

COUNCIL REGULATION (EEC) No 3748/83

of 22 December 1983

opening, allocating and providing for the administration of Community tariff quotas for certain fishery products (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, in the context of its external relations regarding fisheries, it is in the Community's interest partially to suspend the Common Customs Tariff duties on a number of fishery products, within the limit of appropriate Community tariff quotas; whereas Community tariff quotas for 1984 should therefore be opened for round frozen redfish (*Sebastes spp*), round frozen cod (*Gadus morhua*), frozen cod fillets and herring flaps prepared or preserved in vinegar, presented in packings of a net capacity of 10 kilograms or more, falling within sub-headings ex 03.01 B I f) 2, ex 03.01 B I h) 2, ex 03.01 B II b) 1 and ex 16.04 C II of the Common Customs Tariff; whereas eligibility to benefit from these quotas opened for products falling within subheadings ex 03.01 B I h) 2 and ex 03.01 B II b) 1 is subject to the presentation to the Community customs authorities of a certificate issued by the recognized authorities of the country of origin attesting that the products concerned come from fish belonging to the North Atlantic stocks which were fished with due regard for the international conventions on the conservation and management of fishery resources; whereas the certificates covering these products must also certify that the products presented come from cod of the *Gadus morhua* species;

Whereas, under Article 64 of the 1979 Act of Accession, the Hellenic Republic is required to apply the Common Customs Tariff duty in full or to commence the alignment of its tariff towards the Common Customs Tariff in respect of the products in question as from 1 January 1981; whereas it is therefore necessary that the tariff quotas in question should cover the requirements of that Member State during the quota period;

Whereas equal and continuous access to the quotas should be ensured for all importers and the rates for the said quotas should be applied without interruption to all imports until the quotas are used up; whereas, in the light of the principles outlined above, a Community tariff quota system based on an allocation between the Member States would seem to preserve the Community nature of the quotas; whereas, to reflect as closely as possible the actual development of the market in the products in question, the allocation should be in proportion to the requirements of the Member States, calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the quota year in question;

Whereas, however, the products in question of a particular origin, are not separately specified in the statistical nomenclatures; whereas it has therefore not yet been possible to obtain sufficiently precise and representative figures; whereas, therefore, part of these quotas should be assigned to the Community reserves, the remainder being allocated among the Member States in proportion to their forecast import requirements; whereas, for these products, the initial percentage shares in the quota can thus be as follows:

	ex 03.01 B I f) 2 ex 03.01 B I h) 2 (6 000 tonnes)	ex 03.01 B II b) 1 (19 000 tonnes)	ex 16.04 C II (4 500 tonnes)
Benelux	3,11	1,29	3,45
Denmark	6,23	3,40	0,69
Germany	21,16	26,43	86,20
Greece	0,28	0,21	0,69
France	13,05	12,65	0,69
Ireland	0,28	0,13	0,69
Italy	0,28	0,28	0,69
United Kingdom	55,61	55,61	6,90