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# REGULATION (ECC) No 1168/71 OF THE COMMISSION

## of 3 June 1971

## fixing, in respect of oils and fats, the maximum tolerances referred to in Article 5 of Regulation (EEC) No 786/69

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 786/69[1] of 22 April 1969 on the financing of intervention expenditure in respect of the internal market in oils and fats, and in particular Article 5 (2) (c) thereof;

Whereas pursuant to Article 4 of Regulation (EEC) No 786/69 the intervention agencies draw up, in respect of each marketing year and each product for which an intervention price is fixed, an account which is credited with the items mentioned in Article 5 (2) of that Regulation; whereas these items include the value of quantity losses exceeding the maximum tolerance which is to be fixed;

Whereas residues which still contain a significant quantity of olive oil always form when olive oil is stored for some time; whereas in the interests of simplification of the system, no analysis should be made of those residues; whereas they should therefore be entered in accounts on the basis of an oil content calculated at a flat rate;

Whereas the maximum tolerances to be used when drawing up the accounts for the 1967/68 and 1968/69 marketing years were laid down by Article 2 of Commission Regulation (EEC) No 898/70[2] of 19 May 1970 fixing, in respect of oils and fats, the maximum tolerances referred to in Article 5 of Regulation (EEC) No 786/69;

Whereas Council Regulation (EEC) No 2092/70[3] of 20 October 1970 amending the Regulations on the financing of intervention expenditure in respect of the internal market lays down that net expenditure by intervention agencies which is eligible under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund is to be determined by means of accounts drawn up as at the end of the calendar year; whereas maximum oils and fats tolerances should therefore be fixed for the accounts to be drawn up as at the end of 1969, 1970 and 1971; whereas the lack of adequate experience makes it inappropriate to fix as of now the maximum tolerances in respect of oil seeds for the accounts to be drawn up as at the end of 1971;

Whereas the sale of olive oil bought in during the 1967/68 marketing year did not begin till the 1968/69 marketing year and whereas the stock was not completely run down till the 1970/71 marketing year; whereas it was therefore impossible to determine the losses to be entered in the accounts to be drawn up as at 31 December 1969 and as at 31 December 1970; whereas it is therefore necessary to fix a zero maximum tolerance for the accounts to be drawn up as at those dates, and when fixing the maximum tolerance for the accounts to be drawn up as at 31 December 1971 to allow, in addition, for storage losses throughout the storage period; whereas the above-mentioned fixing of a zero tolerance entails an amendment to Regulation (EEC) No 898/70.

Whereas quantity losses of olive oil are due partly to entry into storage and partly to measures required to keep the product in good condition; whereas such losses vary with the length of the storage period;

Whereas the maximum tolerance should be fixed solely in the light of weight differences which may be considered normal in view of the nature of the product; whereas, taking into account the location of the stored products, a uniform maximum tolerance valid throughout the Community should be fixed for each product;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Oils and Fats;

[1] OJ No L 105, 2.5.1969, p. 1.
[2] OJ No L 108, 20.5.1970, p. 11.
[3] OJ No L 232, 21.10.1970, p. 3.

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 of Regulation (EEC) No 898/70 shall be supplemented by the following:

'(c) as regards olive oil residues:

the quantities of olive oil sold shall be increased by a weight equal to that of the oil in such residues; this weight shall be:

1. — for tank bottoms, 96% of the weight recorded, and,

2. — for oil foots and dregs, 25% of the weight recorded.'

*Article 2*

1. Zero is hereby substituted for 0·55% in Article 2 of Regulation (EEC) No 898/70.

2. In the case of olive oil, and in respect of accounts to be drawn up as at 31 December 1969 and as at 31 December 1970, the maximum tolerance referred to in Article 5 (2) (c) of Regulation (EEC) No 786/69 is hereby fixed at zero.

3. In the case of olive oil and in respect of accounts to be drawn up as at 31 December 1971, the maximum tolerance referred to in Article 5 (2) (c) of Regulation No 786/69 is hereby fixed at:

— 0·40% of the quantities bought in during the 1967/68 marketing year, and

— 0·0125% of the tons/months of storage since the date of buying in.

*Article 3*

For accounts to be drawn up as at 31 December 1969 and as at 31 December 1970, the maximum tolerance referred to in Article 5 (2) (c) of Regulation (EEC) No 786/69 is hereby fixed:

1. for colza and rape seed, at 0·45% of the quantities bought in,

2. for sunflower seed, at 0·70% of the quantities bought in.

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

Done at Brussels, 3 June 1971.

*For the Commission*

*The President*

Franco M. MALFATTI