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REGULATION (EEC) No 2311/71 OF THE COUNCIL

of 29 October 1971

on the subsidy for olive oil

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation No 136/66/EEC[1] 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 2554/70,[2] and in particular Article 10 (2) thereof;

Having regard to Council Regulation No 162/66/EEC[3] of 27 October 1966 on trade in oils and fats between the Community and Greece, and in particular Article 8 thereof;

Having regard to the proposal from the Commission;

Whereas the principles must be laid down under which the subsidy referred to in Article 10 of Regulation No 136/66/EEC will be granted to olive oil producers for the 1971/72 marketing year; whereas, moreover, measures should be adopted to ensure that the subsidy is granted only for olive oil produced in the Community from olives harvested in the Community, and in respect of which the subsidy has not already been granted;

Whereas, to ensure the proper working of the subsidy system, the subsidy should be granted only for quantities of oil in respect of which applications are submitted within oil-producing regions; whereas, in order to simplify the application of the system, provision should be made for Member States to fix the number of applications for subsidy which can be made during the marketing year;

Whereas, the subsidy in question is of considerable importance for oil producers and constitutes a financial burden for the Community; whereas, to ensure that the subsidy is granted only for such oil as gives entitlement thereto, provision should be made for a system of administrative supervision to check that the quantities of oil in respect of which applications for subsidy are made are consistent with the potential production of olives and oil during the marketing year in question and with the quantities of the products from which the oil is extracted and the quantities of oil actually produced;

Whereas such supervision should be based on the stock records of oil mills and extraction plants and on a system of cultivation declarations; whereas, to ensure the proper working of the supervision system, the accuracy of the stock records and cultivation declarations should be verified by the Member States;

Whereas, however, to simplify the application of the subsidy system to olive-residue oil, provision should be made for the determination of the quantity of such oil which will be accepted for the subsidy to be effected on the basis of the production of oil by extraction;

Whereas the system of administrative supervision referred to above must be supplemented by Community supervision for raw materials imported from Greece and from third countries;

HAS ADOPTED THIS REGULATION:

Article 1

For the 1971/72 marketing year, the subsidy referred to in Article 10 of Regulation No 136/66/EEC shall be granted in respect of olive oil falling within the definitions contained under 1 and 4 of the Annex to that Regulation.

Article 2

1. The subsidy shall be granted upon application to be made by the persons concerned in the oil-producing regions of the Community.

[1] OJ No 172, 30.9.1966, p. 3025/66.
[2] OJ No L 275, 19.12.1970, p. 5.
[3] OJ No 197, 29.10.1966, p. 3393/66.

2. The producing Member States shall fix, according to criteria to be determined, the number of applications which each person may submit and the time limit for submission of such applications.

Article 3

1. Each producing Member State shall set up a system of administrative supervision to ensure that the products in respect of which applications are made for subsidy are products which give entitlement thereto.

2. As regards the type of oil referred to under 1 of the Annex to Regulation No 136/66/EEC, the supervision must, in particular, include a check that the quantity of oil in respect of which an application is made for subsidy by a person concerned is consistent with:

(a) the quantity of olives harvested within the Community and used for the production of such oil,

(b) the actual quantity of oil produced,

(c) the potential production of olives and oil during the marketing year in question.

3. As regards the type of oil referred to under 4 of the Annex to Regulation No 136/66/EEC, the supervision must, in particular, include a check that the quantity of oil in respect of which an application is made for subsidy by a person concerned is consistent with:

(a) the quantity of olive residue obtained from olives harvested within the Community and used for the production of such oil,

(b) the actual quantity of oil produced in extraction plants.

4. By way of derogation from paragraph 3, producing Member States may determine the quantity of olive-residue oil which will be accepted for subsidy, particularly on the basis of production of the type of oil referred to under 1 of the Annex to Regulation No 136/66/EEC.

Article 4

For the purposes of the supervision referred to in Article 3, producing Member States shall:

(a) oblige oil mills and, subject to Article 3 (4), extraction plants for olive-residue oil to keep records of their stocks,

(b) apply a system of cultivation declarations in accordance with Articles 5 and 6.

Article 5

Every producer of olives for the production of oil shall lodge a cultivation declaration which shall contain, at the least, information regarding the area planted with olive trees and the number of olive trees cultivated and producing within that area.

Cultivation declarations lodged for the 1969/70 and 1970/71 marketing years shall also be valid for the 1971/72 marketing year unless the producer's undertaking has changed in such a way as to alter potential production of olives and oil.

Article 6

1. Consistency between the quantity of oil in respect of which subsidy is applied for and the potential production referred to in Article 3 (2) (c) shall be verified by checking the information contained in the cultivation declarations against the target yields referred to in paragraph 2.

2. Target yields for olives and for oil shall be set by bodies designated for the purpose by the producing Member States.

Article 7

The producing Member States shall:

(a) verify the accuracy of the stock records referred to in Article 4 (a);

(b) verify the accuracy of cultivation declarations by spot checks *in situ*.

Article 8

1. A Community system is hereby set up for supervision of products as referred to in Article 1 (2) (d) and (e) of Regulation No 136/66/EEC which are imported from Greece or from third countries.

This system may be accompanied by the lodging of a deposit which, in respect of olives, shall be confined to products referred to in Article 15 (1) of that Regulation.

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

Article 9

The Member States shall communicate to the Commission, before they become applicable, all provisions adopted by them in pursuance of this Regulation.

Should the provisions in question not be apt to enable the objectives of this Regulation to be attained, a decision will be taken, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, as to the amendments which should be made thereto by the Member State concerned.

Article 10

This Regulation shall enter into force on 1 November 1971.

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

Done at Brussels, 29 October 1971.

For the Council

The President

L. NATALI