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REGULATION (EEC) No 2165/70 OF THE COUNCIL

of 27 October 1970

on imports of olive oil from Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament[1];

Whereas Article 5 of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Tunisia, as amended by the Agreement signed in Brussels on 11 September 1970, and Article 6 of the same Annex make provision for special treatment to be accorded to imports of olive oil falling within sub-heading No 15.07 A II of the Common Customs Tariff obtained entirely in Tunisia and transported direct from that country to the Community; whereas, before that treatment can be accorded, rules for its application must be adopted;

Whereas this special treatment involves a standard rebate of 0·50 units of account per 100 kilogrammes on the levy charged on such oil on importation into the Community; whereas, on condition that Tunisia imposes a special charge on exports, this treatment also involves a reduction in the levy corresponding to the amount of that special charge up to a maximum of 5 units of account per 100 kilogrammes;

Whereas, in accordance with the terms of the Agreement, the special export charge should have the effect of increasing the price of oil on importation into the Community; whereas, to ensure that the treatment in question is correctly applied, the special export charge should have been paid when the oil is imported;

HAS ADOPTED THIS REGULATION:

Article 1

The levy on imports into the Community of olive oil other than refined olive oil falling within sub-heading No 15.07 A II of the Common Customs Tariff, obtained entirely in Tunisia and transported direct from that country into the Community, shall be the levy calculated in accordance with the provisions of Article 13 of Council Regulation No 136/66/EEC[2] of 22 September 1966 on the establishment of a common organisation of the market in oils and fats, as last amended by Regulation (EEC) No 1253/70,[3] applicable at the time of importation, less 0·50 units of account per 100 kilogrammes.

Article 2

The levy charged on imports into the Community for the product specified in Article 1 shall be the levy calculated in accordance with the provisions of that Article less an amount equal to the special charge imposed by Tunisia on exports to the Community of the olive oil referred to in Article 1, up to a maximum of 5 units of account per 100 kilogrammes.

Article 3

The treatment provided for in Article 2 shall be applied to all imports in respect of which the special export charge has been paid up to an amount which does not exceed either the amount of the levy calculated in accordance with the provisions of Article 1 and applicable when the oil is imported into the Community or 5 units of account per 100 kilogrammes.

[1] OJ No C 129, 26.10.1970, p. 31.

[2] OJ No 172, 30.9.1966, p. 3025/66.

[3] OJ No L 143, 1.7.1970, p. 1.

Article 4

Without prejudice to the charging of the variable component of the levy determined in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component of that levy shall not be charged, on importation into the Community, in respect of refined olive oil falling within sub-heading No 15.07 A I of the Common Customs Tariff obtained entirely in Tunisia and transported direct from that country to the Community.

Article 5

The levy referred to in Article 4 shall be fixed by the Commission.

Article 6

Detailed rules for the application of this Regulation, and of Article 3 in particular, shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 7

Council Regulation (EEC) No 1471/69[1] of 23 July 1969 on imports of olive oil from Tunisia is hereby repealed.

Article 8

The treatment provided for in this Regulation shall apply from 1 November 1970 to 31 October 1971.

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

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

Done at Luxembourg, 27 October 1970.

For the Council

The President

W. SCHEEL

[1] OJ No L 198, 8.8.1969, p. 93.