I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2578/2000

of 17 November 2000

amending Regulation (EC) No 2406/96 laying down common marketing standards for certain fishery products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products [1], and in particular Article 2(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Annex IV to Regulation (EC) No 104/2000 [2] adds five new species to the list of products eligible for intervention mechanisms under the common organisation of the markets.

(2) Common marketing standards, harmonised throughout the Community market, therefore need to be laid down for those species by amending Regulation (EC) No 2406/96 [3],

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2406/96 is hereby amended as follows:

1. Article 3:

   (a) in paragraph 1, the list under (a) shall be supplemented by the following indents:

'— Striped or red mullet (*Mullus barbatus, Mullus surmuletus*)

— Black sea bream (*Spondyliosoma cantharus*)';

(b) in paragraph 1, a new point (d) shall be added:

'(d) Common scallop and other aquatic invertebrates falling within code NC 0307:

— Common scallop (*Pecten maximus*)

— Common whelk (*Buccinum undatum*)'.

2. The first subparagraph of Article 4(3) shall be replaced by:

'3. The crab, common scallop and common whelk referred to in Article 3 shall not be classified according to specific standards of freshness.'

3. Article 7(1) shall be replaced by:

'1. The products referred to in Article 3 shall be sized by weight or by number per kilogram. Shrimps and crabs, however, shall be graded in size categories by width of shell; common scallops and common whelks shall be graded in size categories by width of shell.'

4. In Annex II, the table appearing in the Annex to this Regulation concerning the size categories applicable to striped or red mullet, black sea bream, common scallop and common whelk shall be added after the existing table.

Article 2

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

It shall apply from 1 January 2001.

---

[1] OJ L 388, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 3318/94 (OJ L 350, 31.12.1994, p. 15).
[2] OJ L 17, 21.1.2000, p. 22.
[3] OJ L 334, 23.12.1996, p. 1. Regulation as amended by Regulation (EC) No 323/97 (OJ L 52, 22.2.1997, p. 8).

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

Done at Brussels, 17 November 2000.

For the Council

J. GLAVANY

The President

———

ANNEX

'Scale of weights				Minimum sizes to be observed in the conditions laid down in the Regulations referred to in Article 7		
Species	Size	Kg/fish or shell size	Number of fish/kg	Region	Geographical area	Minimum size
Common scallop (*Pecten maximus*)	one size	10 cm and over (^{3})			Regions 1 to 5 except Skagerrak/Kattegat and except ICES VIIa north of 52° 30' N and VIId	100 mm (^{1})
					ICES VIIa north of 52° 30' N and VIId	110 mm (^{1})
Common whelk (*Buccinum undatum*)	one size	4,5 cm and over (^{3})			Regions 1 to 5 except Skagerrak/Kattegat	45 mm (^{1})
Striped or red mullet (*Mullus surmuletus, Mullus barbatus*)	1	500 g and over				
	2	200 g 500 g exclusive				
	3 a	40 g to 200 g exclusive				
Mediterranean	3 b	18 g to 200 g exclusive			Mediterranean	11 cm (^{2})
Black sea bream (*Spondyliosoma cantharus*)	1	800 g and over				
	2	500 g to 800 g exclusive				
	3	300 g to 500 g exclusive				
	4	180 g to 300 g exclusive				

(^{1}) Laid down in Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 125, 27.4.1998, p.1). Regulation as last amended by Regulation (EC) No 1298/2000 (OJ L 148, 22.6.2000, p. 1).

(^{2}) Laid down in Regulation (EC) No 1626/94.

(^{3}) Shell width, measured at the widest point.'