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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 601/76

of 15 March 1976

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats (1), as last amended by Regulation (EEC) No 1707/73 (2), and in particular Article 36 thereof,

Having regard to the proposal from the Commission,

Whereas the provisions currently in force provide for a single levy for the different qualities of unrefined olive oil ; whereas the offers taken into consideration for the fixing of the said levy may, in certain cases, be unrepresentative of the real trend of offers for one or more such qualities ; whereas, in these conditions, it appears necessary to provide for the possibility of replacing the cif price by a price determined in respect of the real offer price for these qualities ;

Whereas the world market in olive oil is limited and lacks transparency, thereby sometimes preventing the precise study of its true tendency and therefore the correct fixing of import levies ; whereas a consequence of this situation is that in certain cases olive oil can be imported into the Community at other than the threshold price level which can in some cases cause disturbance of the Community market ;

Whereas all the measures for common organization of the market in olive oil are being reviewed with a view to an overall revision of the system ;

Whereas in order to put right the above difficulties, pending the result of this revision, the trading system should be altered by providing for the determination of the levy under a tendering procedure ;

Whereas certain by-products are subject to an import levy derived from that applicable to olive oil ; whereas experience has shown that in practice there are no imports of by-products with a very low oil content to be used for extraction of such oil ; whereas therefore no import levy should be imposed on such by-products ;

Whereas the period of applicability of this Regulation should be limited to a period sufficient to assess its efficacy,

HAS ADOPTED THIS REGULATION :

Article 1

Where free quotations on the world market are not a determining factor for the offer price for one or more qualities of unrefined olive oil, a price determined on the basis of the offer price shall be substituted for the cif price referred to in Article 13 of Regulation No 136/66/EEC for only those qualities concerned.

Article 2

1. When offers of unrefined olive oil on the world market do not correspond to real purchasing possibilities in quantities which are representative of the market, the import levy referred to in Articles 13, 14 and 15 of Regulation No 136/66/EEC shall be fixed by tendering procedure.

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 175, 29. 6. 1973, p. 5.

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 put up a special guarantee 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 oil 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 oil.

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 oil stated in his application at the rate of levy stated therein.

Article 3

Notwithstanding Article 15 of Regulation No 136/66/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 oil content of not more than 3%.

Article 4

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.

Article 5

This Regulation shall enter into force on 1 April 1976.

It shall be applicable until 31 October 1976.

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

Done at Brussels, 15 March 1976.

For the Council

The President

R. VOUEL