II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 December 1977

on the application by the European Economic Community, as a provisional measure, of the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement

(78/544/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the 1963 International Olive Oil Agreement, as last extended and amended by the Protocol of 23 March 1973, in a general way promotes international cooperation and contributes to the achievement of the Community's objectives in the fields of commercial policy and common agricultural policy;

Whereas it is advisable that the Community declares its intention to accede to the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement, and to apply that Protocol as a provisional measure,

HAD ADOPTED THIS DECISION:

Article 1

The European Economic Community declares its intention to accede to the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement.

The provisions of this Protocol shall apply provisionally from 1 January 1978.

The texts of the Protocol and of the International Olive Oil Agreement, as amended by the said Protocol, are annexed to this Decision.

Article 2

The President of the Council is authorized to designate the person empowered to notify the Government of Spain, with whom the Agreement and Protocol are deposited, of this Decision.

Done at Brussels, 19 December 1977.

For the Council

The President

H. SIMONET

ANNEX I

INTERNATIONAL OLIVE OIL AGREEMENT, 1963

as amended by the Protocols of 7 March 1969 and 23 March 1973, further extending the Agreement

PREAMBLE

(i) RECALLING that the olive:

— is a perennial fruit tree which, under conditions regarded as normal, begins to produce at an age varying between six and 15 years and on an average comes into full production when approximately 30 years old,

— is a plant indispensable for the maintenance and conservation of certain soils, and allows of developing lands which will not yield any other crop,

— is a plant on which depend the existence and standard of living of millions of families who are wholly dependent on the measures that are taken for maintaining and developing the consumption of its products, both in the producing countries themselves and to non-producing consumer countries.

RECALLING that, while olive oil, which is the chief of the resources derived from olive-growing, occupies a relatively restricted place in world nutrition at the present time, it nevertheless forms an essential basic commodity in the regions where olive-growing is established,

STRESSING in this connection the extreme importance of this production in the economy of numerous countries;

(ii) RECALLING that the essential feature of the olive oil market lies in the irregularity of harvests and in that of supplying the market, and these irregularities result in fluctuations in the value of the production and in instability of prices and of receipts from exportation, as well as in considerable differences in the incomes of producers,

RECALLING that these facts give rise to special difficulties that may cause serious damage to the interests of producers and consumers and may jeopardize the general policies of economic expansion in the countries or the regions where olive-growing is established and is capable of undergoing the necessary expansion,

RECALLING that it is particularly necessary to remedy this situation by suitable measures, taking account of the very special features of olive-growing and of the olive oil market;

(iii) RECALLING that such measures transcend the national field and international action is indispensable;

(iv) CONSIDERING that it is essential to continue and develop the work undertaken within the framework of the International Olive Oil Agreement, 1956,

THE PARTIES TO THIS AGREEMENT HAVE AGREED AS FOLLOWS:

CHAPTER I

GENERAL OBJECTIVES

Article 1

The objectives of this Agreement are:

1. to promote international cooperation in connection with world olive oil problems, to prevent the occurrence of any unfair competition in the world olive oil trade and to ensure the delivery of a commodity that conforms to all the specifications of the contracts concluded;

2. to put into operation, or to facilitate, the application of such measures as are calculated to extend the production and consumption of, and international trade in, olive oil;

3. to strive to obtain a balance between production and consumption;

4. to reduce the disadvantages due to fluctuations of supplies on the market;

5. to examine the possibility of taking necessary action with regard to other products of the olive tree;

6. to continue and extend the work undertaken under the International Olive Oil Agreement, 1956.

CHAPTER II

PARTICIPATION

Article 2

Each Contracting Party shall constitute a single member of the Council except as otherwise provided in Article 24 (2) of this Agreement.

CHAPTER III

DEFINITIONS

Article 3

1. 'The Council' means the International Olive Oil Council referred to in Article 21 of this Agreement.

2. 'The Executive Committee' means the committee established under the conditions laid down in Article 30 of this Agreement.

3. 'The olive crop year' means the period between 1 November of each year and 31 October of the following year.

4. 'Mainly producing member' means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, exceeded its imports from 1966 to 1971 inclusive.

5. 'Mainly importing member' means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, been smaller than its imports from 1966 to 1971 inclusive, or for which no production of olive oil was recorded during the same crop years.

6. 'Member' means a Contracting Party or a territory or group of territories given separate representation under Article 24 (2) of this Agreement.

7. The European Economic Community, if it becomes a Contracting Party, shall be considered both as a mainly producing member and a mainly importing member, provided that:

(i) the provisions of Article 16 of this Agreement shall not apply to the Community;

(ii) notwithstanding Article 28 (1) of this Agreement, the Community shall be entitled, in all matters falling within Community jurisdiction, to cast the votes in the Council allotted to each of its Member States which are Contracting Parties, whether they are mainly producing or mainly importing members;

(iii) the Community shall also be entitled, in all matters falling within Community jurisdiction, to cast in any committee of the Council the votes of its Member States which are members of that committee; and

(iv) notwithstanding Article 33 of this Agreement, the contributions of the Community to the administrative budget for each calendar year shall be fixed by the Council on the basis of the number of votes in the Council allotted to States members of the Community which are Contracting Parties; such contributions shall replace individual contributions by those States.

CHAPTER IV

GENERAL OBLIGATIONS

Article 4

The members undertake not to adopt any measures contrary to the obligations contracted under this Agreement or to the general objectives set forth in Article 1.

Article 5

The members undertake to adopt such measures as they deem appropriate to facilitate trade in, and to develop consumption of, olive oil.

Article 6

The members declare that, in order to raise the standard of living of populations, they will endeavour to maintain fair standards in working conditions throughout the olive-growing and olive oil industry and in activities deriving therefrom.

Article 7

The members undertake to make available and supply all the statistics, data and documentation necessary to enable the Council to discharge its functions under this Agreement, and, in particular, all information required to establish the olive oil balance-sheet, and to acquire a knowledge of members' national olive oil policies.

CHAPTER V

DESIGNATIONS AND DEFINITIONS OF OLIVE OILS AND OF OLIVE-RESIDUE OILS

INDICATIONS OF SOURCE AND APPELLATIONS OF ORIGIN

Article 8

1. The designation 'olive oil' shall be restricted to the oil obtained exclusively from the olive, excluding oils obtained by solvents or re-esterification processes, as well as any mixture with oils of any other nature.

2. Members shall undertake to suppress both in domestic and international trade, with the least possible delay and in any case before the expiry of this Agreement, any use of the designation 'olive oil' alone or in combination with other words, which is not in conformity with this Article.

3. The designation 'olive oil' used alone will in no case be applied to olive-residue oils.

Article 9

1. The designations of olive oils and olive-residue oils of different qualities are given in Annex A to this Agreement, which specifies the corresponding definition for each designation, taking into account for each such quality the recommendations passed under Article 22 (2) of this Agreement, covering standards for the physical and chemical characteristics of olive oil and olive-residue oil.

2. Such designations, which are compulsory for international trade purposes, must be used for each quality of olive oil and of olive-residue oil and they shall appear in clearly legible characters on all containers.

3. However, in the domestic trade of mainly producing members, derogations may be made to the minimum quality standards of certain olive oils locally produced and consumed that do not comply with all the characteristics laid down for international trade but do ensure that a satisfactory minimum level is attained from the nutritional and psysio-biological point of view, the purpose of this being to take into account the requirements of producing and consuming areas.

Article 10

1. Members undertake to adopt at the earliest possible date and before the expiry of this Agreement all necessary measures, in the manner prescribed by their respective legislations, to ensure the application of the principles and provisions set forth in Articles 9 and 11 of this Agreement and shall endeavour to apply them in their domestic trade.

2. They undertake in particular to prohibit and repress the use within their territories, for international trade purposes, of indications of source, appellations of origin and designations of olive oils and of olive-residue oils contrary to those principles. This undertaking shall apply to all inscriptions placed on containers, invoices, way-bills or commercial documents, as well as to those used in advertising, trade marks, registered brand names or illustrations used in the international marketing of olive oils and olive-residue oils, in so far as such inscriptions might constitute false statements or give rise to confusion as to the origin, source or quality of the olive oils and olive-residue oils.

Article 11

1. Indications of source or appellations of origin, when given, may only be applied to virgin olive oils produced exclusively in the country, region or locality mentioned or coming exclusively therefrom.

2. Blended olive oil, whatever its origin, may only bear the indication of source of the exporting country. Nevertheless, when the oil has been prepared and exported by the country supplying the virgin olive oils used in the blend, it may be identified by the appellation of origin of the virgin olive oil used in the said blend. Where use is made of the generic designation 'Riviera', well known in the international trade as a blend of virgin and refined olive oil, this designation must in every case be followed by the word 'type'. The word 'type' must appear on all containers in printed characters of the same size and manner of presentation as the word 'Riviera'.

Article 12

1. Any disputes on the subject of indications of source and appellations of origin arising from interpretation of the clauses of this Chapter of this Agreement, or from difficulties in applying these provisions which have not been settled by direct negotiation, shall be examined by the Council.

2. The Council shall endeavour to bring about conciliation after the Advisory Committee provided for in Article 35 (1) of this Agreement has expressed its opinion and prior consultation with the World Intellectual Property Organization, the International Federation of Olive Growers, and with a competent professional organization of a mainly importing member and, should the need arise, with the International Chamber of

Commerce and the international institutions specialized in analytical chemistry; should it be unsuccessful and after all efforts to reach agreement have been exhausted, the members concerned shall have the right of recourse, as a last resort, to the International Court of Justice.

CHAPTER VI

WORLDWIDE PUBLICITY TO PROMOTE OLIVE OIL CONSUMPTION

Publicity programmes

Article 13

1. The members contributing to the publicity fund referred to in paragraph 3 of this Article undertake jointly to conduct general olive oil publicity campaigns with a view to maintaining and increasing olive oil consumption throughout the world. Such campaigns shall be based on the use of the designation 'olive oil' as defined in Article 8 of this Agreement.

2. Such campaigns shall take the form of educational and advertising campaigns and shall deal with the organoleptic and chemical characteristics and, if necessary, the nutritive, therapeutic and other properties of olive oil, but excluding any indication of quality, origin or country of export.

3. The resources of the publicity fund shall be used in accordance with the following criteria:

(i) importance of consumption with the aim of maintaining and, if possible, developing existing markets;

(ii) creation of new markets fo ive oil;

(iii) productiveness of publicity lay.

Article 14

The general and more limited publicity campaigns to be undertaken under Article 13 above shall be decided on by the Council according to the resources made available to it for the purpose and having regard to the following considerations and opinions:

(a) priority shall be given to action in the mainly producing countries and in countries where the consumption of olive oil is likely to increase;

(b) the execution of campaigns may not be envisaged before the date on which the actual payments into the publicity fund total 70 % of the contributions due;

(c) consultation of appropriate agencies and institutions.

Article 15

The Council shall be responsible for administering the funds allotted for joint publicity purposes. The Council shall prepare annually, as an annex to its own budget, an estimate of receipts and expediture relating to this publicity.

Publicity fund

Article 16

1. The mainly producing members undertake to place at the disposal of the Council, for each calendar year, for joint publicity purposes, a sum of money equivalent to US$ 300 000 and payable in that currency. Nevertheless, the Council may decide what proportion of its contribution each member may be permitted to pay in other currencies.

The sum of $ 300 000 mentioned above may be increased by the Council without, however, exceeding $ 500 000, on condition on the one hand, that no member's contribution may be increased without its consent and, on the other hand, that any modification which may be made on that occasion in the coefficients set out in Annex B to the Agreement as amended, 1973, shall require a unanimous decision of the mainly producing members.

The sum of $ 300 000 referred to above may be reduced if the aggregate production of the members represents less than 80 % of the world production of olive oil during the reference period mentioned in Article 3. In that event, the sum of $ 300 000 shall be reduced to an amount proportionate to the share of world production represented by the aggregate production of the mainly producing members.

By special agreement with the Council, the mainly importing members may make contributions to the publicity fund.

2. The mainly producing members, as defined in Article 3, shall contribute to the publicity fund in accordance with the coefficient established for each of them as set out in Annex B to the Agreement as amended, 1973. The coefficients in question, determined according to the average production and average net exports or imports of olive oil of each of the members during the olive crop years referred to in Article 3 of the Agreement as amended, 1973, in the proportion of 20 % for production and 80 % for net exports or imports, shall be subject to revision by the Council in 1976 for the purpose of their application with effect from 1 January

1977. Such revision shall be effected by a decision taken by a majority of four fifths of the votes cast, including the votes of at least 70 % of the number of mainly producing members, taking into consideration the average production and average net exports or imports of olive oil of each of the mainly producing members during the olive crop years 1968/69 to 1973/74, in the same proportion as specified above for such production and such net exports or imports.

3. The contributions to the publicity fund of the mainly producing members not mentioned in the aforesaid Annex B which become Parties to this Agreement shall be determined by the application to each of them of a coefficient established by special agreement between the Council and the member concerned and calculated in proportion to the coefficient shown in Annex B to the Agreement as amended, 1973, with respect to the members therein mentioned.

4. The contributions to the publicity fund shall be payable for the whole of the financial year, including the financial year during which the instruments of ratification, acceptance, approval or accession are deposited, whatever the date of such deposit.

5. Contributions to the publicity fund shall become due at the beginning of each calendar year.

6. The contributions to the publicity fund of the governments of States which become Parties to this Agreement after it has come into force, shall become payable as soon as they have become Parties to this Agreement, for the current calendar year, and afterwards under the same conditions as established for the other Parties.

7. With regard to collection of contributions to the publicity fund and in the event of delay in the payment of same, the provisions of Article 33 (5) of this Agreement shall apply.

8. If the Agreement expires and is not extended or renewed, any funds not used for publicity shall be refunded to the members proportionately to their total contributions for publicity during the period of validity of the International Agreement on Olive Oil, 1956, and of this Agreement.

9. For all decisions relating to publicity, each mainly producing member shall be allotted a number of votes proportionate to its contribution to the publicity fund under this Article. Any fractional vote resulting from the application of the coefficient established under the provisions of this Agreement shall be counted as a whole vote.

When a member concludes a special agreement with the Council under the last subparagraph of paragraph 1 of this Article to make a contribution to the publicity fund, it shall acquire a number of votes proportionate to its contribution, on condition that the agreement in question covers the period still to run before the expiry of the Agreement.

Article 17

The technical execution of publicity programmes may be entrusted by the Council to specialized bodies of its own choice, representative of the olive-growing and olive oil industries, among others the International Federation of Olive Growers.

Article 18

The Council may receive voluntary contributions from governments or from other sources for joint publicity purposes. Such occasional resources shall be added to the amount of the publicity fund as determined by Article 16 of this Agreement.

CHAPTER VII

ECONOMIC MEASURES

Article 19

1. Within the framework of the general objectives defined in Article 1 of this Agreement, with a view to contributing towards the normalization of the olive oil market and towards the correction of any imbalance between international supply and demand due to irregularity of crops or other causes, the Council shall, at the beginning of each olive crop year, make a detailed examination of olive oil balance sheets and an overall estimate of olive oil supplies and requirements, on the basis of the information supplied by each member under Article 7 of this Agreement, of whatever information may be supplied by governments of States not members of this Agreement interested in international trade in olive oil, and of any other relevant statistical information available to the Council.

2. Not later than 1 March each year, members shall officially inform the Council of the olive oil surpluses held in their territory over and above normal exports reported under paragraph 1, and which they wish to export to members or to non-members of this Agreement during the current olive crop year.

3. Not later than 1 March each year, members with deficits, after estimating all their requirements, both for

consumption and export, shall officially inform the Council of their estimated import requirements during the current olive crop year.

4. Not later than 1 April, the Director of the Council shall notify all the members of the estimated olive oil surpluses and deficits of members and non-members of this Agreement during the current olive crop year, in order to facilitate direct negotiations between exporting and importing concerns of members. If they have such information, the members shall inform the Council as quickly as possible of the positive results thus obtained.

5. Not later than 31 May, the Council shall make a fresh overall estimate of olive oil supplies and requirements and a fresh examination of the market situation taking into account all the information available at this date, and may propose to members such measures as it deems desirable.

Article 20

The Council shall continue its studies with a view to making, as early as possible, recommendations to members calculated to secure the long term normalization of the olive oil market by means of suitable measures designed to encourage international trade.

CHAPTER VIII

ADMINISTRATION

International Olive Oil Council

Article 21

The International Olive Oil Council shall be entrusted with the administration of this Agreement.

Functions of the Council

Article 22

1. Within the framework of its administrative functions under the terms of the Agreement and apart from its particular duties in connection with the joint publicity fund, the Council shall be responsible for promoting action for the stabilization and expansion of the world olive oil economy, by every means in its power, in the fields of production, trade and consumption.

2. The Council shall examine ways and means of securing the development of international trade and an increase in olive oil consumption. It shall in particular make to members appropriate recommendations concerning:

(i) the adoption and application of a standard international contract for transactions in olive oil and olive-residue oil;

(ii) the constitution and functioning of an International Reconciliation and Arbitration Board to deal with possible disputes in matters of olive oil and olive-residue oil transactions;

(iii) the setting of uniform standards for the chemical and physical characteristics of olive oil and of olive-residue oils;

(iv) the setting of uniform methods of analysis.

3. The Council shall take all measures that could lead to the drafting of a code of standard fair trade practices for the international olive oil and olive-residue oil trade, particularly with respect to margins of tolerance.

4. The Council shall take any measures it considers useful in order to suppress unfair competition on the international level by States which are not Parties to the Agreement or by persons subject to the jurisdiction of such States.

5. The Council may also undertake studies on questions relating to olive oil and olive-growing, and the stabilization and expansion of the olive oil market.

Furthermore, it is authorized to undertake or cause to be undertaken other work, in particular the collection of detailed information concerning special assistance in different forms to olive oil activities, so as to be able to formulate any recommendations and suggestions it may deem advisable for the attainment of the general objectives listed in Article 1 of this Agreement.

All such studies and work should particularly cover as large a number of countries or group of countries as possible and take into account the general economic and social conditions of the countries concerned.

6. The Council shall establish procedures under which the members shall inform the Council of the conclusions at which they have arrived after considering the recommendations and suggestions referred to in this Article or arising from application of this Agreement.

Article 23

1. The Council shall draw up rules of procedure in conformity with the provisions of this Agreement. It shall keep up to date such records as are required to enable it to discharge its functions under this Agreement, and such other records as it considers desirable. In the event of inconsistency between the rules of procedure thus adopted and the provisions of this Agreement, the Agreement shall prevail.

2. The Council shall draw up, prepare and publish any reports, studies, charts, analyses or other documents which it may deem useful and necessary.

3. The Council shall publish, at least once a year, a report on its activities and on the operation of this Agreement.

4. The Council may delegate to the executive committee, constituted under the conditions specified in Article 30, the exercise of each of its powers and each of its functions except those of Articles 16, 25 (1) and 33 (2) and (3). The Council may, at any time, revoke such delegation of powers.

5. The Council may appoint such special committees as it deems useful for assisting it in the exercise of its functions under this Agreement.

6. The Council shall exercise such other functions as are neccessary for the execution of the provisions of this Agreement.

Composition of the Council

Article 24

1. Subject to the provisions of paragraph 2 of this Article, each Contracting Party shall be a member of the Council with a right to vote. It shall have the right to be represented on the Council by a delegate and it may designate alternates. The delegate and alternates may be accompanied at the meetings of the Council by as many advisers as each member deems necessary.

2. A Contracting Party which is mainly interested in the importation or consumption of olive oil and which represents in international affairs one or more dependent or self-governing territories mainly interested in the production or exportation of olive oil, or vice versa, shall be entitled either to joint representation in the Council with the dependent or self-governing territories which it represents in international affairs or, if it so desires, to the separate representation of such territory of territories.

3. The Council shall elect, from among the members of the delegations of the Contracting Parties, a chairman who shall not be entitled to vote and who shall hold office for the period of one olive crop year. In the event of the chairman being a voting delegate, his right to vote shall be exercised by another member of his delegation. The chairman shall receive no remuneration.

4. The Council shall also elect, from among the members of the delegations of the Contracting Parties, a deputy chairman. The deputy chairman, in the event of his being a voting delegate, shall have the right to vote except when acting as chairman, in which case he will transfer his right to vote to another member of his delegation. He shall hold office for the period of one olive crop year and shall receive no remuneration.

Meetings of the Council

Article 25

1. The seat of the Council shall be Madrid unless the Council decides otherwise by a majority of two thirds of the votes cast. It shall hold its sessions there unless it decides, as an exception, to hold a particular session in another place. Should a member invite the Council to meet elsewhere than at its seat and if a decision is taken agreeing to the invitation, the said member shall bear the extra expenditure resulting from such invitation for the budget of the Council.

2. The Council shall meet at least twice a year, taking account in particular of the provisions of Article 19 of this Agreement.

3. The Council may be convened at any time by its chairman at his discretion. The chairman shall also convene the Council if so requested:

(i) by five members;

(ii) by one or more members holding at least 10 % of the total votes;

(iii) by the executive committee;

(iv) when a member of the Council appeals against a decision of the said committee in accordance with Article 30 (8) of this Agreement.

4. Notice of the sessions envisaged in paragraph 2 of this Article must be sent out at least 30 days before the date of the first meeting of each of them.

Notice of the sessions envisaged in paragraph 3 of this Article must be sent out at least seven days before the date of the first meeting of each of them.

Article 26

The quorum required for any Council meeting shall consist of two thirds of the total number of votes, on the understanding that this quorum shall include the votes of not less than two members referred to in Article 3 (5) of this Agreement. Nevertheless, if such a quorum is not reached on the day appointed for a meeting of the Council convened in conformity with Article 25, the

said meeting shall be held 24 hours later and the presence of representatives holding at least 50 % of the total votes of the members shall then constitute a quorum.

Article 27

The Council may take decisions without holding a meeting, by an exchange of correspondence between the chairman and the members, provided that no member raises any objection to such procedure. Any decision thus taken shall be communicated as speedily as possible to all the members, and shall be entered in the record of the following meeting of the Council.

Article 28

1. Subject to the provisions of Article 16 (9), the number of votes allotted to each member shall be that shown in Annex C to this Agreement, no State member being entitled to more than 450 votes and no member to less than five votes.

2. The number of votes allotted to countries not mentioned in Annex C, which become Parties to this Agreement, shall be determined by special agreement between the Council and each government concerned, due regard being had to the importance of the said countries in the olive oil economy.

Article 29

1. Unless otherwise provided for in this Agreement, decisions of the Council shall be taken by a majority of the votes cast, on the understanding that this majority must include the votes of at least three members. The votes of abstaining members shall not be counted.

2. A mainly producing member may authorize the voting delegate of another mainly producing member to represent its interests and to exercise its right to vote at one or more meetings of the Council. Evidence of such authorization acceptable to the Council shall be submitted to the Council.

3. The voting delegate of a mainly producing member, in addition to the powers and the right to vote held by that member, may only represent the interests and exercise the right to vote of one other mainly producing member.

4. A mainly importing member may authorize the voting delegate of another mainly importing member to represent its interests and to exercise its right to vote at one or more meetings of the Council. Evidence of such authorization acceptable to the Council shall be submitted to the Council.

5. The voting delegate of a mainly importing member may, in addition to the powers and the right to vote held by that member, represent the interests and exercise the right to vote of several mainly importing members.

Executive committee

Article 30

1. The Council may appoint an executive committee composed of three fifths and two fifths respectively of representatives of mainly producing and mainly importing members.

2. The members of the executive committee shall be appointed for one olive crop year. They may be re-elected.

3. The executive committee shall exercise the powers and functions delegated to it by the Council in accordance with Article 23 (4).

4. The chairman of the Council shall be the chairman of the executive committee. He shall not be entitled to vote.

5. The committee shall draw up its rules of procedure, subject to the approval of the Council.

6. Each member of the executive committee shall have one vote. In the committee, decisions shall be taken by a majority of the votes cast.

7. Any member shall be entitled to appeal to the Council according to the procedure prescribed by the latter, against any decision of the executive committee, and the executive committee's decision shall be suspended pending the outcome of the appeal. In so far as a Council decision differs from that of the executive committee, the latter shall be modified accordingly.

Secretariat

Article 31

1. The Council shall have a secretariat composed of a director and such staff as may be necessary to carry out the work of the Council, the executive committee and its committees. The Council shall appoint the director and shall define his responsibilities. The members of the staff shall be appointed under regulations established by the Council, and shall not hold any office outside the organization or accept any other employment.

2. It shall be a condition of employment for the director and the staff of the secretariat that they shall have no direct or indirect commercial or financial interests in any of the various sectors of the olive-growing and olive oil industries or, if they have, that they shall renounce them.

3. The responsibilities of the director and of the members of the staff are exclusively international in character. In the discharge of their duties, they shall not seek or receive instructions from any government or from any other authority external to the organization. They shall refrain from any action incompatible with their position as international officials.

4. The members shall respect the international character of the responsibilities of the members of the secretariat and shall not seek to influence them in the discharge of their duties.

CHAPTER IX

PRIVILEGES AND IMMUNITIES

Article 32

1. Within the territory of each member, and in so far as its legislation allows, the Council shall have the legal capacity necessary for the performance of the functions conferred upon it by this Agreement.

2. In so far as its legislation allows, the government of the State in which the seat of the Council is situated shall exempt from taxation the funds of the Council and the salaries paid by the Council to its personnel.

3. The Council, the director and the staff of the secretariat are granted the privileges, immunities and facilities set out in the Agreement concerning the seat of the Council between the Council and the government of the State in which the seat is located.

CHAPTER X

FINANCIAL PROVISIONS

Article 33

1. Except for the expenses of the chairman of the Council, which shall be borne by the Council, the expenses of delegations to the Council and of members of the executive committee shall be borne by the members concerned. The contribution of each member to the administrative budget, for each calendar year, shall be proportionate to the number of votes it has when the budget for that year is adopted.

2. During its first session, the Council shall vote an administrative budget covering the first calendar year and shall fix the amount of the contribution to be paid by each member.

Each year, subsequently, during the autumn session, the Council shall vote its administrative budget for the following calendar year and fix the amount of the contributions of each member for the aforesaid calendar year.

3. The initial contribution of each member becoming a Party to this Agreement shall be fixed by the Council on the basis of the number of votes allotted to the said member and of the fraction of the year remaining. The contributions fixed for the other members for the current calendar year, however, shall not be modified.

4. Payment of contributions under this Article shall fall due at the beginning of each calendar year for which such contributions have been fixed and shall be payable in the currency of the country in which the seat of the Council is situated.

5. Should a member not fully settle its contribution to the administrative budget within six months from the outset of the financial year, the director shall request it to do so as soon as possible. If the said member does not settle its contribution within three months of the above time limit, its right to vote in Council sessions and committee meetings shall be suspended until its contribution has been fully settled. Nevertheless, except by a vote of the Council, it shall not be deprived of any of its other rights or released from any of its obligations under this Agreement. It cannot be exonerated by any vote from financial obligations under this Agreement.

6. After the spring session the Council shall publish a certified statement of its receipts and expenditure during the previous calendar year.

7. In case of dissolution, and prior thereto, the Council shall take the necessary steps for the settlement of its liabilities, the depositing of its archives and the disposal of any surplus assets existing at the date of the expiry of this Agreement.

CHAPTER XI

COOPERATION WITH OTHER ORGANIZATIONS AND THE ADMISSION OF OBSERVERS

Article 34

1. The Council may make whatever arrangements are appropriate for consultation or cooperation with the United Nations and its organs, in particular the United Nations Conference on Trade and Development (UNCTAD) and with the Food and Agriculture Organization and such other specialized agencies of the United Nations and intergovernmental organizations as may be appropriate. It may also make such arrangements as are appropriate in respect of its cooperation with

governmental and non-governmental agencies or institutions. It may also invite any of the organizations referred to in this Article to attend any of its meetings as an observer.

2. The Council, bearing in mind the particular role of UNCTAD in international commodity trade, will, as it considers appropriate, keep that organization informed of its activities and programmes of work.

3. The Council may also invite any State which is a member of the United Nations or of one of its specialized agencies or of the International Atomic Energy Agency but not yet Party to this Agreement to attend any of its meetings as an observer.

CHAPTER XII

DISPUTES AND COMPLAINTS

Article 35

1. Any dispute, other than as referred to in Article 12, concerning the interpretation or implementation of this Agreement, which has not been settled by negotiations between the parties concerned shall, at the request of a member which is a party to the dispute, be referred to the Council for decision after consulting, if necessary, an advisory commission, the composition of which shall be fixed by the Council's rules of procedure.

2. The advisory commission's opinion, with reasons stated, shall be submitted to the Council which shall settle the dispute after due consideration of all pertinent information.

3. Any complaint that any member has not fulfilled the obligations imposed upon it by this Agreement shall, at the request of the member making the complaint, be referred to the Council, which shall take a decision on the subject after consulting the members concerned and, if necessary, following the advice of the advisory commission mentioned in paragraph 1 of this Article.

4. A member may be found, by a vote of the Council, to have committed a breach of this Agreement.

5. Should the Council find that a member has committed a breach of this Agreement, it may apply sanctions to that member which may range from a warning to a suspension of the right to vote of the member concerned until it has complied with its obligations, or to exclude such member from the Agreement.

CHAPTER XIII (1)

SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL, ACCESSION AND ENTRY INTO FORCE

Article 36

1. This Agreement shall be open for signature until 30 June 1963 by the governments which have been invited to the United Nations Conference on Olive Oil, 1963.

2. This Agreement shall be submitted for ratification, acceptance or approval by the signatory States in conformity with their respective constitutional procedures and the instruments of ratification, acceptance, or approval shall be deposited with the Government of Spain which shall be the depositary government of the Agreement.

3. This Agreement shall be open for accession by any State invited to the United Nations Conference on Olive Oil. Accession shall be effected by the deposit of an instrument of accession with the depositary government. After the coming into force of the said Agreement, any other State member of the United Nations or the Food and Agriculture Organization of the United Nations may accede to it.

4. This Agreement shall enter into force on 1 October 1963, if the governments of five mainly producing countries and the governments of two mainly importing countries have ratified, accepted, approved or acceded to it, or on any later date on which these conditions are met. Nevertheless, in the event that the governments of only four mainly producing countries and the governments of two mainly importing countries have either ratified, accepted, approved or acceded to it by 1 October 1963, the said governments may decide by mutual agreement that it shall enter into force on that date.

5. A State shall become a Party to this Agreement from the date on which it has deposited its instruments of ratification, acceptance, approval or accession with the depositary government, or from the date of entry into force of this Agreement in accordance with paragraph 4 of this Article, whichever date is the later.

6. The Agreement may enter into force provisionally. For this purpose, a notification by a signatory government undertaking to seek ratification, acceptance or approval of the Agreement in accordance with its constitutional procedures as rapidly as possible, which is received by the depositary government not later than 30 September 1963, shall be regarded as equal in effect to an instrument of ratification, acceptance or approval.

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(1) The provisions embodied in this Chapter have not been in force since 25 November 1967, from which date (after the duration of the International Olive Oil Agreement, 1963, was extended under Article 37 (4) of said Agreement) came into force the provisions laid down by the Protocols of 30 March 1967 and 7 March 1969 for the further extension of the Agreement.
After provisional or definitive entry into force of the Protocol of 23 March 1973 for the further extension of the Agreement, as amended, the provisions to be found in Articles 3 to 13 of that Protocol will be applicable.

7. Signatory governments which have not ratified, accepted or approved this Agreement but which have made notifications under the preceding paragraph of this Article may, if they so desire, take part in the work of the Council as non-voting observers.

8. Signatory governments which have made notifications under paragraph 6 of this Article may also inform the depositary government that they undertake provisionally to apply this Agreement. Any government having made such an undertaking shall be provisionally considered as a Party to this Agreement, with all the rights and duties of that status, until either it deposits its instrument of ratification, acceptance or approval, or until 1 October 1964, whichever is earlier. If by 1 October 1964 that government has not yet deposited such an instrument, it shall, unless the Council decides to the contrary, cease to be provisionally considered as a Party to the Agreement, but may, if it so desires, take part in the work of the Council as a non-voting observer.

9. The depositary government shall notify all members of the United Nations and of the Food and Agriculture Organization of the United Nations of any signature, ratification, acceptance or approval of this Agreement, or of any accession thereto, and shall also inform them of any reservations or conditions attached. It shall further inform all participating governments of any notification made under paragraph 6 of this Article, and of any undertaking made under paragraph 8 thereof.

CHAPTER XIV

DURATION, AMENDMENT, SUSPENSION, WITHDRAWAL, EXPIRY, RENEWAL

Article 37

1. This Agreement shall remain in force until 30 September 1967, unless the conditions for its entry into force laid down in Article 36 (4) are no longer fulfilled (1).

2. The Council shall, at such time as it considers appropriate, communicate to the members its recommendations regarding extension or renewal of this Agreement.

3. On expiry of this Agreement and except in the event of its extension or renewal, the operations for which the Council is responsible and the funds it administers shall be liquidated on terms to be established by the Council with due regard for the provisions of this Agreement.

In order to apply these provisions and other clauses concerning liquidation, the Council shall continue its mission as long as is necessary and shall exercise the powers and functions given to it under this Agreement to the full extent necessary for the completion of its task.

4. If an Agreement to extend or renew the present Agreement has been negotiated and before the expiry of the present Agreement has received a sufficient number of signatures to enable it to enter into force in accordance with the relevant provisions, after ratification, acceptance or approval, and if this new Agreement has not entered into force either provisionally or definitively by the date of expiry of the present Agreement, then the present Agreement shall be extended until the entry into force of the new Agreement, provided that the period of such extension shall not exceed 12 months.

Article 38

1. In the event of circumstances arising which, in the opinion of the Council or of a member, hamper or threaten to hamper the functioning of the Agreement as amended, 1973, the Council may recommend to the Contracting Parties an amendment of this Agreement.

2. If the interested member so requests, the voting procedure by correspondence established by Article 27 shall be used.

3. The Council shall fix a time limit within which each Contracting Party shall notify the depositary government whether or not it accepts an amendment recommended under paragraphs 1 and 2 of this Article.

4. If, before the final date set in conformity with paragraph 3 of this Article, all the Contracting Parties accept an amendment, it shall enter into force immediately after the receipt by the depositary government of the last acceptance. The depositary government shall immediately communicate this circumstance to the Council.

5. If, by the final date set in conformity with paragraph 3 of this Article, an amendment is not accepted by the Contracting Parties holding two thirds of the votes, such amendment shall not enter into force.

6. If, by the final date set in conformity with paragraph 3 of this Article, an amendment is accepted by or on behalf of members holding two thirds of the votes, but not by or on behalf of all members:

(a) the amendment shall enter into force for the Contracting Parties which have given notice of their acceptance in accordance with paragraph 3 of this

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(1) As provided for in the Protocols of 30 March 1967 and 7 March 1969 for the further extension of the International Olive Oil Agreement, 1963, the said Agreement remained in force until 30 September 1969 and then again until 31 December 1973, unless the said dates are extended as per relative provisions in the Protocols mentioned.
As laid down in Article 1 (1) of the Protocol of 23 March 1973 for the further extension of the Agreement, as amended, this latter will remain in force until 31 December 1978 unless extended as per Article 10 of that Protocol.
In addition, where the reference to Article 36 (4) is concerned, the information given in the footnote concerning provisions in Chapter XIII and, therefore, the Article 36 in question, should be taken into account.

Article, at the beginning of the olive crop year immediately following the final date, in conformity with the provisions of this paragraph;

(b) the Council shall decide immediately whether the amendment is of such importance that members which have not accepted the amendment must be suspended from participation in the Agreement as amended, 1973, as from the date on which such amendment comes into force in accordance with subparagraph (a) above, and shall inform all members accordingly. Should the Council decide that the amendment is of such importance, the members which have not accepted it shall inform the Council before the date on which the amendment is to enter into force in accordance with subparagraph (a) above, whether they still consider such an amendment unacceptable; the participation in the Agreement as amended, 1973, of members which have so decided and those which have not given notice of their decision shall then be automatically suspended from the date of entry into force of the amendment. Nevertheless; should any such member satisfy the Council that it was prevented from accepting the amendment before its entry into force, in accordance with subparagraph (a) above, on account of constitutional or institutional difficulties beyond its control, the Council may defer suspension until such difficulties have been overcome and the member has notified the Council of its decision.

7. The Council shall lay down the rules under which a member whose participation has been suspended in accordance with paragraph 6 (b) of this Article may be reinstated, as well as the necessary rules for carrying out the provisions of this Article.

Article 39

1. Should a Contracting Party consider its interests seriously endangered by the fact that a signatory fails to ratify, accept or approve this Agreement as amended, 1973, or because of conditions or reservations attached to a signature, ratification, acceptance or approval, it shall so notify the depositary government. On receipt of such notification, the depositary government shall inform the Council which shall examine the question during its first session following receipt of such notification. If, after examination of the question by the Council the Contracting Party continues to consider its interests seriously endangered, it may withdraw from the Agreement as amended by giving notice of its withdrawal to the depositary government within a period of 30 days after being notified of the Council's decision.

2. The procedure laid down in paragraph 1 of this Article shall be applied in the following cases:

(a) when a Contracting Party declares that circumstances beyond its control prevent it from fulfilling its obligations under this Agreement;

(b) when a Contracting Party considers its interests under the Agreement seriously prejudiced by the withdrawal of another Contracting Party;

(c) when a Contracting Party considers its interests under the Agreement seriously prejudiced through a measure taken by another Contracting Party if the said measure is not withdrawn or modified in accordance with the recommendations made by the Council, on receipt of a complaint;

(d) when a Contracting Party considers that its interests have been seriously prejudiced by a Council decision, taken by virtue of the powers invested in it or by means of an amendment, as provided for under Article 38 (6) (b).

3. A Contracting Party may, by giving notice to the depositary government, withdraw from the Agreement if it is involved in hostilities.

4. Any withdrawal made in accordance with the provisions of paragraph 2 (a) to (d) or with those of paragraphs 1 and 3, will be effective from the date of receipt of definitive notification by the depositary government.

Article 40

The depositary government shall inform without delay all members of any notification of withdrawal which has been brought to its notice in accordance with Article 39 of this Agreement.

Article 41

1. Any Contracting Party which withdraws from the Agreement and any member whose participation in the Agreement as amended, 1973, is suspended during the period of its application, must discharge all its obligations as regards contributions to the Council and respect any commitments undertaken before the effective date of withdrawl or suspension.

2. Any Contracting Party that withdraws from the Agreement at amended, 1973, during the period of its operation, has no claim to any part of the proceeds of the liquidation of the Council's assets on the expiry of the said Agreement.

Annex A

Designations and definitions of olive oils and olive-residue oils

1. *Virgin olive oils* (*Note:* The expression 'pure virgin olive oil'may also be used): Olive oils produced solely by mechanical processes and free from any admixture of other oils classified as follows:

   (a) *Extra:* Olive oil of absolutely perfect flavour, having a maximum acidity — i.e. oleic acid content — of 1 gram per 100 grams.

   (b) *Fine:* Olive oil with the same characteristics as extra, except that its maximum acidity — i.e. oleic acid content — is 1·5 grams per 100 grams.

   (c) *Ordinary (Note:* The expression 'semi-fine' may also be used as the equivalent of or instead of 'ordinary'): Olive oil of good flavour having a maximum acidity — i.e. oleic acid content — of 3 grams per 100 grams, with a margin of tolerance of 10 % with respect to the indicated acidity.

   (d) *Lampante* (lamp oil): Off-flavour olive oil or olive oil having an acid content in terms of oleic acid superior to 3·3 grams per 100 grams.

2. *Refined olive oils (Note:* The expression 'pure refined olive oil' may also be used): Obtained by refining virgin olive oil.

3. *Pure olive oils:* Consisting of a blend of virgin olive oil and refined olive oil. Mixed oils may also be classified as types, the characteristics of which are determined by mutual agreement between buyers and sellers.

4. *Olive-residue oils:* Oils obtained by treating olive residues with solvents.

5. *Refined olive-residue oils:* Oils obtained by refining the oils mentioned in paragraph 4 and intended for food use.

(*Note:* Blends of refined olive-residue oil and virgin olive oil habitually destined for domestic consumption in certain producing countries are called 'refined olive-residue oil and olive oil'. These blends shall not, under any circumstances, be termed simply 'olive oil'.)

6. *Olive-residue oils for technical use:* All other oils from olive residues.

Annex B

Coefficients assigned to each of the mainly producing countries named below for the purpose of calculating the contributions to be paid to the publicity fund

Algeria	1·47
Egypt	0·17
Argentina	2·07
Greece	5·77
Israel	0·17
Italy	33·67
Lebanon	0·47
Morocco	1·61
Portugal	3·07
Spain	37·07
Syria	0·82
Tunisia	10·07
Turkey	3·57
Total	100·00

Annex C

Mainly producing members

Algeria	27
Egypt	5
Argentina	21
European Economic Community:	
— Italy	450
Greece	187
Israel	8
Lebanon	12
Morocco	42
Portugal	78
Spain	450
Syria	28
Tunisia	88
Turkey	104

Mainly importing members

Dominican Republic	5
European Economic Community:	
— Belgium/Luxembourg	5
— Denmark	5
— Federal Republic of Germany	8
— France	25
— Ireland	5
— Netherlands	5
— United Kingdom	8
Gabon	5
Libya	28
Uruguay	5

PROTOCOL OF 23 MARCH 1973

further extending the International Olive Oil Agreement, 1963, with amendments

THE PARTIES TO THIS PROTOCOL,

CONSIDERING that the International Olive Oil Agreement, 1963 (which succeeded that of 1956), extended by the Protocols adopted in Geneva on 30 March 1967 and on 7 March 1969, including the amendments which entered into force on 1 November 1971 (these three instruments being hereinafter referred to as 'the Agreement') is due, in principle, to expire on 31 December 1973,

DESIRING to continue the Agreement in force beyond that date,

HAVE AGREED AS FOLLOWS:

Article 1

1. The Agreement, as amended by this Protocol, shall, as between the Parties to the Protocol, continue in force until 31 December 1978.

2. Any government which becomes a Party to this Protocol shall be a Party to the Agreement as amended thereby.

3. So far as the Parties to this Protocol are concerned, the Agreement and this Protocol shall be read and interpreted as one single instrument and shall be known as the International Olive Oil Agreement, 1963, as amended, 1973.

Article 2

The relevant provisions of the Agreement are amended as follows:

PREAMBLE

Delete the first paragraph under heading (i) and substitute therefor:

'— is a perennial fruit tree which, under conditions regarded as normal, begins to produce at an age varying between six and 15 years and on an average comes into full production when approximately 30 years old,'.

Amend (iv) to read:

'CONSIDERING that it is essential to continue and develop the work undertaken within the framework of the International Olive Oil Agreement, 1956,'.

CHAPTER I — **GENERAL OBJECTIVES**

Article 1

Delete paragraph 1 and substitute therefor:

'1. to promote international cooperation in connection with world olive oil problems, to prevent the occurrence of any unfair competition in the world olive oil trade and to ensure the delivery of a commodity that conforms to all the specifications of the contracts concluded;'.

Insert a new paragraph 5 as follows:

'5. to examine the possibility of taking necessary action with regard to other products of the olive tree;'.

Re-number paragraph 5 as paragraph 6 and modify it to read as follows:

'6. to continue and extend the work undertaken under the International Olive Oil Agreement, 1956.'.

CHAPTER II — **PARTICIPATION**

Article 2

Replace the text of the Article by the following:

'Each Contracting Party shall constitute a single member of the Council except as otherwise provided in Article 24 (2) of this Agreement.'.

CHAPTER III — DEFINITIONS

Article 3

Delete paragraph 1 and substitute therefor:

'1. "The Council" means the International Olive Oil Council referred to in Article 21 of this Agreement.'.

Delete paragraph 4 and substitute therefor:

'4. "Mainly producing member" means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, exceeded its imports from 1966 to 1971 inclusive.'.

Delete paragraph 5 and substitute therefor:

'5. "Mainly importing member" means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, been smaller than its imports from 1966 to 1971 inclusive, or for which no production of olive oil was recorded during the same crop years.'.

Insert a new paragraph 6 as follows:

'6. "Member" means a Contracting Party or a territory or group of territories given separate representation under Article 24 (2) of this Agreement.'.

Insert a new paragraph 7 as follows:

'7. The European Economic Community, if it becomes a Contracting Party, shall be considered both as a mainly producing member and a mainly importing member, provided that:

(i) the provisions of Article 16 of this Agreement shall not apply to the Community;

(ii) notwithstanding Article 28 (1) of this Agreement, the Community shall be entitled, in all matters falling within Community jurisdiction, to cast the votes in the Council allotted to each of its Member States which are Contracting Parties, whether they are mainly producing or mainly importing members;

(iii) the Community shall also be entitled, in all matters falling within Community jurisdiction, to cast in any committee of the Council the votes of its Member States which are members of that committee; and

(iv) notwithstanding Article 33 of this Agreement, the contributions of the Community to the administrative budget for each calendar year shall be fixed by the Council on the basis of the number of votes in the Council allotted to States members of the Community which are Contracting Parties; such contributions shall replace individual contributions by those States.'.

CHAPTER IV — GENERAL OBLIGATIONS

Article 4

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 5

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 6

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Delete the phrase 'and to avoid the introduction of unfair competitive practices in world trade in olive oil'.

Article 7

Delete the phrase 'participating governments' and, in each case, substitute the word 'members' therefor.

CHAPTER V

Delete the title and substitute therefor:

'DESIGNATIONS AND DEFINITIONS OF OLIVE OILS AND OF OLIVE-RESIDUE OILS INDICATIONS OF SOURCE AND APPELLATIONS OF ORIGIN'

Article 8

Delete paragraph 1 and substitute therefor:

'1. The designation 'olive oil' shall be restricted to the oil obtained exclusively from the olive, excluding oils obtained by solvents or re-esterification processes, as well as any mixture with oils of any other nature.'.

Paragraph 2 is redrafted as follows:

'2. Members shall undertake to suppress both in domestic and international trade, with the least possible delay and in any case before the expiry of this Agreement, any use of the designation "olive oil" alone or in combination with other words, which is not in conformity with this Article.'.

Article 9

Delete paragraph 1 and substitute therefor:

'1. The designations of olive oils and of olive-residue oils of different qualities are given in Annex A to this Agreement, which specifies the corresponding definition for each designation, taking into account for each such quality, the recommendations passed under Article 22 (2) of this Agreement, covering standards for the physical and chemical characteristics of olive oil and olive-residue oil.'.

Delete paragraph 2 and substitute therefor:

'2. Such designations, which are compulsory for international trade purposes, must be used for each quality of olive oil and of olive-residue oil and they shall appear in clearly legible characters on all containers.'.

Article 10

Paragraph 1: Delete the phrase 'Participating governments' and substitute the word 'Members' therefor.

After the word 'adopt' insert: 'at the earliest possible date and before the expiry of this Agreement'.

Delete the phrase 'Articles 8, 9, 11 and 12 of this Agreement' and substitute therefor: 'Articles 9 and 11 of this Agreement and shall endeavour to apply them in their domestic trade.'.

Paragraph 2: Delete the phrase 'of appellations of origin, indications of source and designations of olive oils' and substitute therefor: 'of indications of source, appellations of origin and designations of olive oils and of olive-residue oils'.

After the phrase 'used in the international marketing of olive oils,' add: 'and olive-residue oils,'.

At the end of the paragraph insert the phrase 'and olive-residue oils.'.

Article 11

Paragraph 1: Delete the phrase 'Appellations of origin or indications of source,' and substitute therefor: 'Indications of source or appellations of origin,'.

Article 12

Paragraph 1: Delete the paragraph and substitute therefor:

'1. Any disputes on the subject of indications of souce and appellations of origin arising from interpretation of the clauses of this Chapter of this Agreement, or from difficulties in applying these provisions which have not been settled by direct negotiation, shall be examined by the Council.'.

Paragraph 2: Delete the paragraph and substitute therefor:

'2. The Council shall endeavour to bring about conciliation after the Advisory Commission provided for in Article 35 (1) of this Agreement has expressed its opinion and prior consultation with the World Intellectual Property Organization, the International Federation of Olive Growers, and with a competent professional organization of a mainly importing member and, should the need arise, with the International Chamber of Commerce and the international institutions specialized in analytical chemistry; should it be unsuccessful and after all efforts to reach agreement have been exhausted, the members concerned shall have the right of recourse, as a last resort, to the International Court of Justice.'.

CHAPTER VI — WORLDWIDE PUBLICITY TO PROMOTE OLIVE OIL CONSUMPTION

Article 13

Paragraph 1: Delete the phrase 'The participating governments' and substitute the following therefor: 'The members contributing to the publicity fund referred to in paragraph 3 of this Article'.

Paragraph 2: After the phrase: 'chemical characteristics and' insert: ', if necessary,'.

Article 14

Delete this Article and substitute therefor:

'The general and more limited publicity campaigns to be undertaken under Article 13 above shall be decided on by the Council according to the resources made available to it for the purpose and having regard to the following considerations and opinions:

(a) priority shall be given to action in the mainly producing countries and in countries where the consumption of olive oil is likely to increase;

(b) the execution of campaigns may not be envisaged before the date on which the actual payments into the publicity fund total 70 % of the contributions due;

(c) consultation of appropriate agencies and institutions.'.

Article 16

Paragraph 1. First clause: In the first sentence, delete the phrase 'The participating governments of the mainly producing countries' and substitute therefor: 'The mainly producing members'.

In the second sentence, delete the word 'government' and substitute the word 'member' therefor.

Second clause: Delete the word 'country's' and substitute the word 'member's' therefor.

Delete the phrase 'any modification in the coefficients set out in Annex B to the Agreement shall require a unanimous decision in view of paragraph 2 of this Article' and substitute therefor: 'any modification which may be made on that occasion in the coefficients set out in Annex B to the Agreement as amended, 1973, shall require a unanimous decision of the mainly producing members.'.

Third clause: In the first sentence, delete the phrase 'countries which are parties to this Agreement' and substitute the word 'members' therefor. In the second sentence, delete the phrase 'countries which are parties to this Agreement' and substitute the word 'members' therefor.

Fourth clause: In the first sentence, delete the phrase 'the governments of other participating countries' and substitute therefor: 'the mainly importing members'.

In the English text, delete the second sentence of this clause.

Paragraph 2. First sentence: Delete the phrase 'The participating governments of the mainly producing countries,' and substitute therefor: 'The mainly producing members,'.

Delete the phrase 'Annex B to this Agreement' and substitute therefor: 'Annex B to the Agreement as amended, 1973.'.

In the English text, after the first sentence add the following:

'The coefficients in question, determined according to the average production and average net exports or imports of olive oil of each of the members during the olive crop years referred to in Article 3 of the Agreement as amended, 1973, in the proportion of 20 % for production and 80 % for net exports or imports, shall be subject to revision by the Council in 1976 for the purpose of their application with effect from 1 January 1977. Such revision shall be effected by a decision taken by a majority of four fifths of the votes cast, including the votes of at least 70 % of the number of mainly producing members, taking into consideration the average production and average net exports or imports of olive oil of each of the mainly producing members during the olive crop years 1968/69 to 1973/74, in the same proportion as specified above for such production and such net exports or imports.'.

Paragraph 3: Delete the phrase 'governments of mainly producing countries' and substitute therefor: 'mainly producing members'. Delete the word 'government' and substitute the word 'member' therefor. Delete the phrase 'Annex B to this Agreement' and substitute therefor: 'Annex B to the Agreement as amended, 1973,'. Delete the word 'governments' and substitute the word 'members' therefor.

Paragraph 7: Delete the paragraph and substitute the following therefor:

'7. With regard to the collection of contributions to the publicity fund and in the event of delay in the payment of same, the provisions of Article 33 (5) of this Agreement shall apply.'.

Paragraph 8: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 9: First clause: Delete the phrase 'participating government of a mainly producing country' and substitute therefor: 'mainly producing member'.

Second clause: Delete the word 'country' and substitute the word 'member' therefor.

CHAPTER VII — ECONOMIC MEASURES

Article 19

Paragraph 1: Delete the phrase 'participating government' and substitute the word 'member' therefor.

Delete the phrase 'non-participating governments' and substitute therefor: 'governments of States not members of this Agreement'.

Paragraph 2: Delete the phrase 'participating governments' and substitute the word 'member' therefor.

Delete the phrase 'held in their countries' and substitute therefor: 'held in their territory'.

Delete the phrase 'to export to participating or other countries' and substitute therefor: 'to export to members or to non-members of this Agreement'.

Paragraph 3: Delete the phrase 'governments of countries' and substitute the word 'members' therefor.

Paragraph 4: In the first sentence, delete the phrase 'participating governments' and substitute the word 'members' therefor.

Delete the phrase 'member and other countries' and substitute therefor: 'members and non-members of this Agreement'.

Delete the phrase 'participating countries' and substitute the word 'members' therefor.

In the second sentence, delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 5: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 20

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

CHAPTER VIII — ADMINISTRATION

Article 21

In the title preceding this Article, delete the phrase 'Olive Oil Council' and substitute therefor: 'International Olive Oil Council' (1).

Delete the text and substitute the following: 'The International Olive Oil Council shall be entrusted with the administration of this Agreement.'.

Article 22

Paragraph 2: After the phrase 'ways and means of securing' insert: 'the development of international trade and'.

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

(1) This change only affects the English, French and Spanish versions.

Paragraph 2. Subparagraph (i): At the end of the subparagraph insert: 'and olive-residue oil;'.

Subparagraph (ii): Delete the phrase 'International Arbitration Boards' and substitute therefor: 'an International Reconciliation and Arbitration Board'.

After the phrase 'of olive oil' insert: 'and olive-residue oil'.

Subparagraph (iii): At the end of the subparagraph insert: 'and of olive-residue oils;'.

Subparagraph (iv): Delete the phrase 'of olive oil'.

Paragraph 3: After the phrase 'olive oil' insert: 'and olive-residue oil'.

Paragraph 5. First clause: After the phrase 'relating to olive oil' insert: 'and olive-growing,'.

Second clause: Delete the phrase 'suggestions and recommendations' and substitute therefor: 'recommendations and suggestions'.

Delete the word 'aims' and substitute the word 'objectives' therefor (2).

Third clause: After the word 'countries' insert: 'or groups of countries'.

Paragraph 6: Delete the paragraph and substitute the following:

'6. The Council shall establish procedures under which the members shall inform the Council of the conclusions at which they have arrived after considering the recommendations and suggestions referred to in this Article or arising from application of this Agreement.'.

Article 24

Paragraph 1: Delete the first sentence and substitute therefor: 'Subject to the provisions of paragraph 2 of this Article, each Contracting Party shall be a member of the Council with a right to vote.'.

In the third sentence, delete the phrase 'participating government' and substitute the word 'member' therefor.

Paragraph 2: Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Paragraph 3: In the first sentence, delete the phrase 'participating governments,' and substitute therefor: 'Contracting Parties,'.

In the second sentence, delete the phrase 'of the delegation of his government.' and substitute therefor: 'of his delegation.'.

(2) In the English text only.

Paragraph 4: Delete the phrase 'participating governments,' and substitute therefor: 'Contracting Parties,'.

Article 25

Paragraph 1: Insert the following sentence at the end of the paragraph:

> 'Should a member invite the Council to meet elsewhere than at its seat and if a decision is taken agreeing to the invitation, the said member shall bear the extra expenditure resulting from such invitation for the budget of the Council.'.

Paragraph 3. Subparagraph (i): Delete the phrase 'participating governments;' and substitute the word 'members;' therefor.

Subparagraph (ii): Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 26

Delete the phrase 'governments of the countries' and substitute the word 'members' therefor. Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 27

In the first sentence, delete the phrase 'participating governments,' and substitute the word 'members,' therefor. Delete the phrase 'participating government' and substitute the word 'member' therefor.

In the second sentence, delete the phrase 'participating governments,' and substitute the word 'members,' therefor.

Article 28

Paragraph 1: Delete the phrase 'participating country' and substitute the word 'member' therefor.

Add the following phrase to the present text: '..., no State member being entitled to more than 450 votes and no member to less than five votes.'.

Paragraph 2: Delete this paragraph.

Paragraph 3: Renumber as paragraph 2.

Article 29

Paragraph 1: Delete the word 'countries.' and substitute the word 'members.' therefor.

Add the following sentence: 'The votes of abstaining members shall not be counted.'.

Paragraph 2: Delete the phrase 'The Government of a participating mainly producing country' and substitute therefor: 'A mainly producing member'.

Delete the phrase 'another mainly producing country' and substitute therefor: 'another mainly producing member'.

Paragraph 3: Delete the phrase 'mainly producing country' in both instances and substitute therefor: 'mainly producing member'.

Delete the phrase 'held by his own country,' and substitute therefor: 'held by that member,'.

Paragraph 4: Delete the phrase 'The government of a participating mainly importing country' and substitute therefor: 'A mainly importing member'.

Delete the word 'country' and substitute the word 'member' therefor.

Paragraph 5: Delete the phrase 'a mainly importing country' and substitute therefor: 'a mainly importing member'.

Delete the phrase 'held by his country,' and substitute therefor: 'held by that member,'.

Delete the phrase 'mainly importing countries.' and substitute therefor: 'mainly importing members.'.

Article 30

Paragraphs 1 and 2: Delete these paragraphs and substitute therefor a paragraph 1 as follows:

> '1. The Council may appoint an executive committee composed of three fifths and two fifths respectively of representatives of mainly producing and mainly importing members.'.

Paragraph 3: Renumber this paragraph as paragraph 2 and delete in it the words 'on the proposal of each of the two groups mentioned in paragraph 1 of this Article.'.

Paragraphs 4, 5, 6 and 7: Renumber these paragraphs as 3, 4, 5 and 6 respectively.

Paragraph 8: Renumber this paragraph as paragraph 7. Delete the phrase 'participating government' and substitute the word 'member' therefor.

Article 31

Paragraph 4: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

CHAPTER IX — STATUTE, IMMUNITIES AND PRIVILEGES

Delete the title and substitute therefor:

'PRIVILEGES AND IMMUNITIES'.

Article 32

Paragraph 1: Delete the phrase 'each participating State,' and substitute therefor: 'the territory of each member,'.

Insert a new paragraph 3 as follows:

'3. The Council, the director and the staff of the secretariat are granted the privileges, immunities and facilities set out in the Agreement concerning the seat of the Council between the Council and the government of the State in which the seat is located.'.

CHAPTER X — FINANCIAL PROVISIONS

Article 33

Paragraph 1: Delete the phrase 'their respective governments.' and substitute therefor: 'the members concerned.'.

Delete the phrase 'participating government' and substitute the word 'member' therefor.

Paragraph 2: In the first sentence, delete the phrase 'participating government.' and substitute the word 'member' therefor.

In the second sentence, delete the word 'government' and substitute the word 'member' therefor.

Paragraph 3: In the first sentence, delete the phrase 'participating government' and substitute the word 'member' therefor. Delete the phrase 'under Article 36'. Delete the word 'country' and substitute the word 'member' therefor.

In the second sentence, delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 5: Delete the paragraph and substitute the following:

'5. Should a member not fully settle its contribution to the administrative budget within six months from the outset of the financial year, the director shall request it to do so as soon as possible. If the said member does not settle its contribution within three months of the above time limit, its right to vote in Council sessions and committee meetings shall be suspended until its contribution has been fully settled. Nevertheless, except by a vote of the Council, it shall not be deprived of any of its other rights or released from any of its obligations under this Agreement. It cannot be exonerated by any vote from financial obligations under this Agreement.'.

CHAPTER XI — COOPERATION WITH OTHER ORGANIZATIONS

Delete the title and substitute therefor:

'COOPERATION WITH OTHER ORGANIZATIONS AND THE ADMISSION OF OBSERVERS'.

Article 34

Delete the Article and substitute therefor:

'1. The Council may make whatever arrangements are appropriate for consultation or cooperation with the United Nations and its organs, in particular the United Nations Conference on Trade and Development (UNCTAD) and with the Food and Agriculture Organization and such other specialized agencies of the United Nations and intergovernmental organizations as may be appropriate. It may also make such arrangements as are appropriate in respect of its cooperation with governmental and non-governmental agencies or institutions. It may also invite any of the organizations referred to in this Article to attended any of its meetings as an observer.

2. The Council, bearing in mind the particular role of UNCTAD in international commodity trade, will, as it considers appropriate, keep that organization informed of its activities and programmes of work.

3. The Council may also invite any State which is a member of the United Nations or of one its specialized agencies or of the International Atomic Energy Agency but not yet Party to this Agreement to attend any of its meetings as an observer.'.

CHAPTER XII — DISPUTES AND COMPLAINTS

Article 35

Paragraph 1: Delete the phrase 'participating government' and substitute the word 'member' therefor.

Paragraph 3: Delete the phrase 'participating government' in both instances, and substitute the word 'member' therefor.

After the phrase 'decision on the subject' insert the phrase: 'after consulting the members concerned'.

Paragraph 4: Delete the phrase 'participating government' and substitute the word 'member' therefor.

Paragraph 5: Delete the phrase 'participating government' and substitute the word 'member' therefor.

Delete the word 'government' and in each instance substitute the word 'member' therefor (1).

CHAPTER XIV — DURATION, AMENDMENT, SUSPENSION, WITHDRAWAL, EXPIRY, RENEWAL

Article 37

Paragraph 2: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 38

Paragraph 1: Delete the phrase 'participating government,' and substitute the word 'member,' therefor.

Delete the phrase 'this Agreement,' and substitute therefor: 'the Agreement as amended, 1973,'.

Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Paragraph 2: Delete the word 'government' and substitute the word 'member' therefor.

Paragraph 3: Delete the phrase 'participating government shall notify the depositary government' and substitute therefor: 'Contracting Party shall notify the depositary government'.

Paragraph 4: Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Paragraph 5: Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Paragraph 6: Delete the phrase 'by the governments of the participating countries' and substitute therefor: 'by or on behalf of members'.

(1) This change only affects the English, French and Italian versions.

Delete the phrase 'by the governments of all the participating countries' and substitute therefor: 'by or on behalf of all members'.

Subparagraph (a): Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Subparagraph (b): Delete and substitute therefor:

'(b) The Council shall decide immediately whether the amendment is of such importance that members which have not accepted the amendment must be suspended from participation in the Agreement as amended, 1973, as from the date on which such amendment comes into force in accordance with subparagraph (a) above, and shall inform all members accordingly. Should the Council decide that the amendment is of such importance, the members which have not accepted it shall inform the Council before the date on which the amendment is to enter into force in accordance with subparagraph (a) above, whether they still consider such an amendment unacceptable; the participation in the Agreement as amended, 1973, of members which have so decided and those which have not given notice of their decision shall then be automatically suspended from the date of entry into force of the amendment. Nevertheless, should any such member satisfy the Council that it was prevented from accepting the amendment before its entry into force, in accordance with subparagraph (a) above, on account of constitutional or institutional difficulties beyond its control, the Council may defer suspension until such difficulties have been overcome and the member has notified the Council of its decision.'.

Paragraph 7: Delete the phrase 'participating government suspended' and substitute therefor: 'member whose participation has been suspended'.

Article 39

Paragraph 1: Delete and substitute therefor:

'1. Should a Contracting Party consider its interest seriously endangered by the fact that a signatory fails to ratify, accept or approve this Agreement as amended, 1973, or because of conditions or reservations attached to a signature, ratification, acceptance or approval, it shall so notify the depositary government. On receipt of such notification, the depositary government shall inform the Council which shall examine the question during its first session following receipt of such notification. If, after examination of the question by the Council the Contracting Party continues to consider its interests

seriously endangered, it may withdraw from the Agreement as amended by giving notice of its withdrawal to the depositary government within a period of 30 days after being notified of the Council's decision.'.

Paragraph 2. Subparagraph (a): Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Subparagraph (b): Delete the phrase, in the first two instances, 'participating government' and substitute therefor: 'Contracting Party'.

Delete the phrase 'or by the withdrawal under Article 42 (2) of all or some of the non-metropolitan territories represented by another participating government'.

Subparagraph (c): Delete the phrase 'participating government' in both instances and substitute therefor: 'Contracting Party'.

Subparagraph (d): Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Paragraph 3: Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Article 40

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 41

Paragraph 1: Delete the phrase 'participating government which withdraws, or is suspended from the Agreement' and substitute therefor: 'Contracting Party which withdraws from the Agreement and any member whose participation in the Agreement is suspended'.

Add after the word 'Agreement' the phrase 'as amended, 1973,'.

Paragraph 2: Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Add after the word 'Agreement' the phrase 'as amended, 1973,'.

CHAPTER XV — TERRITORIAL APPLICATION

Article 42

Delete this Chapter, consisting of Article 42 (1), (2) and (3).

Annex A

Delete the title and substitute therefor: **'Designations and definitions of olive oils and olive-residue oils'.**

Paragraph 1: After the words 'Olive oils produced', insert the word 'solely'.

Delete the words 'types of oils or oils extracted in a different manner', and substitute the word 'oils' therefor.

Annex B

Delete the list of countries and their coefficients and replace by the following:

'Algeria		1·47
Egypt		0·17
Argentina		2·07
Greece		5·77
Israel		0·17
Italy		33·67
Lebanon		0·47
Morocco		1·61
Portugal		3·07
Spain		37·07
Syria		0·82
Tunisia		10·07
Turkey		3·57
	Total	100·00'

Annex C

Delete the contents of the Annex and replace by the following:

'Mainly producing members

Algeria	27
Egypt	5
Argentina	21
European Economic Community:	
— Italy	450
Greece	187
Israel	8
Lebanon	12
Morocco	42

Portugal	78
Spain	450
Syria	28
Tunisia	88
Turkey	104
Mainly importing members	
Dominican Republic	5
European Economic Community:	
— Belgium/Luxembourg	5
— Denmark	5
— Federal Republic of Germany	8
— France	25
— Ireland	5
— Netherlands	5
— United Kingdom	8
Gabon	5
Libya	28
Uruguay	5'

Annex D

Delete.

Article 3

1. Any government which is a member of the United Nations Conference on Trade and Development may become a Party to this Protocol in accordance with its constitutional or institutional procedures:

(a) by signing it; or

(b) by ratifying, accepting or approving it after having signed it subject to ratification, acceptance or approval; or

(c) by acceding to it.

2. Each signatory government shall, on signing this Protocol, state whether, according to its constitutional or institutional procedures, its signature is, or is not, subject to ratification, acceptance or approval.

Article 4

This Protocol shall be open in Madrid with the Government of Spain, the depositary government of the Agreement and of this Protocol, until 30 October 1973 inclusive, for signature by any government which is on that date a party to the Agreement.

Article 5

In cases where ratification, acceptance or approval is required, the appropriate instrument shall be deposited with the depositary government of the Agreement not later than 31 December 1973, on the understanding that the Council may grant an extension or extensions of this time to any signatory government which has not deposited the said instrument by this date.

Article 6

Any non-signatory government entitled to accede to this Protocol under Article 9, may notify the depositary government that it is undertaking to satisfy the constitutional or institutional procedures required to accede to this Protocol as rapidly as possible.

Article 7

1. Any signatory government which has not been able to deposit its instrument of ratification, acceptance or approval by 31 December 1973 and has been granted an extension of time under Article 5 of this Protocol and any non-signatory government which has made a notification pursuant to Article 6 of this Protocol may indicate to the depositary government that they will provisionally apply the Agreement as amended by this Protocol.

2. During the entire period when the Agreement as amended by this Protocol is in force, either definitively or provisionally, a signatory government which has been granted an extension of time under Article 5 of this Protocol or a non-signatory government which has given an indication under paragraph 1 of this Article shall be a provisional member with all the rights and duties of a member until that government becomes a Contracting Party.

Article 8

1. This Protocol shall enter definitively into force on 1 January 1974, or on any date within the following 12 months, between the governments which have signed it, and, in cases where their constitutional or institutional procedures so require, have ratified, accepted or approved it, or have acceded to it, if these governments include those of six mainly producing countries, together accounting for at least 60 % of worldwide olive oil production during the reference period stipulated in Article 3 of this Agreement, as well as those of three mainly importing countries. If this Protocol has not definitively entered into force in accordance with the preceding sentence, it shall do so at any time after it is provisionally in force when the numerical and production percentage requirements of this paragraph are satisfied by the deposit of instruments of ratification, acceptance, approval or accession.

2. This Protocol shall enter provisionally into force on 1 January 1974, or on any date within the following 12 months, between the governments which have signed it and, in cases where their constitutional or institutional

procedures so require, have ratified, accepted or approved it, or have acceded to it, or have indicated that they will apply it provisionally, if these governments include those of six mainly producing countries together accounting for at least 60 % of worldwide olive oil production during the reference period stipulated in Article 3 of the Agreement, as well as those of three mainly importing countries.

3. If by 1 January 1974 this Protocol has not entered into force either provisionally or definitively in the manner described in paragraphs 1 and 2 of this Article, but has received a sufficient number of signatures to enable it to enter into force after ratification, acceptance or approval in conformity with the relevant provisions of this Protocol, then the Agreement shall, in accordance with Article 37 (4), continue in force beyond 1 January 1974 until the date of the provisional or definitive entry into force of this Protocol, provided that the period of such extension shall not exceed 12 months.

4. If by 30 October 1973 this Protocol has not received a number of signatures sufficient for it to enter into force after ratification, acceptance or approval, the governments which have signed it and, where their constitutional or institutional procedures so require, have ratified, accepted, approved or acceded to the said Protocol or have stated that they will apply it provisionally, may decide by common agreement that this Protocol shall enter into force among themselves, or may take whatever other action they consider is required by the circumstances.

Article 9

1. This Protocol shall be open for accession by any non-signatory government which is a member of the United Nations Conference on Trade and Development.

2. Accession to this Protocol shall be deemed to be accession to the Agreement as amended, 1973.

3. Accession shall be effected by the deposit of an instrument of accession with the depositary government of the Agreement and shall take effect from the date of deposit of such instrument or on the date of entry into force of this Protocol, whichever date is the later.

Article 10

If by 31 December 1978 a new agreement to extend or renew the Agreement as continued in force by this Protocol has been negotiated and has received a sufficient number of signatures to enable it to enter into force after ratification, acceptance or approval in conformity with the relevant provisions of the Agreement and if that new Agreement has not entered into force, either provisionally or definitively, the present Protocol shall continue in force beyond 31 December 1978 until the entry into force of the new Agreement, provided that the period of such extension shall not exceed 12 months.

Article 11

1. Any government may, upon signature, or upon deposit of its instrument of ratification, acceptance or approval of this Protocol, or upon accession thereto, declare by notice addressed to the depositary government that the Agreement as amended, 1973, shall extend to any of the territories for whose international relations that government is for the time being ultimately responsible. The said Agreement shall extend to the territories named in the notification from the date of such notification or from the date on which the present Protocol enters into force for that government, whichever is the later.

2. Any Contracting Party which has made a declaration pursuant to paragraph 1 of this Article may at any later time, by notification to the depositary Government, declare that the Agreement as amended, 1973, shall cease to extend to the territory named in the notification and the said Agreement shall cease to extend to such territory from the date of such notification.

3. When a territory to which the Agreement as amended, 1973, has been extended under paragraph 1 of this Article subsequently attains independence, its government may, within 90 days after the attainment of independence, declare by notification to the depositary government that it has assumed the rights and obligations of a Contracting Party to the Agreement as amended, 1973. It shall become a Contracting Party to the said Agreement from the date of such notification.

Article 12

The depositary government of the Agreement shall without delay inform the signatory and acceding governments of any signature, ratification, acceptance or approval of, or accession to, this Protocol, of any notification and any indication made under Articles 6 and 7 of this Protocol, and of the date of entry into force of this Protocol.

Article 13

The European Economic Community shall have the same rights and powers as the governments referred to in the present Protocol, including those referred to in Articles 3 and 9 thereof.

In witness whereof, the undersigned, having been duly authorized to this effect by their respective governments, have signed this Protocol on the dates appearing opposite their signatures.

The texts of the present Protocol in the Arabic, English, French, Italian and Spanish languages shall all be equally authentic, the originals being deposited with the Government of Spain which shall furnish certified true copies thereof to all governments that have signed or acceded to this Protocol.

Done at Geneva, 23 March 1973.

ANNEX II

Notification of intention to accede to the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement with amendments to the said Agreement, and of the provisional application of the Agreement as amended by the abovementioned Protocol

In accordance with Articles 6 and 9 of the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement with amendments to the said Agreement, the Council of the European Communities has the honour to inform the Government of Spain, depositary of this Protocol that it intends to implement the institutional procedures necessary for the accession of the European Economic Community to the said Protocol.

In accordance with Article 7 of the abovementioned Protocol, the European Economic Community also indicates that it will apply the Agreement as amended by the Protocol of 23 March 1973 provisionally from 1 January 1978.
