



COMMISSION OF THE EUROPEAN COMMUNITIES

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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 defining detailed provisions for amending and adapting these measures

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Council adopted a decision on 6 December 1996 concerning the conclusion of a new Agreement between the European Community, the Government of Denmark and the Home Government of the Faroe Islands in place of the agreement covered by Council Decision 91/668/EEC. The new agreement entered into force on 1 January 1997.

To give effect to the new agreement, particularly with respect to fishery products, it would be necessary to replace Regulation (EC) No 1983/95, which implemented measures under the old agreement.

The attached proposal is identical with the text of that regulation, except for taking account of an enlargement of the scope of the agreement and an updating of the CN codes and descriptions concerned.

This sums up the purpose of the attached proposal.

Proposal for a
Council Regulation (EC) No/97
of
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 defining
detailed provisions for amending and adapting these measures

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 Article 3 and 8 of the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part, signed on 6 December 1996¹, provides for the abolition of customs duties applicable to imports into the Community 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 should therefore be opened for the volumes indicated respectively in Annexes I and II to this Regulation and Community statistical surveillance established in respect of the products listed in Annex III thereto;

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, 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 set up by Article 247 of Regulation (EEC) No 2913/92³, to necessary amendments and technical adaptations to the Annexes to 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;

¹ OJ No L 53, 22.2.1997, p. 1.

² OJ No L 388, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 3318/94 (OJ No L 350, 31.12.1994, p. 1).

³ OJ No L 302, 19.10.1992, p. 1.

Whereas this Regulation may apply in the case of any amendment of the said Agreement in the form of an exchange of letters 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;

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 the 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 (EC) No 1172/95⁴ and (EEC) No 2658/87⁵,

HAS ADOPTED THIS REGULATION:

⁴ OJ No L 118, 25.5.1995, p. 10.

⁵ OJ No L 256, 7.9.1987, p. 1.

Article 1

From 1 January to 31 December each year, the customs duties 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
- 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 annexed to Decision 97/126/EC,

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.

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 State 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 as specified in Article 3, first paragraph.

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 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 (EC) No 1172/95 and (EEC) No 2658/87.

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.
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. In this case, the Commission shall 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 of this Regulation which is raised by its chairman 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 Regulation (EEC) No 3759/92 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.

Article 9

Regulation (EC) No 1983/95 of 24 July 1995⁶ shall be repealed.

Article 10

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

⁶ OJ No L 192, 15.8.1995, p. 1.

It shall apply from 1 January 1997.

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

Done at Brussels,

For the Council

ANNEX I

On fish and fishery products subject to tariff quotas

Order No	CN code	TARIC sub-division	Description	Rate of duty	Quota volume (tonnes)
09.0671	0301		Live fish :		700 (1)
	ex 0301 91 90	10	- other live fish : - - - Trout of the species <i>Oncorhynchus mykiss</i>	0	
	0302		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:		
	ex 0302 11 90	10	- Salmonidae, excluding livers and roes : - - - Trout of the species <i>Oncorhynchus mykiss</i>	0	
	0303		Fish, frozen, excluding fish fillets and other fish meat of heading No 0304:		
	ex 0303 21 90	10	- - - Trout of the species <i>Oncorhynchus mykiss</i>	0	
	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
	0304 10		- Fresh or chilled :		
	ex 0304 10 11	10	- - Fillets : - - - of freshwater fish: - - - - of trout of the species <i>Oncorhynchus mykiss</i>	0	
	0304 20		- Frozen fillets:		
ex 0304 20 11	10	- - Of freshwater fish: - - - - Of trout of the species <i>Oncorhynchus mykiss</i>	0		
0304 90		- Other :			
ex 0304 90 10	11	- - - Of freshwater fish: - - - - Of trout of the species <i>Oncorhynchus mykiss</i>	0		
09.0673	0301		Live fish:		4 925 (1)
	0301 99		- Other live fish:		
	ex 0301 99 11		- - Other:		
		20	- - - Freshwater fish:		
		30	- - - - Atlantic Salmon (<i>Salmo salar</i>) :		
			- - - - - young	0	
			- - - - - other	0	
0302		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304 :			
ex 0302 12 00	10	- - - Atlantic Salmon (<i>Salmo salar</i>)	0		
0303		Fish, frozen, excluding fish fillets and other fish meat of heading No 0304 :			
ex 0303 22 00	30	- - - Atlantic Salmon (<i>Salmo salar</i>)	0		

Order No	CN code	TARIC sub-division	Description	Rate of duty	Quota volume (tonnes)
09.0673 (cont'd)	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
	0304 10		- Fresh or chilled:		
	ex 0304 10 13 0304 20	10	-- Fillets : --- Of freshwater fish : ----- Of Atlantic Salmon (<i>Salmo salar</i>)	0	
	ex 0304 20 13 0304 90 ex 0304 90 10	10 13	- Frozen fillets : -- Of freshwater fish: ---- Of Atlantic Salmon (<i>Salmo salar</i>) - Other: -- Of freshwater fish: ---- Of Atlantic Salmon (<i>Salmo salar</i>)	0 0	
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: --- Atlantic Salmon (<i>Salmo salar</i>)	0	
	1604 19 ex 1604 19 10	10	-- Other: --- Salmonidae, other than salmon: ---- Trout of the species <i>Oncorhynchus mykiss</i>	0	
	1604 20 ex 1604 20 10	30	- Other prepared or preserved fish: --- Of salmon: ---- Of Atlantic Salmon (<i>Salmo salar</i>)	0	
	ex 1604 20 30	10	--- Of salmonidae other than salmon: ---- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
	09.0677	1604		Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:	
1604 12 1604 12 10		- Fish, whole or in pieces, but not minced: -- Herring : --- Fillets, raw, merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep frozen	0		
1604 15		-- Mackerel : --- Of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :			
ex 1604 15 11	10	---- Fillets : ----- Of the species <i>Scomber scombrus</i>	0		
ex 1604 15 19	10	---- Other : ----- Of the species <i>Scomber scombrus</i>	0		
1604 20 ex 1604 20 50	40	- Other prepared or preserved fish : --- Of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , fish of the species <i>Oreynopsis unicolor</i> :	0		
ex 1604 20 90	10	---- Of mackerel of the species <i>Scomber scombrus</i> --- Of other fish : ---- Of 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 air-tight containers	0		
1605 20 91		-- Other : --- In immediate packings of a net content not exceeding 2 kg	0		
1605 20 99 ex 1605 40 00	20	--- Other - Other crustaceans : -- <i>Nephrops norvegicus</i>	0 0		

Order No	CN code	TARIC sub-division	Description	Rate of duty,	Quota volume (tonnes)
09.0681	1604		Prepared or preserved fish ; caviar and caviar substitutes prepared from fish eggs :		1 200
	1604 19 92		- Fish, whole or in pieces, but not minced :		
			----- Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>)	0	
	1604 19 93		----- Coalfish (<i>Pollachius virens</i>)	0	
	1604 19 94		----- Hake (<i>Merluccius</i> spp, <i>Urophycis</i> spp.)	0	
	1604 19 95		----- Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)	0	
	1604 19 98		----- Other	0	
	1604 20		- Other prepared or preserved fish :		
	1604 20 05		-- Preparations of surimi	0	
	ex 1604 20 90		--- Of other fish :		
		20	---- Preserved smoked coalfish	0	
			---- Brisling or sprats (<i>Sprattus sprattus</i>) :		
		30	----- In airtight cans (*)	0	
		35	----- Other	0	
		40	---- Of mackerel (<i>Scomber australasicus</i>)	0	
		50	---- Lamprey	0	
		90	---- Other	0	
09.0683	0304		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen :		110
	0304 20		- Frozen fillets :		
			--- Of hake of the genus <i>Merluccius</i> :		
	0304 20 58		---- Other	0	
	0304 90		- Other :		
	0304 90 47		----- Of hake of the genus <i>Merluccius</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 relevant tariff quota.

(*) "Airtight cans" means cans which are soldered or bonded in such a manner that neither air nor germs can penetrate and which cannot be opened without sustaining damage.

ANNEX II

on fish and fishery products subject to Community tariff ceilings

Order number	CN Code	TARIC Sub-division	Description	Rate of duty	Level of tariff ceiling (tonnes)
17.0011	0302		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304 :		2 000 (1)
	0302 40		- Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes :		
	0302 40 05		-- from 1 January to 14 February	0	
	0302 40 98		-- from 16 June to 31 December	0	
	0303		Fish, frozen, excluding fish fillets and other fish meat of heading No 0304 :		
	0303 50		- Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes :		
	0303 50 05		-- from 1 January to 14 February	0	
	0303 50 98		-- from 16 June to 31 December	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		- Other :			
0304 90 20		---- of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>):			
0304 90 27		----- from 1 January to 14 February	0		
			----- from 16 June to 31 December	0	
17.0013	0302		Fish, fresh or chilled, excluding fish fillets 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 05	10	--- from 1 January to 14 February :	0	
	ex 0302 64 98	10	---- Mackerel (<i>Scomber scombrus</i>)		
			--- from 16 June to 31 December :	0	
			---- Mackerel (<i>Scomber scombrus</i>)		
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		---- Of coalfish (<i>Pollachius virens</i>)	0	
17.0017	0305		Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish 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	

Order number	CN Code	TARIC Sub-division	Description	Rate of duty	Level of tariff ceiling (tonnes)
17.0019	0305 ex 0305 41 00 0305 49 0305 49 10 0305 49 20 ex 0305 49 30 ex 0305 49 45 0305 49 50 0305 49 80	10 10 10	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish fit for human consumption : - Smoked fish, including fillets : --- Atlantic salmon (<i>Salmo salar</i>) -- Other : --- Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>) --- Atlantic halibut (<i>Hippoglossus hippoglossus</i>) --- Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>) : ---- Mackerel (<i>Scomber scombrus</i>) ---- Trout of the species <i>Oncorhynchus mykiss</i> --- Eels (<i>Anguilla</i> spp.) --- Other	0 0 0 0 0 0 0	1 000
17.0021	0302 0302 69 0302 69 31 ex 0302 69 33 0303 0303 79 0303 79 35 ex 0303 79 37 0304 0304 10 0304 10 35 0304 20 0304 20 35 ex 0304 20 37	10 10 10	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304 : - Other fish excluding livers and roes : -- Other : ---- Redfish (<i>Sebastes</i> spp.) : ----- Of the species <i>Sebastes marinus</i> ----- Other : ----- Of the species <i>Sebastes mentella</i> Fish, frozen, excluding fish fillets and other fish meat of heading n° 0304 : - Other salmonidae, excluding livers and roes : -- Other : --- Saltwater fish : ---- Redfish (<i>Sebastes</i> spp.) : ----- Of the species <i>Sebastes marinus</i> ----- Other: ----- Of the species <i>Sebastes mentella</i> Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen: - Fresh or chilled: -- Fillets: --- Other: ---- Of redfish (<i>Sebastes</i> spp.) - Frozen fillets: -- Of redfish (<i>Sebastes</i> spp.): --- Of the species <i>Sebastes marinus</i> --- Other: ---- Of the species <i>Sebastes mentella</i>	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	12 600 ⁽²⁾
17.0023	0304 0304 10 0304 10 33 0304 10 38		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen: - Fresh or chilled: -- Fillets: --- Other: ---- Of coalfish (<i>Pollachius virens</i>) ---- Other	0 0 0	3 000

Order number	CN Code	TARIC Sub-division	Description	Rate of duty	Level of tariff ceiling (tonnes)
17.0025	0304 0304 20 0304 20 43		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen: - Frozen fillets: -- Of ling (<i>Molva spp.</i>)	0	550
17.0027	0304 0304 20 ex 0304 20 96 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 (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>) - 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; flours, meals and pellets of fish 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; flours, meals and pellets of fish fit for human consumption : - Frozen: -- Shrimps: --- 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; flours, meals and pellets of fish 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

- (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 charged against the relevant ceiling.
- (2) 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 charged against the relevant ceiling.

ANNEX III

on fish subject to statistical surveillance

Order number	CN code	Taric sub-division	Description	Rate of duty
17.0035	0302 0302 29 0302 29 10 0302 29 90		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304: - flat fish (<i>Pleuronectidae, Bothidae, Cynoglossidae, Soléidae, Scophthalmidae and Citharidae</i>), excluding livers and roes: -- Other: --- Megrim (<i>Lepidorhombus spp.</i>) --- Other	0 0
17.0037	0302 69 0302 69 99		- Other fish, excluding livers and roes: -- Other: --- Saltwater fish: ---- Other	0
17.0039	0303 0303 79 0303 79 96		Fish, frozen, excluding fish fillets and other fish meat of Heading No 0304 : - Other fish, excluding livers and roes: -- Other: --- Saltwater fish: ---- Other	0
17.0041	0304 0304 20 ex 0304 20 96	20 30 70 90	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen: - Frozen fillets: -- Other: --- Of halibut (<i>Reinhardtius hippoglossoides, Hippoglossus hippoglossus, Hippoglossus stenolepis</i>) --- Of fish of the genus <i>Allocyttus</i> and of the species <i>Pseudocyttus maculatus</i> --- Of the species Patagonian grenadier (<i>Macruronus magellanicus</i>) and Argentine cod (<i>Solilota australis</i>) --- Other	0 0 0 0
17.0043	0304 90 0304 90 05 0304 90 97		- Other: -- Surimi ---- Other	0 0

FINANCIAL STATEMENT

1. Budget heading involved: Chapter 12, Article 120
2. Legal basis: Article 113 of the Treaty
3. Title of the 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 defining detailed provisions for amending and adapting these measures.
4. Objective: Fulfilment of an obligation resulting from a Council Decision.
5. Financial details:

- 1) The measures covered by the attached proposal have been already the subject of a financial statement under the proposal for Council Regulation (EC) No 1983/95 of 24 July 1995, which implemented the tariff quotas and ceilings and the system of Community surveillance for certain fish and fishery products originating in the Faroe Islands under the old agreement.
- 2) Only the new or expanded tariff quotas, as specified below under 3), could entail an additional loss of revenue over and above that resulting from application of the previous EC-Faroe Islands Agreement.

3) Method of calculation:

Description of goods	CN code	Quota volume (tonnes)	Quota rate of duty (%)	CN rate of duty (%)	Estimated price ECU/t	Estimated loss of revenue (in ECUs)
Atlantic salmon	ex 0301 99 11 ex 0302 12 00 ex 0303 22 00 ex 0304 10 13 ex 0304 20 13 ex 0304 90 10	4 925	0	2	5 566	548 251
Frozen fillets of hake	0304 20 58 0304 90 47	110	0	10.5	441	5 093

- 4) The average additional annual loss of revenue is estimated to be 553 344 ECU.
6. Anti-fraud measures:

Provisions on the management of tariff quotas and ceilings provide the necessary measures to prevent and protect against fraud and irregularities.

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