REGULATION (EEC) No 303/74 OF THE COUNCIL

of 4 February 1974

on imports of olive oil from Morocco

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 Articles 5 and 6 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco, as last amended by the Agreement signed in Brussels on 20 July 1973, make provision for special treatment to be accorded to imports of olive oil falling within subheading No 15.07 A of the Common Customs Tariff, obtained entirely in Morocco and transported directly from that country into the Community; whereas, before that treatment can be accorded, rules for its application must be adopted, in particular with respect to oil falling within subheading No 15.07 A II;

Whereas, in the case of oil falling within subheading No 15.07 A II, on condition that Morocco imposes a special charge on exports, the special treatment provides for a standard rebate of 0·50 unit of account per 100 kilogrammes on the levy charged on such oil, and a reduction of the levy by the amount of the special charge, up to 5 units of account per 100 kilogrammes;

Whereas it is necessary to ensure that, in accordance with the Agreement, the special export charge has 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 necessary steps must be taken to ensure that the special export charge has been paid when the oil is imported,

HAS ADOPTED THIS REGULATION:

Article 1

Where Morocco imposes the special export charge on olive oil other than refined olive oil falling within subheading No 15.07 A II of the Common Customs Tariff, obtained entirely in Morocco and transported directly from that country into the Community, the levy on imports of such oil into the Community shall be the levy calculated in accordance with Article 13 of Council Regulation No 136/66/EEC (2) 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 (3), less:

— 0·50 unit of account per 100 kilogrammes, and

— an amount equal to the special export charge levied on the oil in Morocco, up to 5 units of account per 100 kilogrammes.

Article 2

The arrangements provided for in Article 1 shall be applied to all imports in respect of which the importer can prove that the special export charge referred to in that Article is duly reflected in the import price.

Article 3

Where Morocco does not impose the special export charge, the levy on imports into the Community of oil as defined in Article 1 shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC, less 0·50 unit of account per 100 kilogrammes.

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 of refined olive oil falling within subheading No 15.07 A I of the Common Customs Tariff, obtained entirely in Morocco and transported directly from that country into 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 2 in particular, shall be adopted in

(1) OJ No C 2, 9. 1. 1974, p. 72.

(2) OJ No 172, 30. 9. 1966, p. 3025/66.

(3) OJ No L 175, 29. 6. 1973, p. 5.

accordance with the prpcedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 7

Council Regulation (EEC) No 463/71 [1] of 1 March 1971 on imports of olive oil from Morocco is repealed.

Article 8

This Regulation shall enter into force on the day of the entry into force of the Agreement in the form of an exchange of letters signed on 20 July 1973 amending Article 5 of Annex 1 to the Agreement [2] establishing an Association between the European Economic Community and the Kingdom of Morocco.

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

[1] OJ No L 53, 5. 3. 1971, p. 9.

[2] The date of the entry into force of this Agreement will be published in the *Official Journal of the European Communities.*