate of duty (%)	CN rate of duty (%)	Estimated price (ECU/T)	Loss of revenue (ECU)
Trout (salmo gairdneri)	ex0301 91 00	700	0	12	441	37 044
	ex0302 11 00					
	ex0303 21 00					
	ex0304 10 11					
	ex0304 20 11					
ex0304 90 10	8					
Atlantic salmon	ex0301 99 11	4 900	0	2	5 566	545 468
	ex0302 12 00					
	ex0303 22 00					
	ex0304 10 13					
	ex0304 20 13					
ex0304 90 10	8					
Prepared or preserved Atlantic salmon	ex1604 11 00	400	0	5.5	10 364	- 248 736
	ex1604 19 10			7		
	ex1604 20 10			5.5		

Product description	CN code	Volume of quota (ECU/T)	Rate of duty (%)	CN rate of duty (%)	Estimated price (ECU/T)	Loss of revenue (ECU)
Herrings and prepared or preserved herrings	ex0305 61 00	2 000	0	12	971	1 237 565
	1604 12 10			15	3 125	
	ex1604 12 90			20	1 781	
	ex1604 15 10			25	3 149	
	1604 19 91			15	4 873	
	1604 19 99			20	4 922	
	ex1604 20 50			25	2 943	
	1604 20 90	20	4 290			
Shrimps and nethrops norvegicus	1605 20 00	2 000	0	20	6 669	2 546 800
	ex1605 40 00			20	6 065	

(b) Tariff ceilings and statistical surveillance

The tariff measures will not result in any additional loss of revenue.

6. Loss of revenue

The average annual loss of revenue is ECU 4 615 613.

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