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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3729/90

of 13 December 1990

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Algeria, Morocco, Tunisia or Egypt (1991)

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 the Cooperation Agreements between the European Economic Community of the one part and the People's Democratic Republic of Algeria⁽¹⁾, the Kingdom of Morocco⁽²⁾, the Republic of Tunisia⁽³⁾ and the Arab Republic of Egypt⁽⁴⁾ of the other part, as supplemented by the additional Protocols thereto⁽⁵⁾ ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾, provide for the opening by the Community of Community tariff quotas for:

- 39 000 tonnes and 98 000 tonnes of new potatoes falling within CN code ex 0701 90 51 originating in Morocco and Egypt respectively (1 January to 31 March).
- 86 000 tonnes of tomatoes, fresh or chilled, falling within CN code ex 0702 00 10 originating in Morocco (15 November to 30 April), of which 15 000 tonnes in April,
- 10 100 tonnes of tomatoes, fresh or chilled, falling within CN codes ex 0703 10 11, ex 0703 10 19 and ex 0709 90 90 originating in Egypt (1 February to 15 May),
- 4 900 tonnes of onions falling within CN code 0712 20 00, originating in Egypt,

- 265 000 tonnes, 28 000 tonnes and 7 000 tonnes of oranges, fresh, falling within CN code ex 0805 10, originating respectively in Morocco, Tunisia and Egypt (1 July to 30 June),
- 8 700 tonnes of peas and immature beans of the species *Phaseolus* spp., in pod, prepared or preserved, falling within CN codes 2004 90 50, 2005 40 00 and 2005 59 00, originating in Morocco, and
- 8 250 tonnes and 4 300 tonnes of apricot pulp falling within CN code ex 2008 50 91, originating in Morocco and Tunisia respectively,
- 15 000 tonnes of orange juice, falling within CN codes 2009 11 11;19 and 2009 19 11;19;91;99, originating in Morocco, of which not more than 4 500 tonnes may be imported in packings of a capacity of two litres or less, and
- 200 000 hectolitres and 50 000 hectolitres of certain wines of designated origin, in containers holding two litres or less, falling within CN codes ex 2204 21 25, ex 2204 21 29, ex 2204 21 35 and ex 2204 21 39, originating respectively in Algeria and Tunisia;

Whereas, however, the Cooperation Agreement with the Republic of Tunisia provides that certain prepared and preserved sardines falling within CN code ex 1604 13 10 or ex 1604 20 50 originating in Tunisia may be imported into the Community free of duty; whereas the detailed arrangements must be fixed by an exchange of letters between the Community and Tunisia; whereas, since that exchange of letters has not yet taken place, the Community arrangements which applied in 1990 should be renewed until 31 December 1991; whereas a duty-free Community tariff quota of 100 tonnes should therefore be opened;

Whereas the wine in question is subject to compliance with the free-at-frontier reference price; whereas, in order that such wine may benefit from this tariff quota, Article 54 of Regulation (EEC) No 822/87⁽⁹⁾, as last amended by Regulation (EEC) No 1325/90⁽¹⁰⁾, must be complied with;

⁽¹⁾ OJ No L 263, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 264, 27. 9. 1978, p. 2.

⁽³⁾ OJ No L 265, 27. 9. 1978, p. 2.

⁽⁴⁾ OJ No L 266, 27. 9. 1978, p. 2.

⁽⁵⁾ OJ No L 297, 21. 10. 1987, p. 2.

⁽⁶⁾ OJ No L 224, 13. 8. 1988, p. 17.

⁽⁷⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽⁸⁾ OJ No L 297, 21. 10. 1987, p. 11.

⁽⁹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 19.

whereas the wine must be put up in containers holding two litres or less; whereas the wine must be accompanied either by a certificate of designation of origin in accordance with the model given in Annex D to the Agreement or, by way of derogation, by a document VI 1 or a VI 2 extract annotated in compliance with Article 9 of Regulation (EEC) No 3590/85 ⁽¹⁾;

Whereas by virtue of the provisions of a common declaration of the Contracting Parties forming an integral part of the EEC/Morocco, Tunisia, Egypt Protocols the accounting of the quantities of fresh oranges in question must begin on 1 July each year; whereas to keep this arrangement it is fitting to open the quotas in question with the consequence that the quotas by applying the pro rata clause, must be fixed at respectively 44 166 tonnes, 4 666 tonnes and 3 500 tonnes; whereas furthermore, tariff dismantling for tomatoes and onions, fresh or chilled, shall enter into force respectively from 1 January to 30 April 1991 and from 1 May to 15 May 1991; whereas these Community tariff quotas in question should therefore be opened with the consequence that the quotas by applying the pro rata clause must be respectively fixed at 62 545 tonnes and 4 524 tonnes;

Whereas, within the limits of these tariff quotas, customs duties are to be phased out over the same periods and at the same rates as provided for in Articles 75, 243 and 268 of the Act of Accession of Spain and Portugal; whereas for wines, of designated origin, Spain and Portugal are to apply customs duties calculated in accordance with the relevant provisions of Council Regulation (EEC) No 3189/88 of 14 October 1988 laying down the arrangements to be applied by Spain and Portugal to trade with Morocco ⁽²⁾ and Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt and Tunisia on the other ⁽³⁾; whereas the Community tariff quotas in question should therefore be opened for 1991;

Whereas by Commission Regulation (EEC) No 2573/90 of 5 September 1990 totally suspending certain customs

duties applicable by the Community of Ten to imports from Spain and Portugal ⁽⁴⁾ of the products listed in Annex II to the Treaty, the said duties shall be totally suspended when they reach a level of 2 % or less; whereas the same rates of duties should be applied to imports of these products originating in Morocco, Tunisia and Egypt;

Whereas all Community importers should be ensured equal and continuous access to the said quotas and the duty rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted; whereas the necessary measures should be taken to provide for the effective Community management of the quotas, so that the Member States may draw against the quotas such quantities as they may need, corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of these quotas may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duties applicable to imports into the Community of the products listed below originating in Algeria, Morocco, Tunisia or Egypt shall be suspended at the levels, during the periods and within the limits of the Community tariff quotas shown below:

⁽¹⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽²⁾ OJ No L 287, 20. 10. 1988, p. 1.

⁽³⁾ OJ No L 250, 1. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 243, 6. 9. 1990, p. 19.

Order No	CN code (a) (b)	Description	Origin	Quota volume in tonnes	Rate of (duty %)
(1)	(2)	(3)	(4)	(5)	(6)
09.1115 09.1705	ex 0701 90 51	New potatoes, from 1 January to 31 March 1991	Morocco Egypt	39 000 98 000	3,7 3,7
09.1117	ex 0702 00 10	Tomatoes fresh or chilled, from 1 January to 30 April 1991	Morocco	62 545	— from 1 January to 28 February: ECU 0,3/100 kg net ⁽¹⁾ — from 1 March to 30 April: 3,6 Min. ECU 0,6/100 kg net
09.1118	ex 0702 00 10	Of which: Tomatoes, fresh or chilled, from 1 to 30 April 1991	Morocco	15 000	3,6 Min. ECU 0,6/100 kg net
09.1703	ex 0703 10 11 } ex 0703 10 19 } ex 0709 90 90 }	Onions, including wild onions of the species <i>Muscari comosum</i> , fresh or chilled, from 1 to 15 May 1991	Egypt	4 524	} 5,4 7,2
09.1701	0712 20 00	Dried onions, whole, cut or sliced, but not further prepared, from 1 January to 31 December 1991	Egypt	4 900	4
09.1121 09.1207	0805 10 21 0805 10 25 0805 10 29 0805 10 31 0805 10 35 0805 10 39	Oranges, fresh, from 1 May to 30 June 1991	Morocco Tunisia	44 166 4 666	} 0 } 0
09.1707	0805 10 11 0805 10 15 0805 10 19 0805 10 21 0805 10 25 0805 10 29 0805 10 31 0805 10 35 0805 10 39 0805 10 41 0805 10 45 0805 10 49 ex 0805 10 70 ex 0805 10 90	Oranges, fresh, from 1 January to 30 June 1991	Egypt	3 500	} 4,3 } 0 } 0 } 6,6 5,0 6,6

⁽¹⁾ This specific customs duty is only levied when it exceeds 2% *ad valorem*.

(1)	(2)	(3)	(4)	(5)	(6)
09.1201	ex 1604 13 10 ex 1604 20 50	Prepared or preserved sardines of the species <i>Sardina pilchardus</i> , from 1 January to 31 December 1991	Tunisia	100	free
09.1119	2004 90 50 2005 40 00 2005 59 00	Peas (<i>Pisum sativum</i>) and immature beans of the species <i>Phaseolus</i> spp. in pod, prepared or preserved otherwise than by vinegar or acetic acid, whether or not frozen, from 1 January to 31 December 1991	Morocco	8 700	6
09.1105 09.1203	ex 2008 50 91	Apricot pulp, not containing added spirit or sugar, in immediate packings of a net content of 4,5 kg or more, from 1 January to 31 December 1991	Morocco Tunisia	8 250 4 300	4,2 4,2
09.1123	2009 11 11 2009 11 19 2009 11 91 2009 11 99 2009 19 11 2009 19 19 2009 19 91 2009 19 99	Orange juice, from 1 January to 31 December 1991	Morocco	15 000	10,5 + AGR 10,5 4,7 + AGR 4,7 10,5 + AGR 10,5 4,7 + AGR 4,7
09.1124	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99 ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 99	Of which: Orange juice imported in packings of a capacity of two litres or less, from 1 January to 31 December 1991	Morocco	4 500	10,5 + AGR 10,5 4,7 + AGR 4,7 10,5 + AGR 10,5 4,7 + AGR 4,7
09.1001	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	Wines entitled to one of the following designations of origin: Aïn Besem-Bouira, Médéa, Coteaux du Zaccar, Dahra, Coteaux de Mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding two litres or less, from 1 January to 31 December 1991	Algeria	200 000 hl	free
09.1205	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	Wines entitled to one of the following designations of origin: Coteaux de Teboura, Coteaux d'Utique, Sidi-Salem, Kelibia, Thibar, Mornag, grand cru Mornag of an actual alcoholic strength of 15 % vol or less and in containers holding two litres or less from 1 January to 31 December 1991	Tunisia	50 000 hl	free

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products it to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this table by the application of the CN code. Where ex CN code positions are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(b) Taric codes appear in Annex II.

Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of Regulation (EEC) No 2573/87 and (EEC) No 3189/88.

2. Importations of the wine in question shall be subject to the free-at-frontier price. It shall qualify for the tariff quotas only if Article 54 of Regulation (EEC) No 822/87 is adhered to.

3. Each wine, when imported, shall be accompanied either by a certificate of designation of origin, issued by the relevant Algerian authority or, by way of derogation, by a document VI 1 or a VI 2 extract annotated in compliance with Article 9 of Regulation (EEC) No 3590/85, in accordance with the model annexed to this Regulation.

Article 2

The tariff quotas referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for products covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quotas, by means of notification to the Commission, quantities corresponding to these needs.

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

Done at Brussels, 13 December 1990.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the quota, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quotas for such time as the residual balance of the quota volumes so permits.

Article 5

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

For the Council
The President
P. ROMITA

ANNEX I

1. المصدر — Exporter — Exportateur :	2. الرقم — Number — Numéro :	00000	
4. المرسل اليه — Consignee — Destinataire :	3. (Name of authority guaranteeing the designation of origin — Nom de l'organisme garantissant la dénomination d'origine)		
6. وسيلة النقل — Means of transport — Moyen de transport :	5. شهادة التسمية الاصلية CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE		
8. مكان الاخراج — Place of unloading — Lieu de déchargement :	7. (Designation of origin — Nom de la dénomination d'origine)		
9. اعداد ونوع الطرود ، الانواع والارقام — Marks and numbers, number and kind of packages — Marques et numéros, nombre et nature des colis :	10. الوزن الخام Gross weight Poids brut	11. لترات Litres Litres	
12. لترات (بالحروف) — Litres (in words) — Litres (en lettres) :			
13. تأشيرة الهيئة المرسلة — Certificate of the issuing authority — Visa de l'organisme émetteur :			
14. تأشيرة الجمارك — Customs stamp — Visa de la douane :	(See the translation under No 15 — Voir traduction au n° 15)		

15. We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Algerian/Tunisian legislation as entitled to the designation of origin '.....'.
The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi algérienne/tunisienne comme ayant droit à la dénomination d'origine «.....».
L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

16. (¹)

يحتفظ بهذه الخانة لمعلومات أخرى من الدولة المصدرة

(¹) Space reserved for additional details given in the exporting country.

(¹) Case réservée pour d'autres indications du pays exportateur.

ANNEX II

Taric codes

Order No	CN code	Taric code
09.1115 09.1705	ex 0701 90 51	0701 90 51 *10 0701 90 51 *20
09.1117	ex 0702 00 10	0702 00 10 *50 0702 00 10 *60 0702 00 10 *70 0702 00 10 *80
09.1118	ex 0702 00 10	0702 00 10 *70 0702 00 10 *80
09.1703	ex 0703 10 11 ex 0703 10 19	0703 10 11 *30 0703 10 19 *93
09.1121	ex 0805 10 70 ex 0805 10 90	0805 10 70 *10 0805 10 90 *10
09.1201	ex 1604 13 10 ex 1604 20 50	1604 13 10 *10 1604 20 50 *11
09.1105 09.1203	ex 2008 50 91	2008 50 91 *20
09.1124	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99 ex 2009 11 99 ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 99	2009 11 11 *10 2009 11 19 *10 2009 11 91 *10 2009 11 99 *10 2009 11 99 *91 2009 19 11 *10 2009 19 19 *10 2009 19 91 *10 2009 19 99 *10
09.1001	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	2204 21 25 *92 2204 21 29 *91 2204 21 35 *92 2204 21 39 *91
09.1205	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	2204 21 25 *93 2204 21 29 *93 2204 21 35 *93 2204 21 39 *93

COUNCIL REGULATION (EEC) No 3730/90

of 13 December 1990

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Israel (1991)

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 Articles 1 and 2 of the Fourth Additional Protocol to the Cooperation Agreement between the European Economic Community and the State of Israel ⁽¹⁾ provide for the opening of Community tariff quotas for the import into the Community of:

- 17 000 tonnes of new potatoes, falling within CN code ex 0701 90 51 (1 January to 31 March),
- 3 100 tonnes of carrots, falling within CN code ex 0706 10 00 (1 January to 31 March),
- 7 400 tonnes of sweet peppers and peppers, falling within CN code 0709 60 10,
- 10 800 tonnes of celery sticks, falling within CN code ex 0709 40 00 (1 January to 30 April),
- 293 000 tonnes of fresh oranges, falling within CN code ex 0805 10 (1 July to 30 June),
- 14 200 tonnes of fresh mandarins, clementines, etc., falling within CN code ex 0805 20 (1 July to 30 June),
- 6 400 tonnes of fresh lemons, falling within CN code ex 0805 30 10,
- 7 800 tonnes of watermelons, falling within CN code 0807 10 10 (1 April to 15 June),
- 9 500 tonnes of melons, falling within CN code ex 0807 10 90 (1 November to 31 May),
- 2 800 tonnes of peeled tomatoes, falling within CN code 2002 10 10,
- 150 tonnes of apricot pulp, falling within CN code 2008 50 91,
- 82 700 tonnes of orange juice, falling within CN codes 2009 11 11;19 and 2009 19 11;19;91;99, of which not more than 20 000 tonnes may be imported in packings of a capacity of two litres or less,

- 8 500 tonnes of tomato juice, falling within CN codes 2009 50 10 and 2009 50 90,

originating in Israel;

Whereas, by virtue of the provisions of a common declaration of the Contracting Parties forming an integral part of the said Protocol, the accounting of the quantities of fresh oranges and of fresh mandarins, clementines, etc. in question must begin on 1 July each year; whereas, to keep this arrangement, it is fitting to open the quota in question for the period 1 January to 30 June 1991 with the consequence that the quotas by applying the pro rata clause, must be fixed respectively at 146 500 tonnes and 7 100 tonnes;

Whereas, furthermore, tariff dismantling for melons will begin only on 1 January 1991, namely two months after the beginning of the quota period; whereas therefore it is appropriate to open the tariff quota in question for an amount which, based on the pro rata clause, should be set at 6 785 tonnes;

Whereas, within the limits of these tariff quotas, customs duties are to be phased out according to the same timetables and at the same rates as laid down in Articles 75, 243 and 268 of the Act of Accession of Spain and Portugal; whereas, however, within the limits of these tariff quotas, Spain and Portugal shall apply customs duties calculated in accordance with the relevant provisions of Council Regulation (EEC) No 4162/87 of 21 December 1987 laying down arrangements for Spain's and Portugal's trade with Israel ⁽²⁾; whereas the Community tariff quotas in question should therefore be opened for 1991;

Whereas, pursuant to Commission Regulation (EEC) No 2573/90 of 5 September 1990 totally suspending certain customs duties applicable by the Community of Ten to imports from Spain and Portugal ⁽³⁾, the said duties are, as concerns the products referred to in Annex II to the Treaty, totally suspended once they reach a level of 2% or less; whereas the same rate of duty should be applied to imports of the same products originating in Israel;

Whereas all Community importers should be ensured equal and continuous access to the said quotas and the duty rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted; whereas the necessary measures should be taken to provide for effective Community management of the quotas, so that the Member States may draw against the quotas such quantities as they

⁽¹⁾ OJ No L 327, 30. 11. 1988, p. 36.

⁽²⁾ OJ No L 396, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 243, 6. 9. 1990, p. 19.

may need, corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

HAS ADOPTED THIS REGULATION:

Article 1

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of these quotas may be carried out by any of its members,

The customs duties applicable to imports into the Community of the products listed below originating in Israel shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas shown below:

Order No	CN code (a) (b)	Description	Period	Amount of quota (tonnes)	Quota duty (%)
(1)	(2)	(3)	(4)	(5)	(6)
09.1309	ex 0701 90 51	New potatoes	1. 1. - 31. 3	17 000	3,7
09.1317	ex 0706 10 00	Carrots	1. 1. - 31. 3	3 100	7,7
09.1303	0709 60 10	Sweet peppers and peppers	1. 1. - 31. 12	7 400	2,8
09.1321	ex 0709 40 00	Celery sticks	1. 1. - 30. 4	10 800	7,2
09.1323	0805 10 11 0805 10 15 0805 10 19 0805 10 21 0805 10 25 0805 10 29 0805 10 31 0805 10 35 0805 10 39 0805 10 41 0805 10 45 0805 10 49 ex 0805 10 70 ex 0805 10 90	Fresh oranges	1. 1. - 30. 6	146 500	4,3 0 0 6,6 5,0 6,6
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90 ex 0805 20 90	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh Minneolas, fresh	1. 1. - 30. 6	7 100	6,6 0
09.1315	ex 0805 30 10	Lemons, fresh	1. 1. - 31. 12	6 400	2,6
09.1327	0807 10 10	Watermelons	1. 4. - 15. 6	7 800	4,9
09.1329	ex 0807 10 90	Melons	1. 1. - 31. 5	6 785	4,9
09.1307	ex 2002 10 10	Peeled tomatoes	1. 1. - 31. 12	2 800	4,5

(1)	(2)	(3)	(4)	(5)	(6)
09.1301	ex 2008 50 91	Apricot pulp, not containing added alcohol or sugar, in immediate packings of a net content of 4,5 kg or more	1. 1. - 31. 12	150	4,2
09.1331	2009 11 11 2009 11 19 2009 11 91 2009 11 99 2009 19 11 2009 19 19 2009 19 91 2009 19 99	Orange juice	1. 1. - 31. 12	82 700	10,5 + AGR 10,5 4,7 + AGR 4,7 10,5 + AGR 10,5 4,7 + AGR 4,7
09.1333	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99 ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 99	Of which: Orange juice imported in packings of a capacity of two litres or less	1. 1. - 31. 12	20 000	10,5 + AGR 10,5 4,7 + AGR 4,7 10,5 + AGR 10,5 4,7 + AGR 4,7
09.1319	2009 50 10 2009 50 90	Tomato juice	1. 1. - 31. 12	8 500	5 + AD S/Z 5,2

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value the preferential scheme being determined, within the context of this table by the application of the CN code. Where ex CN code positions are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(b) The Taric codes appear in the Annex.

Within the limits of these tariff quotas the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of Regulation (EEC) No 4162/87.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure efficient management thereof.

Article 3

Where an importer enters a product covered by this Regulation under a declaration for free circulation in a Member State and applies to take advantage of the preferential arrangements and that declaration is accepted by the customs authorities the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume.

Requests for drawings, indicating the date of acceptance of the said declarations, must be sent to the Commission without delay.

The drawings shall be granted by the Commission by reference to the date of acceptance of the declaration of entry for free circulation, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn it shall return them to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applications pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 13 December 1990.

For the Council
The President
P. ROMITA

ANNEX

Taric codes

Order No	CN code	Taric code
09.1309	ex 0701 90 51	0701 90 51 * 10 0701 90 51 * 20
09.1317	ex 0706 10 00	0706 10 00 * 21 0706 10 00 * 22
09.1321	ex 0709 40 00	0709 40 00 * 13 0709 40 00 * 14
09.1323	ex 0805 10 70 ex 0805 10 90	0805 10 70 * 10 0805 10 90 * 10
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	0805 20 10 * 11 0805 20 10 * 21 0805 20 30 * 11 0805 20 30 * 21 0805 20 50 * 12 0805 20 50 * 13 0805 20 50 * 22 0805 20 50 * 23 0805 20 70 * 11 0805 20 70 * 21 0805 20 90 * 31 0805 20 90 * 32 0805 20 90 * 33 0805 20 90 * 34
09.1325	ex 0805 20 90	0805 20 90 * 11 0805 20 90 * 12 0805 20 90 * 13 0805 20 90 * 14
09.1315	ex 0805 30 10	0805 30 10 * 11 0805 30 10 * 12
09.1327	ex 0807 10 10	0807 10 10 * 20 0807 10 10 * 30
09.1329	ex 0807 10 90	0807 10 90 * 13 0807 10 90 * 14 0807 10 90 * 23 0807 10 90 * 33 0807 10 90 * 34 0807 10 90 * 43
09.1301	ex 2008 50 91	2008 50 91 * 20
09.1333	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99 ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 99	2009 11 11 * 10 2009 11 11 * 90 2009 11 19 * 10 2009 11 19 * 90 2009 11 91 * 10 2009 11 91 * 90 2009 11 99 * 91 2009 11 99 * 99 2009 19 11 * 10 2009 19 11 * 90 2009 19 19 * 10 2009 19 19 * 90 2009 19 91 * 10 2009 19 91 * 90 2009 19 99 * 10 2009 19 99 * 90

COUNCIL REGULATION (EEC) No 3731/90

of 13 December 1990

opening, allocating and providing for the administration of a Community tariff quota for prepared or preserved sardines, originating in Morocco (1991)

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 Article 4 of Protocol 1 to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco⁽¹⁾ states that prepared or preserved sardines falling within CN code ex 1604 13 10 or ex 1604 20 50 and originating in Morocco shall be imported duty-free into the Community within the limits of a Community tariff quota of 17 500 tonnes (net weight); whereas, in order to ensure a regular flow to the Community market under this quota, the quantities destined for that market may not exceed 60 % of the total volume of the quota in the first half of the year and may not exceed 35 % in the first quarter of the year; whereas at the end of each of these periods the quantities of the products in question which have been allocated to the Member States and remain unused by the latter should be returned immediately to the Community reserve;

Whereas, within the limits of the tariff quota, Spain and Portugal shall apply the customs duties calculated according to the provisions of Council Regulation (EEC) No 3189/88 of 14 October 1988 laying down the arrangements to be applied by Spain and Portugal to trade with Morocco⁽²⁾; whereas the Community tariff quota in question should therefore be opened for 1991;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted;

Whereas the prepared and preserved sardines sector is encountering, in certain regions of the Community, economic constraints of a particular nature, bearing in mind notably the importance which sardine production may have in the fisheries production structure as a whole, thus justifying the fact that the traditional commercial outlets for producers on external markets and, as a matter of priority, on the Community market, should not be adversely affected;

whereas these specific economic circumstances make it necessary to maintain the allocation between the Member States of the quota concerned for the period of application of this Regulation;

Whereas, bearing in mind the way in which trade has developed traditionally, the allocation maintained among Member States should, in order to correspond as closely as possible to the real trend of the market for the products in question, be carried out on a pro rata basis according to the needs of the Member States, calculated on the basis of statistics of imports of the said products from Morocco during a representative reference period and on the economic outlook for the quota periods in question;

Whereas in the last three years the products in question were imported regularly only by certain Member States and not at all or only occasionally by the other Member States; whereas, in these circumstances, in the first phase, initial shares should be allocated to the genuine importing Member States and the other Member States should be guaranteed access to the tariff quota when imports actually take place; whereas these arrangements for allocation will equally ensure the uniform collection of the duties applicable;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts, the first being allocated among certain Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial shares and any requirements which might arise in the other Member States; whereas, to afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quota would, in the present circumstances, be 40 % of the quota volume, the second part, 60 % constituting the reserve to which shall also be returned any amounts remaining from the shares allocated when the quota volume was divided up for the first and second quarters of the current year;

Whereas the initial shares may be used up at different rates in each of the periods concerned; whereas, to provide for this eventuality and to avoid any break in the continuity of supplies, any Member State which has entirely used up its initial share should draw additional shares in quantities corresponding to the period in question; whereas each Member State should effect its drawing whenever each of its additional shares is almost used up, and as many times as the reserve for that period allows; whereas this form of administration requires close cooperation between Member States and the Commission and the latter must be able to

⁽¹⁾ OJ No L 99, 16. 4. 1988, p. 49.

⁽²⁾ OJ No L 287, 20. 10. 1988, p. 1.

monitor the extent to which the quota volume has been used up and to inform the Member States accordingly;

Whereas if, during one of the periods concerned, the Community reserve is almost completely used up, it is essential that Member States return to the reserve the whole of the unused part of their initial shares and any drawings for that period, in order to prevent part of the Community tariff quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the

quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1991 the customs duty applicable to imports into the Community of the following products, originating in Morocco, shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code (¹)	Description	Volume of tariff quotas (tonnes)	Rate of duty (%)
09.1101	ex 1604 13 10 ex 1604 20 50	Prepared or preserved sardines of the type <i>Sardina pilchardus</i>	17 500 (net weight)	0

(¹) Taric codes: 1604 13 10 * 10
1604 20 50 * 11

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with Regulation (EEC) No 3189/88.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two parts.

2. The first part of the quota, 7 000 tonnes, shall be allocated among certain Member States; the quota shares corresponding to the first quarter, the second quarter and the second half of the year respectively shall be as follows:

Member States	first half year (60%)		Second half year (40%)
	first quarter (35%)	Second quarter (25%)	
Benelux	221	158	253
Denmark	—	—	—
Germany	520	371	594
Greece	25	18	28
Spain	—	—	—
France	1 039	742	1 188
Ireland	—	—	—
Italy	145	104	166
Portugal	—	—	—
United Kingdom	500	357	571
	2 450	1 750	2 800

3. The second part of the quota, 10 500 tonnes, divided into 3 675, 2 625 and 4 200 tonnes corresponding to the first quarter, the second quarter and the second half-year respectively, shall constitute the Community reserve.

4. If the products concerned are presented in the other Member States along with a declaration of entry into free circulation accepted by the customs authorities, the Member State concerned shall inform the Commission and draw a corresponding amount pursuant to Article 3.

5. Without prejudice to the provisions of Article 4, the Member States referred to in paragraph 2 shall return immediately to the reserve any quantity of the quota shares allocated to them when the quota volumes relating to the first and second quarters were divided up which, on 31 March and 30 June 1991 are unused.

Article 3

If a Member State has used its entire initial share as specified in Article 2 (2), or that share less any portion returned to the reserve pursuant to Article 2 (5) or Article 4, the following provisions shall apply.

If an importer presents in a Member State a declaration of entry into circulation for a product covered by this Regulation and if this is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the reserve referred to in Article 2 (3).

Requests for drawings, with an indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawing shall be granted by the Commission, by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the reserve.

If the quantities requested are greater than the available balance of the reserve, allocation shall be made on a basis proportionate to the requests. Member States shall be so informed by the Commission.

Article 4

Once at least 80 % of each portion of the reserve, as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof.

It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the provisions laid down in the second and fifth paragraphs of Article 3, if these provisions are not already in effect.

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

Done at Brussels, 13 December 1990.

Within a time limit fixed by the Commission as from the date referred to in the first subparagraph of paragraph 2, Member States shall be required to return to the reserve all their initial shares which have not been used on that date.

Article 5

The Commission shall keep account of the shares opened to Member States pursuant to Articles 2 and 3 and shall inform each Member State of the extent to which the portions of the reserve have been used up as soon as it has been notified.

It shall inform the Member States of the amount of each portion of the reserve following any return of quota shares pursuant to Article 4.

It shall ensure that the drawing which exhausts each portion of the reserve does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the final drawing.

Article 6

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 7

This Regulation shall enter into force on 1 January 1991.

For the Council
The President
P. ROMITA

COUNCIL REGULATION (EEC) No 3732/90

of 13 December 1990

establishing Community statistical surveillance for certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco which are subject to reference quantities (1991)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries ⁽¹⁾, and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Cooperation Agreements between the European Economic Community and Cyprus ⁽²⁾, Yugoslavia ⁽³⁾, Egypt ⁽⁴⁾, Jordan ⁽⁵⁾, Israel ⁽⁶⁾, Tunisia ⁽⁷⁾, Syria ⁽⁸⁾, Malta ⁽⁹⁾ and Morocco ⁽¹⁰⁾ have been concluded; whereas these Protocols provided for the progressive reduction, subject to reference quantities laid down within a set timetable, of the customs duties applicable to certain agricultural products originating in those countries and covered by the respective Agreements;

Whereas, under the respective Agreements, when the rate of customs duty applied to imports into the Community of Ten of an agricultural product subject to a reference quantity is lower than that applying in respect of Spain, Portugal or both of these Member States, the process of dismantling begins once duty on imports of that product from Spain and Portugal falls below that applied to imports of the product in question from the other countries; whereas, for this reason, the Annex to this Regulation lists only products in respect of which tariff dismantling begins or continues in 1991;

Whereas, in order to enable the competent authorities within the Commission to establish an annual trade balance sheet for each of the agricultural products concerned and, if necessary, to put into application the arrangement provided for in Article 3 (1) of Regulation (EEC) No 451/89 of the products are subject to a statistical surveillance;

Whereas imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate to establish reference quantities for those products listed in the Annex,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community in 1991 of certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco shall be subject to reference quantities within the established timetables and to a statistical surveillance.

The description of the products referred to in the first subparagraph, their serial numbers, their CN codes, Taric codes and the quantities and timetable applying to the reference quantities are given in the table in the Annex.

2. Amounts shall be charged by Member States against the reference quantities as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate conforming to the rules laid down in the Protocol concerning the definition of the concept of originating products annexed to each cooperation Agreement between the European Economic Community, on one hand, and the countries referred to in the first subparagraph of paragraph 1, on the other.

Where the movement certificate is produced at a later date, the amount shall be charged against the corresponding reference quantity at the date of acceptance of the declaration of release for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities pursuant to Regulation (EEC) No 2658/87 ⁽¹¹⁾ and (EEC) No 1736/75 ⁽¹²⁾.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

⁽¹⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽³⁾ OJ No L 389, 31. 12. 1987, p. 73.

⁽⁴⁾ OJ No L 297, 21. 10. 1987, p. 11.

⁽⁵⁾ OJ No L 297, 21. 10. 1987, p. 19.

⁽⁶⁾ OJ No L 327, 30. 11. 1988, p. 36.

⁽⁷⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽⁸⁾ OJ No L 327, 30. 11. 1988, p. 58.

⁽⁹⁾ OJ No L 81, 23. 3. 1989, p. 1.

⁽¹⁰⁾ OJ No L 224, 13. 8. 1988, p. 18.

⁽¹¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹²⁾ OJ No L 183, 14. 7. 1975, p. 3.

Article 3

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 13 December 1990.

For the Council

The President

P. ROMITA

ANNEX

Serial No	CN code	TARIC code	Description (a)	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.0010	ex 0701 90 51	0701 90 51 * 10 0701 90 51 * 20	New potatoes	1. 1. - 31. 3	Tunisia	2 600
18.0015	0701 90 51 ex 0701 90 59	0701 90 59 * 10	New potatoes	1. 1. - 15. 5 16. 5. - 31. 5	Malta	3 000
18.0030	ex 0703 20 00	0703 20 00 * 10 0703 20 00 * 20 0703 20 00 * 30	Garlic	1. 2. - 31. 5	Egypt	1 600
18.0040	ex 0707 00 11	0707 00 11 * 12	Cucumbers of a length not exceeding 15 cm	1. 1. - 28. 2 1. 1. - 28. 2 1. 1. - 28. 2	Egypt Jordan Malta	100 100 50
18.0050	0709 10 00		Artichokes	1. 10. - 31. 12 1. 10. - 31. 10	Egypt Cyprus	100 100
18.0060	ex 0709 30 00	0709 30 00 * 20 0798 30 00 * 30	Aubergines (egg plants)	15. 1. - 30. 4	Israel	1 200
18.0070	0709 60 10		Sweet peppers	1. 1. - 31. 12	Morocco	1 000
18.0090	0712 20 00		Onions, dried	1. 1. - 31. 12	Syria	700
18.0090	ex 0712 90 90	0712 90 90 * 20	Garlic, dried	1. 1. - 31. 12	Egypt	1 000
18.0100	0713 10 11 0713 10 19		Peas, for sowing	1. 1. - 31. 12	Morocco	400
18.0120	0804 40 10 0804 40 90		Avocados	1. 1. - 31. 12	Israel	31 000
18.0130	ex 0806 10 15	0806 10 15 * 50 0806 10 15 * 60 0806 10 15 * 70 0806 10 15 * 80 0806 10 15 * 91	Fresh table grapes	1. 2. - 30. 6	Israel	1 900
18.0140	ex 0807 10 90	0807 10 90 * 13 0807 10 90 * 33	Melons of a weight not exceeding 600 grams	1. 1. - 31. 3 1. 1. - 31. 3	Egypt Jordan	100 100
18.0150	0810 90 10		Kiwifruit (<i>Actinidia Chinensis</i> Planch.)	1. 1. - 30. 4 1. 1. - 30. 4 1. 1. - 30. 4	Israel Cyprus Morocco	200 200 200
18.0170	ex 2001 10 00	2001 10 00 * 11 2001 10 00 * 19	Cucumbers, preserved by vinegar	1. 1. - 31. 12	Yugoslavia	3 000
18.0180	ex 2004 90 30 ex 2005 30 00	2004 90 30 * 10	Sauerkraut	1. 1. - 31. 12	Yugoslavia	150
18.0200	2008 50 61 2008 50 69		Apricots	1. 1. - 31. 12	Morocco	6 300
18.0220	ex 2008 30 91	2008 30 91 * 12 2008 30 91 * 91	Pulpe of citrus fruit	1. 1. - 31. 12	Israel	2 900
18.0230	ex 2008 50 99 ex 2008 70 99	2008 50 99 * 10 2008 70 99 * 10	Apricots and peaches in halves (including nectarine halves)	1. 1. - 31. 12	Morocco	6 000
18.0240	2009 20 11 2009 20 19 2009 20 99		Grapefruit juice	1. 1. - 31. 12	Israel	28 700
18.0245	2009 20 99		Grapefruit juice	1. 1. - 31. 12	Morocco	800

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the application of the CN code. Where ex CN code positions are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

COUNCIL REGULATION (EEC) No 3733/90

of 13 December 1990

establishing ceilings and Community surveillance for imports of certain products originating in Malta (1991)

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 the Agreement establishing an Association between the European Economic Community and Malta ⁽¹⁾, as supplemented by the Additional Protocol ⁽²⁾ and by the Supplementary Protocol to the Agreement ⁽³⁾, has provided in Article 2 of Annex I for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, exemption from duties in respect of a number of products is subject to ceilings above which the customs duties applicable to third countries may be re-established; whereas, in the context of the said ceilings, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the said Protocol to the Agreement establishing an Association between the European Economic Community and Malta consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community ⁽⁴⁾;

Whereas the ceilings to be applied in 1991 should therefore be determined; whereas those ceilings can be applied only if the Community is regularly informed of imports of the said products originating in Malta; whereas imports of those products should therefore be subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for free circulation; whereas this administrative procedure must provide for the possibility of the applicable customs duties being re-established as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the

Commission must be able to take appropriate measures to re-establish customs tariffs if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1991 imports into the Community of the products listed in the Annex and originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, the corresponding CN codes and the ceilings are set out in the Annex.

In the framework of these tariff ceilings, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and Malta consequent on the accession of Spain and Portugal.

2. Quantities shall be charged against the ceilings as and when the products are entered with customs authorities for free circulation accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽⁵⁾.

Goods may be charged against the ceiling only if the movement certificate is submitted before the date on which customs duties are re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

Member States shall inform the Commission of imports charged in accordance with the above procedure at the intervals and within the time limits specified in paragraph 4.

⁽¹⁾ OJ No L 61, 14. 3. 1971, p. 2.

⁽²⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽³⁾ OJ No L 81, 23. 3. 1989, p. 2.

⁽⁴⁾ OJ No L 81, 23. 3. 1989, p. 11.

⁽⁵⁾ OJ No L 111, 28. 4. 1976, p. 3.

3. As soon as the ceilings are reached, the Commission may adopt a Regulation re-establishing, until the end of the calendar year, the customs duties applicable to third countries.

Article 2

The Commission, in close cooperation with the Member States, shall take all appropriate measures for the purposes of applying this Regulation.

4. Member States shall send the Commission not later than the 15th day of each month statements of the quantities charged during the preceding month.

Article 3

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 13 December 1990.

For the Council

The President

P. ROMITA

ANNEX

List of products subject to import ceilings in 1991

Order No	CN code ⁽¹⁾	Description	Level of ceiling (tonnes)
11.0010	5204	Cotton sewing thread, whether or not put up for retail sale:	application of ceiling suspended
		– Not put up for retail sale:	
	5204 11 00	– – Containing 85 % or more by weight of cotton	
	5204 19 00	– – Other	
	5205	Cotton yarn (other than sewing thread), containing 85 % or more by weight of cotton, not put up for retail sale	
	5206	Cotton yarn (other than sewing thread), containing less than 85 % by weight of cotton, not put up for retail sale	
	5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like falling within code 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics:	
	ex 5604 90 00	– Other: – – Of cotton	
11.0020	5208	Woven fabrics of cotton, containing 85 % or more by weight of cotton, weighing not more than 200 g/m ²	application of ceiling suspended
	5209	Woven fabrics of cotton, containing 85 % or more by weight of cotton, weighing more than 200 g/m ²	
	5210	Woven fabrics of cotton, containing less than 85 % by weight of cotton, mixed mainly or solely with man-made fibres, weighing not more than 200 g/m ²	
	5211	Woven fabrics of cotton, containing less than 85 % by weight of cotton, mixed mainly or solely with man-made fibres, weighing more than 200 g/m ²	
	5212	Other woven fabrics of cotton	
	5801	Woven pile fabrics and chenille fabrics, other than fabrics falling within code 5802 or 5806:	
		– Of cotton:	
	5801 21 00	– – Uncut weft pile fabrics	
	ex 5811 00 00	Quilted textile products of cotton in the piece, composed of one or more layers of textile materials assembled with padding by stitching or otherwise, other than embroidery falling within code 5810	
	ex 6308 00 00	Sets consisting of woven fabric and yarn, of cotton, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	
11.0030	5506	Synthetic staple fibres, carded, combed or otherwise processed for spinning	application of ceiling suspended
	5507 00 00	Artificial staple fibres, carded, combed or otherwise processed for spinning	

⁽¹⁾ The Taric codes are to be found on the last page of this Annex.

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040	5608	Knotted netting of twine, cordage or rope; made-up fishing nets and other made-up nets, of textile materials:	application of ceiling suspended
		– Of man-made textile materials:	
	5608 19	– – Other:	
		– – – Made-up nets:	
		– – – – Of nylon or other polyamides:	
	5608 19 19	– – – – – Other	
		– – – – – Other:	
	5608 19 39	– – – – – Other	
	5608 90 00	– Other	
	6101	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those falling within code 6103	
	6102	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those falling within code 6104	
	6103	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted	
	6104	Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted	
	6106	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted	
	6107	Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted:	
		– Other:	
	6107 91 00	– – Of cotton	
	6107 92 00	– – Of man-made fibres	
	6107 99 00	– – Of other textile materials	
	6108	Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted:	
		– Other:	
	6108 91 00	– – Of cotton	
	6108 92 00	– – Of man-made fibres	
	6108 99	– – Of other textile materials:	
	6108 99 10	– – – Of wool or fine animal hair	
	6108 99 90	– – – Of other textile materials	
	6110	Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted:	
	6110 10	– Of wool or fine animal hair:	
		– – Other:	
		– – – Men's or boys':	
	6110 10 31	– – – – Of wool	
	6110 10 39	– – – – Of fine animal hair	
		– – – Women's or girls':	
	6110 10 91	– – – – Of wool	
	6110 10 99	– – – – Of fine animal hair	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6110 20	— Of cotton:	application of ceiling suspended (cont'd)
		— — Other:	
	6110 20 91	— — — Men's or boys'	
	6110 20 99	— — — Women's or girls'	
	6110 30	— Of man-made fibres:	
		— — Other:	
	6110 30 91	— — — Men's or boys'	
	6110 30 99	— — — Women's or girls'	
	6110 90	— Of other textile materials:	
	6110 90 10	— — Of flax or ramie	
	6110 90 90	— — Other	
	6111	Babies' garments and clothing accessories, knitted or crocheted:	
	6111 10	— Of wool or fine animal hair:	
	6111 10 90	— — Other	
	6111 20	— Of cotton:	
	6111 20 90	— — Other	
	6111 30	— Of synthetic fibres:	
	6111 30 90	— — Other	
	6111 90 00	— Of other textile materials	
	6112	Track suits, ski suits and swimwear, knitted or crocheted:	
		— Track suits:	
	6112 11 00	— — Of cotton	
	6112 12 00	— — Of synthetic fibres	
	6112 19 00	— — Of other textile materials	
	6112 20 00	— Ski suits	
		— Men's or boys' swimwear:	
	6112 31	— — Of synthetic fibres:	
	6112 31 90	— — — Other	
	6112 39	— — Of other textile materials:	
	6112 39 90	— — — Other	
		— Women's or girls' swimwear:	
	6112 41	— — Of synthetic fibres:	
	6112 41 90	— — — Other	
	6112 49	— — Of other textile materials:	
	6112 49 90	— — — Other	
	6113 00	Garments, made up of knitted or crocheted fabrics falling within code 5903, 5906 or 5907:	
	6113 00 90	— Other	
	6114	Other garments, knitted or crocheted	
	6117	Other made up clothing accessories, knitted or crocheted; knitted or crocheted parts of garments or of clothing accessories	
	6301	Blankets and travelling rugs:	
	6301 20	— Blankets (other than electric blankets) and travelling rugs, of wool or of fine animal hair:	
	6301 20 10	— — Knitted or crocheted	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6301 30	– Blankets (other than electric blankets) and travelling rugs, of cotton:	application of ceiling suspended (cont'd)
	6301 30 10	– – Knitted or crocheted	
	6301 40	– Blankets (other than electric blankets) and travelling rugs, of synthetic fibres:	
	6301 40 10	– – Knitted or crocheted	
	6301 90	– Other blankets and travelling rugs:	
	6301 90 10	– – Knitted or crocheted	
	6302	Bed linen, table linen, toilet linen and kitchen linen:	
	6302 10	– Bed linen, knitted or crocheted:	
	6302 10 10	– – Of cotton	
	6302 10 90	– – Of other textile materials	
	6302 40 00	– Table linen, knitted or crocheted	
	6303	Curtains (including drapes) and interior blinds; curtain or bed valances:	
		– Knitted or crocheted:	
	6303 11 00	– – Of cotton	
	6303 12 00	– – Of synthetic fibres	
	6303 19 00	– – Of other textile materials	
	6304	Other furnishing articles, excluding those falling within code 9404:	
		– Bedspreads:	
	6304 11 00	– – Knitted or crocheted	
		– Other:	
	6304 91 00	– – Knitted or crocheted	
	6305	Sacks and bags, of a kind used for the packing of goods:	
	6305 20 00	– Of cotton	
		– Of man-made textile materials:	
	6305 31	– – Of polyethylene or polypropylene strip or the like	
	ex 6305 39 00	– – Other:	
		– – – Knitted or crocheted	
	ex 6305 90 00	– Of other textile materials:	
		– – Knitted or crocheted	
	6307	Other made up articles, including dress patterns:	
	6307 10	– Floor-cloths, dish-cloths, dusters and similar cleaning cloths:	
	6307 10 10	– – Knitted or crocheted	
	6307 90	– Other:	
	6307 90 10	– – Knitted or crocheted	
11.0050	6201	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those falling within code 6203	1 610
	6203	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear)	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0050 (cont'd)	6207	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles:	1 610 (cont'd)
		— Other:	
	6207 91 00	— — Of cotton	
	6207 92 00	— — Of man-made fibres	
	6207 99 00	— — Of other textile materials	
	6210	Garments, made up of fabrics falling within code 5602, 5603, 5903, 5906 or 5907:	
	6210 10	— Of fabrics falling within code 5602 or 5603:	
		— — Of fabrics falling within code 5603:	
	6210 10 91	— — — In sterile packs	
	6210 10 99	— — — Other	
	6210 20 00	— Other garments, of the type described in codes 6201 11 to 6201 19	
	6210 40 00	— Other men's or boys' garments	
	6211	Track suits, ski suits and swimwear; other garments:	
		— Swimwear:	
	6211 11 00	— — Men's or boys'	
	6211 20 00	— Ski suits	
		— Other garments, men's or boys':	
	6211 31 00	— — Of wool or fine animal hair	
	6211 32	— — Of cotton:	
	6211 32 10	— — — Industrial and occupational clothing	
	6211 32 90	— — — Other	
	6211 33	— — Of man-made fibres:	
	6211 33 10	— — — Industrial and occupational clothing	
	6211 33 90	— — — Other	
	6211 39 00	— — Of other textile materials	
	6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those falling within code 6212:	
	6217 90 00	— Parts	

Taric codes

Order No	CN code	Taric code
11.0010	ex 5604 90 00	5604 90 00 * 50
11.0020	ex 5811 00 00	5811 00 00 * 14 5811 00 00 * 91 5811 00 00 * 92
	ex 6308 00 00	6308 00 00 * 11 6308 00 00 * 19
11.0040	ex 6305 39 00	6305 39 00 * 91
	ex 6305 90 00	6305 90 00 * 10 6305 90 00 * 19

COUNCIL REGULATION (EEC) No 3734/90

of 14 December 1990

opening tariff quotas for the importation into that part of Spain included in the customs territory of the Community, of certain fisheries products originating in the Canary Islands or Ceuta and Melilla (1991)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 3 of Protocol 2 thereto,

Having regard to the proposal from the Commission,

Whereas Article 3 of Protocol 2 provides that, within the limits of annual tariff quotas, the products listed in the Annex and originating in the Canary Islands or Ceuta and Melilla are to qualify for exemption from duties when they are imported into that part of Spain which is included in the customs territory of the Community; whereas this tariff preference applies only to products which have been imported during 1982, 1983 or 1984; whereas, calculated on the basis of the abovementioned Article 3, the quota volumes are as follows:

- 17 596 tonnes of certain products falling within CN codes ex 0301, ex 0302, ex 0303 or ex 0304,
- 596 tonnes of certain products falling within CN code ex 0305,
- 21 387 tonnes of certain products falling within CN codes ex 0306 or ex 0307,
- 10 007 tonnes of certain products falling within CN codes 1604 11 00 to 1604 30 90, and
- 27 483 tonnes of products falling within CN code 2301 20 00;

Whereas there are no imports of the other products;

Whereas, in accordance with the Act of Accession, where the products are imported into that part of Spain which is included in the customs territory of the Community they may not be deemed to be in free circulation within the meaning of Article 10 of the Treaty should they be reconsigned to another Member State,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1991 the customs duties applicable to imports into that part of Spain which is included in the customs territory of the Community of the

products originating in the Canary Islands or Ceuta and Melilla and listed in the Annex shall be suspended at the levels indicated and within the limits of the tariff quotas shown.

2. Where the products are imported under these tariff quotas into that part of Spain which is included in the customs territory of the Community they may not be deemed to be in free circulation within the meaning of Article 10 of the Treaty should they be reconsigned to another Member State.

3. In whatever state the products referred to in this Article are presented, they shall not qualify for the tariff quotas unless, when they are presented to the authorities responsible for the import formalities in that part of Spain which is included in the customs territory of the Community, they are presented in packagings which bear, in a clearly visible and perfectly legible form:

- the words 'Origin: Canary Islands' or 'Origin: Ceuta and Melilla' or the equivalent thereof in another official Community language printed in Roman type at least 20 millimetres high, and
- the net weight in kilograms of the fish contained in the packagings.

In addition, the immediate packagings of pre-packaged foodstuffs falling within CN code 1604 must bear the words 'Made in the Canary Islands' or 'Made in Ceuta and Melilla' or the equivalent thereof in another official Community language in a clearly visible, perfectly legible and indelible form.

However, flours, meals and pellets, of fish or of crustaceans or molluscs, falling within CN code 2301 20 00 and originating in the Canary Islands, shall be identified by means of the documents to be supplied by the importer to the abovementioned authorities.

This paragraph shall apply without prejudice to the specific rules contained in Council Regulation (EEC) No 103/76 of 19 January 1976 laying down common marketing standards for certain fresh or chilled fish ⁽¹⁾, as last amended by Regulation (EEC) No 33/89 ⁽²⁾, and Council Regulation (EEC) No 104/76 of 19 January 1976 laying down common marketing standards for shrimps (*Crangon crangon*), edible

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 29.

⁽²⁾ OJ No L 5, 7. 1. 1989, p. 18

crabs (*Cancer pagurus*) and Norway lobsters (*Nephrops norvegicus*) ⁽¹⁾, as last amended by Regulation (EEC) No 4213/88 ⁽²⁾.

Article 2

1. The Member State concerned shall ensure that importers of the products concerned have free access to the tariff quotas referred to in Article 1.

2. The Member State concerned shall charge imports of the products concerned against the tariff quotas as and when the products are entered with the customs authorities for free circulation.

3. The extent to which the tariff quotas have been used up shall be determined on the basis of the imports charged in accordance with paragraph 2.

Article 3

At the request of the Commission, the Member State concerned shall inform it of imports actually charged against the tariff quotas.

Article 4

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 14 December 1990.

For the Council

The President

D. MAMMI

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 35.

⁽²⁾ OJ No L 370, 31. 12. 1989, p. 33.

ANNEX

CN code	Description	Amount of tariff quota (tonnes)	Rates of duties
1	2	3	4
0301	Live fish:		
	– Other live fish:		
0301 91 00	– – Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)		
0301 92 00	– – Eels (<i>Anguilla</i> spp.)		
0301 93 00	– – Carp		
0301 99	– – Other:		
	– – – Freshwater fish:		
0301 99 11	– – – – Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of code 0304:		
	– Salmonidae, excluding livers and roes:		
0302 11 00	– – Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)		
0302 12 00	– – Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
	– 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:		
0302 21	– – Halibut (<i>Reinhardtius hippoglossoides</i> , <i>Hippoglossus hippoglossus</i> , <i>Hippoglossus stenolepis</i>):		
0302 21 10	– – – Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)		
0302 21 30	– – – Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		
0302 21 90	– – – Pacific halibut (<i>Hippoglossus stenolepis</i>)		
0302 22 00	– – Plaice (<i>Pleuronectes platessa</i>)		
0302 23 00	– – Sole (<i>Solea</i> spp.)	17 596	free
0302 29	– – Other		
0302 29 10	– – – Megrim <i>Lepidorhombus</i> spp.)		
0302 29 90	– – – Other		
	– Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>), excluding livers and roes:		
0302 31	– – Albacore or longfinned tunas (<i>Thunnus alalunga</i>):		
0302 31 90	– – – Other		
0302 32	– – Yellowfin tunas (<i>Thunnus albacares</i>):		
0302 32 90	– – – Other		
0302 33	– – Skipjack or stripe-bellied bonito:		
0302 33 90	– – – Other		
0302 39	– – Other:		
0302 39 90	– – – Other		
0302 40	– Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes:		
0302 40 90	– – From 16 June to 14 February		
0302 50	– Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), excluding livers and roes:		
0302 50 10	– – Of the species <i>Gadus morhua</i>		
0302 50 90	– – Other		
	– Other fish, excluding livers and roes:		
0302 61	– – Sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>):		
0302 61 10	– – – Sardines of the species <i>Sardina pilchardus</i>		

1	2	3	4
0302 61 30	— — — Sardines of the genus <i>Sardinops</i> ; sardinella (<i>Sardinella</i> spp.)		
	— — — Brisling or sprats (<i>Sprattus sprattus</i>):		
0302 61 99	— — — — From 16 June to 14 February		
0302 62 00	— — Haddock (<i>Melanogrammus aeglefinus</i>)		
0302 63 00	— — Coalfish (<i>Pollachius virens</i>)		
0302 64	— — Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>):		
0302 64 90	— — — From 16 June to 14 February		
0302 65	— — Dogfish and other sharks:		
0302 65 20	— — — Dogfish of the species <i>Squalus acanthias</i>		
0302 65 50	— — — Dogfish of the species <i>Scyliorhinus</i>		
0302 65 90	— — — Other		
0302 66 00	— — Eels (<i>Anguilla</i> spp.)		
0302 69	— — Other:		
	— — — Freshwater fish:		
0302 69 11	— — — — Carp		
	— — — Saltwater fish:		
	— — — — Fish of the genus <i>Euthynnus</i> , other than the skipjack or stripe-bellied bonitos (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>) mentioned in code 0302 33:		
0302 69 25	— — — — — Other		
	— — — — Redfish (<i>Sebastes</i> spp.):		
0302 69 31	— — — — — Of the species <i>Sebastes marinus</i>		
0302 69 33	— — — — — Other		
0302 69 35	— — — — Fish of the species <i>Boreogadus saida</i>		
0302 69 41	— — — — Whiting (<i>Merlangus merlangus</i>)		
0302 69 45	— — — — Ling (<i>Molva</i> spp.)		
0302 69 51	— — — — Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)	17 596 (cont'd)	free
0302 69 55	— — — — Anchovies (<i>Engraulis</i> spp.)		
0302 69 61	— — — — Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)		
0302 69 65	— — — — Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.)		
0302 69 75	— — — — Ray's bream (<i>Brama</i> spp.)		
0302 69 81	— — — — Monkfish (<i>Lophius</i> spp.)		
0302 69 85	— — — — Blue whiting (<i>Micromesistius poutassaou</i> or <i>Gadus poutassou</i>)		
0302 69 87	— — — — Swordfish (<i>Xiphias gladius</i>)		
0302 69 98	— — — — Other		
0302 70 00	— Livers and roes		
0303	Fish, frozen, excluding fish fillets and other fish meat of code 0304:		
0303 10 00	— Pacific salmon (<i>Oncorhynchus</i> spp.), excluding livers and roes		
	— Other salmonidae, excluding livers and roes:		
0303 21 00	— — Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)		
0303 22 00	— — Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
0303 29 00	— — Other		
	— 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:		
0303 31	— — Halibut (<i>Reinhardtius hippoglossoides</i> , <i>Hippoglossus hippoglossus</i> , <i>Hippoglossus stenolepis</i>):		
0303 31 10	— — — Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)		
0303 31 30	— — — Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		
0303 31 90	— — — Pacific halibut (<i>Hippoglossus stenolepis</i>)		
0303 32 00	— — Plaice (<i>Pleuronectes platessa</i>)		

1	2	3	4
0303 33 00	— — Sole (<i>Solea</i> spp.)		
0303 39	— — Other:		
0303 39 10	— — — Flounder (<i>Platichthys flesus</i>)		
0303 39 20	— — — Megrim (<i>Lepidorhombus</i> spp.)		
0303 39 90	— — — Other		
	— Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>), excluding livers and roes:		
0303 41	— — Albacore or longfinned tunas (<i>Thunnus alalunga</i>):		
0303 41 90	— — — Other		
0303 42	— — Yellowfin tunas (<i>Thunnus albacares</i>):		
0303 42 90	— — — Other		
0303 43	— — Skipjack or stripe-bellied bonito:		
0303 43 90	— — — Other		
0303 49	— — Other:		
0303 49 90	— — — Other		
0303 50	— Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes:		
0303 50 90	— — From 16 June to 14 February		
0303 60	— Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), excluding livers and roes:		
0303 60 10	— — Of the species <i>Gadus morhua</i> and <i>Gadus ogac</i>		
0303 60 90	— — Of the species <i>Gadus macrocephalus</i>		
	— Other fish, excluding livers and roes:		
0303 71	— — Sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>):		
0303 71 10	— — — Sardines of the species <i>Sardina pilchardus</i>		
0303 71 30	— — — Sardines of the genus <i>Sardinops</i> ; sardinella (<i>Sardinella</i> spp.)	17 596 (cont'd)	free
	— — — Brisling or sprats (<i>Sprattus sprattus</i>):		
0303 71 99	— — — — From 16 June to 14 February		
0303 72 00	— — Haddock (<i>Melanogrammus aeglefinus</i>)		
0303 73 00	— — Coalfish (<i>Pollachius virens</i>)		
0303 74	— — Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>):		
	— — — Of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :		
0303 74 19	— — — — From 16 June to 14 February		
0303 74 90	— — — Of the species <i>Scomber australasicus</i>		
0303 75 20	— — — Dogfish of the species <i>Squalus acanthias</i>		
0303 75 50	— — — Dogfish of the species <i>Scyliorhinus</i>		
0303 75 90	— — — Other		
0303 76 00	— — Eels (<i>Anguilla</i> spp.)		
0303 77 00	— — Sea bass (<i>Dicentrarchus labrax</i> , <i>Dicentrarchus punctatus</i>)		
0303 78	— — Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.):		
0303 78 10	— — — Hake of the genus <i>Merluccius</i>		
0303 78 90	— — — Hake of the genus <i>Urophycis</i>		
0303 79	— — Other:		
	— — — Freshwater fish:		
0303 79 11	— — — — Carp		
	— — — Saltwater fish:		
	— — — — Fish of the genus <i>Euthynnus</i> , other than the skipjack or stripe-bellied bonitos (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>) mentioned in code 0303 43:		
0303 79 31	— — — — — Other		
	— — — — Redfish (<i>Sebastes</i> spp.):		

1	2	3	4
0303 79 35	— — — — — Of the species <i>Sebaste marinus</i>		
0303 79 37	— — — — — Other		
0303 79 41	— — — — — Fish of the species <i>Boreogadus saida</i>		
0303 79 45	— — — — — Whiting (<i>Merlangus merlangus</i>)		
0303 79 51	— — — — — Ling (<i>Molva</i> spp.)		
0303 79 55	— — — — — Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)		
	— — — — — Fish of the species <i>Orcynopsis unicolor</i> :		
0303 79 63	— — — — — From 16 June to 14 February		
0303 79 65	— — — — — Anchovies (<i>Engraulis</i> spp.)		
0303 79 71	— — — — — Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)		
0303 79 73	— — — — — Megrin (<i>Lepidorhombus</i> spp.)		
0303 79 75	— — — — — Ray's bream (<i>Brama</i> spp.)		
0303 79 81	— — — — — Monkfish (<i>Lophius</i> spp.)		
0303 79 83	— — — — — Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)		
0303 79 87	— — — — — Swordfish (<i>Xiphias gladius</i>)		
0303 79 98	— — — — — Other		
0303 80 00	— Livers and roes		
0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
0304 10	— Fresh or chilled:		
	— — Fillets:		
	— — — Or freshwater fish:		
0304 10 11	— — — — — Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gillae</i>)		
0304 10 13	— — — — — Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
ex 0304 10 19	— — — — — Of eels and carps		
	— — — Other:		
0304 10 31	— — — — — Of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i>		
0304 10 39	— — — — — Other		
	— — Other fish meat (whether or not minced):		
0304 10 91	— — — Meat of freshwater fish		
0304 10 99	— — — Other:		
	— — — — Flaps of herring:		
ex 0304 10 93	— — — — — From 16 June to 14 February		
ex 0304 10 98	— — — — — Other		
0304 20	— Frozen fillets:		
	— — Of freshwater fish:		
0304 20 11	— — — — — Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gillae</i>)		
0304 20 13	— — — — — Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
ex 0304 20 19	— — — — — Of eels and carps		
	— — Of cod (<i>Gadus morhua</i> , <i>Gadus macrocephalus</i> , <i>Gadus ogac</i>) and of fish of the species <i>Boreogadus saida</i> :		
0304 20 21	— — — — — Of cod of the species <i>Gadus macrocephalus</i>		
0304 20 29	— — — — — Other		
0304 20 31	— — — Of coalfish (<i>Pollachius virens</i>)		
0304 20 33	— — — Of haddock (<i>Melanogrammus aeglefinus</i>)		
	— — — Of redfish (<i>Sebastes</i> spp.):		
0304 20 35	— — — — — Of the species <i>Sebastes marinus</i>		
0304 20 37	— — — — — Other		
0304 20 41	— — — Of whiting (<i>Merlangus merlangus</i>)		
0304 20 43	— — — Of ling (<i>Molva</i> spp.)		
		17 596 (cont'd)	free

1	2	3	4
0304 20 45	— — Of tuna (of the genus <i>Thunnus</i>) and of fish of the genus <i>Euthynnus</i>		
	— — Of mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>) and of fish of the species <i>Orcynopsis unicolor</i> :		
0304 20 51	— — — Of mackerel of the species <i>Scomber australasicus</i>		
0304 20 53	— — — Other		
	— — Of hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.):		
0304 20 57	— — — Of hake of the genus <i>Merluccius</i>		
0304 20 59	— — — Of hake of the genus <i>Urophycis</i>		
	— — Of dogfish and other sharks:		
0304 20 61	— — — Of dogfish (<i>Squalus acanthias</i> and <i>Scyliorhinus</i> spp.)		
0304 20 69	— — — Of other sharks		
0304 20 71	— — Of plaice (<i>Pleuronectes platessa</i>)		
0304 20 73	— — Of flounder (<i>Platichthys flesus</i>)		
0304 20 75	— — Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		
0304 20 79	— — Of megrim (<i>Lepidorhombus</i> spp.)		
0304 20 81	— — Of Ray's beam (<i>Brama</i> spp.)		
0304 20 83	— — Of monkfish (<i>Lophius</i> spp.)		
0304 20 85	— — Of Alaska pollack (<i>Theragra chalcogramma</i>)		
0304 20 87	— — — Of swordfish (<i>Xiphias gladius</i>)		
0304 20 97	— — Other		
0304 90	— Other:		
ex 0304 90 10	— Meat of freshwater fish	17 596 (cont'd)	free
	— — — — Other		
	— — — Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		
0304 90 25	— — — — From 16 June to 14 February		
ex 0304 90 31	— — — Of redfish (<i>Sebastes</i> spp.)		
	— — — Of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i> :		
0304 90 35	— — — — Of cod of the species <i>Gadus macrocephalus</i>		
0304 90 38	— — — — Of cod of the species <i>Gadus morhua</i>		
	— — — — Other		
0304 90 41	— — — Of coalfish (<i>Pollachius virens</i>)		
0304 90 45	— — — Of haddock (<i>Melanogrammus aeglefinus</i>)		
	— — — Of hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.):		
0304 90 47	— — — — Of hake of the genus <i>Merluccius</i>		
0304 90 49	— — — — Of hake of the genus <i>Urophycis</i>		
0304 90 51	— — — Of megrim (<i>Lepidorhombus</i> spp.)		
0304 90 55	— — — Of Ray's bream (<i>Brama</i> spp.)		
0304 90 57	— — — Of monkfish (<i>Lophius</i> spp.)		
0304 90 59	— — — Of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)		
0304 90 61	— — — Of Alaska pollack (<i>Theragra chalcogramma</i>)		
0304 90 65	— — — — Of swordfish (<i>Xiphias gladius</i>)		
0304 90 97	— — — Other		
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:		
0305 10 00	— Fish meal fit for human consumption		
0305 20 00	— Livers and roes, dried, smoked, salted or in brine		
0305 30	— Fish fillets, dried, salted or in brine, but not smoked:		
	— — Of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i> :		
0305 30 11	— — — Of cod of species <i>Gadus macrocephalus</i>		

1	2	3	4
0305 30 19	- - - Other		
0305 30 30	- - Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>), salted or in brine		
0305 30 50	- - Of lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>), salted or in brine		
0305 30 90	- - Other		
	- Smoked fish, including fillets:		
0305 41 00	- - Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
0305 42 00	- - Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		
0305 49	- - Other:		
0305 49 10	- - - Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)		
0305 49 20	- - - Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		
0305 49 30	- - - Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>)		
0305 49 40	- - - Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gila</i>)		
0305 49 50	- - - Eels (<i>Anguilla</i> spp.)		
0305 49 90	- - - Other		
	- Dried fish, whether or not salted but not smoked:		
0305 51	- - Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>):		
0305 51 10	- - - Dried, unsalted		
0305 51 90	- - - Dried, salted	596	free
0305 59	- - Other:		
	- - - Fish of the species <i>Boreogadus saida</i> :		
0305 59 11	- - - - Dried, unsalted		
0305 59 19	- - - - Dried, salted		
0305 59 30	- - - Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		
0305 59 50	- - - Anchovies (<i>Engraulis</i> spp.)		
0305 59 60	- - - Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>) and Pacific halibut (<i>Hippoglossus stenolepis</i>)		
0305 59 70	- - - Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		
0305 59 90	- - Other		
	- Fish, salted but not dried or smoked and fish in brine:		
0305 61 00	- - Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		
0305 62 00	- - Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>)		
0305 63 00	- - Anchovies (<i>Engraulis</i> spp.)		
0305 69	- - Other:		
0305 69 10	- - - Fish of the species <i>Boreogadus saida</i>		
0305 69 20	- - - Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>) and Pacific halibut (<i>Hippoglossus stenolepis</i>)		
0305 69 30	- - - Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		
0305 69 50	- - - Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		
0305 69 90	- - - Other		
0306	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:		
0306 11 00	- - Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.)		
0306 12	- - Lobsters (<i>Homarus</i> spp.):		
0306 12 10	- - - Whole		

1	2	3	4
0306 12 90	-- -- Other		
0306 13	-- -- Shrimps and prawns:		
0306 13 10	-- -- -- Of the family <i>Pandalidae</i>		
0306 13 30	-- -- -- Shrimps of the genus <i>Crangon</i>		
0306 13 90	-- -- -- Other		
0306 14	-- -- Crabs:		
0306 14 10	-- -- -- Crabs of the species <i>Paralithodes camchaticus</i> , <i>Chionoecetes</i> spp. and <i>Callinectes sapidus</i>		
0306 14 30	-- -- -- Crabs of the species <i>Cancer pagurus</i>		
0306 14 90	-- -- -- Other		
0306 19	-- -- Other:		
0306 19 10	-- -- -- Freshwater crayfish		
0306 19 30	-- -- -- Norway lobsters (<i>Nephrops norvegicus</i>)		
ex 0306 19 90	-- -- -- Other		
	-- Not frozen:		
0306 21 00	-- -- Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.)		
0306 22	-- -- Lobsters (<i>Homarus</i> spp.):		
0306 22 10	-- -- -- Live		
	-- -- -- Other:		
0306 22 91	-- -- -- -- Whole		
0306 22 99	-- -- -- -- Other		
0306 23	-- -- Shrimps and prawns:		
0306 23 10	-- -- -- Of the family <i>Pandalidae</i>		
	-- -- -- Shrimps of the genus <i>Crangon</i> :		
0306 23 31	-- -- -- -- Fresh, chilled or cooked by steaming or by boiling in water	21 387	free
0306 23 39	-- -- -- -- Other		
0306 23 90	-- -- -- Other		
0306 24	-- -- Crabs:		
0306 24 10	-- -- -- Crabs of the species <i>Paralithodes camchaticus</i> , <i>Chionoecetes</i> spp. and <i>Callinectes sapidus</i>		
0306 24 30	-- -- -- Crabs of the species <i>Cancer pagurus</i>		
0306 24 90	-- -- -- Other		
0306 29	-- -- Other:		
0306 29 10	-- -- -- Freshwater crayfish		
0306 29 30	-- -- -- Norway lobsters (<i>Nephrops norvegicus</i>)		
0306 29 90	-- -- -- Other		
0307	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine:		
0307 10	-- Oysters:		
0307 10 90	-- -- Other		
	-- Scallops, including queen scallops, of the genera <i>Pecten</i> , <i>Chlamys</i> or <i>Placopecten</i> :		
0307 21 00	-- -- Live, fresh or chilled		
0307 29	-- -- Other:		
0307 29 10	-- -- -- Coquilles St. Jacques (<i>Pecten maximus</i>), frozen		
0307 29 90	-- -- -- Other		
	-- Mussels (<i>Mytilus</i> spp., <i>Perna</i> spp.):		
0307 31	-- -- Live, fresh or chilled:		
0307 31 10	-- -- -- <i>Mytilus</i> spp.		
0307 31 90	-- -- -- <i>Perna</i> spp.		

1	2	3	4
0307 39	- - Other:		
0307 39 10	- - - <i>Mytilus</i> spp.		
0307 39 90	- - - <i>Perna</i> spp.		
	- Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.) and squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
0307 41	- - Live, fresh or chilled:		
0307 41 10	- - - Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.)		
	- - - Squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
0307 41 91	- - - - <i>Loligo</i> spp., <i>Ommastrephes sagittatus</i>		
0307 41 99	- - - - Other		
0307 49	- - Other:		
	- - - Frozen:		
	- - - - Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.):		
0307 49 11	- - - - - Of the genus <i>Sepiola</i> other than <i>Sepiola rondeleti</i>		
0307 49 19	- - - - - Other		
	- - - - Squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
	- - - - - <i>Loligo</i> spp.:		
0307 49 31	- - - - - <i>Loligo vulgaris</i>		
0307 49 33	- - - - - <i>Loligo pealei</i>		
0307 49 35	- - - - - <i>Loligo patagorica</i>		
0307 49 38	- - - - - Other		
0307 49 51	- - - - - <i>Ommastrephes sagittatus</i>		
0307 49 59	- - - - - Other		
	- - - Other:		
0307 49 71	- - - - Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.)		
	- - - - Squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
0307 49 91	- - - - - <i>Loligo</i> spp., <i>Ommastrephes sagittatus</i>		
0307 49 99	- - - - - Other		
	- Octopus (<i>Octopus</i> spp.):		
0307 51 00	- - Live, fresh or chilled		
0307 59	- - Other:		
0307 59 10	- - - Frozen		
0307 59 90	- - - Other		
	- Other:		
ex 0307 91 00	- - Live, fresh or chilled		
0307 99	- - Other:		
	- - - Frozen:		
0307 99 11	- - - - <i>Illex</i> spp.		
0307 99 13	- - - - Striped venus and other species of the family <i>Veneridae</i>		
0307 99 19	- - - - Other aquatic invertebrates		
0307 99 90	- - - - Other		
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		
	- Fish, whole or in pieces, but not minced:		
1604 11 00	- - Salmon		
1604 12	- - Herrings:		
1604 12 10	- - - Fillets, raw, coated with batter or breadcrumbs, deep frozen		

21 387
(cont'd)

free

1	2	3	4
1604 12 90	— — — Other		
1604 13	— — Sardines, sardinella and brisling or sprats:		
1604 13 10	— — — Sardines		
1604 13 90	— — — Other		
1604 14	— — Tunas, skipjack and Atlantic bonito (<i>Sarda</i> spp.):		
1604 14 10	— — — Tunas and skipjack		
1604 14 90	— — — Atlantic bonito (<i>Sarda</i> spp.)		
1604 15	— — Mackerel:		
1604 15 10	— — — Of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>		
1604 15 90	— — — Of the species <i>Scomber australasicus</i>		
1604 16 00	— — Anchovies		
1604 19	— — Other:		
1604 19 10	— — — Salmonidae, other than salmon		
1604 19 30	— — — Fish of the genus <i>Euthynnus</i> , other than skipjack (<i>Euthynnus (Katsuwonus) pelamis</i>)		
1604 19 50	— — — Fish of the species <i>Orcynopsis unicolor</i>	10 007	free
	— — — Other:		
1604 19 91	— — — — Fillets, raw, coated with batter or breadcrumbs, deep frozen		
1604 19 99	— — — — Other		
1604 20	— Other prepared or preserved fish:		
1604 20 10	— — Of salmon		
1604 20 30	— — Of salmonidae, other than salmon		
1604 20 40	— — Of anchovies		
1604 20 50	— — Of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , fish of the species <i>Orcynopsis unicolor</i>		
1604 20 70	— — Of tunas, skipjack or other fish of the genus <i>Euthynnus</i>		
1604 20 90	— — Of other fish		
1604 30	— Caviar and caviar substitutes:		
1604 30 10	— — Caviar (sturgeon roe)		
1604 30 90	— — Caviar substitutes		
2301 20 00	Flours, meals and pellets, or fish or of crustaceans, molluscs or other aquatic invertebrates	27 483	free

COUNCIL REGULATION (EEC) No 3735/90

of 14 December 1990

opening and providing for the administration of Community tariff quotas for certain fisheries products originating in the Canary Islands (1991)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 3 of Protocol 2 thereto,

Having regard to the proposal from the Commission,

Whereas Article 3 of Protocol 2 and Article 10 of Protocol 3 to the Act of Accession provide that, within the limits of annual Community tariff quotas, fisheries products listed in the Annex and originating in the Canary Islands or Ceuta and Melilla are to qualify for reductions in duties when imported into the customs territory of the Community with the exception of Spain; whereas this tariff preference applies only to products which have been imported during 1982, 1983 or 1984; whereas there is no trade in the said products originating in Ceuta and Melilla and thus no need to open quotas for these products originating in those territories; whereas, calculated on the basis of the abovementioned Article 3, the quota volumes for these products originating in the Canary Islands are as follows:

- 604 tonnes of certain products falling within CN codes ex 0301, ex 0302, ex 0303 or ex 0304,
- 3 429 tonnes of certain products falling within CN codes ex 0306 or ex 0307,
- 539 tonnes of certain products falling within CN codes 1604 11 00 to 1604 30 90, and
- 227 tonnes of products falling within CN code 2301 20 00;

Whereas there are no imports of the other products;

Whereas the products imported under these quotas are to qualify for the progressive reduction in customs duties according to the same timetable and under the same conditions as provided for in Article 173 of the Act of Accession, provided the reference prices are observed; whereas by virtue of Regulation (EEC) No 3482/88 ⁽¹⁾, the customs duty applicable to the import into the Community of Ten, of prepared or preserved sardines of the species *Sardina pilchardus*, coming from Spain, shall be subject to a flat-rate reduction of five points; whereas however, where the products concerned are imported into Portugal, the duties applicable are to be calculated in accordance with the relevant provisions of the Act of Accession;

Whereas, by Regulations (EEC) No 839/88 ⁽²⁾ and (EEC) No 1673/89 ⁽³⁾, collection of customs duties applicable in the Community of Ten pursuant to the Act of Accession of Spain and Portugal to fishery products, imported from Spain and Portugal, shall be totally suspended;

Whereas, however, by virtue of the provisions of Regulation (EEC) No 1673/89, this tariff suspension is not applicable to certain fishery products listed in the Annex to that Regulation;

Whereas it is possible that for certain products indicated in the Annex to this Regulation the Community adopts a more favourable tariff regime to that currently applicable, in the framework of tariff quotas or tariff suspensions; whereas it is appropriate, in the context, to grant to products originating in the Canary Islands treatment as favourable as that given to the same products from that part of Spain included in the customs territory of the Community, as is provided for in Article 3 of Protocol 2 of the Act of Accession;

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

Whereas the necessary measures should be taken to ensure that these tariff quotas are administered efficiently and on a Community basis, so that Member States have the option of drawing the necessary quantities corresponding to actual imports recorded, from the quota volume; whereas this method of administration calls for close cooperation between the Member States and the Commission;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1990 the customs duties applicable to imports into the Community with the exception of Spain of the products originating in the Canary

⁽¹⁾ OJ No L 306, 11. 11. 1988, p. 1.

⁽²⁾ OJ No L 87, 31. 3. 1988, p. 1.

⁽³⁾ OJ No L 164, 16. 6. 1989, p. 1.

Islands listed in the Annex shall be suspended at the levels indicated and within the limits of the Community tariff quotas shown.

Within the limits of these tariff quotas the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Act of Accession.

2. In order to qualify for these tariff quotas the products concerned must observe the reference prices which apply to them.

3. In whatever state the fisheries products referred to in this Article are presented, they shall not qualify for the tariff quotas unless, when they are presented to the authorities responsible for the import formalities with a view to their entry for free circulation in the customs territory of the Community, they are presented in packagings which bear in a clearly visible and perfectly legible form:

- the words 'Origin: Canary Islands' or the equivalent thereof in another official Community language printed in Roman type at least 20 millimetres high, and
- the net weight in kilograms of the fish contained in the packagings.

In addition, the immediate packings of pre-packaged foodstuffs falling within CN codes 1604 11 00 to 1604 30 90 must bear the words 'Made in the Canary Islands' or the equivalent thereof in another official Community language in a clearly visible, perfectly legible and indelible form.

However, flours, meals and pellets, of fish or of crustaceans or molluscs, falling within CN code 2301 20 00 and originating in the Canary Islands, shall be identified by means of the documents to be supplied by the importer to the abovementioned authorities.

This paragraph shall apply without prejudice to the specific rules contained in Council Regulation (EEC) No 103/76 of 19 January 1976 laying down common marketing standards for certain fresh or chilled fish ⁽¹⁾, as last amended by Regulation (EEC) No 33/89 ⁽²⁾, and Council Regulation (EEC) No 104/76 of 19 January 1976 laying down common marketing standards for shrimps (*Crangon crangon*), edible crabs (*Cancer pagurus*) and Norway lobsters (*Nephrops norvegicus*) ⁽³⁾, as last amended by Regulation (EEC) No 4213/88 ⁽⁴⁾,

4. In case of modification or full or partial suspension of the customs duties applicable to the third countries for one of the products indicated in the Annex to this Regulation, the

duties applicable to this product originating in the Canary Islands must automatically be equal to those applicable to the same product coming from that part of Spain included in the customs territory of the Community.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if this declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be so informed by the Commission.

Article 4

Each Member State shall guarantee importers of the products in question equal and continuous access to the quotas as long as the balance of the corresponding quota volume allows.

Article 5

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 29.

⁽²⁾ OJ No L 5, 7. 1. 1989, p. 18.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 35.

⁽⁴⁾ OJ No L 370, 31. 12. 1988, p. 33.

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

Done at Brussels, 14 December 1990.

For the Council
The President
D. MAMMI

ANNEX

Order No	CN code (¹)	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
1	2	3	4	5
09.0405	0301	Live fish:		
		— Other live fish:		
	0301 91 00	— — Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)		0
	0301 92 00	— — Eels (<i>Anguilla</i> spp.)		0
	0301 93 00	— — Carp		0
	0301 99	— — Other:		
		— — — Freshwater fish:		
	0301 99 11	— — — — Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		0
	0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of code 0304:		
		— Salmonidae, excluding livers and roes:		
	0302 11 00	— — Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)		0
	0302 12 00	— — Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		0
		— Flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae), excluding livers and roes:		
	0302 21	— — Halibut (<i>Reinhardtius hippoglossoides</i> , <i>Hippoglossus hippoglossus</i> , <i>Hippoglossus stenolepis</i>):		
	0302 21 10	— — — Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)		0
	0302 21 30	— — — Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		0
	0302 21 90	— — — Pacific halibut (<i>Hippoglossus stenolepis</i>)		0
	0302 22 00	— — Plaice (<i>Pleuronectes platessa</i>)	604	0
	0302 23 00	— — Sole (<i>Solea</i> spp.)		0
	0302 29	— — Other		0
	0302 29 10	— — — Megrim (<i>Lepidorhombus</i> spp.)		0
	0302 29 90	— — — Other		0
		— Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>), excluding livers and roes:		
	0302 31	— — Albacore or longfinned tunas (<i>Thunnus alalunga</i>):		
	0302 31 90	— — — Other		5,5
	0302 32	— — Yellowfin tunas (<i>Thunnus albacares</i>):		
	0302 32 90	— — — Other		0
	0302 33	— — Skipjack or stripe-bellied bonito:		
	0302 33 90	— — — Other		0
	0302 39	— — Other:		
	0302 39 90	— — — Other		0
	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
	0302 50	— Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), excluding livers and roes:		
	0302 50 10	— — Of the species <i>Gadus morhua</i>		0
	0302 50 90	— — Other cod		0
		— Other fish, excluding livers and roes:		

(¹) Taric codes: see last page of this Annex.

1	2	3	4	5
09.0405 (cont'd)	0302 61	-- Sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>):		
	0302 61 10	-- -- Sardines of the species <i>Sardina pilchardus</i>		5,7
	0302 61 30	-- -- Sardines of the genus <i>Sardinops</i> ; sardinella (<i>Sardinella</i> spp.)		0
		-- -- Brisling or sprats (<i>Sprattus sprattus</i>):		
	0302 61 99	-- -- -- From 16 June to 14 February		0
	0302 62 00	-- Haddock (<i>Melanogrammus aeglefinus</i>)		0
	0302 63 00	-- Coalfish (<i>Pollachius virens</i>)		0
	0302 64	-- Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>):		
	0302 64 90	-- -- From 16 June to 14 February		0
	0302 65	-- Dogfish and other sharks:		
	0302 65 20	-- -- Dogfish (<i>Squalus acanthias</i>)		0
	0302 65 50	-- -- Dogfish (<i>Scyliorhinus</i> spp.)		0
	0302 65 90	-- -- Other		0
	0302 66 00	-- Eels (<i>Anguilla</i> spp.)		0
	0302 69	-- Other:		
		-- -- Freshwater fish:		
	0302 69 11	-- -- -- Carp		0
		-- -- Saltwater fish:		
		-- -- -- Fish of the genus <i>Euthynnus</i> , other than the skipjack or stripe-bellied bonitos (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>) mentioned in code 0302 33:		
	0302 69 25	-- -- -- Other		0
		-- -- -- Redfish (<i>Sebastes</i> spp.):		
	0302 69 31	-- -- -- Of the species <i>Sebastes marinus</i>		0
	0302 69 33	-- -- -- Other		0
	0302 69 35	-- -- -- Fish of the species <i>Boreogadus saida</i>		0
	0302 69 41	-- -- -- Whiting (<i>Merlangus merlangus</i>)		0
	0302 69 45	-- -- -- Ling (<i>Molva</i> spp.)		0
	0302 69 51	-- -- -- Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)		0
	0302 69 55	-- -- -- Anchovies (<i>Engraulis</i> spp.)		0
	0302 69 61	-- -- -- Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)		0
	0302 69 65	-- -- -- Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.)		0
	0302 69 75	-- -- -- Ray's bream (<i>Brama</i> spp.)		0
	0302 69 81	-- -- -- Monkfish (<i>Lophius</i> spp.)		0
	0302 69 85	-- -- -- Blue whiting (<i>Micromesistius poutassaou</i> or <i>Gadus poutassou</i>)		0
	0302 69 87	-- -- -- Swordfish (<i>Xiphias gladius</i>)		0
	0302 69 98	-- -- -- Other		0
	0302 70 00	-- Livers and roes		0
	0303	Fish, frozen, excluding fish fillets and other fish meat of code 0304:		
	0303 10 00	-- Pacific salmon (<i>Oncorhynchus</i> spp.), excluding livers and roes and salmon, frozen and headless, for the processing industry for manufacture into pastes or spreads		0
		-- Other Salmonidae, excluding livers and roes:		
	0303 21 00	-- Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gillae</i>)		0
	0303 22 00	-- Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		0
		-- Flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae), excluding livers and roes:		
	0303 31	-- Halibut (<i>Reinhardtius hippoglossoides</i> , <i>Hippoglossus hippoglossus</i> , <i>Hippoglossus stenolepis</i>):		
	0303 31 10	-- -- Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)		0

604
(cont'd)

1	2	3	4	5
09.0405 (cont'd)	0303 31 30	— — — Atlantic halibut (<i>Hippoglossus hippoglossus</i>)		0
	0303 31 90	— — — Pacific halibut (<i>Hippoglossus stenolepis</i>)		0
	0303 32 00	— — Plaice (<i>Pleuronectes platessa</i>)		0
	0303 33 00	— — Sole (<i>Solea</i> spp.)		0
	0303 39	— — Other:		
	0303 39 10	— — — Flounder (<i>Platichthys flesus</i>)		0
	0303 39 20	— — — Megrin (<i>Lepidorhombus</i> spp.)		0
	0303 39 90	— — — Other		0
		— Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>), excluding livers and roes:		
	0303 41	— — Albacore or longfinned tunas (<i>Thunnus alalunga</i>):		
	0303 41 90	— — — Other		5,5
	0303 42	— — Yellowfin tunas (<i>Thunnus albacares</i>):		
	0303 42 90	— — — Other		0
	0303 43	— — Skipjack or stripe-bellied bonito:		
	0303 43 90	— — — Other		0
	0303 49	— — Other:		
	0303 49 90	— — — Other		0
	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
	0303 60	— Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), excluding livers and roes:		
	0303 60 11	— — Of the species <i>Gadus morhua</i>		0
	0303 60 19	— — Of the species <i>Gadus ogac</i>		0
	0303 60 90	— — Of the species <i>Gadus macrocephalus</i>		0
		— Other fish, excluding livers and roes:		
	0303 71	— — Sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>):	604 (cont'd)	
	0303 71 10	— — — Sardines of the species <i>Sardina pilchardus</i>		5,7
	0303 71 30	— — — Sardines of the genus <i>Sardinops</i> ; sardinella (<i>Sardinella</i> spp.)		0
		— — — Brisling or sprats (<i>Sprattus sprattus</i>):		
	0303 71 99	— — — — From 16 June to 14 February		0
	0303 72 00	— — Haddock (<i>Melanogrammus aeglefinus</i>)		0
	0303 73 00	— — Coalfish (<i>Pollachius virens</i>)		0
	0303 74	— — Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>):		
		— — — Of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :		
	0303 74 19	— — — — From 16 June to 14 February		0
	0303 74 90	— — — Of the species <i>Scomber australasicus</i>		0
	0303 75	— — Dogfish and other sharks:		
	0303 75 20	— — — Dogfish (<i>Squalus acanthias</i>)		0
	0303 75 50	— — — Dogfish (<i>Scyliorhinus</i> spp.)		0
	0303 75 90	— — — Other		0
	0303 76 00	— — Eels (<i>Anguilla</i> spp.)		0
	0303 77 00	— — Sea bass (<i>Dicentrarchus labrax</i> , <i>Dicentrarchus punctatus</i>)		0
	0303 78	— — Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.):		
	0303 78 10	— — — Hake of the genus <i>Merluccius</i>		0
	0303 78 90	— — — Hake of the genus <i>Urophycis</i>		0
	0303 79	— — Other:		
		— — — Freshwater fish:		

1	2	3	4	5
09.0405 (cont'd)	0303 79 11	- - - - Carp		0
		- - - - Saltwater fish:		
		- - - - Fish of the genus <i>Euthynnus</i> , other than the skipjack or stripe-bellied bonitos (<i>Euthynnus (Katsuwonus) pelamis</i>) mentioned in code 0303 43:		
	0303 79 31	- - - - Other		0
		- - - - Redfish (<i>Sebastes</i> spp.):		
	0303 79 35	- - - - Of the species <i>Sebastes marinus</i>		0
	0303 79 37	- - - - Other		0
	0303 79 41	- - - - Fish of the species <i>Boreogadus saida</i>		0
	0303 79 45	- - - - Whiting (<i>Merlangus merlangus</i>)		0
	0303 79 51	- - - - Ling (<i>Molva</i> spp.)		0
	0303 79 55	- - - - Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)		0
		- - - - Fish of the species <i>Orcynopsis unicolor</i> :		
	0303 79 63	- - - - From 16 June to 14 February		0
	0303 79 65	- - - - Anchovies (<i>Engraulis</i> spp.)		0
	0303 79 71	- - - - Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)		0
	0303 79 75	- - - - Ray's bream (<i>Brama</i> spp.)		0
	0303 79 81	- - - - Monkfish (<i>Lophius</i> spp.)		0
	0303 79 83	- - - - Blue whiting (<i>Micromesistius pontassou</i> or <i>Gadus pontassou</i>)		0
	0303 79 87	- - - - Swordfish (<i>Xiphias gladius</i>)		0
	0303 79 98	- - - - Other		0
	0303 80 00	- Livers and roes		0
	0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
	0304 10	- Fresh or chilled:		
		- - Fillets:		
		- - - Of freshwater fish:		
	0304 10 11	- - - - Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gila</i>)		0
	0304 10 13	- - - - Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		0
	ex 0304 10 19	- - - - Fillets of eels and carps		0
		- - - Other:		
	0304 10 31	- - - - Of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i>		0
	ex 0304 10 39	- - - - Albacore or longfinned tunas (<i>Thunnus alalunga</i>)		4,5
	ex 0304 10 39	- - - - Other		0
		- - Other fish meat (whether or not minced):		
	0304 10 91	- - - Meat of freshwater fish		0
		- - - Other		
		- - - Flaps of herring:		
	0304 10 93	- - - - From 16 June to 14 February		0
	0304 10 98	- - - - Others		0
	0304 20	- Frozen fillets:		
		- - Of freshwater fish:		
	0304 20 11	- - - Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gila</i>)		0
	0304 20 13	- - - Of Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)		0
	ex 0304 20 19	- - - Of eels and carps		0
		- - Of cod (<i>Gadus morhua</i> , <i>Gadus macrocephalus</i> , <i>Gadus ogac</i>) and of fish of the species <i>Boreogadus saida</i> :		
	0304 20 21	- - - Of cod of the species <i>Gadus macrocephalus</i>		0
	0304 20 29	- - - Other		0

604
(cont'd)

1	2	3	4	5
09.0405 (cont'd)	0304 20 31	— — Of coalfish (<i>Pollachius virens</i>)	604 (cont'd)	0
	0304 20 33	— — Of haddock (<i>Melanogrammus aeglefinus</i>)		0
		— — Of redfish (<i>Sebastes</i> spp.):		
	0304 20 35	— — — Of the species <i>Sebastes marinus</i>		0
	0304 20 37	— — — Other		0
	0304 20 41	— — Of whiting (<i>Merlangus merlangus</i>)		0
	0304 20 43	— — Of ling (<i>Molva</i> spp.)		0
	ex 0304 20 45	— — Albacore or longfinned tunas (<i>Thunnus alalunga</i>)		4,5
	ex 0304 20 45	— — Of tuna (of the genus <i>Thunnus</i>) and of fish of the genus <i>Euthynnus</i>		0
		— — Of mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>) and of fish of the species <i>Orcynopsis unicolor</i> :		
	0304 20 51	— — — Of mackerel of the species <i>Scomber australasicus</i>		0
	0304 20 53	— — — Other		0
		— — Of hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.):		
	0304 20 57	— — — Of hake of the genus <i>Merluccius</i>		0
	0304 20 59	— — — Of hake of the genus <i>Urophycis</i>		0
		— — Of dogfish and other sharks:		
	0304 20 61	— — — Of dogfish (<i>Squalus acanthias</i> and <i>Scyliorhinus</i> spp.)		0
	0304 20 69	— — — Of other sharks		0
	0304 20 71	— — Of plaice (<i>Pleuronectes platessa</i>)		0
	0304 20 73	— — Of flounder (<i>Platichthys flesus</i>)		0
	0304 20 75	— — Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		0
	0304 20 79	— — Of megrim (<i>Lepidorhombus</i> spp.)		0
	0304 20 81	— — Of Ray's beam (<i>Brama</i> spp.)		0
	0304 20 83	— — Of monkfish (<i>Lophius</i> spp.)		0
	0304 20 85	— — Of Alaska pollack (<i>Theragra chalcogramma</i>)		
	0304 20 87	— — Of swordfish (<i>Xiphias gladius</i>)		0
	0304 20 97	— — Other		0
	0304 90	— Other:		
	0304 90 10	— — Meat of freshwater fish		0
		— — Other:		
		— — — Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>):		
	0304 90 25	— — — — From 16 June to 14 February		0
	ex 0304 90 31	— — — Of redfish (<i>Sebastes</i> spp.)		0
		— — — Of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i> :		
	0304 90 35	— — — — Of cod of the species <i>Gadus macrocephalus</i>		0
	0304 90 38	— — — — Of cod of the species <i>Gadus morhua</i>		0
	0304 90 39	— — — — Other		0
	0304 90 41	— — — Of coalfish (<i>Pollachius virens</i>)		0
	0304 90 45	— — — Of haddock (<i>Melanogrammus aeglefinus</i>)		0
		— — — Of hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.):		
	0304 90 47	— — — — Of hake of the genus <i>Merluccius</i>		0
	0304 90 49	— — — — Of hake of the genus <i>Urophycis</i>		0
	0304 90 51	— — — Of megrim (<i>Lepidorhombus</i> spp.)		0
	0304 90 55	— — — Of Ray's bream (<i>Brama</i> spp.)		0
	0304 90 57	— — — Of monkfish (<i>Lophius</i> spp.)		0
	0304 90 59	— — — Of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)		0
	0304 90 61	— — — Of Alaska pollack (<i>Theragra chalcogramma</i>)		0
	0304 90 65	— — — — Of swordfish (<i>Xiphias gladius</i>)		0
	ex 0304 90 97	— — — Other		0

1	2	3	4	5
09.0407	0306	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:		
	0306 11 00	— — Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.)		0
	0306 12	— — Lobsters (<i>Homarus</i> spp.):		
	0306 12 10	— — — Whole		0
	0306 12 90	— — — Other		0
	0306 13	— — Shrimps and prawns:		
	0306 13 10	— — — Of the family Pandalidae		0
	0306 13 30	— — — Shrimps of the genus <i>Crangon</i>		0
	0306 13 90	— — — Other		0
	0306 14	— — Crabs:		
	0306 14 10	— — — Crabs of the species <i>Paralithodes camchaticus</i> , <i>Chionoecetes</i> spp. and <i>Callinectes sapidus</i>		0
	0306 14 30	— — — Crabs of the species <i>Cancer pagurus</i>		0
	0306 14 90	— — — Other		0
	0306 19	— — Other:		
	0306 19 10	— — — Freshwater crayfish		0
	0306 19 30	— — — Norway lobsters (<i>Nephrops norvegicus</i>)		0
	0306 19 90	— — — Other		6
		— Not frozen:		
	0306 21 00	— — Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.)		0
	0306 22	— — Lobsters (<i>Homarus</i> spp.):		
	0306 22 10	— — — Live		0
		— — — Other:		
	0306 22 91	— — — — Whole		0
	0306 22 99	— — — — Other	3 429	0
	0306 23	— — Shrimps and prawns:		
	0306 23 10	— — — Of the family Pandalidae		0
		— — — Shrimps of the genus <i>Crangon</i> :		
	0306 23 31	— — — — Fresh, chilled or cooked by steaming or by boiling in water		0
	0306 23 39	— — — — Other		0
	0306 23 90	— — — Other		0
	0306 24	— — Crabs:		
	0306 24 10	— — — Crabs of the species <i>Paralithodes camchaticus</i> , <i>Chionoecetes</i> spp. and <i>Callinectes sapidus</i>		0
	0306 24 30	— — — Crabs of the species <i>Cancer pagurus</i>		0
	0306 24 90	— — — Other		0
	0306 29	— — Other:		
	0306 29 10	— — — Freshwater crayfish		0
	0306 29 30	— — — Norway lobsters (<i>Nephrops norvegicus</i>)		0
	0306 29 90	— — — Other		0
	0307	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine:		
	0307 10	— Oysters:		
	0307 10 90	— — Other		0
		— Scallops, including queen scallops, of the genera <i>Pecten</i> , <i>Chlamys</i> or <i>Placopecten</i> :		
	0307 21 00	— — Live, fresh or chilled		0

1	2	3	4	5
09.0407 (cont'd)	0307 29	— — Other:		
	0307 29 10	— — — Coquilles St. Jacques (<i>Pecten maximus</i>), frozen		0
	0307 29 90	— — — Other		0
		— Mussels (<i>Mytilus</i> spp., <i>Perna</i> spp.):		
	0307 31	— — Live, fresh or chilled:		
	0307 31 10	— — — <i>Mytilus</i> spp.		0
	0307 31 90	— — — <i>Perna</i> spp.		0
	0307 39	— — Other:		
	0307 39 10	— — — <i>Mytilus</i> spp.		0
	0307 39 90	— — — <i>Perna</i> spp.		0
		— Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.) and squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
	0307 41	— — Live, fresh or chilled:		
	0307 41 10	— — — Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.)		0
		— — — Squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
	0307 41 91	— — — — <i>Loligo</i> spp., <i>Ommastrephes sagittatus</i>		0
	0307 41 99	— — — — Other		0
	0307 49	— — Other:		
		— — — Frozen:		
		— — — — Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.):		
	0307 49 11	— — — — — Of the genus <i>Sepiola</i> other than <i>Sepiola rondeleti</i>		0
	0307 49 19	— — — — — Other		0
		— — — — Squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
		— — — — — <i>Loligo</i> spp.:		
	0307 49 31	— — — — — <i>Loligo vulgaris</i>		0
	0307 49 33	— — — — — <i>Loligo pealei</i>		0
	0307 49 35	— — — — — <i>Loligo patagonica</i>		0
	0307 49 38	— — — — — Other		0
	0307 49 51	— — — — — <i>Ommastrephes sagittatus</i>		0
	0307 49 59	— — — — — Other		0
		— — — Other:		
	0307 49 71	— — — — Cuttlefish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.)		0
		— — — — Squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepioteuthis</i> spp.):		
	0307 49 91	— — — — — <i>Loligo</i> spp., <i>Ommastrephes sagittatus</i>		0
	0307 49 99	— — — — — Other		0
		— Octopus (<i>Octopus</i> spp.):		
	0307 51 00	— — Live, fresh or chilled		0
	0307 59	— — Other:		
	0307 59 10	— — — Frozen		0
	0307 59 90	— — — Other		0
		— Other:		
	ex 0307 91 00	— — Molluscs, live, fresh or chilled		0
	0307 99	— — Other:		
		— — — Frozen:		
	0307 99 11	— — — — <i>Illex</i> spp.		0
	0307 99 13	— — — — Striped venus and other species of the family Veneridae		0
	ex 0307 99 19	— — — — Other aquatic invertebrates		0
	ex 0307 99 90	— — — Other		0

3 429
(cont'd)

1	2	3	4	5
09.0409	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		
		— Fish, whole or in pieces, but not minced:		
	1604 11 00	— — Salmon		0
	1604 12	— — Herrings:		
	1604 12 10	— — — Fillets, raw, coated with batter or breadcrumbs, deep frozen		0
	1604 12 90	— — — Other		0
	1604 13	— — Sardines, sardinella and brisling or sprats:		
ex	1604 13 10	— — — Sardines, of the species <i>Sardina pilchardus</i>		6,3
ex	1604 13 10	— — — Other sardines		0
	1604 13 90	— — — Other		0
	1604 14	— — Tunas, skipjack and Atlantic bonito (<i>Sarda</i> spp.):		
ex	1604 14 10	— — — Skipjack		0
ex	1604 14 10	— — — Tunas		6
	1604 14 90	— — — Atlantic bonito (<i>Sarda</i> spp.)		0
	1604 15	— — Mackerel:		
	1604 15 10	— — — Of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>		0
	1604 15 90	— — — Of the species <i>Scomber australasicus</i>		0
	1604 16 00	— — Anchovies		0
	1604 19	— — Other:		
	1604 19 10	— — — Salmonidae, other than salmon	539	0
	1604 19 30	— — — Fish of the genus <i>Euthynnus</i> , other than skipjack (<i>Euthynnus (Katsuwonus) pelamis</i>)		0
	1604 19 50	— — — Fish of the species <i>Orcynopsis unicolor</i>		0
		— — — Other:		
	1604 19 91	— — — — Fillets, raw, coated with batter or breadcrumbs, deep frozen		0
	1604 19 99	— — — — Other		0
	1604 20	— Other prepared or preserved fish:		
	1604 20 10	— — Of salmon		0
	1604 20 30	— — Of Salmonidae, other than salmon		0
	1604 20 40	— — Of anchovies		0
ex	1604 20 50	— — Of sardines of the species <i>Sardina pilchardus</i>		6,3
ex	1604 20 50	— — Other sardines		0
ex	1604 20 50	— — Of bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , fish of the species <i>Orcynopsis unicolor</i>		0
ex	1604 20 70	— — Of skipjack or other fish of the genus <i>Euthynnus</i>		0
ex	1604 20 70	— — Of tunas		6
	1604 20 90	— — Of other fish		0
	1604 30	— Caviar and caviar substitutes:		
	1604 30 10	— — Caviar (sturgeon roe)		0
	1604 30 90	— — Caviar substitutes		0
09.0411	2301 20 00	Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	227	free

Taric codes

Order No	CN code	Taric code
09.0405	ex 0304 10 19	0304 10 10 * 10
09.0405	ex 0304 10 39	0304 10 39 * 10
09.0405	ex 0304 10 39	0304 10 39 * 90
09.0405	ex 0304 20 19	0304 20 19 * 10
09.0405	ex 0304 20 45	0304 20 45 * 10
09.0405	ex 0304 20 45	0304 20 45 * 90
09.0409	ex 1604 13 10	1604 13 10 * 10
09.0409	ex 1604 13 10	1604 13 10 * 90
09.0409	ex 1604 14 10	1604 14 10 * 10
09.0409	ex 1604 14 10	1604 14 10 * 90
09.0409	ex 1604 20 50	1604 20 50 * 11
09.0409	ex 1604 20 50	1604 20 50 * 19
09.0409	ex 1604 20 50	1604 20 50 * 20
		1604 20 50 * 30
		1604 20 50 * 90
09.0409	ex 1604 20 70	1604 20 70 * 10
09.0409	ex 1604 20 70	1604 20 70 * 90

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 27 November 1990

laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC

(90/667/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Community is to adopt measures designed to establish the internal market progressively over a period expiring on 31 December 1992;

Whereas livestock production occupies a very important position in agriculture in the Community; whereas, in addition, animal waste, when not disposed of correctly, may spread pathogens in the environment leading to decreased productivity and margins in this sector; whereas harmonized rules should be laid down for processing animal waste and placing on the market processed products resulting therefrom;

Whereas a distinction should be drawn between the measures to be implemented on the basis of the nature of the raw material used;

Whereas, in order to avoid any risk of dispersion of pathogens, animal waste should be processed in an approved and supervised processing plant or disposed of in another

suitable manner; whereas, in addition, animal waste associated with a high risk should be collected and transported directly to a processing plant designated by the Member State concerned; whereas, in certain circumstances, especially when this is justified by distance and time of transport, the designated processing plant could be located in another Member States;

Whereas the possibility of using certain materials should be limited;

Whereas, in order to take into account certain practices, it should be possible to derogate from the processing laid down for controlled uses;

Whereas processing plants should be subject to self-supervision of their production, and in particular the observance of microbiological standards applicable to the final product;

Whereas provision should be made for a Community inspection procedure;

Whereas the products concerned should be subject to the rules for veterinary checks and any protective measures laid down by Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽⁴⁾;

Whereas provision should be made for minimum rules of a transitional nature for imported products;

Whereas a cooperation procedure should be set up between the Commission and the Member States for the purposes of adopting application measures,

⁽¹⁾ OJ No C 327, 30. 12. 1989, p. 76.

⁽²⁾ OJ No C 260, 15. 10. 1990, p. 161.

⁽³⁾ OJ No C 124, 21. 5. 1990, p. 4.

⁽⁴⁾ OJ No L 224, 18. 8. 1990, p. 29.

HAS ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

1. This Directive lays down:
 - (a) the animal and public health requirements for the:
 - (i) disposal and/or processing of animal waste in order to destroy pathogens which might be present in such materials,
 - (ii) production of feedingstuffs of animal origin in such manner as to prevent the presence of any pathogens therein;
 - (b) the rules for the placing on the market of animal waste intended for purposes other than human consumption.
2. This Directive shall not affect:
 - (a) national veterinary legislation applicable to the eradication and control of certain diseases and to the use of catering waste;
 - (b) national animal health rules governing the production of compound feedingstuffs which contain animal and vegetable products as ingredients and of feedingstuffs which contain material of vegetable origin only.

Article 2

For the purposes of this Directive the following definitions shall apply:

1. animal waste — carcasses or parts of animals or fish, or products of animal origin not intended for direct human consumption, with the exception of animal excreta and catering waste;
2. high-risk material — animal waste referred to in Article 3 which is suspected of presenting serious health risks to animals or man;
3. low-risk material — animal waste other than that covered by Article 3, which does not present serious risks of spreading communicable diseases to animals or man;
4. low-risk processing plant — a plant in which low risk material is processed into ingredients for inclusion in animal feedingstuffs or fishmeal in accordance with Article 5;
5. high-risk processing plant — a plant in which animal waste undergoes treatment or processing in order to destroy pathogens, in accordance with Article 3;

6. petfood — food for dogs, cats and other pet animals prepared entirely or partly from low-risk material;
7. technical or pharmaceutical products — products intended for purposes other than human or animal consumption;
8. establishment — a low-risk processing plant, a high-risk processing plant, a plant producing petfood or fishmeal, or a plant which prepares technical or pharmaceutical products and in which animal waste is used in the preparation of such products;
9. competent authority — any authority designated by the competent central authority to monitor implementation of this Directive.

CHAPTER II

RULES CONCERNING THE PROCESSING OF ANIMAL WASTE AND THE PLACING ON THE MARKET OF THE FINAL PRODUCT

A. High-risk material

Article 3

1. The following high-risk material must be processed in a high-risk processing plant approved by the Member State in accordance with Article 4 (1), or disposed of by burning or burial in accordance with paragraph 2:
 - (a) all bovine animals, pigs, goats, sheep, solipeds, poultry and all other animals kept for agricultural production, which have died on the farm but were not slaughtered for human consumption, including stillborn and unborn animals;
 - (b) dead animals not referred to in point (a) but which are designated by the competent authority of the Member State;
 - (c) animals which are killed in the context of disease control measures either on the farm or in any other place designated by the competent authority;
 - (d) animal waste including blood originating from animals which show, during the veterinary inspection carried out at the time of slaughtering, clinical signs of diseases communicable to man or other animals;
 - (e) all those parts of an animal slaughtered in the normal way which are not presented for post mortem inspection, with the exception of hides, skins, hooves, feathers, wool, horns, blood and similar products;
 - (f) all meat, poultrymeat, fish, game and foodstuffs of animal origin which are spoiled and thus present a risk to human and animal health;

- (g) animals, fresh meat, poultrymeat, fish, game and meat and milk products, imported from third countries, which in the course of the inspections provided for in Community legislation fail to comply with the veterinary requirements for their importation into the Community, unless they are re-exported or their import is accepted under restrictions laid down in Community provisions;
- (h) without prejudice to instances of emergency slaughtering for reasons of welfare, farm animals which have died in transit;
- (i) animal waste containing residues of substances which may pose a danger to human or animal health; milk, meat or products of animal origin rendered unfit for human consumption by the presence of such residues;
- (j) fish which show clinical signs of diseases communicable to man or to fish.

2. The competent authorities may where necessary decide that high-risk material must be disposed of by burning or by burial where:

- transport to the nearest high-risk material processing plant of animals infected or suspected of being infected with an epizootic disease is rejected because of the danger of propagation of health risks,
- the animals are infected with or suspected of being infected with a serious disease or contain residues which could constitute a risk to human or animal health and which could survive inadequate heat treatment,
- a wide-spread epizootic disease leads to a lack of capacity at the high-risk material processing plant,
- the animal waste concerned originates from places with difficult access,
- the quantity and the distance to be covered does not justify collecting the waste.

Burial must be deep enough to prevent carnivorous animals from digging up the cadavers or waste and shall be in suitable ground so as to prevent contamination of water tables or any environmental nuisance. Before burial, the cadavers or waste shall be sprinkled as necessary with a suitable disinfectant authorized by the competent authority.

Article 4

1. Member States shall approve for all or part of their territory one or more high-risk processing plants for the collection and processing of high-risk material. A Member State may decide to designate a high-risk processing plant in another Member State after agreement with that other Member State.

2. In order to be approved by the competent authority, high-risk processing plants must:

- (a) meet the requirement of Annex II, Chapter I;
- (b) handle, process and store animal waste in accordance with Annex II, Chapter II;
- (c) be checked by the competent authorities in accordance with Article 10;
- (d) ensure that the products of processing satisfy the requirements of Annex II, Chapter III.

3. Approval shall be suspended as soon as the conditions under which it was granted are no longer fulfilled.

B. Low-risk material

Article 5

1. Low-risk material must be processed in a high-risk or low-risk processing plant approved in accordance with Article 4 (2), in a petfood plant, or in a plant preparing pharmaceutical or technical products, or be disposed of by burning or burial in accordance with Article 3 (2).

In addition to the animal waste referred to in Article 2 (3), the following shall be deemed to be low-risk material:

- products excluded under Article 3 (1) (e), in so far as they are used in the manufacture of feedingstuffs,
- fish caught in the open sea for the purposes of fishmeal production,
- fresh fish offal from plants manufacturing fish products for human consumption.

The mixture of low-risk material processed together with high-risk material shall be deemed to be high-risk material.

Where low-risk material is processed in a petfood plant or a plant preparing pharmaceutical or technical products, the competent authority may require that it is dispatched, stored and processed in a specific location and under specific conditions.

Fishmeal from industries which receive and manufacture exclusively low-risk materials intended for the manufacture of fishmeal must meet the requirements laid down in Annex II, Chapter III.

2. In order to be approved by the competent authority, low-risk processing plants must:

- (a) meet the requirements of Annex II, Chapter I;
- (b) handle, process and store animal waste in accordance with Annex II, Chapter II;
- (c) be checked by the competent authorities in accordance with Article 10;
- (d) ensure that the products of processing satisfy the requirements of Annex II, Chapter III.

Approval shall be suspended as soon as the conditions under which it was granted are no longer fulfilled.

3. Establishments using low-risk material for the preparation of petfood or of pharmaceuticals or technical products must be registered by the competent authority and fulfil the following requirements;

- (a) they must have adequate facilities for storing and treating animal waste in complete safety;
- (b) they must have adequate facilities for destroying unused raw animal waste remaining after the production of petfood, pharmaceuticals or technical products, or must send it to a processing plant or to an incinerator;
- (c) they must have adequate facilities available to destroy waste material arising during the production process which is unsuitable on grounds of animal or public health for inclusion in other animal food. These facilities must include incineration or burial in suitable ground to prevent contamination of water courses or any environmental nuisance;
- (d) be inspected by the competent authority at regular intervals to check compliance with the requirements of this Directive.

Article 6

The treatment which certain products of animal origin exclusively derived from animals or fish and not intended for human consumption must undergo during the preparation of petfood and the conditions under which they must be manufactured shall be established under the procedure laid down in Article 19, in so far as this is necessary for the protection of pet animals or for public or animal health reasons.

C. Derogations

Article 7

The Member States may authorize in exceptional cases and under the veterinary supervision of the competent authorities:

- (i) the use of animal waste for scientific purposes;

- (ii) the use of the animal waste referred to in Article 3 (1) (a), (b) and (e), provided it comes from animals which were not slaughtered as a result of the presence or suspected presence of a notifiable disease, and the animal waste referred to in Article 5 for the feeding of zoo, circus or fur animals, recognized packs of hounds, and maggot farming for fishing bait;
- (iii) the local distribution, through intermediaries already authorized on the date of adoption of this Directive, of small quantities of the waste referred to in (ii) for use as food for animals whose flesh is not intended for human consumption, provided that the competent authority considers that this entails no risk to human or animal health.

The Council shall, acting by a qualified majority on a proposal from the Commission, adopt before 31 December 1992 veterinary and animal health rules applicable to the treatment of certain types of waste intended to be marketed locally as feedstuffs for certain animal categories.

The Commission will produce at the same time as the abovementioned proposal a report on the application of point (iii).

Pending the introduction of specific rules, knackery yards shall comply with the standards laid down by this Directive by not later than 31 December 1995.

Member States shall inform the Commission where they make use of this possibility and shall notify it of the verification arrangements they introduce to prevent such waste being used for any other purpose.

In accordance with the procedure laid down in Article 18 the Commission may amend or supplement the verification measures implemented.

D. General provisions

Article 8

Animal waste must be collected, transported and identified in accordance with Annex I.

CHAPTER III

CONTROLS AND INSPECTIONS TO BE CARRIED OUT BY EACH MEMBER STATE ON HIGH-RISK AND LOW-RISK PROCESSING PLANTS OPERATING WITHIN ITS TERRITORY

Article 9

1. Member States must ensure that, under their responsibility, the operators and owners of high-risk and

low-risk processing plants or their representatives adopt all measures necessary to comply with the requirements of this Directive and shall in particular:

- identify and control the critical points in the high-risk and low-risk processing plants,
- take representative samples in fishmeal manufacturing plants, and take representative samples from each processed batch in other low-risk and high-risk processing plants in order to check compliance with the microbiological standards for the product laid down in Annex II, Chapter III and the absence of physico-chemical residues,
- record the results of the various checks and tests and keep them for a period of at least two years for presentation to the competent authorities,
- introduce a system that makes it possible to link each batch dispatched and the time when it was produced.

2. Where the result of a test on samples required under this Article do not comply with the provisions of Annex II, Chapter III, the operator of the processing plant must:

- notify the competent authority immediately,
- establish the causes of failures of compliance,
- ensure that no material suspected or known to be contaminated is moved from the premises before being reprocessed under the direct supervision of the competent authority and resampled officially in order to comply with the microbiological control laid down in Annex II, Chapter III; if it is not possible to reprocess the contaminated material for any reason, it must be used for purposes other than animal feedstuffs.

3. In accordance with the procedure laid down in Article 18, the Commission shall adopt detailed arrangements for implementing this Article.

Article 10

1. The competent authorities shall at regular intervals carry out inspections and random checks at the designated high-risk and low-risk processing plants on:

- their compliance with the provisions of this Directive and in particular with regard to Annex I and Annex II, Chapter I, II and III,
- the microbiological standards of the products after treatment. The microbiological controls shall include, in particular, examination for salmonella and enterobacteriaceae in accordance with Annex II, Chapter III.

The analyses and tests shall be carried out in accordance with methods which are scientifically recognized, and in

particular those laid down in Community provisions or, where none exist, in recognized international standards.

2. If the inspections carried out by the competent authority reveal that not all of the requirements of this Directive are being met, the competent authority must take appropriate action. In particular, in the case of non-compliance with the provisions of this Article in relation to microbiological standards, and the types of microbiological controls, the manufacturer must:

- notify the competent authority immediately of the full details of the nature of the sample and the lot from which it was derived,
- process or reprocess the contaminated lot under the supervision of the competent authority,
- increase the intensity of sampling and testing of production,
- investigate raw material records appropriate to the finished feed sample,
- instigate appropriate decontamination and cleaning procedures within the plant.

3. In accordance with the procedure laid down in Article 19, the Commission shall, if necessary, adopt the detailed arrangements for implementing this Article.

Article 11

Each Member State shall draw up a list of approved establishments processing animal waste within its own territory. Each plant shall be assigned an official number which identifies the plant as processing high-risk or low-risk material, or producing petfood or technical or pharmaceutical products from animal waste.

The Member States shall forward this list and its up-dates to the other Member States and to the Commission.

CHAPTER IV

Article 12

1. Veterinary experts from the Commission may, in so far as is necessary to ensure uniform application of this Directive, and in collaboration with the national authorities, make on-the-spot checks; they may in particular verify whether approved establishments are actually complying with this Directive. The Commission shall inform the Member States of the results of the checks.

A Member State in whose territory a check is being carried out shall give all the necessary assistance to the experts in carrying out their duties.

The general arrangements for implementing this Article shall be adopted in accordance with the procedure laid down in Article 19.

2. The Member States concerned shall take all necessary measures to take account of the result of the checks referred to in paragraph 1 and shall in particular prohibit the placing on the market of products coming from a processing plant which no longer complies with this Directive. If the Member State fails to take such measures, or if the measures are deemed to be inadequate, Article 8 of Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾ shall apply.

Article 13

1. Directive 90/425/EEC shall apply, in particular with respect to the organization and following-up of checks carried out by the Member State of destination and the protective measures to be applied.

2. Directive 90/425/EEC shall be amended as follows:

- (a) the following shall be added at the end of Annex A:
'Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedingstuffs of animal or fish origin and amending Directive 90/425/EEC.

OJ No L 363, 27. 12. 1990, p. 51.';

- (b) the first indent of Annex B shall be deleted.

Article 14

In accordance with the procedure laid down in Article 18, the Commission shall establish the conditions for the hygienic manufacture of petfood from animal waste.

In accordance with the procedure laid down in Article 18, the Commission shall establish criteria for sampling and for microbiological controls.

CHAPTER V

FINAL PROVISIONS

Article 15

1. The Commission, acting in accordance with the procedure laid down in Article 19, shall establish the detailed arrangements for and frequency of the checks provided for in Articles 9 and 10 (1).

⁽¹⁾ OJ No L 395, 30. 12. 1989, p. 13.

2. The Commission, acting in accordance with the same procedure, shall establish the reference methods for the microbiological analyses.

Article 16

The Annexes to this Directive and, with particular regard for developments in scientific knowledge on controlling bovine spongiform encephalitis (BSE), the provisions relating to the treatments provided for in Chapter II, points 6 (a) and (c), shall be amended by the Council acting by a qualified majority on an proposal from the Commission.

Article 17

Pending the implementation of Community rules concerning the importation from third countries of animal waste and petfood manufactured from animal waste, Member States shall apply to those imports conditions at least equivalent to those laid down in this Directive, except for those concerning the conditions of approval.

In particular, they shall not admit low-risk or high-risk material referred to in Article 3 (1) (g) to (i) which has previously been treated unless the third country is able to guarantee that such material has undergone adequate treatment and complies with the microbacteriological standards set in Annex II, Chapter III.

The import of high-risk materials referred to in Article 3 (1) (a) to (f) shall be prohibited.

The Member States shall ensure that these minimum requirements are complied with by means of import controls.

Article 18

1. Where the procedure laid down in this Article is to be followed, matters shall be referred without delay to the Standing Veterinary Committee set up by Decision 68/361/EEC ⁽²⁾ (hereinafter referred to as 'the Committee') by its chairman, either on his own initiative or at the request of a Member State.

2. The votes of the representatives of the Member States within the Committee shall be weighted in the manner laid down in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within two days. The opinion shall be delivered by a majority of 54 votes.

4. The Commission shall adopt the measures envisaged and implement them immediately if they are in accordance with the opinion of the Committee.

⁽²⁾ OJ No L 255, 18. 10. 1968, p. 23.

5. If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of 15 days from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission save where the Council has decided against the said measures by a simple majority.

Article 19

1. Where the procedure laid down in this Article is to be followed, matters shall be referred to the Committee without delay by its chairman, either on his own initiative or at the request of a Member State.

2. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by a majority of 54 votes.

4. The Commission shall adopt the measures envisaged and implement them immediately if they are in accordance with the opinion of the Committee.

5. If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Article 20

The Council shall, acting by a qualified majority on a proposal from the Commission not later than 31 December

1992, adopt the animal health rules to be complied with during the manufacture of feedingstuffs which contain animal and vegetable products as ingredients, and the rules of hygiene to be complied with during the manufacture of feedingstuffs the ingredients of which are exclusively of vegetable origin.

Article 21

1. The Member States shall bring into force, not later than 31 December 1991 the law, regulations and administrative provisions necessary to comply with this Directive.

2. However, for the territory of the Länder of Mecklenburg-W. Pomerania, Brandenburg, Saxony-Anhalt, Saxony and Thuringia, the Federal Republic of Germany shall have a further year within which to comply with this Directive.

The Federal Republic of Germany shall, not later than 30 June 1992, submit to the Council and the other Member States, meeting within the Standing Veterinary Committee, a report on the animal waste disposal situation in those Länder.

In accordance with the procedure laid down in Article 19, the Commission shall decide on any subsequent transitional measures for certain establishments located in those Länder.

3. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 22

This Directive is addressed to the Member States.

Done at Brussels, 27 November 1990.

For the Council

The President

V. SACCOMANDI

ANNEX I**HYGIENE REQUIREMENTS FOR THE COLLECTION AND TRANSPORT OF ANIMAL WASTE**

1. Animal waste must be collected and transported to approved establishments or the high or low-risk processing plants in suitable containers or vehicles in such a way as to prevent leakage. The containers or vehicles must be adequately covered.
2. Vehicles, tarpaulin covers and reusable containers must be maintained in a clean condition.
3. The competent authority shall take the necessary measures to control the movements of high-risk materials by requiring the keeping of records and documents, which shall accompany those materials during their transport to the place of disposal, or, if necessary, by sealing.
4. Where certain meat, dairy and fish products not intended for human consumption and derived from animals or fish, the meat or milk of which has been approved for human consumption are transported directly in bulk to a processing plant, the information on the origin, name and nature of the animal waste and the words 'not for human consumption' must also be indicated on a label attached to the container, cartons or other packaging material in letters at least 2 cm high.

ANNEX II

HYGIENE REQUIREMENTS FOR ANIMAL-WASTE PROCESSING PLANTS

CHAPTER I

Approval requirements for animal-waste processing plants

1. Premises and facilities must meet at least the following requirements:
 - (a) the premises of the processing plant must be adequately separated from the public highway and other premises such as slaughterhouses. Premises for the processing of high-risk material must not be at the same site as slaughterhouses, unless in a completely separate part of a building; unauthorized persons and animals shall have no access to the plant;
 - (b) the plant must have a clean and an unclean section, adequately separated. The unclean section must have a covered place to receive the animal waste and must be constructed in such a way that it is easy to clean and disinfect. Floors must be laid in such a way as to facilitate the draining of liquids. The plant must have adequate lavatories, changing rooms and washbasins for staff;
in the unclean section, where appropriate, there must be adequate facilities for de-skinning or de-hairing of animals and a storage room for hides;
 - (c) the plant must have sufficient capacity and hot water and steam production for the processing of animal waste in accordance with Chapter II;
 - (d) the unclean section must, if appropriate, contain equipment to reduce the size of animal waste and equipment for loading the crushed animal waste into the processing unit;
 - (e) a closed processing installation is required in which the animal waste must be processed in accordance with Chapter II. Where heat treatment is required, this installation must be equipped with:
 - measuring equipment to check temperature and, if necessary, pressure at critical points,
 - recording devices to record continuously the results of measurements,
 - an adequate safety system to prevent insufficient heating;
 - (f) to prevent recontamination of the finished processed material by incoming raw material, there must be clear separation between the area of the plant where the incoming raw material is unloaded and processed and the areas set aside for further processing of the heated material and the storage of the finished processed product.
2. The processing plant must have adequate facilities for cleaning and disinfecting the containers or recipients in which animal waste is received and the vehicles — other than ships — in which it is transported.
3. Adequate facilities must be provided for disinfecting the wheels, immediately before their departure, of vehicles transporting high-risk material or leaving the unclean section of a processing plant.
4. A waste-water disposal system meeting hygiene requirements is required for the processing plant.
5. The processing plant must have its own laboratory or make use of the services of a laboratory equipped to make the essential analysis and, in particular, to check conformity with Chapter III.

CHAPTER II

Hygiene requirements relating to operation in animal-waste processing plants

1. Animal waste must be processed as soon as possible after arrival. It must be stored properly until processed.

2. Containers, recipients and vehicles used for the transport of animal waste must be cleaned, washed and disinfected after each use.
3. Persons working in the unclean section must not enter the clean section without changing their working clothes and footwear or without disinfecting the latter. Equipment and utensils shall not be taken from the unclean section into the clean section.
4. Waste water originating in the unclean section must be treated to ensure that no pathogens remain.
5. Preventive measures against birds, rodents, insects or other vermin must be taken systematically.
6. Animal waste must be processed under the following conditions:
 - (a) high-risk material must be heated to a core temperature of at least 133 °C for 20 minutes at a pressure of 3 bar. The particle size of the raw material prior to processing must be reduced to at least 50 mm by means of a prebreaker or grinder;
 - (b) recording thermographs must be provided at the critical points of the heating process to monitor the heat treatment;
 - (c) other systems of heat treatment may be used provided that they are approved in accordance with the procedure laid down in Article 19 as offering equivalent guarantees with regard to microbiological safety.

Such alternative heat treatment systems may be approved only where the final product has been sampled on a daily basis over a period of one month to ensure compliance with the microbiological standards laid down in Chapter III (1) and (2). Subsequent routine sampling of the products as provided for in Articles 9 (1) and 10 (1) must also be carried out.
7. Installations and equipment must be kept in a good state of repair and measuring equipment must be calibrated at regular intervals.
8. The finished products must be handled and stored at the processing plant in such a way as to preclude recontamination.
9. Hides must be salted using sodium chloride.

CHAPTER III

Requirements concerning the products after processing

1. In the case of high-risk materials, samples of the finished products, taken directly after heat treatment, must be free from heat-resistant pathogenic bacteria spores (*Clostridium perfringens* absent in 1 g of the product).
2. Samples of the final products from both low-risk and high-risk material taken during or upon withdrawal from storage at the processing plant must comply with the following standards:

Salmonella: absence in 25 g: $n = 5$, $c = 0$, $m = 0$, $M = 0$,

Enterobacteriaceae: $n = 5$, $c = 2$, $m = 10$, $M = 3 \times 10^2$ in 1 g,

where

n = number of units comprising the sample;

m = threshold value for the number of bacteria; the result is considered satisfactory if the number of bacteria in all sample units does not exceed m ;

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more;

c = number of sample units the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other sample units is m or less.