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REGULATION (EEC) No 991/72 OF THE COMMISSION

of 15 May 1972

on certain detailed rules for applying levies on exports of olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 136/66/EEC[1] of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 2727/71,[2] and in particular Article 18 (3) 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;

Having regard to Council Regulation No 171/67/EEC[4] of 27 June 1967 on export refunds and levies on olive oil, as last amended by Regulation (EEC) No 444/72,[5] and in particular Article 11 thereof;

Whereas, if the export levies on olive oil referred to in Article 18 of Regulation No 136/66/EEC are to be effective, certain detailed rules should be laid down for their collection;

Whereas the scope of the provision concerned should be defined;

Whereas export licences may have been applied for or issued before the date of application of the export levy; whereas it is reasonable to lay down that these applications for a licence may be withdrawn by the person concerned and the deposit released;

Whereas the date to be taken into account in determining the rate of the export levy should be stated; whereas that date must be the date of completion of the customs formalities referred to in Article 8 (2) of Commission Regulation (EEC) No 1373/70[6] of 10 July 1970 on common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products subject to a single price system, as last amended by Regulation (EEC) No 2849/71[7];

Whereas, if the products concerned leave Community territory in the course of transport from one point to another within the Community, appropriate provisions should be laid down for the purpose of recovering the levy concerned if these products are not reimported into the Community;

Whereas, as regards the other detailed rules for applying the export levy, recourse should be had to the provisions laid down in Commission Regulation (EEC) No 1279/71[8] of 17 June 1971 on the use of Community transit documents for the purpose of applying certain measures on the exportation of certain goods, as amended by Regulation (EEC) No 2766/71[9];

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The levy referred to in Article 18 of Regulation No 136/66/EEC shall be charged only on exports of olive oil falling within subheading No 15.07 A of the

[1] OJ No 172, 30.9.1966, p. 3025/66.
[2] OJ No L 282, 23.12.1971, p. 8.
[3] OJ No 197, 29.10.1966, p. 3393/66.
[4] OJ No 130, 28.6.1967, p. 2600/67.
[5] OJ No L 54, 3.3.1972, p. 6.
[6] OJ No L 158, 20.7.1970, p. 1.
[7] OJ No L 286, 30.12.1971, p. 24.
[8] OJ No L 133, 19.6.1971, p. 32.
[9] OJ No L 283, 24.12.1971, p. 33.

Common Customs Tariff and satisfying the conditions laid down in Articles 9 (2) and 10 (1) of the Treaty.

2. The levy shall also be charged on exports of the olive oil referred to in paragraph 1 which, on account of the customs regulations regarding its packaging or the fact of its incorporation in or addition to other olive oil, is not in free circulation in the Community and therefore does not satisfy the conditions laid down in Articles 9 (2) and 10 (1) of the Treaty.

Article 2

Where an export levy is fixed for olive oil, all persons concerned may request the cancellation:

— of applications for export licences for that product made prior to the application of that levy where the relevant licences have not already been issued;

— of export licences issued for that product prior to the application of that levy.

In such cases the deposit concerned shall be released immediately.

Article 3

1. The day to be taken into account when the export levy is being determined shall be the day on which the customs formalities referred to in the second subparagraph of Article 8 (2) (b) of Regulation (EEC) No 1373/70 are completed. The export levy shall be collected by the competent body of the Member State on whose territory these formalities are completed.

2. The export levy shall be payable not later than the time of completion of the customs formalities referred to in paragraph 1.

Article 4

Where the customs document indicates that an olive oil subject to the export levy and moving between two points in the Community will, in the course of transport, leave Community territory otherwise than by air, the sender must deposit a guarantee of an amount equal to the levy which would be collected if the oil were exported from the Community.

Article 5

Olive oil subject to the export levy shall be moved within the Community under the conditions fixed by Regulation (EEC) No 1279/71.

In the cases referred to in Article 5a of that Regulation, the day on which the formalities relating to the despatch of products are completed shall be regarded as being the day on which the customs formalities referred to in Article 3 are completed.

Article 6

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 Brussels, 15 May 1972.

For the Commission

The President

S. L. MANSHOLT