COMMISSION REGULATION (EEC) No 85/77

of 17 January 1977

amending Regulation (EEC) No 3188/76 on rules for the implementation of the special measures for the determination of offers of olive oil on the world market and on the Greek market

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 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),

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece (3),

Having regard 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 (4), and in particular Article 4 thereof,

Having regard to 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 (5), and in particular Article 5 thereof,

Whereas, when products are covered either by the arrangements provided for in Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing (6), as last amended by Directive 76/119/EEC (7), or by the system described in Article 9 of Commission Regulation (EEC) No 645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products (8), special provisions should be laid down as a result of the existence of a system of fixing levies by tendering procedure in the olive oil sector;

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

(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 327, 26. 11. 1976, p. 4.
(5) OJ No L 327, 26. 11. 1976, p. 6.
(6) OJ No L 58, 8. 3. 1969, p. 1.
(7) OJ No L 24, 30. 1. 1976, p. 58.
(8) OJ No L 67, 17. 3. 1975, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (2) of Regulation (EEC) No 3188/76 (9), there shall be inserted 'at the latest' before '... within 15 days'.

Article 2

In Regulation (EEC) No 3188/76 there shall be added the following Article 8 (a):

'Article 8 (a):

1. When products which have been made subject either to inward processing arrangements or to the system described in Article 9 of Regulation (EEC) No 645/75 are placed into free circulation either in their unprocessed state or after processing, the import licence applicable to the product actually placed into free circulation must be presented.

2. On the placing of a product into free circulation the levy to be charged shall be determined pursuant to Article 16 of Directive 69/73/EEC. Where a levy is not in force on the date to be taken into consideration under the said Article, the levy to be adopted shall be the most recent levy or the last minimal levy fixed by the Commission before the date of being put into an inward processing arrangement.

However, where the product actually placed into free circulation is subject to a tendering procedure for determining the import levy, the rules of which are contained in this Regulation, the levy to be charged shall be the levy shown on the import licence issued under the tendering procedure subject to the last subparagraph of Article 5 (2) and pertaining to the goods actually placed in free circulation.'

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

Article 2 shall apply to products which have been made subject to one of the systems referred to in that Article and which are placed in free circulation with effect from the date of entry into force of this Regulation.

(9) OJ No L 359, 30. 12. 1976, p. 26.

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

Done at Brussels, 17 January 1977.

For the Commission

Finn GUNDELACH

Vice-President