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(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 1299/2008

of 9 December 2008

fixing for the 2009 fishing year the guide prices and Community producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 18(3) and Article 26(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 18(1) and Article 26(1) of Regulation (EC) No 104/2000 provide that a guide price and a Community producer price should be fixed for each fishing year in order to determine price levels for intervention on the market for certain fisheries products.
- (2) Article 18(1) of Regulation (EC) No 104/2000 requires the guide price to be fixed for each of the products and groups of products listed in Annexes I and II to that Regulation.
- (3) On the basis of currently available data on the prices for the products concerned and the criteria referred to in Article 18(2) of Regulation (EC) No 104/2000, the guide prices should be increased, maintained or reduced for the 2009 fishing year depending on the species.
- (4) Article 26(1) of Regulation (EC) No 104/2000 requires the Community producer price to be fixed for the products listed in Annex III to that Regulation. It is appropriate to establish the Community producer price

for one of those products and calculate the Community producer price for the others by means of the conversion factors established by Commission Regulation (EC) No 802/2006 of 30 May 2006 fixing the conversion factors applicable to fish of the genera *Thunnus* and *Euthynnus* ⁽²⁾.

- (5) On the basis of the criteria laid down in the first and second indents of Article 18(2) and in Article 26(1) of Regulation (EC) No 104/2000, the Community producer price for the 2009 fishing year should be adjusted.

- (6) Given the urgency of the matter, it is important to grant an exception to the six-week period mentioned in paragraph 1(3) of the Protocol on the role of national parliaments in the European Union annexed to the Treaty on European Union,

HAS ADOPTED THIS REGULATION:

Article 1

For the fishing year from 1 January to 31 December 2009, the guide prices as provided for in Article 18(1) of Regulation (EC) No 104/2000 shall be as set out in Annex I to this Regulation.

Article 2

For the fishing year from 1 January to 31 December 2009, the Community producer prices as provided for in Article 26(1) of Regulation (EC) No 104/2000 shall be as set out in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on 1 January 2009.

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 144, 31.5.2006, p. 15.

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

Done at Brussels, 9 December 2008.

For the Council
The President
D. BUSSEREAU

ANNEX I

| Annexes | Species Products listed in Annexes I and II to Regulation (EC) No 104/2000 | Commercial presentation | Guide price (EUR/tonne) |
|---|--|--|----------------------------|
| I | 1. Herring of the species <i>Clupea harengus</i> | Whole fish | 281 |
| | 2. Sardines of the species <i>Sardina pilchardus</i> | Whole fish | 574 |
| | 3. Dogfish (<i>Squalus acanthias</i>) | Whole fish or gutted fish with head | 1 112 |
| | 4. Spotted dogfish (<i>Scyliorhinus</i> spp.) | Whole fish or gutted fish with head | 725 |
| | 5. Redfish (<i>Sebastes</i> spp.) | Whole fish | 1 200 |
| | 6. Cod of the species <i>Gadus morhua</i> | Whole fish or gutted fish with head | 1 655 |
| | 7. Saithe (<i>Pollachius virens</i>) | Whole fish or gutted fish with head | 776 |
| | 8. Haddock (<i>Melanogrammus aeglefinus</i>) | Whole fish or gutted fish with head | 1 038 |
| | 9. Whiting (<i>Merlangius merlangus</i>) | Whole fish or gutted fish with head | 955 |
| | 10. Ling (<i>Molva</i> spp.) | Whole fish or gutted fish with head | 1 214 |
| | 11. Mackerel of the species <i>Scomber scombrus</i> | Whole fish | 323 |
| | 12. Mackerel of the species <i>Scomber japonicus</i> | Whole fish | 291 |
| | 13. Anchovy (<i>Engraulis</i> spp.) | Whole fish | 1 300 |
| | 14. Plaice (<i>Pleuronectes platessa</i>) | Whole fish or gutted fish with head from 1.1.2009 to 30.4.2009 | 1 079 |
| | | Whole fish or gutted fish with head from 1.5.2009 to 31.12.2009 | 1 499 |
| | 15. Hake of the species <i>Merluccius merluccius</i> | Whole fish or gutted fish with head | 3 620 |
| | 16. Megrim (<i>Lepidorhombus</i> spp.) | Whole fish or gutted fish with head | 2 528 |
| | 17. Dab (<i>Limanda limanda</i>) | Whole fish or gutted fish with head | 854 |
| | 18. Common flounder (<i>Platichthys flesus</i>) | Whole fish or gutted fish with head | 522 |
| | 19. Albacore or longfinned tunas (<i>Thunnus alalunga</i>) | Whole fish | 2 197 |
| | | Gutted fish with head | 2 415 |
| 20. Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>) | Whole | 1 729 | |
| 21. Monkfish (<i>Lophius</i> spp.) | Whole fish or gutted fish with head | 2 968 | |
| | Without head | 6 107 | |

| Annexes | Species Products listed in Annexes I and II to Regulation (EC) No 104/2000 | Commercial presentation | Guide price (EUR/tonne) |
|---------|--|--|----------------------------|
| | 22. Shrimp of the species <i>Crangon crangon</i> | Simply boiled in water | 2 498 |
| | 23. Northern prawn (<i>Pandalus borealis</i>) | Simply boiled in water | 6 539 |
| | | Fresh or chilled | 1 622 |
| | 24. Edible crab (<i>Cancer pagurus</i>) | Whole | 1 783 |
| | 25. Norway lobster (<i>Nephrops norvegicus</i>) | Whole | 5 470 |
| | | Tails | 4 364 |
| | 26. Sole (<i>Solea</i> spp.) | Whole fish or gutted fish with head | 6 880 |
| II | 1. Greenland halibut (<i>Reinhardtius hippoglossoides</i>) | Frozen, in original packages containing the same products | 1 955 |
| | 2. Hake of the genus <i>Merluccius</i> spp. | Frozen, whole, in original packages containing the same products | 1 196 |
| | | Frozen, filleted, in original packages containing the same products | 1 483 |
| | 3. Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.) | Frozen, in lots or in original packages containing the same products | 1 554 |
| | 4. Swordfish (<i>Xiphias gladius</i>) | Frozen, whole, in original packages containing the same products | 3 998 |
| | 5. Cuttlefish (<i>Sepia officinalis</i>) (<i>Rossia macrosoma</i>) (<i>Sepiola rondeletti</i>) | Frozen, in original packages containing the same products | 1 954 |
| | 6. Octopus (<i>Octopus</i> spp.) | Frozen, in original packages containing the same products | 2 183 |
| | 7. Squid (<i>Loligo</i> spp.) | Frozen, in original packages containing the same products | 1 203 |
| | 8. Squid (<i>Ommastrephes sagittatus</i>) | Frozen, in original packages containing the same products | 961 |
| | 9. <i>Illex argentinus</i> | Frozen, in original packages containing the same products | 869 |
| | 10. Prawn of the family <i>Penaeidae</i> | | |
| | — Prawn of the species <i>Parapenaeus longirostris</i> | Frozen, in original packages containing the same products | 4 032 |
| | — Other species of the family <i>Penaeidae</i> | Frozen, in original packages containing the same products | 7 897 |

ANNEX II

| Species Products listed in Annex III to Regulation (EC) No 104/2000 | Weight | Commercial specifications | Community producer price (EUR/tonne) |
|---|-----------------------------------|---------------------------|--|
| Yellowfin tuna (<i>Thunnus albacares</i>) | weighing more than 10 kg each | Whole | 1 275 |
| | | Gilled and gutted | |
| | | Other | |
| | weighing not more than 10 kg each | Whole | |
| | | Gilled and gutted | |
| | | Other | |
| Albacore (<i>Thunnus alalunga</i>) | weighing more than 10 kg each | Whole | |
| | | Gilled and gutted | |
| | | Other | |
| | weighing not more than 10 kg each | Whole | |
| | | Gilled and gutted | |
| | | Other | |
| Skipjack (<i>Katsuwonus pelamis</i>) | | Whole | |
| | | Gilled and gutted | |
| | | Other | |
| Bluefin tuna (<i>Thunnus thynnus</i>) | | Whole | |
| | | Gilled and gutted | |
| | | Other | |
| Other species of the genera <i>Thunnus</i> and <i>Euthynnus</i> | | Whole | |
| | | Gilled and gutted | |
| | | Other | |