II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation amending Regulation (EEC) No 3796/81 on the common organization of the market in fishery products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff

COM(87) 213 final

(Submitted by the Commission to the Council on 7 May 1987)

(87/C 145/06)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas certain species not at the moment covered by any Community intervention arrangements none the less account for a significant proportion of production of fishery products in certain regions; whereas these species make an essential contribution to the incomes of the producers concerned and to the general balance of the market;

Whereas therefore, in order to foster greater market stability, due account being taken of the characteristics of the products and of the diversity of the circumstances pertaining to their production and marketing, certain of them should be covered by a Community price support scheme;

Whereas, however, regional price disparities for these species do not permit their being covered at present by the existing scheme for the grant of financial compensation to producers' organizations;

Whereas in the circumstances an intervention scheme should be introduced that is based on a withdrawal price set by producers' organizations themselves; whereas provision should therefore be made for such organizations to receive flat-rate aid on certain terms for products that have been the subject of such independent intervention;

Whereas, in order to encourage producers' organizations to adjust their supply to market requirements more effectively, provision should be made for suitable financial co-responsibility on their part and a limit should be set on the quantities for which aid can be given;

Whereas, in order where possible to prevent the destruction of fish withdrawn from the market, it should be possible for aid to be granted for the processing and storage for subsequent human consumption of certain quantities withdrawn;

Whereas, as regards two tuna species i.e. albacore and bluefin tuna, the marketing characteristics are similar to those of the other species qualifying for the flat-rate aid and provision should be made to include these species as well under this scheme;

Whereas the aid should be made conditional on the observance of common marketing standards;

Whereas the trend of market prices may make it necessary for action to be taken to help harmonize prices in the Community; whereas it should therefore be possible for the grant of flat-rate aid to be made conditional on observance of maximum withdrawal prices;

Whereas, where application of the aid scheme brings about greater harmonization of prices as a result of changes in the production and marketing of the species concerned, the species in question should be brought within the scope of the financial compensation scheme;

Whereas experience indicates the necessity of specifying the conditions for the grant of private storage aid in the case of certain products frozen on board and at the same time making the scheme comply with the general principles of the other Community intervention schemes;

Whereas the tuna market is dependent on the pattern of landings of fish and provision should be made for granting private storage aid under certain conditions to the producers' organizations which intervene in order to organize supply on the Community market;

Whereas, in the case of tuna, in order to rationalize the marketing of a uniform product, the compensatory allowance should be reserved to producers' organizations satisfying certain conditions;

Whereas, in order to assess whether a situation exists on the Community market linked to the trend of prices on the world market that warrants payment of the compensatory allowance, a check must be made that the drop in Community market prices stems from a drop in import prices;

Whereas, in order to discourage an abnormal increase in tuna production, provision should be made for the allowance to be reduced in proportion to any increase in Community production marketed for the Community canning industry compared with the development of the total use of tuna by this industry;

Whereas, in order not to disturb traditional trading patterns, provision should be made for producers' organizations to help finance market intervention in cases where their production of tuna landed on this market increases;

Whereas, therefore, Council Regulation (EEC) No 3796/81 [1], as last amended by Regulation (EEC) No 3879/86 [2] should be amended;

Whereas the tariff nomenclature resulting from the application of Regulation (EEC) No 3796/81 is included in the Common Customs Tariff; whereas, consequently, an amendment should be made to Council Regulation (EEC) No 950/68 [3], as last amended by Regulation (EEC) No . . . ./. .,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3796/81 is hereby amended as follows:

(1) In the second subparagraph of Article 9 (1):

— in the first indent, the words 'in Annex I (A) and (D)' are replaced by 'in Annex I (A) or (D) or in Annex VI',

— in the second indent the words 'but not in Annex I (A) and (D)' are replaced by 'but not in Annex I (A) or (D) nor in Annex VI'.

(2) The following is inserted after Article 14a:

'Article 14b

1. For products listed in Annex VI, Member States shall grant flat-rate aid to producers' organizations which practise intervention in accordance with Article 9, on condition that:

(a) the said organizations determine a withdrawal price, ('autonomous withdrawal price'), before the beginning of the marketing year; the producers' organizations shall apply that price throughout the marketing year, a tolerance of 10 % below and 5 % 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 producers' organizations concerned during the past three fishing years;

(b) the products withdrawn meet the standards laid down in accordance with Article 2;

(c) the indemnity granted to the associated producers for the products withdrawn from the market is equal to the autonomous withdrawal price.

2. The flat-rate aid shall be granted only for quantities withdrawn from the market if:

(a) they were put up for sale in accordance with Article 5 (1), and

(b) they were, before withdrawal, put up for sale under conditions to be determined, and

(c) — they are disposed of in a way that does not affect the normal disposal of production

(1) OJ No L 379, 31. 12. 1981, p. 1.
(2) OJ No L 361, 20. 12. 1986, p. 5.
(3) OJ No L 172, 22. 7. 1968, p. 1.

or

— they are processed and stored. Processing for the purposes of this Article shall be freezing, and filleting or cutting accompanied by freezing.

3. The flat-rate aid shall be granted only for quantities not in excess of 10 % of the annual quantities sold in accordance with Article 5 (1).

The grant of flat-rate aid may be made subject to the condition that the autonomous withdrawal price does not exceed a maximum level fixed in accordance with the procedure laid down in Article 33.

4. The flat-rate aid for quantities

(a) disposed of in accordance with the first indent of paragraph 2 (c), shall be 75 % of the withdrawal price applied during the current marketing year;

(b) dealt with in accordance with the second indent of paragraph 2 (c), may not exceed 50 % of the level referred to in paragraph 1 (a) or exceed the average technical costs of processing and storage recorded during the previous fishing year, the highest costs being disregarded.

5. The flat-rate aid shall be reduced by the value, fixed at a flat rate, of the product when it is disposed of as specified in the first indent of paragraph 2 (c).

6. The Member States concerned shall introduce a control system that will guarantee that products for which the flat-rate aid is applied for do in fact qualify for it.

For the purposes of this control system, recipients of the flat-rate aid shall keep stock records which meet criteria to be determined. Member States shall communicate, at intervals to be laid down, to the Commission a table showing average product and category prices recorded at ports or markets.

7. The Council acting by qualified majority on a proposal from the Commission shall decide, depending on the alignment of the prices for the species referred to under this Article, on their inclusion in the list of products in Annex I (A).

8. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 33.'

(3) Article 16 is replaced by the following:

'Article 16

1. Private storage aid for the products listed in Annex II and III may be granted to producers' organizations applying the provisions of Article 5 (1) to production and marketing during the current marketing year if

(a) the average prices realized for a product by the producer's organizations during an indicative period (to be determined) are less:

— than 85 % of the guide price mentioned in Article 15 (1) for the products in Annex II, and

— than 90 % of the Community producer price mentioned in Article 17 (1) for the products of Annex III, and that

(b) the price situation is likely to persist.

2. The following rules shall apply to the grant of aid:

— the products must have been fished, frozen on board and landed in the Community by a member of the producer's organization,

— the aid shall be restricted to 20 % of the average quantity of the products offered for sale in the Community in accordance with Article 5 during the same period of three years preceding the year in respect of which the aid is granted. Aid may not, however, be granted for more than 20 % of the quantity offered for sale during the period in progress,

— for the products it must have been established, under conditions to be laid down, that it concerns Community products,

— the products must be stored for a minimum period and then placed on the Community market again.

3. The maximum stocking period cannot exceed two months.

4. The amount of the aid may not be more than the sum of technical storage costs and interest.

5. Detailed rules for the application of this Article, in particular the amount of the private storage aid and the conditions on which it is granted, shall be adopted in accordance with the procedure laid down in Article 33.'

(4) Article 17 is replaced by the following:

'Article 17

1. For the tuna listed in Annex III a Community producer price shall be fixed annually; it shall be valid throughout the Community for an entire marketing year and shall be determined in accordance with Article 10 (2).

2. The Council, acting by qualified majority on a proposal from the Commission, shall set the Community producer price referred to in paragraph 1 before the beginning of each marketing year.

3. Member States shall notify the Commission of average monthly prices recorded at representative wholesale markets or ports for products as referred to in paragraph 1 that are of Community origin and have defined commercial characteristics.

4. For the purposes of paragraph 3 the representative markets and ports of the Member States shall be those where a significant proportion of Community production of tuna is marketed.

5. Detailed rules for the application of this Article, in particular the conversion factors for the various species, sizes and presentations of tuna and a list of the representative markets and ports referred to in paragraph 3, shall be adopted in accordance with the procedure laid down in Article 33.

Article 17a

1. An allowance shall be granted to producers' organizations in respect of the products listed in Annex III if it is found, in respect of a period of time to be determined, that:

— the average selling price recorded on the Community market, and

— the free-at-frontier price mentioned in Article 21 plus any applicable countervailing charge,

are both lower than a triggering threshold of 90 % of the Community producer price for the product in question.

2. The allowance may not exceed:

— the difference between the triggering threshold and the average selling price recorded on the Community market, or

— 10 % of the said threshold, or

— for each producers' organization, the difference between this threshold and the average selling price realized by that producers' organization.

3. The allowance shall be reduced in proportion to any increase in the quantity marketed by Community producers for the Community canning industry compared with the global development in the use of tuna by that canning industry.

The relationship between the amount of Community production and total supply to the Community market shall be calculated using the average quantity marketed during the three fishing years preceding that in respect of which the allowance is granted.

4. (a) The allowance shall be granted to producers' organizations for all quantities sold and delivered during the period to canneries located on the customs territory of the Community.

(b) The allowance granted to an organization shall be reduced if the total quantity disposed of by it on the Community market exceeds the total quantity disposed of by its members during the same period of the three fishing years preceding that in respect of which the allowance is granted. The rate of reduction shall be equal to the rate of excess and shall apply to all quantities.

5. The producers' organizations shall apportion the allowance granted to their members in proportion to the quantities which they produced and sold and delivered in accordance with paragraph 4. If the allowance granted to a producers' organization is reduced by application of paragraph 4 (b), that organization shall grant to the relevant members an indemnity equal to this reduction. The indemnity shall be financed by a fund created pursuant to Article 9 (3).

6. The quantities subject to the scheme referred to in Article 14 shall not be eligible for the compensatory allowance.

7. The storage aid granted under Article 16 shall be deducted from the compensatory allowance for the quantities which have benefited.

8. The Council, acting by qualified majority on a proposal from the Commission, shall adopt general rules for the grant of the allowance.

9. Detailed rules for the application of this Article, in particular the amount of the allowance and the rules for its grant, shall be adopted in accordance with the procedure laid down in Article 33.'

(5) In Article 19 (1) the figure 'VI' is replaced by 'VII'.

(6) In Article 26 (2) the figure '14b' is inserted after '14a' and the figure '17' is replaced by '17a'.

(7) Annex III is replaced by following:

'ANNEX III

Tuna, fresh, chilled or frozen, for the industrial manufacture of products falling within heading No 16.04 of the Common Customs Tariff

Description

A. *Species*

1. Yellowfin tuna *(Thunnus albacares)*
   a) weighing more than 10 kg each (1);
   b) not weighing more than 10 kg each (1).
2. Albacore *(Thunnus alalunga)*
   a) weighing more than 10 kg each (1);
   b) not weighing more than 10 kg each (1).
3. Bluefin tuna *(Thunnus thynnus)*
4. Skipjack *(Euthynnus pelamis)*
5. Other species

B. *Forms of presentation*

1. Whole
2. Gilled and gutted
3. Other (for example, 'heads off')

(1) References to weight apply to whole products.'

(8) The following is inserted after Annex V:

'ANNEX VI

	Description
Fresh or chilled products falling withe CCT subheading 03.01 B I	1. Pollack *(Pollachius pollachius)* 2. Pout *(Trisopterus luscus)* 3. Blue whittling *(Micromesistius poutassou)* 4. Bogue *(Boops boops)* 5. Picarel *(Spicara* spp.*)* 6. Conger *(Conger conger)* 7. Gurnard *(Trigla* spp.*)* 8. Dab *(Limanda limanda)* 9. Lemon sole *(Microstomus kitt)* 10. Horse mackerel *(Trachurus trachurus and Trachurus mediterraneus)* 11. Mullet *(Mugil* spp.*)* 12. Skate *(Raja* spp.*)* 13. Bluefin tuna *(Thunnus thynnus)* 14. Albacore tuna *(Thunnus alalunga)*

(9) Annex VI becomes Annex VII.

(10) In the new Annex VII, the section of the Common Customs Tariff chapter covering subheading 03.01 B I c) is worded as follows:

'CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
03.01 *(cont'd)*	B. I. c) Tuna *(Thunnus* spp. and *Euthynnus* spp.):		
	1. For the industrial manufacture of products falling within subheading 16.04 a):		
	aa) Whole:		
	11. Yellowfin tuna *(Thunnus albacares):*		
	aaa) weighing more than 10 kg each	25 (b) (c)	22 (c) (d)
	bbb) Other	25 (b) (c)	22 (c) (d)
	22. Albacore *(Thunnus alalunga)*	25 (b) (c)	22 (c) (d)
	33. Other	25 (b) (c)	22 (c) (d)
	aaa) Skipjack *(Euthynnus pelamis)*	25 (b) (c)	22 (c) (d)
	bbb) Other	25 (b) (c)	22 (c) (d)
	bb) Gillet and gutted:		
	11. Yellowfin tuna *(Thunnus albacares):*		
	aaa) weighing more than 10 kg each	25 (b) (c)	22 (c) (d)
	bbb) Other	25 (b) (c)	22 (c) (d)
	22. Albacore *(Thunnus alalunga)*	25 (b) (c)	22 (c) (d)
	33. Other	25 (b) (c)	22 (c) (d)
	aaa) Skipjack *(Euthynnus pelamis)*	25 (b) (c)	22 (c) (d)
	bbb) Other	25 (b) (c)	22 (c) (d)
	cc) Other (for example, 'heads off'):		
	11. Yellowfin tuna *(Thunnus albacares):*		
	aaa) weighing more than 10 kg each	25 (b) (c)	22 (c) (d)
	bbb) Other	25 (b) (c)	22 (c) (d)
	22. Albacore *(Thunnus alalunga)*	25 (b) (c)	22 (c) (d)
	33. Other	25 (b) (c)	22 (c) (d)
	aaa) Skipjack *(Eythynnus pelamis)*	25 (b) (c)	22 (c) (d)
	bbb) Other	25 (b) (c)	22 (c) (d)
	2. Other	25 (c)	22 (c) (d)

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) Total suspension for an indefinite period.

(c) Subject to compliance with the reference price. A countervailing charge is provided for in the case of non-compliance with the reference price.

(d) Duty exemption in respect of tuna intended for the canning industry, within the limits of an annual tariff quota of 30 000 tonnes to be granted by the competent authorities and subject to compliance with the reference price. Qualification for this quota is governed by conditions to be determined by the competent authorities.'

(11) Annex VII Annex VIII.

Article 2

Regulation (EEC) No 1196/76 (1) is hereby repealed.

Article 3

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

However, Article 1 (10) shall apply from the 21st day following publication of this Regulation in the *Official Journal of the European Communities.*

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

(1) OJ No L 133, 22. 5. 1976, p. 1.

EUROPEAN COMMUNITIES
COMMISSION

COM/A/586

PHOTOGRAPH
(COMPULSORY)

APPLICATION FORM

(to be completed in block capitals using black ink)

1. Surname (1): Forenames:

.....

2. Address: Telephone number:

Street: ..... No .....

.....

.....

Postal code: ..... Town: ..... Country: .....

3. Date of birth: ..... 4. Sex: ☐ Male ☐ Female

5. Present nationality (if dual, indicate both):

.....

6. Are you asking for the age limit to be raised? ☐ YES ☐ NO
If yes, state why and in respect of what period (exact dates) and attach the supporting documents specified in the notice of competition.

☐ Looking after one or more young children from ..... to .....

from ..... to .....

from ..... to .....

☐ Compulsory military or other service from ..... to .....

☐ Physical handicap

☐ Official or other servant of the European Communities from ..... to .....

7. If you have worked or are working as an official or other servant of the European Communities, please give the following information:

Institution: Commission/Council/Parliament/Court of Justice/Economic and Social Committee/Court of Auditors .....

Administrative position: Official/temporary/auxiliary/member of local staff .....

Grade: ..... since: ..... Personnel No: .....

8. Knowledge of languages:
Place the following numbers (1, 2 or 3) in the appropriate box or boxes:
1 — for your mother tongue or main language;
2 — for the second language required by the notice of competition;
3 — for any other languages you know.

German	English	Danish	Spanish	French	Greek	Italian	Dutch	Portuguese	Other (state which)

9. In which newspaper or periodical did you see the advertisement for this competition?

.....

(1) IMPORTANT: Your application will be registered under this name.
Please use it and quote the number of the competition in all correspondence. Any other name (e.g. maiden name) appearing on diplomas or certificates accompanying this application should be indicated below:

.....

10. Education (attach photocopies of certificates):

A. Primary, secondary, advanced secondary or technical education

Name and address of establishment (town and country)	Years of study		Certificates and/or diplomas obtained. State official length of course and main subjects
	from	to (1)	

B. Higher education

Name and address of university or other establishment (town and country)	Years of study		Degree or diploma obtained. State official length of course and main subjects
	from	to (1)	

C. Post-graduate education

Name and address of university or institute (town and country)	Years of study		Diploma or other qualification obtained
	from	to (1)	

(1) State the date (month and year) when the qualification was obtained.

11. Published works:

.....

.....

.....

12. Office skills:

	YES	NO	If yes, state speed:
Typing:	☐	☐	.....
Word processing:	☐	☐	.....

Keyboard: AZERTY / QWERTY / QWERTZ / QZERTY / GREEK / HCESAR .....

13. Career to date:
Give details of the post(s) you have held hitherto and professional experience acquired.

1. Present or most recent post					2. Previous post				
Dates		length (months)	Gross monthly salary		Dates		length (months)	Gross monthly salary	
from	to		At the beginning	On leaving	from	to		At the beginning	On leaving
..../..../....	..../..../....	.....	.....	.....	..../..../....	..../..../....	.....	.....	.....
Exact designation of post:					Exact designation of post:				
Name and address of employer:					Name and address of employer:				
Nature of work:					Nature of work:				
Reasons for leaving:					Reasons for leaving:				

Earlier posts

3. Name and address of employer: .....
..... from ...../...../..... to ...../...../..... Length (months): .....
Nature of work: .....
.....
Reasons for leaving: .....

4. Name and address of employer: .....
..... from ...../...../..... to ...../...../..... Length (months): .....
Nature of work: .....
.....
Reasons for leaving: .....

Continue on additional sheets if necessary.

14. Period of notice required to leave your present post: .....

15. If you had the choice, would you prefer to be posted to:

☐ Brussels ☐ Luxembourg

16. Have you taken part in previous competitions organized by the European Communities? ☐ YES ☐ NO
If yes, state which .....

17. Long periods spent abroad (please indicate countries visited, dates and reasons for stay):

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18. Interests and skills not connected with work, including social and sports activities:

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19. Have you a physical handicap which might pose practical problems during the tests? ☐ YES ☐ NO
If yes, please give details (to enable the administration to make the necessary arrangements, if it can):

.....

.....

20. Name, address and telephone number of persons who can be contacted should you not be available: .....

.....

21. Have you ever been convicted or found guilty of any offence by any court? If so, give details: .....

.....

DECLARATION

I, the undersigned .....,
declare on my word of honour that the information provided above is true and complete. I further declare on my word of honour that:

(i) I am a national of one of the Member States and enjoy my full rights as a citizen;

(ii) I have fulfilled any obligations imposed on me by the laws concerning military service;

(iii) I meet the character requirements for the duties involved.

I undertake to produce on request supporting documents in respect of points (i), (ii) and (iii) above and accept that failure to do so may invalidate this application.

I am willing to undergo the compulsory medical examination to ensure that I am physically fit to perform the duties involved.

Date and signature: .....

DO NOT FORGET TO SIGN!

COMMISSION
OF THE
EUROPEAN COMMUNITIES

Directorate-General
for Personnel and Administration

Directorate for Personnel

↓ To be completed by the candidate

(Name) .....

(Address: Street/No) .....

(Postal code/Town) .....

(Country) .....

To be completed by the administration

Acknowledgment of receipt of application form
for open competition COM/A/586

REMINDER: If you have not yet submitted copies of degrees, diplomas or other documents relating to qualifications and experience, these should be dispatched by *1 July 1987* at the latest, preferably by registered post. Please quote the number of the competition.

