REGULATION (EEC) No 2447/74 OF THE COMMISSION

of 27 September 1974

amending Regulation (EEC) No 2637/70 as regards the application of the systems of import and export licences in the olive oil sector

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 1707/73 [2], and in particular Article 17 (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, and in particular Article 8 thereof;

Whereas Article 2 of Commission Regulation (EEC) No 1373/70 [4] 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 2111/74 [5], fixed a certain margin of tolerance with regard to the quantity of products imported or exported as compared with that shown in the licence; whereas in view of normal international commercial practice in respect of products in the olive oil sector, the margin of tolerance to be applied where the quantities imported or exported are greater or less than those specified in the licence should in the case of products falling within subheading 23.04 A of the Common Customs Tariff be increased;

Whereas Article 4 of Commission Regulation (EEC) No 2637/70 [6] of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 2186/74 [7], specifies a waiting period for the issue of licences for products in the olive oil sector; whereas in view of normal international commercial practice in respect of certain of these products, this period should continue to apply only in respect of operations concerning olive oil itself;

Whereas the third indent of Article 4 (3) of Regulation (EEC) No 1373/70 provides that no licence shall be required for the purposes of operations relating to quantities such that the security for the corresponding licence would be less than two units of account; whereas the application of this provision in the olive oil sector would entail the exemption of operations relating to relatively large quantities; whereas it is thus desirable, for the purposes of operations in this sector, to fix the exemption at a lower level;

Whereas Regulation (EEC) No 2637/70 should therefore be amended accordingly;

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

There is inserted in Regulation (EEC) No 2637/70 an Article 2a as follows:

'*Article 2a*

In the case of products falling within subheading 23.04 A of the Common Customs Tariff the obligation to import or to export shall be considered to have been fulfilled where the quantity imported or exported varies by not more than 7 % in either direction from that specified in the licence.'

Article 2

The text of Article 4 of Regulation (EEC) No 2637/70 is replaced by the following:

'In the case of products as specified in Article 1 (2) (c) of Regulation No 136/66/EEC, and without prejudice to the application of the provisions of Article 20 of the said Regulation and of Article 6 of Regulation No 162/66/EEC, the licence shall be issued on the fourth working day following that on which the application is lodged.'

Article 3

There is inserted in Regulation (EEC) No 2637/70 an Article 8a as follows:

'*Article 8a*

No licence shall be required for the purposes of operations relating to quantities not exceeding 100 kilogrammes.'

Article 4

This Regulation shall enter into force on 1 October 1974.

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 175, 29. 6. 1973, p. 5.
(3) OJ No 197, 29. 10. 1966, p. 3393/66.
(4) OJ No L 158, 20. 7. 1970, p. 1.
(5) OJ No L 220, 10. 8. 1974, p. 5.
(6) OJ No L 283, 29. 12. 1970, p. 15.
(7) OJ No L 231, 22. 8. 1974, p. 9.

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

Done at Brussels, 27 September 1974.

For the Commission

The President

François-Xavier ORTOLI