



EUROPEAN PARLIAMENT  
Directorate-General for Internal Policies of the Union

STUDY

## Policy Department Structural and Cohesion Policies

# The reform of the Common Organisation of the Market of fisheries products of 2000

FISHERIES

June 2007

EN





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**THE REFORM OF THE COMMON ORGANISATION  
OF THE MARKET OF FISHERIES  
PRODUCTS OF 2000**

**NOTE**

**Content:**

This document compares the proposal for a Regulation (COM 99/0055 final) with the amendments adopted by the European Parliament and the text adopted by the Council (R (CE) n° 104/2000).

**IPOL/B/PECH/NT/2007\_03**

**June 2007**

**PE 379.225**

**EN**

This note was requested by the European Parliament's Committee on Fisheries.

This paper is published in the following languages:

- Original: ES, EN, FR.

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Manuscript completed in June, 2007.

This note is available on:

- Website : <http://www.europarl.europa.eu/activities/expert/eStudies.do?language=EN>

Brussels, European Parliament, 2007.

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## Differences between versions of R. (EC) 104/2000

During the preparation of the present note it has been detected that the Spanish version of Regulation (EC) 104/2000 presents at least two substantial differences with other linguistic versions. It has been checked that the French, English, Italian and Portuguese versions of that Regulation have similar contents in these two questions and all of them differ from the Spanish version. It has been checked that there are no changes at these points in the seven years gone by from the coming into force of the Regulation.

The first of them is in Article 13, section 1, letter d), relating to the "**conditions for, grant and withdrawal of recognition of interbranch organisations**". In the version the most extended of the Regulation, to recognise an interbranch organisation, it is required that they carry out a series of actions in "**one or more regions of the Community**". However, in the Spanish version it is required that the aforementioned actions are made in "**two or more regions of the Community**".

The second difference is found in Article 17, section 1, relating to the "**prices**". In the most extended version of the Regulation it is established that the producers' organisations **shall grant** to their members a compensation for the quantities withdrawn from the market of **twenty products** listed in the A letters and B of Annex I and that they **may grant** it for the quantities withdrawn from the market of **other fisheries products**. However, the **Spanish version** establishes that the producers' organisations **shall grant** to their members a compensation for the quantities withdrawn from the market of **any fisheries product**.

## Amendments of the European Parliament included in Regulation (EC) 104/2000

Following the amendments adopted in the A5-0067/1999 report, the Member States were to take the necessary measures to sanction the infringements of **marketing standards** of fishery and aquaculture products. Besides, the financial **compensation system** for the withdrawals from the market of the Annex I products was simplified.

Regarding the **producers' organisations**, products of aquaculture were explicitly included in the quality improvement plans as well as in the operational programmes. Moreover, the Member States were given the possibility to grant additional aid for all the actions carried out by the professionals and for actions to find and promote new market outlets. However, besides its acceptance, the Council removed the additional allowance for pre-sale contracts.

## Amendments of the European Parliament that were not included in Regulation (EC) 104/2000

Most of the amendments adopted by the European Parliament were not included in the Council Regulation. Thus, the following amendments on the **marketing standards** and consumer information were not taken on board:

- Inclusion of seaweed as fisheries products.
- Creation of a "Biotic and Abiotic Pollutants Reference Laboratory for Processed Fishery and Aquaculture Products".

- Inclusion within the consumer information of the gear type used, the minimum legal size in the catch area and the calibre.
- Setting up of a link between the commercial designation and conditions governing their use through Directive 79/112/EEC.
- Quality designations for fisheries products shall be governed by specific legislation, to which the criteria of the agricultural sector shall not apply. This amendment was included in the plans of quality improvement of producers' organisations.

Regarding the **Producers' organisations**, the Council did not adopt the following amendments aiming at:

- Including, in the rules of association of the producers' organisations, procedures by which members may be expelled from or may voluntarily cease their membership.
- Establishing the need for a justified decision for the Commission to cancel the extension of the rules.
- Operational Programmes
  - Specific treatment for the operational aquaculture programmes with sanctions in case of infringement of the marketing plans.
  - Taking into account the value of production as well as the number of vessels within the calculation criteria for the additional transitory aid in the framework of the operational programmes implementation.

None of the amendments referring to the **Interbranch Organisations and Agreements** was adopted by the Council. Those amendments were the:

- Withdrawal of the recognition after consultation of the Member States.
- Definition of the criteria through which the Commission will be able to oppose to the recognition through the Management Committee procedure.

The Council did not take into account the amendments referring to the **price system** aiming at:

- Calculating the guide price using a 5 year period instead of a 3 year period with the elimination of the maximum and minimum year.
- Increasing the thresholds of reduction in the compensation for withdrawals.
- Inclusion of sterilisation as a transformation process eligible to carry-over aid.
- Increase from 5% to 7% in the quantities eligible to aid for independent withdrawals of the Producers' organisations.
- Increase from 15% to 20% in the maximum quantities eligible to aid for private storage

As to **tuna for processing**, the European Parliament proposed an increase from 85% to 91% in the triggering threshold of the Community price of production, but the Council only increased it to 87%.

Most of the amendments tabled by the European Parliament on **customs arrangements** targeted the autonomous suspension of common tariff duties for the processing industry raw materials.

The conditions for that suspension were defined. On the basis of those criteria, the Council was to decide on possible suspensions by qualified majority. Consequently, the European Parliament had proposed the removal of the Annex which listed the suspension measures.

Moreover, the European Parliament proposed that the establishment of reference prices should be linked to measures of stabilisation of the markets. None of these aspects was taken up by the Council.

Finally, the European Parliament proposed that the **implementation provisions of the Common Organisation of the Markets** should be taken by the Council, acting by qualified majority on a proposal from the Commission. However, the Council stuck to the procedure of the Management Committee.

### **Changes made by the Council to the Commission proposal**

On top of the fact that it adopted very few amendments of the European Parliament, the Council introduced other changes.

Regarding the **general principles**, the Council replaced the concept of "equilibrium of resources and marine ecosystems" by the concept of "sustainability" in the objectives of the Producers' organisations and the Interbranch Organisations. Moreover, the Council removed the lists of representative ports and markets from the measures of the price system, tunas for processing and in the reference prices.

The Council introduced very few changes in the **marketing standards and consumer information**. It was established that the Member States should notify the list of commercial designations to the Commission and that they should recognise the designations of other Member States in the same language.

On the other hand, there were numerous changes to the **Producers' organisations** chapter. These changes aimed at:

- Including the compulsory implementation of any regulation of the fishing effort besides those measures related to the catch quotas.
- Eliminating the requirement for the controls to be in conformity with the R (CE) 2847/93 (control System applicable to the CFP).
- Introducing the need for a specific recognition to be eligible to the transitory aid for the implementation of quality improvement plans (60%, 50% and 40%).
- Extension of rules.
  - Including a margin of tolerance of 10% in prices
  - Limiting to a regional area
- Operational programmes.
  - Limiting to a list of species.
  - Replacing the "marketing plan" by a "marketing strategy".
  - Introducing the need for approval by authorities of the Member States.
  - Allowing for possible revision of the programmes.
  - Replacing, in case of lack of implementation, the suspension in the granting of aid by a decreasing system of the aid.

- Including additional transitory aid for the implementation of operational programmes.
  - ✓ Transfer of the aid to the Member states.
  - ✓ In aquaculture, calculation of the aid on the basis of the level of representation.
  - ✓ Elimination of the additional allowance for presale contracts.

As to the **Interbranch Organisations and Agreements**, the Council also made several changes to the proposal:

- Introducing promotion among the actions.
- Replacing the term "discrimination" by "dissimilar conditions to equivalent transactions with other trading partners, thereby placing them at a competitive disadvantage".
- Extending the agreements.
  - Removing the protection of the designations of origin, quality seals and geographical designations.
  - Adding the need for previous communication to the Commission.
  - Creating procedures of suspension and cancellation.

With respect to the **prices**, the Council introduced the following changes:

- No more lower limit to the withdrawal price.
- Financial compensation for withdrawals:
  - Inclusion of the ban on catch as eligible to aid without implementation of withdrawals.
  - Higher thresholds for pelagic species.
  - Elimination of the intermediate segment and slight changes on thresholds and amounts.
- Possibility of safeguard measures in case of serious disturbance of the market.
- Reduction from 20% to 18% of the maximum quantities eligible to aid for the carry-over.

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p>(2) Whereas, in the interests of simplifying the rules and facilitating their use by those for whom they are intended, the new Regulation should also include the basic provisions, duly updated and supplemented, of Council Regulation (EEC) No 105/76 of 19 January 1976 on the recognition of producers' organisations in the fishing industry<sup>4</sup> and Council Regulation (EEC) No 1772/82 of 29 June 1982 laying down general rules concerning the extension of certain rules adopted by producers' organisations in the fisheries sector<sup>5</sup>; whereas these Regulations should therefore be repealed;</p>	<p>(2) Whereas, in the interests of simplifying the rules and facilitating their use by those for whom they are intended, the new Regulation should also include the basic provisions, duly updated and supplemented, of Council Regulation (EEC) No 105/76 of 19 January 1976 on the recognition of producers' organisations in the fishing industry and Council Regulation (EEC) No 1772/82 of 29 June 1982 laying down general rules concerning the extension of certain rules adopted by producers' organisations in the fisheries sector; whereas these Regulations should therefore be repealed, <b>with steps being taken to ensure that no legal vacuum is created during the transitional period;</b></p>	<p>(2) in the interests of simplifying the rules and facilitating their use by those for whom they are intended, the new Regulation should also include the basic provisions, duly updated and supplemented, of Council Regulation (EEC) No 105/76 of 19 January 1976 on the recognition of producers' organisations in the fishing industry<sup>(6)</sup> and Council Regulation (EEC) No 1772/82 of 29 June 1982 laying down general rules concerning the extension of certain rules adopted by producers' organisations in the fisheries sector<sup>(7)</sup>; these Regulations should therefore be repealed;</p>
<p>(3) Whereas the common agricultural policy must include, in particular, a common organisation of agricultural markets, which may take various forms depending on the products concerned;</p>	<p>(3) Whereas the <b>common fisheries policy, like the</b> common agricultural policy, must include, in particular, a common organisation of agricultural <b>and fisheries</b> markets, which may take various forms depending on the products concerned;</p>	<p>(3) the common agricultural policy must include in particular, a common organisation of agricultural markets, which may take various forms depending on the products concerned;</p>
<p>(4) Whereas the fishing industry is of special importance to the economy of some coastal regions of the Community; whereas the industry provides a major part of the income of fishermen in such regions; whereas, therefore, market stability should be encouraged by appropriate means, implemented in compliance with the Community's international commitments, particularly with regard to the provisions of the World Trade Organisation on internal production support mechanisms and tariff agreements;</p>	<p>(4) Whereas the fishing industry is of special importance to the economy of some coastal regions of the Community; whereas the industry provides a major part of the income of fishermen in such regions; whereas, therefore, market stability <b>and job security in this sector</b> should be encouraged by appropriate means, implemented in compliance with the Community's international commitments, particularly with regard to the provisions of the World Trade Organisation on internal production support mechanisms and tariff agreements;</p>	<p>(4) the fishing industry is of special importance to the economy of some coastal regions of the Community; the industry provides a major part of the income of fishermen in such regions; therefore, market stability should be encouraged by appropriate means, implemented in compliance with the Community's international commitments, particularly with regard to the provisions of the World Trade Organisation on internal production support mechanisms and tariff agreements;</p>
<p>(5) Whereas the production and marketing of fishery products should take account of the need to safeguard the equilibrium of resources and marine ecosystems; whereas the common organisation of markets in these products should therefore comprise such measures as will ensure that supply is better matched to demand, in terms of both quality and quantity, and increase the return on products, both for the above purpose and to improve the income of producers by ensuring stability of market prices;</p>	<p>(5) Whereas the production and marketing of fishery products should take account of the need to safeguard the equilibrium of resources and marine ecosystems; whereas the common organisation of markets in these products should therefore comprise such measures as will ensure that supply is better matched to demand, in terms of both quality and quantity, and increase the return on products, both for the above purpose and to improve the income of producers by ensuring stability of market prices, <b>whilst informing consumers about compliance with the technical measures adopted by the European Union;</b></p>	<p>(5) the production and marketing of fishery products should take account of the need <b>to support sustainable fishing;</b> the common organisation of markets in these products should therefore comprise such measures as will ensure that supply is better matched to demand, in terms of both quality and quantity, and increase the return on products, both for the above purpose and to improve the income of producers by ensuring stability of market prices;</p>
<p>(8) Whereas the widening variety of supply, particularly of fresh and chilled fishery products, makes it essential to provide consumers with a minimum amount of information on the main characteristics of products; whereas it is the responsibility of the Member States to adopt to that end a list of the accepted names used in their territory for trading in the products in question;</p>	<p>(8) Whereas the widening variety of supply, particularly of fresh and chilled fishery products, makes it essential to provide consumers with a minimum amount of information on the main characteristics of products <b>and the ways in which they have been caught;</b> whereas it is the responsibility of the Member States to adopt to that end a list of the accepted names used in their territory for trading in the products in question <b>and the conditions governing the use of those names, in accordance with Directive 79/112/EEC, in particular Article 5 thereof;</b></p>	<p>(8) the widening variety of supply, particularly of fresh and chilled fishery products, makes it essential to provide consumers with a minimum amount of information on the main characteristics of products, it is the responsibility of the Member States to adopt to that end a list of the accepted names used in their territory for trading in the products in question;</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p>(9) Whereas producer organisations form the backbone of the common market organisation, the decentralised operation of which they are to ensure at their level; whereas, in the face of ever greater concentration of demand, the concentration of supply through these organisations is more than ever an economic necessity in order to strengthen the position of producers in the market; whereas such concentrations should be voluntary and be meaningful in terms of the scope and efficiency of the services offered by the producer organisations to their members; whereas a producer organisation should not be recognised by a Member State as able to contribute to achieving the objectives of the common market organisation unless its articles of association impose certain obligations on it and its members;</p>		<p>(9) producer organisations form the backbone of the common market organisation, the decentralised operation of which they are to ensure at their level; in the face of ever greater concentration of demand, the concentration of supply through these organisations is more than ever an economic necessity in order to strengthen the position of producers in the market; such concentrations should be voluntary and be meaningful in terms of the scope and efficiency of the services offered by the producer organisations to their members; <b>common criteria should be laid down in order for a producer organisation to be recognised by a Member State;</b> a producer organisation should not be recognised by a Member State as able to contribute to achieving the objectives of the common market organisation unless its articles of association impose certain obligations on it and its members;</p>
<p>(15) Whereas, in view of the costs that producer organisations will incur in fulfilling the above obligations, it is justified to grant commensurate compensation to such organisations for a limited period;</p>	<p>(15) Whereas, in view of the costs that producer organisations will incur in fulfilling the above obligations, it is justified to grant commensurate compensation to such organisations for a <b>fixed</b> period;</p>	<p>(15) in view of the costs that producer organisations will incur in fulfilling the above obligations, it is justifiable to grant commensurate compensation to such organisations for a limited period;</p>
<p><b>(16) Whereas the planning of supply and regulation of deliveries by members of producer organisations may be improved, in particular, by recourse to pre-sale contracts; whereas producer organisations should therefore be encouraged to market a substantial proportion of their production under contract by granting them a flat-rate allowance for a limited period, subject to certain conditions;</b></p>	<p>(16) Whereas the planning of supply and regulation of deliveries by members of producer organisations may be improved, in particular, for example, by recourse to pre-sale contracts; whereas producer organisations should therefore be encouraged to market a substantial proportion of their production under contract by granting them a flat-rate allowance for a <b>fixed</b> period, subject to certain conditions;</p>	<p><b>(16) Member States should be allowed to grant additional aids to producer organisations within the framework of operational programmes in accordance with Council Regulation (EC) No 2792/1999 of 17 December 1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector(8);</b></p>
<p>(17) Whereas interbranch organisations set up on the initiative of individuals or existing groups of operators may, where they account for a significant proportion of the members of the various occupational divisions of the fishery product sector, help to take closer account of market realities and facilitate a commercial approach that will improve the reporting as well as the organisation of production, product presentation and marketing; whereas, since the work of such organisations may contribute in general to attaining the goals of Article 39 of the Treaty and in particular those of this Regulation, it is appropriate, once the relevant forms of action are defined, that recognition be granted to those organisations which carry out practical steps to attain the 10 above goals; whereas provision should be made, subject to certain conditions, for extension of the rules adopted by interbranch organisations and for the costs resulting from such extension to be shared; whereas this procedure is subject to checks by the Commission, which may, in certain circumstances, declare such extensions null and void;</p>		<p>(17) interbranch organisations set up on the initiative of individuals or existing groups of operators may, where they account for a significant proportion of the members of the various occupational divisions of the fishery product sector, help to take closer account of market realities and facilitate a commercial approach that will improve the reporting as well as the organisation of production, product presentation and marketing; since the work of such organisations may contribute in general to attaining the goals of Article 33 of the Treaty and in particular those of this Regulation, it is appropriate, once the relevant forms of action are defined, that recognition be granted to those organisations which carry out practical steps to attain the above goals; provision should be made, subject to certain conditions, for extension of the rules adopted by interbranch organisations and for the costs resulting from such extension to be shared; this procedure is subject to checks by the Commission, which may, in certain circumstances, declare such extensions null and void;</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p>(23) Whereas, to encourage fishermen to adjust their deliveries more accurately to market requirements, provision should be made for different levels of financial compensation depending on the volume of market withdrawals;</p>	<p>(23) Whereas, to encourage fishermen to adjust their deliveries more accurately to market requirements, provision should be made for different levels of financial compensation depending on the volume of market withdrawals, <b>whilst retaining an adequate safety net for operators;</b></p>	<p>(23) to encourage fishermen to adjust their deliveries more accurately to market requirements, provision should be made for different levels of financial compensation depending on the volume of market withdrawals;</p>
		<p><b>(25) should the market be seriously disturbed, appropriate measures to adjust the conditions covering the compensation for withdrawals should be adopted;</b></p>
<p>(27) Whereas provision should be made for a specific support scheme for some products frozen at sea, in the form of private storage aid for such products, subject to certain limits and conditions, provided they cannot be disposed of on the market above a price to be set at Community level;</p>	<p>(27) Whereas provision should be made for a specific support scheme for some products frozen at sea, in the form of private storage aid for such products, subject to certain limits and conditions, provided they cannot be disposed of on the market <b>below</b> a price to be set at Community level;</p>	<p>(28) provision should be made for a specific support scheme for some products frozen at sea, in the form of private storage aid for such products, subject to certain limits and conditions, provided they cannot be disposed of on the market above a price to be set at Community level;</p>
<p>(31) Whereas the application of common customs tariff duties is suspended in full for certain products; whereas, since Community production of tuna is insufficient, conditions of supply comparable to those enjoyed in exporting third countries should be maintained for the food-processing industries using these products so as not to hinder their development in the context of 12 international conditions of competition; whereas any disadvantage which this system might present for Community tuna producers could be offset by payment of the compensation envisaged for this purpose;</p>	<p style="text-align: center;"><b>Deleted</b></p>	<p>(32) the application of common customs tariff duties is suspended in full for certain tuna products; since Community production of tuna is insufficient, conditions of supply comparable to those enjoyed in exporting third countries should be maintained for the food-processing industries using these products so as not to hinder their development in the context of international conditions of competition; any disadvantage which this system might present for Community tuna producers could be offset by payment of the compensation envisaged for this purpose;</p>
<p>(32) Whereas, to ensure adequate supplies to the Community market of raw materials intended for the processing industries on terms that will enable them to remain competitive, the application of common customs tariff duties to some products should be suspended in full or in part for an indefinite period;</p>	<p>(32) Whereas, to ensure adequate supplies to the Community market of raw materials intended for the processing industries on terms that will entitle them to remain competitive <b>it may be necessary, with the Council's approval, to suspend</b> the application of common customs tariff duties to some products in full or in part for <b>a fixed</b> period following <b>a market supply study in respect of each of the species concerned;</b></p>	<p>(33) to ensure adequate supplies to the Community market of raw materials intended for the processing industries on terms that will enable them to remain competitive, the application of common customs tariff duties to some products should be suspended in full or in part for an indefinite period;</p>
<p>(34) Whereas if exceptional circumstances caused by imports or exports should give rise to or threaten serious disturbance likely to jeopardise attainment of the goals set out in Article 39 of the Treaty, it should be possible to apply appropriate measures in trade with third countries, while complying with the Community's international commitments;</p>		<p>(35) if exceptional circumstances caused by imports or exports should give rise to or threaten serious disturbance likely to jeopardise attainment of the goals set out in Article 33 of the Treaty, it should be possible to apply appropriate measures in trade with third countries, while complying with the Community's international commitments;</p>
<p>(39) Whereas implementation of this common organisation must also take account of the fact that it is in the Community's interest to preserve fishing grounds as far as possible; whereas the financing of measures covering quantities of fish exceeding those which may be allocated to the Member States should not therefore be permitted;</p>	<p>(39) Whereas implementation of this common organisation must also take account of the fact that it is in the Community's interest to preserve <b>the biological heritage of its waters</b> as far as possible; whereas the financing of measures covering quantities of fish exceeding those which maybe allocated to the Member States should not therefore be permitted;</p>	<p>(40) implementation of this common organisation must also take account of the fact that it is in the Community's interest to preserve fishing grounds as far as possible; the financing of measures covering quantities of fish exceeding those which may be allocated to the Member States should not therefore be permitted;</p>
<p>(42) Whereas the common organisation of the market in fishery products should take appropriate account, at the same time, of the goals set out in Articles 39 and 110 of the Treaty;</p>		<p>(44) the common organisation of the market in fishery products should take appropriate account, at the same time, of the objectives set out in Articles 33 and 131 of the Treaty,</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
	<p><i>Article 1, table (c), 2nd column, to add at end</i> <b>Seaweed, fresh, chilled, frozen, dried or freeze-dried, fit for human consumption.</b></p>	
<p><i>Article 1, table, part d), 2nd column</i> d) Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption: - other: - Products of fish or crustaceans, molluscs or other aquatic invertebrates; dead animals of Chapter 3: - Fish waste - other</p>	<p><i>Article 1, table (d), 2nd column</i> d) Animal <b>or plant</b> products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption: - Other: - Products of fish or crustaceans, molluscs or other aquatic invertebrates; dead animals of Chapter 3: - Fish waste - Other <b>Seaweed intended for uses other than human consumption.</b></p>	<p><i>Article 1, table, part d), 2nd column</i> d) Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption: - other: - Products of fish or crustaceans, molluscs or other aquatic invertebrates; dead animals of Chapter 3: - Fish waste - other</p>
<p><i>Article 1, table, part f), second column</i> Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.</p>	<p><i>Article 1, table (f), 2nd column</i> Crustaceans, molluscs and other aquatic invertebrates <b>or plants</b>, prepared or preserved. <b>Products of seaweed.</b></p>	<p><i>Article 1, table, part f), second column</i> Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.</p>
<p><b>TITLE I: MARKETING STANDARDS AND CONSUMER INFORMATION</b></p>		
<p><b>CHAPTER 1: MARKETING STANDARDS</b></p>		
<p><i>Article 2, paragraph 3</i> 3. Marketing standards and detailed rules for their application, including the special rules referred to in paragraph 2, shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p><i>Article 2(3)</i> 3. Marketing standards and detailed rules for their application, including the special rules referred to in paragraph 2, shall be <b>laid down by the Council, acting by a qualified majority on a proposal from the Commission.</b></p>	<p><i>Article 2, paragraph 3</i> 3. Marketing standards and detailed rules for their application, including the special rules referred to in paragraph 2, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
	<p><i>Article 3(1a) (new)</i> <b>1a. For processed products, with a view to ensuring control thereof, be they Community products or imports, action shall be taken to set up, at Community level, a Biotic and Abiotic Contaminants Reference Laboratory for Processed Fishery and Aquaculture Products.</b></p>	
	<p><i>Article 3(1b) (new)</i> <b>1b. Member States shall adopt all the necessary measures for penalising breaches of the provisions laid down in Article 2.</b></p>	<p><i>Article 3, paragraph 2(new)</i> <b>2. Member States shall take all appropriate measures to penalise infringements of Article 2.</b></p>
<p><i>Article 3, paragraph 3</i> 3. Detailed rules for the application of paragraph 1 shall be adopted as necessary in accordance with the procedure laid down in Article 38, account being taken in particular of the need to ensure coordination of the work of the inspection bodies and uniformity in the interpretation and application of common marketing standards.</p>		<p><i>Article 3, paragraph 4</i> 4. Detailed rules for the application of paragraph 1 shall be adopted as necessary in accordance with the procedure laid down in Article 38(2), account being taken in particular of the need to ensure coordination of the work of the inspection bodies and uniformity in the interpretation and application of common marketing standards.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><b>CHAPTER 2: CONSUMER INFORMATION</b></p>		
<p style="text-align: center;"><i>Article 4,p paragraph 1</i></p> <p>1. Without prejudice to the provisions of Council Directive 79/112/EEC8, the products referred to in Article 1(a), (b) and (c) may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labelling indicates:</p> <p>a) the commercial designation of the species, b) the production method (taken at sea or farmed),</p> <p>c) the catch area (<b>Atlantic Ocean, Baltic Sea, Mediterranean Sea , North Sea, Indian Ocean, Pacific Ocean, other</b>).</p>	<p style="text-align: center;"><i>Article 4(1)</i></p> <p>1. Without prejudice to the provisions of Council Directive 79/112/EEC, the products referred to in Article 1(a), (b) and (c) may not be <b>placed on the market between initial sale and the moment of</b> retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labelling indicates:</p> <p>a) the commercial designation of the species, b) the production method (taken at sea or farmed), <b>including, for capture fisheries, the gear type used, (ba) the minimum legal size in the catch area, (bb) the calibre,</b> c) the catch area, <b>(ca) the origin of the product (farmed or caught in Community fisheries or imported from a third country).</b></p>	<p style="text-align: center;"><i>Article 4(1)</i></p> <p>1. Without prejudice to the provisions of Directive 79/112/EEC(12), the products referred to in Article 1(a), (b) and (c) may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labelling indicates:</p> <p>a) the commercial designation of the species; (b) the production method (caught at sea or <b>in inland waters</b> or farmed);</p> <p>(c) the catch area.</p> <p><b>These requirements shall not however apply to small quantities of products disposed of directly to consumers by either fishermen or aquaculture producers.</b></p>
<p style="text-align: center;"><i>Article 4, paragraph 2</i></p> <p>2. For the purposes of paragraph 1(a), the Member States shall draw up and publish a list of the commercial designations accepted in their territory, for at least all the species listed in Annexes I to IV to this Regulation, not later than 1 January <b>2001</b>. The list shall indicate the scientific name for each species, its name in the official language or languages of the Member State and, where applicable, any other name or names accepted or permitted locally or regionally.</p>		<p style="text-align: center;"><i>Article 4, paragraph 2</i></p> <p>2. For the purposes of paragraph 1(a), the Member States shall draw up and publish a list of the commercial designations accepted in their territory, for at least all the species listed in Annexes I to IV to this Regulation, not later than 1 January <b>2002</b>. The list shall indicate the scientific name for each species, its name in the official language or languages of the Member State and, where applicable, any other name or names accepted or permitted locally or regionally.</p>
<p><i>Article 4(2), 2nd subparagraph (new)</i></p> <p><b>Each Member State shall draw up the list of commercial designations and the conditions governing their use, in accordance with the provisions of Directive 79/112/EEC, in particular Article 5 thereof.</b></p>		
<p style="text-align: center;"><i>Article 4, paragraph 3</i></p> <p>3. Member States <b>shall take all the necessary measures to ensure compliance with paragraph 1.</b></p>		<p style="text-align: center;"><i>Article 4, paragraph 3</i></p> <p>3. Member States <b>shall notify the Commission of the list of commercial designations referred to in paragraph 2 at least two months in advance of the date referred to in paragraph 2. Member States shall recognise designations listed by other Member States for the same species in the same language.</b></p>
<p style="text-align: center;"><i>Article 4, paragraph 4</i></p> <p>4. Detailed rules for applying this Article shall, where necessary, be adopted in accordance with the procedure laid down in Article 38.</p>	<p style="text-align: center;"><i>Article 4(4)</i></p> <p>4. Detailed rules for applying this Article, <b>in particular the definition of the catch areas referred to in paragraph 1(c), the conditions governing the indication of the origin of the product referred to in paragraph 1(ca) and the minimum rules on the traceability of products required to supply the consumer information provided for in this Article,</b> shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p style="text-align: center;"><i>Article 4, paragraph 4</i></p> <p>4. Detailed rules for applying this Article shall, where necessary, be adopted in accordance with the procedure laid down in Article 38(2).</p>

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<p><b>TITLE II: PRODUCER ORGANISATIONS</b></p>		
<p><b>CHAPTER 1: CONDITIONS FOR GRANT OF AND WITHDRAWAL OF RECOGNITION OF PRODUCER ORGANISATIONS</b></p>		
<p><i>Article 5, paragraph 1, part a)</i> a) set up on the own initiative of a group of producers of one or more of the products referred to in Article 1(a), (b) and (c) insofar, in the case of frozen, treated or processed products, as the operations in question have been carried out on board fishing vessels;</p>	<p><i>Article 5(1)(a)</i> a) set up on the own initiative of a group of producers of one or more of the products referred to in Article 1(a), (b) and (c);</p>	<p><i>Article 5(1)(a)</i> (a) set up on the own initiative of a group of producers of one or more of the products referred to in Article 1(a), (b) and (c) in so far, in the case of frozen, treated or processed products, as the operations in question have been carried out on board fishing vessels;</p>
<p><i>Article 5, paragraph 1, part b), introduction</i> b) established for the purpose, in particular, of ensuring that fishing is carried out along rational lines and that conditions for the sale of their members' products are improved, by taking such measures as will: (...)</p>	<p><i>Article 5(1)(b), introduction</i> b) established for the purpose, in particular, of ensuring that <b>activity</b> is carried out along rational lines and that conditions for the sale of their members' products are improved, by taking such measures as will:</p>	<p><i>Article 5(1)(b), introduction</i> (b) established for the purpose, in particular, of ensuring that fishing is carried out along rational lines and that conditions for the sale of their members' products are improved, by taking such measures as will: (...)</p>
<p><i>Article 5, paragraph 1, part b), point 3</i> 3) <b>regularise</b> prices;</p>		<p><i>Article 5, paragraph 1, part b), point 3</i> 3. <b>stabilise</b> prices;</p>
<p><i>Article 5, paragraph 1, part b), point 4</i> 4) <b>promote those fishing methods which do most to maintain the equilibrium of resources and safeguard biodiversity;</b></p>	<p><i>Article 5(1)(b)(4)</i> 4) promote, <b>on the basis of scientific opinions</b>, those <b>exploitation</b> methods which do most to maintain the equilibrium of resources and safeguard biodiversity;</p>	<p><i>Article 5, paragraph 1, part b), point 4</i> 4. <b>encourage fishing methods which support sustainable fishing;</b></p>
<p><i>Article 5, paragraph 1, part c), point 2</i> 2) where the Member State concerned has decided that some or all of its catch quota or quotas is to be managed by producer organisations, apply the measures adopted by the organisation to that end;</p>		<p><i>Article 5, paragraph 1, part c), point 2</i> 2. where the Member State concerned has decided that some or all of its catch quota or quotas <b>and/or application of fishing effort measures are to be managed by producer organisations</b>, to apply the measures adopted by the organisation to that end;</p>
<p><i>Article 5, paragraph 1, part c), point 3</i> 3) belong to only one producer organisation for any given product or group of products;</p>		<p><i>Article 5, paragraph 1, part c), point 3</i> 3. <b>to ensure that any one vessel</b> belongs to only one producer organisation for any given product or group of products;</p>
	<p><i>Article 5(1)(d)(7a) (new)</i> <b>7a. procedures by which producers may be expelled from or may voluntarily cease their membership of the organisation;</b></p>	
<p><i>Article 5, paragraph 3</i> 3. Producer organisations may not hold a dominant position on a given market unless necessary in pursuance of the goals of Article 39 of the Treaty.</p>		<p><i>Article 5(3)</i> 3. Producer organisations may not hold a dominant position on a given market unless necessary in pursuance of the goals of Article 33 of the Treaty.</p>
<p><i>Article 5, paragraph 4</i> 4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p><i>Article 5(4)</i> 4. Detailed rules for the application of this Article shall be adopted <b>by the Council, acting by a qualified majority on a proposal by the Commission.</b></p>	<p><i>Article 5(4)</i> 4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>

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<p><i>Article 6, paragraph 1, part b)</i> b) carry out checks at regular intervals to ascertain that producer organisations comply with the terms and conditions for recognition; <b>without prejudice to the application of Article 10(2)(c)</b>, recognition of a producer organisation may be withdrawn if the conditions set out in Article 5 are no longer fulfilled or if recognition is based on wrong information; if the organisation obtains or benefits from recognition by fraudulent means, recognition shall immediately be withdrawn retroactively;</p>		<p><i>Article 6, paragraph 1, part b)</i> (b) carry out checks at regular intervals to ascertain that producer organisations comply with the terms and conditions for recognition; recognition of a producer organisation may be withdrawn if the conditions set out in Article 5 are no longer fulfilled or if recognition is based on wrong information; if the organisation obtains or benefits from recognition by fraudulent means, recognition shall immediately be withdrawn retroactively;</p>
<p><i>Article 6, paragraph 5</i> 5. <b>The Commission shall</b> ensure that Article 5 and paragraph (1)(b) of this Article are complied with by carrying out checks <b>in accordance with Regulation (EEC) No 2847/93</b><sup>1</sup> and in the light of such checks may, where appropriate, require Member States to withdraw recognition.</p>	<p><i>Article 6(5)</i> 5. The Commission shall ensure that Article 5 and paragraph (1)(b) of this Article are complied with by carrying out checks in accordance with Regulation (EEC) No 2847/93 and in the light of such checks may, where appropriate, <b>ask</b> Member States, <b>after consultation with them</b>, to withdraw recognition.</p>	<p><i>Article 6(5)</i> 5. In order to ensure that Article 5 and paragraph (1)(b) of this Article are complied with, <b>the Commission shall carry out</b> checks and in the light of such checks may, where appropriate, request that Member States withdraw recognition.</p>
<p><i>Article 6, paragraph 7</i> 7. Detailed rules for the application of this Article, in particular the conditions for withdrawal of recognition, shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 6(7)</i> 7. Detailed rules for the application of this Article, in particular the conditions for withdrawal of recognition, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><b>CHAPTER 2: SPECIFIC RECOGNITION</b></p>		<p><b>CHANGE TO ARTICLE 12</b></p>
<p><i>Article 7</i> 1. Member States may grant specific recognition to producer organisations as referred to in Article 5(1) which market the products covered by common marketing standards as laid down in Regulation (EC) No 2406/96<sup>2</sup> and which have submitted a plan to improve the quality and marketing of such products approved that has been approved by the competent national authorities.</p> <p>2. The primary purpose of the plans referred to in paragraph 1 shall be to include all stages of production and marketing. Such plans shall include the following, in particular:</p> <ul style="list-style-type: none"> <li>– a substantial improvement in the quality of products while held on board of vessels,</li> <li>– optimal maintenance of quality during unloading, transport and marketing of products,</li> </ul>	<p><i>Article 7</i> 1. Member States may grant specific recognition to producer organisations as referred to in Article 5(1) which market the products <b>referred to in Article 1</b> and which have submitted a plan to improve the quality and marketing of such products approved that has been approved by the competent national authorities.</p> <p>2. The primary purpose of the plans referred to in paragraph 1 shall be to include all stages of production and marketing. Such plans shall include the following, in particular:</p> <ul style="list-style-type: none"> <li>- a substantial improvement in the quality of <b>fishery and aquaculture</b> products, <b>whether fresh, chilled, or frozen</b>,</li> <li>– optimal maintenance of quality during unloading, transport and marketing of products,</li> </ul>	<p><i>Article 12</i> 1. Member States may grant specific recognition to producer organisations as referred to in Article 5(1) which market the products covered by common marketing standards as laid down in Regulation (EC) No 2406/96(13) <b>or products from aquaculture when they have</b> submitted a plan to improve the quality of such products that has been approved by the competent national authorities.</p> <p>2. The primary purpose of the plans referred to in paragraph 1 shall be to include all stages of production and marketing. Such plans shall include the following, in particular:</p> <ul style="list-style-type: none"> <li>- a substantial improvement in the quality of products while held on board vessels <b>or while being farmed</b>,</li> <li>- optimal maintenance of quality during, <b>as appropriate, catching, unloading, extraction, handling</b>, transport and marketing of the products,</li> </ul>

<sup>1</sup> Council Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy (OJ L 261, 20.10.1993, p. 1). Regulation last amended by Regulation (EC) No 2846/98 (OJ L 358, 31.12.1998, p. 5).

<sup>2</sup> Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products (OJ L 334, 23.12.1996, p. 1). Regulation last amended by Commission Regulation (EC) No 323/97 (OJ L 52, 22.2.1997, p. 8).

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<p>– the application of appropriate techniques and know-how to attain the above objectives;</p> <p>– a description of the planned measures, including preparatory studies, training and investments.</p> <p>3. Member States shall forward the plans submitted to them by producer organisations to the Commission. Such plans may not be approved by the competent authority in the Member State until they have been sent to the Commission and 60 days have subsequently elapsed during which the Commission may request changes or reject a plan.</p> <p>4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p>– the application of appropriate techniques and know-how to attain the above objectives;</p> <p>– a description of the planned measures, including preparatory studies, training and investments.</p> <p>3. Member States shall forward the plans submitted to them by producer organisations to the Commission. Such plans may not be approved by the competent authority in the Member State until they have been sent to the Commission and 60 days have subsequently elapsed during which the Commission may request changes or reject a plan.</p> <p><b>3a. Quality designations for fisheries products shall be governed by specific legislation, to which the criteria of the agricultural sector shall not apply.</b></p> <p>4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p>- the application of appropriate techniques and know-how to attain the above objectives,</p> <p>- a description of the planned measures, including preparatory studies, training and investments.</p> <p>3. Member States shall forward the plans submitted to them by producer organisations to the Commission. Such plans may not be approved by the competent authority in the Member State until they have been sent to the Commission and 60 days have subsequently elapsed during which the Commission may request changes or reject a plan.</p> <p><b>4. The specific recognition granted to producer organisations under this Article is a condition for eligibility for the financial aid provided under Article 15(1)(b) of Regulation (EC) No 2792/1999.</b></p> <p>5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>

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<p><b>CHAPTER 3: EXTENSION OF RULES TO NON-MEMBERS</b></p>		<p><b>CHAPTER 2: EXTENSION OF RULES TO NON-MEMBERS</b></p>
<p><i>Article 8, paragraph 1</i></p> <p>1. Where a producer organisation is considered to be representative of production and marketing in one or more landing places of a Member State and makes application to the competent national authorities, the Member State concerned may require producers who are not members of the organisation and who market any of the products referred to in Article 1 within the area of which the producer organisation is representative to comply with:</p> <p>a) production and marketing rules introduced by the organisation to attain the objectives set out in Article 5(1)(b);</p> <p>b) rules adopted by the organisation on market withdrawal and carry-over for the fresh and chilled products referred to in points (a) and (c) of Article 1.</p> <p>However, in the case of the products listed in Annex I, <b>parts A, B and C</b>, these rules may be extended to non-members only in so far as the price applied by the producer organisation is the withdrawal price or the Community selling price, <b>and no tolerance shall be allowed.</b></p> <p>The Member State may decide that the extension of the rules referred in points (a) and (b) shall not apply to certain categories of sales.</p>		<p><i>Article 7 (1)</i></p> <p>1. Where a producer organisation is considered to be representative of production and marketing in one or more landing places of a Member State and makes an application to the competent national authorities, the Member State concerned may require producers who are not members of the organisation and who market any of the products referred to in Article 1 within the area of which the producer organisation is representative to comply with:</p> <p>(a) production and marketing rules introduced by the organisation to attain the objectives set out in Article 5(1)(b);</p> <p>(b) rules adopted by the organisation on market withdrawal and carry-over for the fresh and chilled products referred to in points (a) and (c) <b>of the second indent of the second paragraph</b> of Article 1.</p> <p>However, in the case of the products listed in Annex I, these rules may be extended to non-members only in so far as the price applied by the producer organisation is the withdrawal price or the Community selling price, <b>subject to the tolerance provided for in Article 21(1)(a).</b></p> <p>The Member State may decide that the extension of the rules referred to in points (a) and (b) shall not apply to certain categories of sales.</p>
<p><i>Article 8, paragraph 2</i></p> <p>2. The rules which are made obligatory under paragraph 1 shall apply up to the first stage sale of products on the market for a period not longer than 12 months.</p>		<p><i>Article 7 (2)</i></p> <p>2. The rules which are made obligatory under paragraph 1 shall apply up to the first-stage sale of the products on the market for a period not longer than 12 months <b>for a regionally-limited area.</b></p>
<p><i>Article 8, paragraph 3, second indent</i></p> <p>- by reasoned decision, shall declare the extension of the rules decided by the Member State null and void, on the basis of one of the circumstances referred to in paragraph 4(a) and (b);</p>		<p><i>Article 7 (3), second indent</i></p> <p>- by reasoned decision, shall declare the extension of the rules decided by the Member State null and void, on the basis of one of the circumstances referred to in paragraph 4(a) and (b). <b>In this case, the Commission decision shall apply from the date on which the request to suspend the rules was sent to the Member State.</b></p>

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<p align="center"><i>Article 8, paragraph 4</i></p> <p>4. The Commission shall declare the extension referred to in paragraph 1 null and void:</p> <p>a) if it finds that the extension in question jeopardises free trade, or that the goals of Article 39 of the Treaty are thereby endangered;</p> <p>b) if it finds that Article 85(1) of the Treaty applies to the rule which it has been decided to extend to other producers.</p>	<p align="center"><i>Article 8(4), introduction</i></p> <p>4. The Commission <b>may, via the submission of a reasoned decision</b>, declare the extension referred to in paragraph 1 null and void:</p>	<p align="center"><i>Article 7 (4)</i></p> <p>4. The Commission shall declare the extension referred to in paragraph 1 null and void:</p> <p>(a) if it finds that the extension in question jeopardises free trade, or that the objectives of Article 33 of the Treaty are thereby endangered;</p> <p>(b) if it finds that Article 81(1) of the Treaty applies to the rule which it has been decided to extend to other producers.</p>
<p align="center"><i>Article 8, paragraph 5</i></p> <p>5. Following ex-post checks <b>under Regulation (EEC) No 2847/93</b>, the Commission may at any time identify cases of nullity under paragraph 4 and declare the extension in question null and void.</p>	<p align="center"><i>Article 8(5)</i></p> <p>5. Following ex-post checks under Regulation (EEC) No 2847/93, the Commission may at anytime identify cases of nullity under paragraph 4 and, <b>by means of a reasoned decision</b>, declare the extension in question null and void.</p>	<p align="center"><i>Article 7 (5)</i></p> <p>5. Following ex-post checks, the Commission may at any time identify cases of nullity under paragraph 4 and declare the extension in question null and void.</p>
<p align="center"><i>Article 8, paragraph 10</i></p> <p>10. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p align="center"><i>Article 8(10)</i></p> <p>10. Detailed rules for the application of this Article shall be adopted <b>by the Council, acting by a qualified majority on a proposal by the Commission..</b></p>	<p align="center"><i>Article 7 (10)</i></p> <p>10. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p align="center"><b>CHAPTER 4: OPERATIONAL PROGRAMMES FOR THE FISHING YEAR</b></p>		<p align="center"><b>CHAPTER 3: PRODUCTION AND MARKETING PLANNING</b></p>
<p align="center"><i>Article 10, paragraph 1</i></p> <p>1. <b>Before</b> the beginning of the fishing year, each producer organisation shall draw up an operational programme for the fishing year and send it to the competent authorities of the Member State, comprising:</p> <p>a) <b>a forward marketing plan setting out the measures to be implemented</b> by the organisation to match the quantity and quality of supply to market requirements;</p> <p>b) a catch plan <b>by</b> species, particularly for species covered by catch quotas, in so far as such species represent a significant share of the landings of its members;</p> <p>c) special anticipatory measures to adjust the supply of species which habitually present marketing difficulties during the fishing year;</p> <p>d) penalties applicable to members who infringe the decisions adopted to implement such plans.</p>	<p align="center"><i>Article 10(1), introduction</i></p> <p>1. (A) <b>For fisheries products:</b></p> <p>Before the beginning of the fishing year, each producer organisation shall draw up an operational programme for the fishing year and send it to the competent authorities of the Member State, comprising:</p> <p>(B) <b>For aquaculture products:</b> <b>At intervals to be determined by each Member State, but which shall be at least annual, each producer organisation shall draw up and send to the competent authorities of the Member State a marketing programme for its aquaculture products, comprising:</b></p>	<p align="center"><i>Article 9 (1)</i></p> <p>1. <b>At</b> the beginning of the fishing year, each producer organisation shall draw up an operational programme for the fishing year <b>for the species listed in Annexes I, IV and V</b> and send it to the competent authorities of the Member State, comprising:</p> <p>(a) <b>the marketing strategy to be followed</b> by the organisation to match the quantity and quality of supply to market requirements;</p> <p>(b) - a catch plan <b>for species in Annexes I and IV</b>, in particular for species covered by catch quotas, in so far as such species represent a significant share of the landings of its members; <b>- a production plan for species in Annex V;</b></p> <p>(c) special anticipatory measures to adjust the supply of species which habitually present marketing difficulties during the fishing year;</p> <p>(d) penalties applicable to members who infringe the decisions adopted to implement such plans. <b>The operational programme may be revised following unforeseen circumstances during the fishing year and the revision shall be communicated to the competent authorities of the Member State.</b></p>

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	<p>(a) a forward marketing plan setting out the measures to be implemented by the organisation to match the quantity and quality of supply to market requirements;</p> <p>(b) penalties applicable to members who infringe the provisions of a) above.</p>	<p>Any newly-recognised producer organisation is not obliged to establish an operational programme during the first year following its recognition.</p>
		<p><i>Article 9 (2) (new)</i> 2. The operational programme and all revisions to it shall be subject to approval by the competent authorities of the Member State.</p>
<p><i>Article 10, paragraph 2</i> 2. Member States shall carry out appropriate checks to ensure that each producer organisation fulfils the obligations provided for in paragraph 1, and shall apply the following provisions in the event that these obligations are not fulfilled:</p> <p>a) <b>no financial assistance shall be granted for the fishing year concerned for intervention operations carried out under Title IV to producer organisations which have failed to draw up or transmit in good time an operational programme for the fishing year drawn up in accordance with paragraph 1;</b></p> <p>b) <b>the penalty provided for in (a) shall also apply in cases where a producer organisation has not implemented, or has failed adequately to implement, the measures provided for in its operational programme for the fishing year.</b></p> <p>c) producer organisations shall have their recognition withdrawn after the second instance of application of the penalties provided for in (a) and (b).</p>	<p><i>Article 10(2), introduction and (a) and (b)</i> 2. Member States shall carry out appropriate checks to ensure that each producer organisation fulfils the obligations provided for in paragraph 1(A) and (B) above, and shall apply the following provisions in the event that these obligations are not fulfilled:</p> <p>a) no financial assistance shall be granted <b>for the fishing year referred to in paragraph 1(A) or the marketing programme for aquaculture products in paragraph 1(B)</b> for intervention operations carried out under Title IV to producer organisations which have failed to draw up or transmit in good time an operational programme for the fishing year <b>or a marketing programme for aquaculture products, drawn up in accordance with paragraph 1(A) and (B);</b></p> <p>b) the penalty provided for in (a) shall also apply in cases where a producer organisation has not implemented, or has failed adequately to implement, the measures provided for in its operational programme for the fishing year <b>or its marketing programme for aquaculture products;</b></p>	<p><i>Article 9 (3)</i> 3. <b>Without prejudice to Article 6(1)(b)</b>, Member States shall carry out appropriate checks to ensure that each producer organisation fulfils the obligations provided for in paragraph 1, and shall apply the following penalties in the event that these obligations are not fulfilled:</p> <p>(a) <b>where a producer organisation has failed to draw up an operational programme for the fishing year in accordance with paragraph 1, it shall not receive any of the financial assistance granted for intervention operations carried out under Title IV for the fishing year concerned;</b></p> <p>(b) <b>where a producer organisation has not implemented the measures provided for in its operational programme, then, for the fishing year concerned,</b></p> <ul style="list-style-type: none"> <li>- only 75 % of the financial assistance shall be granted for intervention operations carried out under Title IV for the first instance of non-implementation,</li> <li>- only 50 % of the above financial assistance shall be granted for the second instance, and</li> <li>- none of the above financial assistance shall be granted after any further instance.</li> </ul> <p>The penalties mentioned under paragraphs (a) and (b), shall not apply until 1 January 2002.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 10, paragraph 4</i> 4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 9 (5)</i> 5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 11, paragraph 1</i> 1. Without prejudice to aid which might be granted to encourage the creation and facilitate the operation of producer organisations under Article 16(1) of Regulation (EC) No .....,<sup>3</sup> producer organisations shall receive compensation for a limited period to offset the costs arising from the obligations imposed on them under Article 10.</p> <p>Producer organisations recognised before 1 January 2001 shall receive such compensation for five years from that date.</p> <p>Producer organisations recognised subsequently shall receive compensation for five years following the year in which they are granted recognition.</p>	<p><i>Article 11(1), third subparagraph a b and c (new)</i> 1. Without prejudice to aid which might be granted to encourage the creation and facilitate the operation of producer organisations under Article 16(1) of Regulation (EC) No .....,<sup>4</sup> producer organisations shall receive compensation for a limited period to offset the costs arising from the obligations imposed on them under Article 10.</p> <p>Producer organisations recognised before 1 January 2001 shall receive such compensation for five years from that date.</p> <p>Producer organisations recognised subsequently shall receive compensation for five years following the year in which they are granted recognition.</p> <p><b>The Member States may grant additional aid to producer organisations which, as part of the operational programmes provided for in Article 9(1), develop measures to enhance the value of the species caught and to adjust supply to demand.</b></p> <p><b>Such aid may be granted pursuant to Articles 14 and 15 of the above Council Regulation (EC) No ... laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector.</b></p> <p><b>The Commission shall, no later than 1 January 2006, draw up a report evaluating the workings of the provisions of this article, in the light of which the time-periods for eligibility for compensation may be extended.</b></p>	<p><i>Article 10 (1)</i> 1. Without prejudice to aid which might be granted to encourage the creation and facilitate the operation of producer organisations under Article 15(1)(b) of Regulation (EC) No 2792/1999, Member States may grant producer organisations compensation for a limited period to offset the costs arising from the obligations imposed on them under Article 9.</p> <p>Producer organisations recognised before 1 January 2001 may receive such compensation for five years from that date.</p> <p>Producer organisations recognised subsequently may receive compensation for five years following the year in which they are granted recognition.</p>

<sup>3</sup> Council Regulation (EC) No .../.. of ..... laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector (OJ L ).

<sup>4</sup> Council Regulation (EC) No .../.. of ..... laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector (OJ L ).

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 11, paragraph 2</i></p> <p>2. The compensation referred to in paragraph 1 shall be made up of the following:</p> <p>a) an amount in proportion to the number of member vessels, calculated degressively in accordance with the method set out in <b>Annex VI.A.</b></p> <p>(b) a flat-rate amount of EUR 500 per species covered by Article 10(1)(b), up to ten species in all.</p>	<p><i>Article 11(2)</i></p> <p>2. The compensation referred to in paragraph 1 shall be made up of the following:</p> <p><b>(A) For fisheries</b></p> <p>a) an amount in proportion to the number of member vessels <b>and the declared annual production</b>, calculated degressively in accordance with the method set out in Annex VI.A.</p> <p>b) a flat-rate amount of EUR 500 per species covered by Article 10(1)(b), up to 10 species in all.</p> <p><b>B) For aquaculture, a sum proportionate to the value of the production, calculated in accordance with the method set out in Annex VI.Aa.</b></p>	<p><i>Article 10 (2)</i></p> <p>2. The compensation referred to in paragraph 1 shall be made up of the following:</p> <p>(a) <b>for Annex I and IV species</b>, an amount in proportion to the number of member vessels, calculated degressively in accordance with the method set out in Annex VIIA, and a flat-rate amount of EUR 500 per species covered by Article 9(1)(b), first indent, up to 10 species in all;</p> <p><b>(b) for Annex V species, an amount in proportion to the level of representativity of the producer organisations calculated in accordance with the method set out in Annex VIIB. The level of representativity shall be calculated according to the percentage of production disposed of through the producer organisations in a production area which is deemed sufficiently large by the Member State concerned on the basis of criteria established for the purpose of recognition by the Member State.</b></p>
<p><i>Article 11, paragraph 4</i></p> <p>4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 10 (4)</i></p> <p>4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>

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<p align="center"><i>Article 12</i></p> <p>1. Member States <b>shall grant an additional allowance</b> to producer organisations which <b>provide in their operational programme for the fishing year for at least 10% of their production to be disposed of through pre-sale contracts, in order to plan better the supply from their members.</b></p> <p><b>In such cases, copies of all contracts must be attached to the operational programmes for the fishing year submitted by producer organisations to the competent authorities under Article 10.</b></p> <p><b>For the purposes of applying this paragraph, account shall be taken of the average production of producer organisations during the three previous fishing years.</b></p> <p><b>2. The annual amount of the allowance referred to in paragraph 1 shall be calculated degressively in accordance with the method set out in Annex VI.B.</b></p> <p><b>3. The allowance shall be paid within four months following the end of the fishing year concerned, insofar as the recipient producer organisation provides proof, to the satisfaction of the competent national authorities, that the quantities marketed under the contracts in question are at least equal to the minimum percentage referred to in paragraph 1.</b></p> <p><b>4. The allowance provided for in this Article may be granted for five years from 1 January 2001.</b></p> <p><b>5. Detailed rules for applying this Article shall, where necessary, be adopted in accordance with the procedure laid down in Article 38.</b></p>	<p align="center"><i>Article 12</i></p> <p>1. Member States shall grant an additional allowance to producer organisations which provide in their operational programme for the fishing year <b>or marketing programme for aquaculture products</b> for at least 10% of their production to be disposed of through pre-sale contracts, in order to plan better the supply from their members.</p> <p>In such cases, copies of all contracts must be attached to the operational programmes for the fishing year <b>or the marketing programme for aquaculture products</b> submitted by producer organisations to the competent authorities under Article 10.</p> <p>For the purposes of applying this paragraph, account shall be taken of the average production, <b>as duly verified by the competent authority</b>, of producer organisations during the three previous fishing years.</p> <p>2. The annual amount of the allowance referred to in paragraph 1 shall be calculated degressively in accordance with the method set out in Annex VI.B.</p> <p>3. The allowance shall be paid within four months following the end of the fishing year <b>or marketing programme for aquaculture products</b> concerned, insofar as the recipient producer organisation provides proof, to the satisfaction of the competent national authorities, that the quantities marketed under the contracts in question are at least equal to the minimum percentage referred to in paragraph 1.</p> <p>4. The allowance provided for in this Article may be granted for five years from 1 January 2001.</p> <p>5. Detailed rules for applying this Article shall, where necessary, be adopted in accordance with the procedure laid down in Article 38.</p>	<p align="center"><i>Article 11</i></p> <p>Member States <b>may</b> grant additional <b>aids</b> to producer organisations which, <b>within the framework of operational programmes mentioned in Article 9(1) develop measures for improving the organisation and the functioning of the marketing of fish as well as measures allowing for a better balance of supply and demand, in accordance with Regulation (EC) No 2792/1999, and in particular, its Articles 14 and 15.</b></p>
<p align="center"><b>TITLE III: INTERBRANCH ORGANISATIONS AND AGREEMENTS</b></p>		
<p align="center"><b>CHAPTER 1: CONDITIONS FOR GRANT AND WITHDRAWAL OF RECOGNITION OF INTERBRANCH ORGANISATIONS</b></p>		
<p align="center"><i>Article 13, paragraph 1, point d)</i></p> <p>d) they carry out one or more of the following measures in one or more regions of the Community, under conditions that are compatible with Community rules, particularly as regards competition, taking account of the interests of consumers, and provided they do not hinder the sound operation of the market organisation:</p>		<p align="center"><i>Article 13, paragraph 1, point d)</i></p> <p>(d) they carry out two or more of the following measures in one or more regions of the Community, under conditions that are compatible with Community rules, particularly as regards competition, taking account of the interest of consumers, and provided they do not hinder the sound operation of the market organisation:</p>

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<ul style="list-style-type: none"> <li>- improving knowledge of and the transparency of production and the market,</li> <li>- helping to coordinate better the way fishery products are placed on the market, in particular by means of research and market studies,</li> <li>- study and develop techniques to optimise the operation of the market, including information and communication technology;</li> <li>- drawing up standard contracts which are compatible with Community rules;</li> <li>- providing the information and carrying out the research needed to channel production towards products more suited to market requirements and consumer tastes and expectations, in particular with regard to product quality and the use of fishing methods which maintain the equilibrium of resources;</li> <li>- developing methods and instruments and organising training schemes to improve product quality;</li> <li>- exploiting the potential of, and protecting, designations of origin, quality seals and geographical designations;</li> <li>- laying down rules on the catching and marketing of fishery products which are stricter than Community or national rules;</li> <li>- exploiting more fully the potential of fishery products;</li> </ul>		<ul style="list-style-type: none"> <li>- improving knowledge of and the transparency of production and the market,</li> <li>- helping to coordinate better the way fishery products are placed on the market, in particular by means of research and market studies,</li> <li>- study and develop techniques to optimise the operation of the market, including information and communication technology,</li> <li>- drawing up standard contracts which are compatible with Community rules,</li> <li>- providing the information and carrying out the research needed to channel production towards products more suited to market requirements and consumer tastes and expectations, in particular with regard to product quality and exploitation methods which contribute to the sustainability of resources,</li> <li>- developing methods and instruments and organising training schemes to improve product quality,</li> <li>- exploiting the potential of, and protecting, designations of origin, quality seals and geographical designations,</li> <li>- laying down rules on the catching and marketing of fishery products which are stricter than Community or national rules,</li> <li>- exploiting more fully the potential of fishery products,</li> <li>- <b>promoting fishery products.</b></li> </ul>
<p style="text-align: center;"><i>Article 13, paragraph 4</i></p> <p>4. The Commission shall check that paragraphs 1 and 3(b) are complied with by carrying out checks in accordance with Regulation (EEC) No 2847/93 and may, as a result of these checks, require a Member State to withdraw recognition.</p>	<p style="text-align: center;"><i>Article 13(4)</i></p> <p>4. The Commission shall check that paragraphs 1 and 3(b) are complied with by carrying out checks in accordance with Regulation EEC No 2847/93 and may, as a result of these checks, <b>ask</b> a Member State, <b>after consultation with the latter</b>, to withdraw recognition.</p>	<p style="text-align: center;"><i>Article 13(4)</i></p> <p>4. The Commission shall check that paragraph 1 and 3(b) are complied with by carrying out checks and may, as a result of those checks, request a Member State to withdraw recognition.</p>
<p style="text-align: center;"><i>Article 13, paragraph 7</i></p> <p>7. Detailed rules for the application of this Article and, in particular, the terms and conditions on which and the frequency with which the Member States are to report to the Commission on the activities of interbranch organisations, shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p style="text-align: center;"><i>Article 13(7)</i></p> <p>7. Detailed rules for the application of this Article and, in particular, the terms and conditions on which and the frequency with which the Member States are to report to the Commission on the activities of interbranch organisations <b>and the criteria on the basis of which the Commission could oppose recognition</b>, shall be adopted in accordance with the procedure laid down in Article 38.</p>	<p style="text-align: center;"><i>Article 13(7)</i></p> <p>7. Detailed rules for the application of this Article and, in particular, the terms and conditions on which and the frequency with which the Member States are to report to the Commission on the activities of interbranch organisations, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>

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<p><b>CHAPTER 2: TERMS AND CONDITIONS RELATING TO AGREEMENTS, DECISIONS AND CONCERTED PRACTICES OF INTERBRANCH ORGANISATIONS</b></p>		
<p style="text-align: center;"><i>Article 14</i></p> <p>Notwithstanding Article 1 of Regulation No 26, Article 85(1) of the Treaty shall not apply to the agreements, decisions and concerted practices of recognised interbranch organisations intended to implement the measures referred to in Article 13(1)(d) and which, without prejudice to measures taken by interbranch organisations under specific provisions of Community law, do not:</p> <p>a) entail an obligation to apply a fixed price;</p> <p>b) lead to the partitioning of markets in any form within the Community,</p> <p><b>c) give rise to discrimination;</b></p> <p>d) eliminate competition in respect of a substantial proportion of the products in question;</p> <p>e) otherwise restrict competition in ways which are not essential to achieving the goals of the common fisheries policy as pursued by interbranch activity.</p>		<p style="text-align: center;"><i>Article 14</i></p> <p>Notwithstanding Article 1 of Regulation No 26, Article 81(1) of the Treaty shall not apply to the agreements, decisions and concerted practices of recognised interbranch organisations intended to implement the measures referred to in Article 13(1)(d) of this Regulation and which, without prejudice to measures taken by interbranch organisations under specific provisions of Community law, do not:</p> <p>a) entail an obligation to apply a fixed price;</p> <p>b) lead to the partitioning of markets in any form within the Community;</p> <p><b>c) apply dissimilar conditions to equivalent transactions with other trading partners, thereby placing them at a competitive disadvantage;</b></p> <p>d) eliminate competition in respect of a substantial proportion of the products in question;</p> <p>e) otherwise restrict competition in ways which are not essential to achieving the goals of the common fisheries policy as pursued by interbranch activity.</p>
<p><b>CHAPTER 3: EXTENSION OF AGREEMENTS, DECISIONS AND CONCERTED PRACTICES TO NON-MEMBERS</b></p>		
<p style="text-align: center;"><i>Article 15, paragraph 3, point a)</i></p> <p>a) must concern one of the following:</p> <ul style="list-style-type: none"> <li>- information about production and the market;</li> <li>- stricter production rules than any laid down in Community or national rules;</li> <li>- drawing up standard contracts which are compatible with Community rules;</li> <li>- rules on marketing;</li> <li>- <b>protecting designations of origin, quality seals and geographical designations.</b></li> </ul>		<p style="text-align: center;"><i>Article 15, paragraph 3, point a)</i></p> <p>a) must concern one of the following:</p> <ul style="list-style-type: none"> <li>- information about production and the market,</li> <li>- stricter production rules than any laid down in Community or national rules,</li> <li>- drawing up standard contracts which are compatible with Community rules,</li> <li>- rules on marketing;</li> </ul>
<p style="text-align: center;"><i>Article 16</i></p> <p>1. Member States shall notify the Commission forthwith of the rules which they <b>have made binding</b> on all operators in one or more specified regions. <b>These rules shall be published in the 'C' series of the Official Journal of the European Communities.</b></p>		<p style="text-align: center;"><i>Article 16</i></p> <p>1. Member States shall <b>immediately</b> notify the Commission of the rules which they <b>intend to make obligatory</b> on all operators in one or more specified regions <b>pursuant to Article 15(1). The Commission shall decide that a Member State shall not be authorised to extend the rules if:</b></p>

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<p>Before such publication, the Commission shall inform the Committee provided for in Article 38 of any notification of the extension of interbranch agreements. The Commission shall decide that a Member State must repeal an extension of the rules decided on by that Member State:</p> <p>a) if it finds that the extension in question jeopardises free trade, or that the goals of Article 39 of the Treaty are endangered;</p> <p>b) if it finds that Article 85(1) of the Treaty applies to the agreement, decision or concerted practice which it has been decided to extend to other producers;</p> <p>c) where, following ex-post checks under Regulation (EEC) No 2847/93, it finds that Article 15 has not been complied with.</p> <p>The Commission's decision shall apply from the date on which the existence one of the circumstances referred to in (a), (b) or (c) was determined.</p> <p>2. Where rules for one or more products are extended and one or more of the activities referred to in Article 15(3)(a) are pursued by a recognised interbranch organisation and are in the general economic interest of those operators whose activities relate to one or more of the products concerned, the Member State which has granted recognition may decide that individuals or groups which are not members of the</p>		<p>a) it finds that the extension in question will jeopardise free trade, or that the objectives of Article 33 of the Treaty are endangered; or</p> <p>b) it finds that the agreement, decision or concerted practice which it has been decided to extend to other producers conflicts with the provisions of Article 81(1) of the Treaty; or</p> <p>(c) it finds that the provisions of Article 15 of this Regulation have not been complied with.</p> <p>The rules may not be made obligatory until two months after the Commission has received notification or until the Commission has indicated during that period that it has no objection to the said rules.</p> <p>2. If, following ex-post checks, the Commission is unsure as to the validity of the extension in relation to the circumstances referred to in paragraph 1(a), (b) or (c), it shall request the Member State in question to suspend application of the decision in whole or in part. In this case, and within two months from that date, the Commission:</p> <p>- shall allow the suspension to be lifted, or,</p> <p>- by reasoned decision, shall declare the extension of the rules decided by the Member State null and void on the basis of one of the circumstances mentioned above. In this case the Commission decision shall apply from the date on which the request to suspend the rules was sent to the Member State.</p> <p>3. The Commission shall inform the Committee provided for in Article 38(1) at each stage of any decision regarding the extension of interbranch agreements under paragraph 1 and any suspension or cancellation of existing rules under paragraph 2.</p> <p>4. Where rules for one or more products are extended and one or more of the activities referred to in Article 15(3)(a) are pursued by a recognised interbranch organisation and are in the general economic interest of those operators whose activities relate to one or more of the products concerned, the Member State which has granted recognition may decide that individuals or groups which are not</p>

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<p>organisation but which benefit from those activities shall pay the organisation the equivalent of all or part of the financial contributions paid by its members, to the extent that such contributions are intended to cover costs directly incurred as a result of pursuing the activities in question.</p>		<p>members of the organisation but which benefit from those activities shall pay the organisation the equivalent of all or part of the financial contributions paid by its members, to the extent that such contributions are intended to cover costs directly incurred as a result of pursuing the activities in question.</p>
<p><b>TITLE IV: PRICES AND INTERVENTION</b></p>		
<p><b>CHAPTER 1: PRICES</b></p>	<p><b>CHAPTER 1: PRICES</b></p>	<p><b>CHAPTER 1: PRICES</b></p>
<p><i>Article 17, paragraph 1</i> 1. For the products listed in Article 1, producer organisations may fix a withdrawal price below which they will not sell products supplied by their members.  In this event, for quantities withdrawn from the market, producer organisations:  – shall grant an indemnity to members in respect of the products listed in Annex I, parts A and B and in Annex IV which conform to the standards adopted in accordance with Article 2,  – may grant an indemnity to members in respect of the other products referred to in Article 1.  For each product listed in Article 1, a maximum level for the withdrawal price may be fixed in accordance with paragraph 5.</p>		<p><i>Article 17, paragraph 1</i> 1. For the products listed in Article 1, producer organisations may fix a withdrawal price below which they will not sell products supplied by their members.  In this event, for quantities withdrawn from the market, producer organisations:  - shall grant an indemnity to members in respect of the products listed in Annex I, Parts A and B and in Annex IV which conform to the standards adopted in accordance with Article 2,  - may grant an indemnity to members in respect of the other products referred to in Article 1.  For each product listed in Article 1, a maximum level for the withdrawal price may be fixed in accordance with paragraph 5.</p>
<p><i>Article 17, paragraph 5</i> 5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 17, paragraph 5</i> 5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 18, paragraph 1</i> 1. A guide price shall be fixed before the beginning of the fishing year for each of the products listed in Annex I, <b>parts A, and B</b> and for each of the products and groups of products listed in Annex II.  These prices shall be valid for the whole Community and shall be fixed for each fishing year or for each of the periods into which that year is subdivided.</p>		<p><i>Article 18, paragraph 1</i> 1. A guide price shall be fixed before the beginning of the fishing year for each of the products listed in Annex I and for each of the products and groups of products listed in Annex II.  These prices shall be valid for the whole Community and shall be fixed for each fishing year or for each of the periods into which that year is subdivided.</p>

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<p><i>Article 18, paragraph 2</i></p> <p>2. The guide price shall be based on:</p> <ul style="list-style-type: none"> <li>- the average of prices recorded for a significant proportion of Community output on <b>representative</b> wholesale markets or in <b>representative</b> ports during the three fishing years immediately preceding the year for which the price is fixed,</li> <li>- taking into account trends in production and demand.</li> </ul> <p>In fixing them price, account shall also be taken of the need to:</p> <ul style="list-style-type: none"> <li>- stabilise market prices and avoid the formation of surpluses in the Community,</li> <li>- help support producers' incomes,</li> <li>- consider consumers' interests.</li> </ul>	<p><i>Article 18(2), 1st indent</i></p> <p>2. The guide price shall be based on:</p> <ul style="list-style-type: none"> <li>- the average of prices recorded for a significant proportion of Community output on representative wholesale markets or in representative ports during the <b>five</b> fishing years (<b>other than those with the highest and the lowest figures</b>) immediately preceding the year for which the price is fixed,</li> <li>- taking into account trends in production and demand.</li> </ul> <p>In fixing them price, account shall also be taken of the need to:</p> <ul style="list-style-type: none"> <li>- stabilise market prices and avoid the formation of surpluses in the Community,</li> <li>- help support producers' incomes,</li> <li>- consider consumers' interests.</li> </ul>	<p><i>Article 18, paragraph 2</i></p> <p>2. The guide price shall be based on:</p> <ul style="list-style-type: none"> <li>- the average of prices recorded for a significant proportion of Community output on wholesale markets or in ports during the three fishing years immediately preceding the year for which the price is fixed,</li> <li>- taking into account trends in production and demand.</li> </ul> <p>In fixing the price, account shall also be taken of the need:</p> <ul style="list-style-type: none"> <li>- to stabilise market prices and avoid the formation of surpluses in the Community,</li> <li>- to help support producers' incomes,</li> <li>- to consider consumers' interests.</li> </ul>
<p><i>Article 19</i> <b>Price reporting</b></p> <p>1. Throughout the period during which the guide price is applicable, Member States shall notify the Commission of the prices recorded on <b>representative</b> wholesale markets or in <b>representative</b> ports for the products referred to in Article 18(1).</p> <p><b>2. For the purposes of paragraph 1, the representative markets and ports in the Member States shall be those where a significant proportion of Community output of a given product is marketed.</b></p> <p>3. Detailed rules for the application of this Article shall be adopted, <b>and the list of representative markets and ports referred to in paragraph 2 approved</b>, in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 19</i> <b>Price reporting</b></p> <p>1. Throughout the period during which the guide price is applicable, Member States shall notify the Commission of the prices recorded on <b>their</b> wholesale markets or in <b>their</b> ports for the products referred to in Article 18(1).</p> <p>2. Detailed rules for the application of this Article shall be adopted, in accordance with the procedure laid down in Article 38(2).</p>

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<p style="text-align: center;"><i>Article 20</i> <b>Community withdrawal prices</b></p> <p>1. For each of the products listed in Annex I, parts A and B, a Community withdrawal price shall be fixed on the basis of the freshness, size and weight and the presentation of the product, hereinafter called 'product category', by applying to an amount equal at least to 70%, and not exceeding 90%, of the guide price, the conversion factor for the product category concerned. These conversion factors shall reflect the price relationship between the product category under consideration and that adopted for fixing the guide price. The Community withdrawal price shall, however, in no case exceed 90% of the guide price.</p> <p>2. In order to ensure that producers in landing areas which are very far away from the principal consumption centres of the Community have access to markets under satisfactory conditions, the prices referred to in paragraph 1 may be weighted for each area, by an adjustment factor.</p> <p>3. The procedures for applying this Article, in particular setting of the percentage of the guide price to serve as an element in calculating the Community withdrawal price and designating the landing areas referred to in paragraph 2 as well as setting prices, shall be adopted in accordance with the procedure laid down in Article 38..</p>		<p style="text-align: center;"><i>Article 20</i> <b>Community withdrawal prices</b></p> <p>1. A community withdrawal price shall be fixed on the basis of the freshness, size or weight and presentation of the product <b>for each of the products listed in Annex I, Parts A and B</b> by applying a conversion factor to the <b>guide price established under Article 18</b>. The Community withdrawal price shall in no case exceed 90 % of the guide price.</p> <p>2. In order to ensure that producers in landing areas which are very far away from the principal consumption centres of the Community have access to markets under satisfactory conditions, the prices referred to in paragraph 1 may be weighted for each area, by an adjustment factor.</p> <p>3. The producers for applying this Article, in particular setting of the percentage of the guide price to serve as an element in calculating the Community withdrawal price and designating the landing areas referred to in paragraph 2 as well as setting prices, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><b>CHAPTER 2: INTERVENTION</b></p>		
<p style="text-align: center;"><i>Article 21, paragraph 1, point c)</i></p> <p>c) the withdrawal price referred to at (a) is applied throughout the fishing year for each product category concerned; however, a producer organisation which, as one of the measures referred to in Article 5(1), applies a ban on the sale of certain product categories shall not be required to apply the Community withdrawal price for those categories of products.</p>		<p style="text-align: center;"><i>Article 21, paragraph 1, point c)</i></p> <p>c) the withdrawal price referred to at (a) is applied throughout the fishing year for each product category concerned; however, a producer organisation which, as one of the measures referred to in Article 5(1), applies a ban on the <b>catch or</b> sale of certain product categories shall not be required to apply the Community withdrawal price for those categories of products.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 21, paragraph 3</i></p> <p>3. For the products referred to in paragraph 1:</p> <p>a) The financial compensation shall be equal to:</p> <p>i. <b>87.5%</b> of the withdrawal price applied by the producers' organisation concerned for quantities withdrawn not exceeding <b>2%</b> of the quantities put up for sale each year;</p> <p><b>ii. 80% of the withdrawal price applied by the producer organisation concerned for quantities withdrawn which exceed 2% but not 5% of the quantities put up for sale each year;</b></p> <p><b>iii. from the 2003 fishing year, 50% of the withdrawal price applied by the producer organisation concerned for quantities withdrawn which exceed 5% but not 8% of the quantities put up for sale each year; for the 2001 and 2002 fishing years, it shall be equal to 70% and 60% of the withdrawal price, respectively.</b></p> <p>(b) No financial compensation shall be granted in respect of quantities withdrawn exceeding 8% of the quantities put up for sale by each producer organisation.</p>	<p><i>Article 21(3)(a) and (b)</i></p> <p>3. For the products referred to in paragraph 1:</p> <p>a) The financial compensation shall be equal to:</p> <p>i. 87,5% of the withdrawal price applied by the producers' organisation concerned for quantities withdrawn not exceeding <b>5%</b> of the quantities put up for sale each year;</p> <p>ii. <b>75%</b> of the withdrawal price applied by the producer organisation concerned for quantities withdrawn which exceed <b>5%</b> but not <b>10%</b> of the quantities put up for sale each year;</p> <p>iii. from the 2003 fishing year, 50% of the withdrawal price applied by the producer organisation concerned for quantities withdrawn which exceed <b>10%</b> but not <b>12%</b> of the quantities put up for sale each year; for the 2001 and 2002 fishing years, it shall be equal to 70% and 60% of the withdrawal price, respectively.</p> <p>(b) No financial compensation shall be granted in respect of quantities withdrawn exceeding <b>10%</b> of the quantities put up for sale by each producer organisation.</p>	<p><i>Article 21, paragraph 3</i></p> <p>3. For the products referred to in paragraph 1:</p> <p>a) the financial compensation shall be equal to:</p> <p>i) <b>85 %</b> of the withdrawal price applied by the producers' organisation concerned for quantities withdrawn not exceeding <b>4 %</b> of the annual quantities of the product concerned put up for sale each year;</p> <p><b>ii) for the 2003 fishing year, 55 % of the withdrawal price applied by the producers' organisation concerned for quantities withdrawn which exceed 4 % but do not exceed 10 % for pelagic species and 8 % for other species of the annual quantities of the product concerned</b> put up for sale each year; for the 2001 and 2002 fishing years, it shall be equal to <b>75 % and 65 % respectively;</b></p> <p>b) no financial compensation shall be granted in respect of quantities withdrawn exceeding <b>10 % for pelagic species and 8 % for other species</b> of the quantities put up for sale by each producer organisation.</p>
<p><i>Article 21, paragraph 5</i></p> <p>5. The financial compensation shall be reduced by the value, set at a standard amount, of products intended for purposes other than human consumption or any net revenue from the disposal of products for human consumption in accordance with paragraph 2. The above value shall be set at the beginning of the fishing year. It shall, however, be adjusted if significant and lasting price changes are noted on the Community market.</p>		<p><i>Article 21, paragraph 5</i></p> <p>5. The financial compensation shall be reduced by the value, set at a standard amount, of products intended for purposes other than human consumption or any net revenue from the disposal of products for human consumption in accordance with paragraph 2. The above value shall be set at the beginning of the fishing year. It shall, however, be adjusted if significant and lasting price changes are noted on the Community market.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 21, paragraph 6</i></p> <p>6. Where producer organisations carry out the withdrawals referred to in paragraph 1, they shall grant their members, for the quantities withdrawn from the market, an indemnity at least equal to the sum of the financial compensation calculated in accordance with paragraph 3(a), plus an amount equal to:</p> <p>– <b>10%, in the case referred to in paragraph 3(a)(i),</b></p> <p>– <b>12 %, in the case referred to in paragraph 3(a)(ii),</b></p> <p>– <b>15%, in the case referred to in paragraph 3(a)(iii) and (b),</b></p> <p>of the withdrawal price applied by that organisation.</p> <p>However, producer organisations may, under a system of internal penalties, grant their members lower indemnity than that provided for in the previous subparagraph, provided the difference is placed in a reserve fund exclusively called on for subsequent intervention operations.</p>	<p><i>Article 21(6), 1st subparagraph</i></p> <p>6. Where producer organisations carryout the withdrawals referred to in paragraph 1, they shall grant their members, for the quantities withdrawn from the market, an indemnity at least equal to the sum of the financial compensation calculated in accordance with paragraph 3(a), plus an amount equal to 10% of the withdrawal price applied by that organisation.</p> <p>However, producer organisations may, under a system of internal penalties, grant their members lower indemnity than that provided for in the previous subparagraph, provided the difference is placed in a reserve fund exclusively called on for subsequent intervention operations.</p>	<p><i>Article 21, paragraph 6</i></p> <p>6. Where producer organisations carry out the withdrawals referred to in paragraph 1, they shall grant their members, for the quantities withdrawn from the market, an indemnity at least equal to the sum of the financial compensation calculated in accordance with paragraph 3(a), plus an amount equal to 10 % of the withdrawal price applied by that organisation.</p> <p>However, producer organisations may, under a system of internal penalties, grant their members lower indemnity than that provided for in the previous subparagraph, provided the difference is placed in a reserve fund exclusively called on for subsequent intervention operations.</p>
<p><i>Article 21, paragraph 7 and 8</i></p> <p>7. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 21, paragraph 7 and 8</i></p> <p><b>7. In the event of serious market disturbance, the Commission, in accordance with the procedure set out in Article 38(2), may take measures to adjust the provisions of paragraph (3). The measures adopted shall not last longer than six months.</b></p> <p>8. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 23, paragraph 3</i></p> <p>3. The aid may be granted for each of the products concerned up to a quantity equivalent to <b>20%</b> of the quantities put up for sale each year, minus the percentage of quantities referred to above in respect of which financial compensation has been paid under Article 21.</p> <p>The amount of this aid may not exceed the amount of the technical and financial costs associated with the operations which are essential for stabilisation and storage.</p>		<p><i>Article 23, paragraph 3</i></p> <p>3. The aid may be granted for each of the products concerned up to a quantity equivalent to <b>18 %</b> of the quantities put up for sale each year, minus the percentage of quantities referred to above in respect of which financial compensation has been paid under Article 21.</p> <p>The amount of this aid may not exceed the amount of the technical and financial costs associated with the operations which are essential for stabilisation and storage.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 23, paragraph 4</i></p> <p>4. The processing methods referred to in this Article are:</p> <p>a)</p> <ul style="list-style-type: none"> <li>- freezing</li> <li>- salting</li> <li>- drying,</li> <li>- marinating</li> </ul> <p>and, where relevant,</p> <ul style="list-style-type: none"> <li>- boiling;</li> </ul> <p>b) filleting or cutting-up and, where appropriate, heading where these operations are accompanied by one of the processes listed in (a).</p>	<p><i>Article 23(4)(a), to add before 1st indent</i></p> <p>4. The processing methods referred to in this Article are:</p> <p>a)</p> <ul style="list-style-type: none"> <li>- <b>sterilising</b></li> <li>- freezing</li> <li>- salting</li> <li>- drying,</li> <li>- marinating</li> </ul> <p>and, where relevant,</p> <ul style="list-style-type: none"> <li>- boiling;</li> </ul> <p>b) filleting or cutting-up and, where appropriate, heading where these operations are accompanied by one of the processes listed in (a).</p>	<p><i>Article 23, paragraph 4</i></p> <p>4. The processing methods referred to in this Article are:</p> <p>(a)</p> <ul style="list-style-type: none"> <li>- freezing,</li> <li>- salting</li> <li>- drying,</li> <li>- marinating</li> </ul> <p>and, where relevant,</p> <ul style="list-style-type: none"> <li>- boiling <b>and pasteurisation</b>;</li> </ul> <p>(b) filleting or cutting-up and, where appropriate, heading, where these operations are accompanied by one of the processes listed in (a).</p>
<p><i>Article 23, paragraph 5</i></p> <p>5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 23, paragraph 5</i></p> <p>5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 24, paragraph 1</i></p> <p><i>Independent withdrawals and carry-over by producer organisations</i></p> <p>1. For products listed in Annex IV, Member States shall grant flat-rate aid to producer organisations which practise intervention in accordance with Article 17, provided that:</p> <p>a) such organisations set a withdrawal price, hereinafter called an 'autonomous withdrawal price', before the beginning of the fishing year; the producer organisations must apply that price throughout the fishing year, a tolerance of 10% below and 10% above being allowed; the price may not, however, exceed 80% of the weighted average price recorded for the product categories in question in the area of activity of the producer organisations concerned during the previous three fishing years;</p> <p>b) the products withdrawn meet the marketing standards adopted under Article 2 and are of an adequate quality, to be defined in accordance with the procedure provided for in Article 2(3);</p> <p>c) the indemnity granted to associated producers in respect of the products withdrawn from the market is equal to the autonomous withdrawal price applied by the producer organisations.</p>		<p><i>Article 24, paragraph 1</i></p> <p><i>Independent withdrawals and carry-over by producer organisations</i></p> <p>1. For products listed in Annex IV, Member States shall grant flat-rate aid to producer organisations which practise intervention in accordance with Article 17, provided that:</p> <p>a) such organisations set a withdrawal price, hereinafter called an "autonomous withdrawal price", before the beginning of the fishing year; the producer organisations must apply that price throughout the fishing year, a tolerance of 10 % below and 10 % above being allowed; the price may not, however, exceed 80 % of the weighted average price recorded for the product categories in question in the area of activity of the producer organisations concerned during the previous three fishing years;</p> <p>b) the products withdrawn meet the marketing standards adopted under Article 2 and are of an adequate quality, to be defined in accordance with the procedure provided for in Article 2(3);</p> <p>c) the indemnity granted to associated producers in respect of the products withdrawn from the market is equal to the autonomous withdrawal price applied by the producer organisations.</p>
<p><i>Article 24, paragraph 3</i></p> <p>3. The amount of the flat-rate aid shall be 75% of the autonomous withdrawal price applied during the current fishing year, this amount being reduced by the value, fixed at a standard amount, of the product which is disposed of as specified in paragraph 2.</p>		<p><i>Article 24, paragraph 3</i></p> <p>3. The amount of the flat-rate aid shall be 75 % of the autonomous withdrawal price applied during the current fishing year, this amount being reduced by the value, fixed at a standard amount, of the product which is disposed of as specified in paragraph 2.</p>

<p align="center"><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p align="center"><b>Amendments PE A5-0067/1999</b></p>	<p align="center"><b>Council Regulation (EC) No 104/2000</b></p>
<p align="center"><i>Article 24, paragraph 5</i></p> <p>5. The quantities eligible for the flat-rate aid pursuant to paragraphs 2 <b>and 5</b> may not exceed 5% of the annual quantities of the products concerned put up for sale in accordance with Article 5(1).</p> <p>The quantities eligible for flat-rate aid under paragraphs 2 and 4 may together not exceed 10% of the annual quantities referred to in the <b>previous</b> subparagraph.</p>	<p align="center"><i>Article 24(5), 1st subparagraph</i></p> <p>5. The quantities eligible for the flat-rate aid pursuant to paragraphs 2 and 5 may not exceed <b>7%</b> of the annual quantities of the products concerned put up for sale in accordance with Article 5(1).</p>	<p align="center"><i>Article 24, paragraph 5</i></p> <p>5. The quantities eligible for the flat-rate aid pursuant to paragraph 2 may not exceed 5 % of the annual quantities of the products concerned put up for sale in accordance with Article 5(1).</p> <p>The quantities eligible for flat-rate aid under paragraphs 2 and 4 may together not exceed 10 % of the annual quantities referred to in the <b>first</b> subparagraph.</p>
<p align="center"><i>Article 24, paragraph 6</i></p> <p>6. The Member States concerned shall introduce inspection arrangements ensuring that products for which the flat-rate aid is applied do in fact qualify for it.</p> <p>For the purposes of these inspection arrangements, recipients of the flat-rate aid shall keep stock records which meet criteria to be determined. Member States shall send to the Commission, at intervals to be laid down, a table showing average product and category prices recorded at <b>representative</b> wholesale markets or ports.</p>		<p align="center"><i>Article 24, paragraph 6</i></p> <p>6. The Member States concerned shall introduce inspection arrangements ensuring that products for which the flat-rate aid is applied do in fact qualify for it.</p> <p>For the purposes of these inspection arrangements, recipients of the flat-rate aid shall keep stock records which meet criteria to be determined. Member States shall send to the Commission, at intervals to be laid down, a table showing average product and category prices recorded at wholesale markets or ports.</p>
<p align="center"><i>Article 24, paragraph 8</i></p> <p>8. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p align="center"><i>Article 24, paragraph 8</i></p> <p>8. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p align="center"><i>Article 25, paragraph 4</i></p> <p>4. The following restrictions shall apply to the grant of private storage aid:</p> <p>a) the products must have been fished, frozen on board and landed in the Community by a member of a producer organisation,</p> <p>b) the products must be stored for a minimum period and then placed on the Community market again,</p> <p>up to a maximum of 15% of the annual quantities of the products concerned put up for sale by the producer organisation.</p>	<p align="center"><i>Article 25(4)</i></p> <p>4. The following restrictions shall apply to the grant of private storage aid:</p> <p>a) the products must have been fished, frozen on board and landed in the Community by a member of a producer organisation,</p> <p>b) the products must be stored for a minimum period and then placed on the Community market again,</p> <p>up to a maximum of <b>20%</b> of the annual quantities of the products concerned put up for sale by the producer organisation.</p>	<p align="center"><i>Article 25, paragraph 4</i></p> <p>4. The following restrictions shall apply to the grant of private storage aid:</p> <p>a) the products must have been fished, frozen on board and land in the Community by a member of a producer organisation;</p> <p>b) the products must be stored for a minimum period and then placed on the Community market again;</p> <p>up to a maximum of 15 % of the annual quantities of the products concerned put up for sale by the producer organisation.</p>
<p align="center"><i>Article 25, paragraph 6</i></p> <p>6. Detailed rules for the application of this Article, including the fixing of the selling price referred to in paragraph 1, shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p align="center"><i>Article 25, paragraph 6</i></p> <p>6. Detailed rules for the application of this Article, including the fixing of the selling price referred to in paragraph 1, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p align="center"><b>CHAPTER 3: TUNA FOR CANNING</b></p>		<p align="center"><b>CHAPTER 3: TUNA FOR PROCESSING</b></p>
<p align="center"><i>Article 26, paragraph 2</i></p> <p>2. Member States shall notify the Commission of the average prices recorded at representative wholesale markets or ports for products of Community origin as referred to in paragraph 1 which have defined commercial characteristics.</p>		<p align="center"><i>Article 26, paragraph 2</i></p> <p>2. Member States shall notify the Commission of the average prices recorded on their wholesale markets or ports for products of Community origin as referred to in paragraph 1 which have defined commercial characteristics.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 26, paragraph 3 and 4</i></p> <p><b>3. For the purposes of paragraph 2, the representative markets and ports in the Member States shall be those where a significant proportion of Community tuna production is marketed.</b></p> <p>4. Detailed rules for the application of this Article, in particular the setting of conversion factors for the various species, sizes and presentations of tuna <b>and a list of the representative markets and ports referred to in paragraph 3</b>, shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 26, paragraph 3</i></p> <p><b>3.</b> Detailed rules for the application of this Article, in particular the setting of conversion factors for the various species, sizes and presentations of tuna shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 27, paragraph 1</i></p> <p>1. An allowance may be granted to the producers' organisations for the quantities of products listed in Annex III caught by their members, then sold and delivered to processing industries established within the customs territory of the Community and intended for the industrial manufacture of products falling within CN code 1604.</p> <p>– the average selling price recorded on the Community market and – the import price referred to in Article 30(3),</p> <p>are both lower than a triggering threshold equivalent to <b>85 %</b> of the Community producer price for the product in question.</p> <p>The Member States shall prepare or update and notify to the Commission a list of the industries referred to in this paragraph before the start of each fishing year.</p>	<p><i>Article 27(1), 1st subparagraph</i></p> <p>1. An allowance may be granted to the producers' organisations for the quantities of products listed in Annex III caught by their members, then sold and delivered to processing industries established within the customs territory of the Community and intended for the industrial manufacture of products falling within CN code 1604. <b>The allowance shall be granted where it is established that, over a three-month period:</b></p> <p>- the average selling price recorded on the Community market and - the import price referred to in Article 30(3)</p> <p>are both lower than a triggering threshold equivalent to <b>91%</b> of the Community producer price for the product in question.</p>	<p><i>Article 27, paragraph 1</i></p> <p>1. An allowance may be granted to the producer organisations for the quantities of products listed in Annex III caught by their members, then sold and delivered to processing industries established within the customs territory of the Community and intended for the industrial manufacture of products falling within CN code 1604. <b>This allowance shall be granted when, for a given calendar quarter:</b></p> <p>- the average selling price recorded on the Community market, and - the import price referred to in <b>Article 29(3)(d)</b>,</p> <p>are both lower than a triggering threshold equivalent to <b>87 %</b> of the Community producer price for the product in question.</p> <p>The Member States shall prepare or update and notify to the Commission a list of the industries referred to in this paragraph before the start of each fishing year.</p>
<p><i>Article 27, paragraph 6</i></p> <p>6. Detailed rules for the application of this Article, in particular the amount and the conditions under which the allowance is granted, shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 27, paragraph 6</i></p> <p>6. Detailed rules for the application of this Article, in particular the amount and the conditions under which the allowance is granted, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><b>TITLE V: TRADE WITH THIRD COUNTRIES</b></p>		
<p><b>CHAPTER 1: CUSTOMS ARRANGEMENTS</b></p>		
<p><i>Article 28</i></p> <p>1. To ensure adequate supply to the Community market of raw materials intended for the processing industries, total or partial autonomous suspension of common customs tariff duties for certain products shall be adopted for an indefinite period in accordance with Annex V to this Regulation.</p>	<p><i>Article 28</i></p> <p>1. To ensure adequate supply to the Community market of raw materials intended for the processing industries, <b>on grounds of:</b></p> <p>- <b>repeated problems in supplying the Community market with a particular product, or;</b> - <b>the fulfilment of international obligations,</b> <b>the Council may, acting by a qualified majority and on a</b></p>	<p><i>Article 28</i></p> <p>1. To ensure adequate supply to the Community market of raw materials intended for the processing industries, the tariff duties for certain products shall be <b>totally or partially suspended autonomously</b> for an indefinite period in accordance with <b>Annex VI</b> to this Regulation.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p>2. In order to prevent the suspension arrangements referred to in paragraph 1 from jeopardising the stabilisation measures referred to in Articles 20, 21, 22, 23, 25 and 26, qualification for such suspension shall be granted when the products concerned are imported, provided the price fixed under Article 29 is complied with.</p>	<p>proposal from the Commission, decide the total or partial suspension of common customs tariff duties for the products listed in Article 1, where they are covered by the conditions laid down in paragraph 3 of this article.</p> <p>1a. The products for which a suspension of tariff duties may be decided shall be included in an annex to this regulation. Publication or modification of this annex shall take place as rapidly as possible.</p> <p>1b. To qualify for inclusion in the above-mentioned annex, products must fulfil at least the following requisites:</p> <ul style="list-style-type: none"> <li>- internal Community production of the product must be less than 30%,</li> <li>- where internal production exists, there must also be a Community reference price pursuant to Article 29,</li> <li>- Community production must not exist at a sufficient level of alternative products which could easily be substituted for the product,</li> <li>- it must be guaranteed that there is no temporary shortfall in Community production of the product and that it is, therefore, impossible to ensure a regular supply via tariff quotas,</li> <li>- there is no risk of significant interference with productions covered by preferential arrangements or other international agreements entered into by the Community,</li> <li>- where a product is regulated by an international or regional fisheries organisation, the suspension of tariff duties may only apply to products from countries which are signatory parties to the organisations concerned,</li> <li>- the opening of disciplinary proceedings by a regional or international fisheries organisation shall bring about the immediate freezing of the suspension of tariff duties.</li> </ul> <p>1c. The Council, acting by a qualified majority on a proposal from the Commission, which shall provide it beforehand with the necessary comparative information to ensure fulfilment of the conditions laid down in paragraph 1b, shall determine the implementing arrangements for this article, and shall, in particular, approve the products to be included in the annex referred to in paragraph 1a.</p> <p>2. In order to prevent the suspension arrangements referred to in paragraph 1 from jeopardising the stabilisation measures referred to in Articles 20, 21, 22, 23, 25 and 26, qualification for such suspension shall be granted when the products concerned are imported, provided the price fixed under Article 29 <b>and the</b></p>	<p>2. In order to prevent the suspension arrangements referred to in paragraph 1 from jeopardising the stabilisation measures referred to in Article 20, 21, 22, 23, 25 and 26, qualification for such suspension shall be granted when the products concerned are imported, provided the price fixed under Article 29 is complied with.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
	<p>conditions laid down in paragraph 1b of this article are complied with.</p>	<p>3. If any time there is a serious market disturbance despite the respect of the reference price referred to in paragraph 2, the Council shall, acting by a qualified majority on a proposal from the Commission, suspend the measures referred to in paragraph 1.</p>
<p><b>CHAPTER 2: REFERENCE PRICES</b></p>		
<p style="text-align: center;"><i>Article 29, paragraph 1</i></p> <p>1. Reference prices valid for the Community may be fixed each year, by product category, for the products specified in Article 1 that are the subject of:</p> <p>i. tariff reduction or suspension arrangements, where the rules binding them in the WTO provide for compliance with a reference price,</p> <p>ii. one of the measures referred to in Article 28(1),</p> <p>or</p> <p>iii. arrangements other than those referred to at (i) or (ii), which provide for compliance with a reference price and which are in line with the Community's international undertakings.</p>	<p style="text-align: center;"><i>Article 29(1), introduction</i></p> <p>1. <b>With a view to preventing disturbances arising from supplies from third countries at abnormal prices or in conditions liable to jeopardise the stabilisation measures laid down in Articles 20, 21, 22, 23, 25 and 26</b>, reference prices valid for the Community <b>shall</b> be fixed each year, by product category, for the products specified in Article 1 that are the subject of:</p>	<p style="text-align: center;"><i>Article 29, paragraph 1</i></p> <p>1. Reference prices valid for the Community may be fixed each year, by product category, for the products specified in Article 1, that are the subject of:</p> <p>a) tariff reduction or suspension arrangements, where the rules binding them in the WTO provide for compliance with a reference price,</p> <p>b) one of the measures referred to in Article 28(1),</p> <p>or</p> <p>c) arrangements other than those referred to at (a) or (b), which provide for compliance with a reference price and which are in line with the Community's international undertakings.</p>
<p style="text-align: center;"><i>Article 29, paragraph 3</i></p> <p>3. Reference prices adopted:</p> <p>a) for the products listed in Annex I, parts A and B, shall be equal to the withdrawal price fixed in accordance with Article 20(1);</p> <p>b) for the products specified in Annex I, part C, shall be equal to the Community selling price fixed in accordance with Article 22;</p> <p>c) for the products specified in Annex II shall be equal to the Community selling price fixed in accordance with Article 25(1);</p> <p>d) for other products shall be fixed, in particular, on the basis of the weighted average of customs values recorded on the most representative import markets or in the most representative ports of import in the Member States during the three years immediately preceding the date on which the reference price is fixed, taking account of the need to ensure that prices reflect the market situation.</p>		<p style="text-align: center;"><i>Article 29, paragraph 3</i></p> <p>3. Reference prices adopted:</p> <p>a) for the products listed in Annex I, Parts A and B, shall be equal to the withdrawal price fixed in accordance with Article 20(1);</p> <p>b) for the products specified in Annex I, Part C, shall be equal to the Community selling price fixed in accordance with Article 22;</p> <p>c) for the products specified in Annex II, shall be equal to the Community selling price fixed in accordance with Article 25(1);</p> <p>d) for other products, shall be fixed, in particular, on the basis of the weighted average of customs values recorded on the import markets or in the ports of import in the Member States during the three years immediately preceding the date on which the reference price is fixed, taking account of the need to ensure that prices reflect the market situation.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 29, paragraph 5</i> 5. Detailed rules for the application of this Article, including the level of the reference prices, shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 29, paragraph 5</i> 5. Detailed rules for the application of this Article, including the fixing of the reference prices, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><b>CHAPTER 3: SAFEGUARD MEASURES</b></p>		
<p><i>Article 30, paragraph 1</i> 1. Where, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 is affected by, or is threatened with, serious disturbance likely to jeopardise the achievement of the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.</p>		<p><i>Article 30, paragraph 1</i> 1. Where, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 is affected by, or is threatened with, serious disturbance likely to jeopardise the achievement of the objectives set out in Article 33 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.</p>
<p><b>TITLE VI: GENERAL PROVISIONS</b></p>		
<p><i>Article 31</i> Where price increases and supply problems are recorded on the Community market for one or more of the products referred to in Article 1 such that the attainment of some of the goals of Article 39 of the Treaty might be jeopardised, and where this situation is likely to persist, <b>the measures needed to remedy the situation may be taken in accordance with the procedure laid down in Article 38.</b></p>		<p><i>Article 31</i> Where price increases and supply problems are recorded on the Community market for one or more of the products referred to in Article 1 such that the attainment of some of the <b>objectives of Article 33</b> of the Treaty might be jeopardised, and where this situation is likely to persist, <b>the Council shall acting by qualified majority on a proposal from the Commission, take the necessary measures to remedy the situation.</b></p>
<p><i>Article 31a (new)</i> <b>The Council, acting by a qualified majority on a proposal from the Commission, may amend the annexes to this regulation and the percentages laid down in Articles 20 and 25.</b></p>		
<p><i>Article 32</i> <b>Subject to</b> any provisions contrary to this Regulation adopted under <b>Articles 42 and 43</b> of the Treaty, <b>Articles 92, 93 and 94</b> of the Treaty shall apply to production of and trade in the products referred to in Article 1.</p>		<p><i>Article 32</i> <b>Notwithstanding</b> any provisions to the contrary adopted under <b>Articles 36 and 37</b> of the Treaty, <b>Articles 87, 88 and 89</b> of the Treaty shall apply to production of and trade in the products referred to in Article 1.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 34</i></p> <p>1. The Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation. To that end they shall set up the necessary communication and information exchange systems, maintain them in good operating order and bear the attendant costs.</p> <p>Part of the cost of the systems referred to in <b>paragraph 1</b> shall be borne by the Community budget.</p> <p>2. Detailed rules for the application of this Article, including determination of the expenditure to be borne by the Community budget, shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 34</i></p> <p>1. The Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation. To that end they shall set up the necessary communication and information exchange systems, maintain them in good operating order and bear the attendant costs.</p> <p>Part of the cost of the systems referred to in the <b>first subparagraph</b> shall be borne by the Community budget.</p> <p>2. Detailed rules for the application of this Article, including determination of the expenditure to be borne by the Community budget, shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 35</i></p> <p>1. Expenditure incurred from the grant of payments provided for in this Regulation shall be deemed to relate to intervention measures within the meaning of Article 2(2) of Council Regulation (EC) No .../. on the financing of the common agricultural policy<sup>13</sup>.</p> <p>2. Financing for the expenditure referred to in paragraph 1 shall be granted in respect of products from a stock or group of stocks only up to the limit of any quantities allocated to the Member State in question from the total volume of allowable catches for the stock or group of stocks in question.</p> <p>3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.</p>		<p><i>Article 35</i></p> <p>1. Expenditure incurred from the grant of payments provided for in this Regulation shall be deemed to relate to intervention measures within the meaning of Article 2(2) of Regulation (EC) No <b>1258/1999</b>.</p> <p>2. Financing for the expenditure referred to in paragraph 1 shall be granted in respect of products from a stock or group of stocks only up to the limit of any quantities allocated to the Member State in question from the total volume of allowable catches for the stock or group of stocks in question.</p> <p>3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38(2).</p>
<p><i>Article 37</i></p> <p><b>A Management Committee for Fishery Products (hereinafter called 'the Committee') shall be established, consisting of representatives of the Member States and presided over by a representative of the Commission.</b></p>		<p><i>Article 37</i></p> <p><b>The measures necessary for the implementation of this Regulation related to matters referred to in Articles 2 to 7, 9, 10, 12, 13, 16, 17, 19 to 21, 23 to 27, 29, 34 and 35 shall be adopted in accordance with the management procedure referred to in Article 38(2).</b></p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p style="text-align: center;"><i>Article 38</i></p> <p>Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to the Committee either on his own initiative or at the request of the representative of a Member State.</p> <p>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 the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.</p> <p>The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated by the Commission to the Council. In that event, the Commission may defer application of the measures which it has decided for a period of not more than one month from the date of such communication.</p> <p>The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous subparagraph.</p>		<p style="text-align: center;"><i>Article 38</i></p> <ol style="list-style-type: none"> <li>1. The Commission is assisted by the Management Committee for Fishery Products, hereinafter called "the Committee".</li> <li>2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply. The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.</li> <li>3. The Committee shall adopt its rules of procedure.</li> </ol>
<p style="text-align: center;"><i>Article 39</i></p> <p>The Committee may consider any other question referred to it by its chairman either on his own initiative or at the request of the representative of a Member State.</p>		<p style="text-align: center;"><i>Article 39</i></p> <p>The Committee may consider any other question referred to it by its chairman either on his own initiative or at the request of the representative of a Member State.</p>
<p style="text-align: center;"><i>Article 40</i></p> <p>This Regulation shall be so applied that appropriate account is taken at the same time of the goals set out in Articles 39 and 110 of the Treaty.</p>		<p style="text-align: center;"><i>Article 40</i></p> <p>This Regulation shall be so applied that appropriate account is taken at the same time of the objectives set out in Articles 33 and 131 of the Treaty.</p>
<p style="text-align: center;"><i>Article 41</i></p> <p>By 31 December 2005 at the latest, the Commission shall send the Council and Parliament an evaluation report on the results of implementing this Regulation. <b>This report shall be accompanied, where necessary, by appropriate proposals based on an analysis of the impact of this Community action and its effectiveness in relation to its objectives.</b></p>		<p style="text-align: center;"><i>Article 41</i></p> <p>By 31 December 2005 at the latest, the Commission shall send the Council and Parliament an evaluation report on the results of implementing this Regulation.</p>

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p><i>Article 42</i> 1. Regulations (EEC) No 3759/92, (EEC) No 105/76 and (EEC) No 1772/82 are hereby repealed with effect from 1 January 2001.  2. References to the repealed Regulation (EEC) No 3759/92 shall be construed as referring to this Regulation and should be read in accordance with the correlation table in Annex VII.</p>		<p><i>Article 42</i> 1. Regulations (EEC) No 3759/92, (EEC) No 105/76 and (EEC) No 1772/82 are hereby repealed with effect from 1 January 2001.  2. References to the repealed Regulation (EEC) no 3759/92 shall be construed as referring to this Regulation and should be read in accordance with the correlation table in <b>Annex VIII</b>.</p>
<p><i>Article 43</i> This Regulation shall enter into force on the twentieth day following its publication in the Official Journal of the European Communities.  It shall apply from 1 January 2001.  This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>		<p><i>Article 43</i> This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Communities.  It shall apply from 1 January 2001 <b>with the exception of Article 4, which shall apply from 1 January 2002.</b>  This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>
<p><i>Annex I(A), entry 19a (new)</i> <b>19a. 0302 69 87 Swordfish (Xiphias gladius)</b></p>		
<p><i>Annex II(A), to add</i>  <b>0303 33 00 Sole (Solea vulgaris)</b> <b>0303 79 87 Swordfish (Xiphias gladius)</b></p>		<p><i>Anexo II, sección A, (congelados) (nueva)</i>  <b>0303 79 87 Swordfish (Xiphias Gladius)</b> <b>0304 20 87</b> <b>0304 60 65</b></p>
<p><i>ANNEX III</i> e) Other species of the genera <i>Thunnus</i> and <i>Euthynnus</i> Fresh or chilled <b>0302 39 11</b>, 0302 39 19, 0302 69 21 Frozen 0303 49 41, 0303 49 43, 0303 49 49, 0303 79 21, 0303 79 23 and 0303 79 29</p>		<p><i>ANNEX III</i> e) Other species of the genera <i>Thunnus</i> and <i>Euthynnus</i> Fresh or chilled 0302 39 19, 0302 69 21 Frozen 0303 49 41, 0303 49 43, 0303 49 49, 0303 79 21, 0303 79 23 and 0303 79 29</p>
		<p><i>ANNEX IV</i> <b>15. Common scallop (<i>Pecten maximus</i>) ex 0307 21 00</b> <b>16. Common whelk (<i>Buccinum undatum</i>) ex 0307 91 00</b> <b>17. Striped or red mullet (<i>Mullus surmuletus</i>, <i>Mullus barbatus</i>) ex 0302 69 99</b> <b>18. Black sea bream (<i>Spondyliosoma cantharus</i>) ex 0302 69 99</b>  <b>A1</b> <b>19. Sprat (<i>Sprattus sprattus</i>) ex 0302 61 80</b> <b>20. Dolphin-fish (<i>Coryphaena hippurus</i>) ex 0302 69 99</b></p>

<b>Proposal for a Council Regulation (EC) COM(1999) 55</b>	<b>Amendments PE A5-0067/1999</b>	<b>Council Regulation (EC) No 104/2000</b>																																						
		<p style="text-align: center;"><i>ANNEX V</i> <b>Live, fresh or chilled products</b></p> <table border="0"> <thead> <tr> <th style="text-align: left;">CN code</th> <th style="text-align: left;">Description</th> </tr> </thead> <tbody> <tr> <td>0301 93 00</td> <td>Carp( <i>Cyprinus Carpio</i>, <i>Ctenopharyngodon idella</i>, <i>Hypophthalmichthyes nobilis</i>, <i>Hypophthalmichthyer molitrix</i>)</td> </tr> <tr> <td>0302 69 11</td> <td>Atlantic salmon (<i>Salmo salara</i>)</td> </tr> <tr> <td>ex 0301 99 11</td> <td></td> </tr> <tr> <td>ex 0302 12 00</td> <td></td> </tr> <tr> <td>ex 0301 91</td> <td>Trout (<i>Oncorhynchus mykiss</i>, <i>Salmo trutta</i>)</td> </tr> <tr> <td>ex 0302 11</td> <td></td> </tr> <tr> <td>0301 92 00</td> <td>Eel (<i>Anguilla anguilla</i>)</td> </tr> <tr> <td>0302 66 00</td> <td></td> </tr> <tr> <td>ex 0301 99 90</td> <td>Gilthead seabream (<i>Sparus aurata</i>)</td> </tr> <tr> <td>0302 69 95</td> <td></td> </tr> <tr> <td>ex 0301 99 90</td> <td>Seabass (<i>Dicentrarchus labrax</i>)</td> </tr> <tr> <td>0302 69 94</td> <td></td> </tr> <tr> <td>ex 0301 99 90</td> <td>Turbot (<i>Psetta maxima</i>)</td> </tr> <tr> <td>ex 0302 69 99</td> <td></td> </tr> <tr> <td>0307 10 10</td> <td>Oysters (<i>Ostrea edulis</i>, <i>Crassostrea gigas</i>)</td> </tr> <tr> <td>ex 0307 10 90</td> <td></td> </tr> <tr> <td>ex 0307 31 10</td> <td>Mussels (<i>Mytilus spp.</i>)</td> </tr> <tr> <td>0307 91 00</td> <td>Clams (<i>Ruditapes decussatus</i>, <i>Ruditapes philippinarum</i>, <i>Tapes spp.</i>, <i>Veneridae</i>, <i>Mercenaria mercenaria</i>)</td> </tr> </tbody> </table>	CN code	Description	0301 93 00	Carp( <i>Cyprinus Carpio</i> , <i>Ctenopharyngodon idella</i> , <i>Hypophthalmichthyes nobilis</i> , <i>Hypophthalmichthyer molitrix</i> )	0302 69 11	Atlantic salmon ( <i>Salmo salara</i> )	ex 0301 99 11		ex 0302 12 00		ex 0301 91	Trout ( <i>Oncorhynchus mykiss</i> , <i>Salmo trutta</i> )	ex 0302 11		0301 92 00	Eel ( <i>Anguilla anguilla</i> )	0302 66 00		ex 0301 99 90	Gilthead seabream ( <i>Sparus aurata</i> )	0302 69 95		ex 0301 99 90	Seabass ( <i>Dicentrarchus labrax</i> )	0302 69 94		ex 0301 99 90	Turbot ( <i>Psetta maxima</i> )	ex 0302 69 99		0307 10 10	Oysters ( <i>Ostrea edulis</i> , <i>Crassostrea gigas</i> )	ex 0307 10 90		ex 0307 31 10	Mussels ( <i>Mytilus spp.</i> )	0307 91 00	Clams ( <i>Ruditapes decussatus</i> , <i>Ruditapes philippinarum</i> , <i>Tapes spp.</i> , <i>Veneridae</i> , <i>Mercenaria mercenaria</i> )
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<p style="text-align: center;"><i>Annex V</i> <b>SUSPENSIONS OF COMMON CUSTOMS TARIFF DUTIES REFERRED TO IN ARTICLE 28</b></p> <p>1. The customs duty for frozen fillets of Alaska pollack (<i>Theragra chalcogramma</i>) presented as industrial blocks and intended for processing, falling within CN code ex 0304 20 85, is reduced to 3.5% for an indefinite period.</p> <p>2. The customs duty for frozen meat of Alaska pollack (<i>Theragra chalcogramma</i>) presented as industrial blocks and intended for processing, falling within CN code ex 0304 90 61, is reduced to 3.5% for an indefinite period.</p> <p>3. The customs duty for fish of the species <i>Gadus morhua</i>, <i>Gadus ogac</i>, <i>Gadus macrocephalus</i> and <i>Boreogadus saida</i>, excluding livers and roes, presented fresh, chilled or frozen and intended for processing, falling within CN codes:</p> <p>ex 0302 50 10 ex 0302 50 90 ex 0302 69 35 ex 0303 60 11</p>	<p style="text-align: center;"><i>Annex V</i> <b><i>Annex V to be deleted.</i></b></p>	<p style="text-align: center;"><i>ANNEX VI</i> <b>Suspensions of common customs tariff duties referred to in Article 28</b></p> <p>1. <b>The levying</b> of the customs duty for frozen fillets of Alaska pollack (<i>Theragra chalcogramma</i>) presented as industrial blocks and intended for processing, falling within CN code ex 0304 20 85, is suspended for an indefinite period.</p> <p>2. The levying of the customs duty for frozen meat of Alaska pollack (<i>Theragra chalcogramma</i>) presented as industrial blocks and intended for processing, falling within CN code ex 0304 90 61, is <b>suspended</b> for an indefinite period.</p> <p>3. The customs duty for fish of the species <i>Gadus morhua</i>, <i>Gadus ogac</i>, <i>Gadus macrocephalus</i> and <i>Boreogadus saida</i>, excluding livers and roes, presented fresh, chilled or frozen and intended for processing, falling within CN codes:</p> <p>ex 0302 50 10 ex 0302 50 90 ex 0302 69 35</p>																																						

<p><b>Proposal for a Council Regulation (EC) COM(1999) 55</b></p>	<p><b>Amendments PE A5-0067/1999</b></p>	<p><b>Council Regulation (EC) No 104/2000</b></p>
<p>ex 0303 60 19 ex 0303 60 90 ex 0303 79 41 is reduced to 3% for an indefinite period.</p> <p>4. The duty rate for surimi intended for processing, falling within CN code ex 0304 90 05, is reduced to 3.5 % for an indefinite period.</p> <p>5. The duty rate for frozen fillets OF blue grenadier (<i>Macruronus novaezealandiae</i>) intended for processing, falling within CN code ex 0304 20 91, is reduced to 3.5 % for an indefinite period.</p> <p>6. The duty rate for frozen meat of blue grenadier (<i>Macruronus novaezealandiae</i>) intended for processing, falling within CN code ex 0304 90 97, is reduced to 3.5 % for an indefinite period.</p> <p>7. The duty rate for so called "loin" fillets of tunas and skipjack intended for processing, falling within CN code ex 1604 14 16, is reduced to 6 % for an indefinite period. This rate of duty is to be reviewed in the light of changes to the Scheme of Generalised Preferences and the design of the new system that will apply from 2002.</p> <p>8. The levying of the customs duty for prawns of the species <i>Pandalus borealis</i>, in shell, fresh, chilled or frozen and intended for processing, falling within CN code: ex 0306 13 10 ex 0306 23 10 is suspended for an indefinite period.</p> <p><b>9. The customs duty for whole herring (<i>Clupea harengus</i>, <i>Clupea pallasii</i>) weighing more than 140 g each or herring fillets weighing more than 80 g each including flaps, excluding livers and roes, presented fresh, chilled or frozen and intended for processing, falling within CN codes: ex 0302 40 98 ex 0303 50 98 ex 0304 10 96 ex 03004 90 27 is reduced to 5% for an indefinite period.</b></p> <p>Checks to ensure that the above products are actually processed are carried out in accordance with the relevant Community provisions. Total or partial suspension of the duty on these products shall be permitted where they are to undergo any operation, except where they are to undergo only one or more of the following:</p> <ul style="list-style-type: none"> <li>- cleaning, gutting, tailing, heading,</li> <li>- cutting (excluding filleting or cutting of frozen blocks),</li> <li>- sampling, sorting,</li> <li>- labelling</li> <li>- packing,</li> <li>- chilling,</li> <li>- freezing,</li> <li>- deep freezing,</li> </ul>		<p>ex 0303 60 11 ex 0303 60 19 ex 0303 60 90 ex 0303 79 41 is reduced to 3 % for an indefinite period.</p> <p>4. The duty rate for surimi intended for processing, falling within CN code ex 0304 90 05, is reduced to 3,5 % for an indefinite period.</p> <p>5. The duty rate for frozen fillets of blue grenadier (<i>Macruronus novaezealandiae</i>) intended for processing, falling within CN code ex 0304 20 91, is reduced to 3,5 % for an indefinite period.</p> <p>6. The duty rate for frozen meat of blue grenadier (<i>Macruronus novaezealandiae</i>) intended for processing, falling within CN code ex 0304 90 97, is reduced to 3,5 % for an indefinite period.</p> <p>7. The levying of the customs duty for prawns of the species <i>Pandalus borealis</i>, in shell, fresh, chilled or frozen and intended for processing, falling within CN code: ex 0306 13 10 ex 0306 23 10 is suspended for an indefinite period.</p> <p>Checks to ensure that the above products are actually processed are carried out in accordance with the relevant Community provisions. Total or partial suspension of the duty on these products shall be permitted where they are to undergo any operation, except where they are to undergo only one or more of the following:</p> <ul style="list-style-type: none"> <li>— cleaning, gutting, tailing, heading,</li> <li>— cutting (excluding dicing, filleting, cutting of frozen blocks or splitting of frozen interleaved fillet blocks),</li> <li>— sampling, sorting,</li> <li>— labelling,</li> <li>— packing,</li> <li>— chilling,</li> <li>— freezing,</li> <li>— deepfreezing,</li> </ul>

<b>Proposal for a Council Regulation (EC) COM(1999) 55</b>			<b>Amendments PE A5-0067/1999</b>			<b>Council Regulation (EC) No 104/2000</b>		
– thawing, separation. The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (or operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.			— thawing, separation. The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (or operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.					
<i>Annex VI,</i> <b>A. Method for calculating the allowance provided for in Article 11</b> (in EUR per member vessel)			<i>Annex VI,</i> A. Method for calculating the allowance provided for in Article 11(2)(A) (in euro per member vessel)			<i>ANNEX VII, Section A</i> <b>A. Method for calculating the compensation provided for in Article 10(2)(a)</b> (in euro per member vessel)		
Member vessels	Annual amount during the first three years	Annual amount during the two subsequent years	Member vessels	Annual amount during the first three years	Annual amount during the two subsequent years	Member vessels	Annual amount during the first three years	Annual amount during the two subsequent years
from the 1st to the 50th	600	300	from the 1st to the 50th	<b>400</b>	<b>200</b>	from the 1st to the 50th	600	300
from the 51st to the 100th	200	100	from the 51st to the 100th	200	100	from the 51st to the 100th	200	100
From the 101st to the 500th	100	50	From the 101st to the 500th	100	50	from the 101st to the 500th	100	50
from the 501st	0	0	from the 501st	0	0	from the 501st	0	0
<b>Increased by 1/1 000 of the total value of the goods landed</b>								
<i>Annex VI, Aa (new)</i> <b>Aa. Method for calculating the allowance provided for in Article 11(2)(B)</b> <b>2/1 000 of the total value of the goods marketed</b>								
<i>Annex VI, B</i> B. Method for calculating the allowance provided for in Article 12 (in EUR per member vessel)			<i>Annex VI, B</i> B. Method for calculating the allowance provided for in Article 12 <b>(Unit selling price x Aid percentage x volume of production under contract up to an aid ceiling of EUR 125 000 per annum)</b>			<i>ANNEX VII, Section B</i> <b>B. Method for calculating the compensation provided for in Article 10(2)(b)</b> (in euro per producer organisation)		
Member vessels	Annual amount		Unit selling price (euro/kg)	Aid percentage		Percentage of production disposed of through a producer organisation within a specified production area	Annual amount during the first three years	Annual amount during the two subsequent years
from the 1st to the 50th	1 000		<b>0,015 to 0,30</b>	<b>7,5%</b>		up to and including 50 %	20 000	15 000
from the 51st to the 100th	500		<b>0,31 to 0,90</b>	<b>5%</b>		between 50 % and 75 %	25 000	20 000
From the 101st to the 500th	250		<b>0,91 to 1,50</b>	<b>2,5%</b>		over and including 75 %	30 000	25 000
from the 501st	0		<b>1,51 to 3,00</b> <b>from 3,00</b>	<b>1,5%</b> <b>1%</b>				