

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 516 final.

Brussels, 30 July 1982

Proposal for a
Council Regulation (EEC)
amending Regulation (EEC) No 103/76 laying down common marketing
standards for certain fresh or chilled fish

(submitted to the Council by the Commission)

COM(82) 516 final.

EXPLANATORY MEMORANDUM

The new Regulation (EEC) No 3796/81 on the common organization of the market in fishery products, incorporating provisions previously laid down in Article 2 of Regulation 100/76, provides for the possibility of establishing common marketing standards for the products referred to in Article 1 of the same Regulation or for groups of such products. In addition, ling and dogfish have been included in the new price arrangement. If this arrangement is to operate properly, marketing standards must be established for the two new species. The Annex to Regulation No 103/76 on the establishment of common marketing standards for certain fish must therefore be amended.

In addition, experience has shown that if the market in products for human consumption is to achieve optimum operation, minimum sizes must be complied with for the various species concerned.

Accordingly, the Commission proposes that all fish listed in Annex I A of Regulation No 3796/81 not having reached a given minimum size should not qualify for marketing for human consumption. In 1976, the Commission had already proposed alteration of the sizing scale, expressed in weight, of certain products referred to in Regulation No 103/76 (COM(76)602 final). But there have since been new developments. In particular, with a view to ensuring rational exploitation of resources, the Commission has tabled in the Council a proposed Regulation setting minimum biological sizes, expressed in length, as part of Community measures for the conservation of fishery resources (COM(82)30 final).

In order to ensure mutual consistency between the various measures, the Commission is including in this Regulation its 1976 proposal, updating it in the light of the measures relating to the fixing of minimum biological sizes

A last point is that this proposal should have the effect of reducing withdrawals and thus reducing EAGGF Guarantee Section intervention.

Proposal for
Council Regulation (EEC)

amending Regulation (EEC) No 103/76
laying down common marketing standards for
certain fresh or chilled fish

THE COUNCIL 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 (1), and in particular Article 2(3) thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Regulation (EEC) No 3796/81 provides that common marketing standards may be laid down for the products listed in Article 1 of that Regulation or for groups of those products;

Whereas ling and dogfish were included in the price system provided for in Regulation (EEC) No 3796/81;

Whereas the standardization of these products is of particular importance for the proper functioning of the price system; whereas common marketing standards should therefore be fixed for these two products;

Whereas, when the common marketing standards for the products listed in Annex I to Regulation (EEC) No 3796/81 are laid down, account should be taken of the Community's interest in conserving fishing grounds as much as possible; whereas fish which are not of a minimum size expressed by weight should therefore not be marketed for human consumption; whereas therefore Council Regulation (EEC) No 103/76²⁾, as last amended by Regulation (EEC) No 3049/79³⁾ should be amended,

(1) OJ No L 379, 31.12.1981, p. 1.

(2) OJ No L 20, 28.1.1976, p. 29.

(3) OJ No L 343, 31.12.1979, p. 22.

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 103/76 is hereby amended as follows:

1. Article 3 is replaced by the following:

"Article 3

"Marketing standards are hereby laid down for the following species of saltwater fish falling within subheading ex 03.01 B I of the Common Customs Tariff, with the exception of fish which is live, frozen or in pieces :

Herring (*Clupea harengus*) ;

Sardines (*Sardina pilchardus*)

Dogfish (*Squalus acanthias*)

(*Scylliorhinus* spp.)

Redfish (*Sebastes* spp.)

Cod (*Gadus morrhua*)

Saithe (*Pollachius virens*)

Haddock (*Melanogrammus aeglefinus*)

Whiting (*Merlangus merlangus*)

Ling (*Molva* spp.)

Mackerel (*Scomber scombrus*)

Anchovies (*Engraulis* spp.)

Plaice (*Pleuronectes platessa*)

Hake (*Merluccius merluccius*)."

2. Annex B is replaced by the text annexed hereto.

Article 2

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels,

For the Council

The President

ANNEX B
SIZING

	Herring		Sardines	
	kg/fish	Number of fish to kg	kg/fish	Number of fish to kg
Size 1	0,125 and over from 0,085	8 or less	0,60 and over	17 or less
Size 2	from 0,85 up to but excluding 0,125	from 9 to 12	from 0,040 up to but excluding 0,060	from 18 to 25
Size 3	from 0,033 up to but excluding 0,085	from 13 to 30	from 0,030 up to but excluding 0,040	from 26 to 33
Size 4			from 0,015 up to but excluding 0,030	from 34 to 57

	Dogfish	Redfish	Cod	Saithe
	kg/fish	kg/fish	kg/fish	kg/fish
Size 1	2 and over	2 and over	7 and over	5 and over
Size 2	from 1 up to but excluding 2	from 0,6 up to but excluding 2	from 4 up to but excluding 7	from 3 up to but excluding 5
Size 3	from 0,7 up to but excluding 1	from 0,35 up to but excluding 0,6	from 2 up to but excluding 4	from 1,5 up to but excluding 3
Size 4			from 1 up to but excluding 2	from 0,3 up to but excluding 1,5
Size 5			from 0,3 up to but excluding 1	

	Haddock	Whiting	Ling	Mackerel
	kg/fish	kg/fish	kg/fish	kg/fish
Size 1	1 and over	0,5 and over	5 and over	0,5 and over
Size 2	from 0,4 up to but excluding 1	from 0,35 up to but excluding 0,5	from 0,2 up to but excluding 5	from 0,2 up to but excluding 0,5
Size 3	from 0,25 up to but excluding 0,4	from 2 up to but excluding 0,35	from 0,5 up to but excluding 2	from 0,1 up to but excluding 0,2
Size 4	from 0,17 up to but excluding 0,25	from 0,11 up to but excluding 0,2		

	Anchovies	
	kg/fish	Number of fish to kg
Size 1	0,033 and over	30 or less
Size 2	from 0,020 up to but excluding 0,033	from 31 to 50
Size 3	0,010 up to but excluding 0,020	from 51 to 100

	Plaice	Hake
	kg/fish	kg/fish
Size 1	0,6 and over	1,2 and over
Size 2	from 0,4 up to but excluding 0,6	from 0,6 up to but excluding 1,2
Size 3	from 0,3 up to but excluding 0,4	from 0,2 up to but excluding 0,6
Size 4	from 0,15 up to but excluding 0,3	