COUNCIL REGULATION (EEC) No 2844/76

of 23 November 1976

laying down special measures in particular for the determination of the offers of olive oil on the Greek market

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 Council Regulation (EEC) No 602/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market (2), as amended by Regulation (EEC) No 2600/76 (3), is applicable until 31 December 1976 ; whereas it was adopted in accordance with the procedure provided for in Article 10 of Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece (4), because of the urgency of the measures envisaged and pending the general revision of the rules concerning the olive oil sector ;

Whereas the difficulties of assessing the true market situation, which were the reason for the adoption of Regulation (EEC) No 602/76, still prevail ; whereas furthermore, it is not expected that the general revision of the provisions for the common organization of the market in this sector can be completed in a short time ; whereas in these circumstances the special measures laid down by the aforementioned Regulation should be maintained for a period sufficient for the completion of the general revision of the rules relating to olive oil,

HAS ADOPTED THIS REGULATION :

Article 1

Where free quotations on the Greek market are not a determining factor for the offer price for one or more qualities of unrefined olive oil falling within subheading 15.07 A II a) of the Common Customs Tariff, the levy referred to in Article 3 of Regulation No 162/66/EEC or the minimum levy referred to in Article 2 of this Regulation may be fixed, solely for the qualities concerned, at levels which take account of the actual offer prices for those qualities.

Article 2

1. When offers of unrefined olive oil on the Greek market do not correspond to real purchasing possibilities in quantities which are representative of the market, the import levy referred to in Articles 3, 4 and 5 of Regulation No 162/66/EEC shall be fixed by tendering procedure.

2. At regular intervals the persons concerned shall submit an application for an import licence to the competent bodies in the Member States and at the same time shall provide a special security for an amount to be decided.

The application for an import licence shall be accompanied by a statement of :

(a) the quantity of the product covered by the application ;

(b) the rate of levy per 100 kilogrammes of the product which the applicant undertakes to pay at the time of import.

3. The Commission shall determine the minimum rate of the levy in units of account per 100 kilogrammes of the product.

4. Licences shall be issued for applications stating a rate of levy greater than or equal to the minimum rate determined by the Commission. In this event the applicant shall be bound to import the quantity of the product stated in his application at the rate of levy stated therein.

5. The Commission shall inform the Member States of the implementation of this Article.

Article 3

By way of derogation from Article 5 of Regulation No 162/66/EEC no levy shall be imposed on imports of olive oil cakes and other residues falling within subheading 23.04 A of the Common Customs Tariff which have an olive oil content of not more than 3 %.

(1) Opinion delivered on 16 November 1976 (not yet published in the Official Journal).
(2) OJ No L 72, 18. 3. 1976, p. 3.
(3) OJ No L 297, 28. 10. 1976, p. 4.
(4) OJ No 197, 29. 10. 1966, p. 3393/66.

Article 4

Imports of the products referred to in Article 9 of Regulation No 162/66/EEC shall be subject to Council Regulation (EEC) No 2843/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market [1].

Article 5

The detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure provided for in Article 38 of Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats [2], as last amended by Regulation (EEC) No 1707/73 [3].

Article 6

This Regulation shall enter into force on 1 January 1977.

It shall be applicable until 31 October 1977.

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

Done at Brussels, 23 November 1976

For the Council

The President

A. P. L. M. M. van der STEE

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[1] See page 4 of this Official Journal.

[2] OJ No 172, 30. 9. 1966, p. 3025/66.
[3] OJ No L 175, 29. 6. 1973, p. 5.