COUNCIL REGULATION (EEC) No 2751/78
of 23 November 1978
laying down general rules for fixing the import levy on olive oil by tender

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 1562/78 (2), and in particular Article 16 (5) thereof,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece (3), and in particular Article 5 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Article 16 of Regulation No 136/66/EEC and Article 5 of Regulation (EEC) No 2749/78 provide, under certain circumstances, for the fixing of import levies on olive oil by tender;

Whereas, so that such a system can be applied, tenderers should submit an application for an import licence, indicating, among other things, the levy which they undertake to pay upon importation; whereas, to guarantee that the obligations arising from the submission of applications are observed, a special security should be introduced;

Whereas, to ensure that the minimum levy is fixed at a level which is as close as possible to that resulting from actual market trends, the factors to be taken into consideration when fixing the levy should be listed,

HAS ADOPTED THIS REGULATION:

Article 1

1. A soon as the conditions laid down in Article 16 (1) of Regulation No 136/66/EEC or in Article 5 (1) of Regulation (EEC) No 2749/78 are met, the Commission shall decide to resort to the tendering procedure referred to in the relevant Article in connection with olive oil falling within subheadings 15.07 A I and 15.07 A II of the Common Customs Tariff.

The Commission's decision shall be published forthwith in the *Official Journal of the European Communities.*

2. When the Commission decides to apply Article 16 (4) of Regulation No 136/66/EEC or Article 5 (4) of Regulation (EEC) No 2749/78, it shall publish forthwith its decision in the *Official Journal of the European Communities.*

Article 2

Tenderers shall submit an application for an import licence to the competent bodies in the Member States and shall at the same time provide a special security for an amount to be determined.

Applications may be submitted only on the dates fixed by the Commission.

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

(a) the quantity of the product to which the application relates and, in the event of the application of Article 1 (2), the presentation covered by the application;

(b) the gross rate of levy per 100 kilograms of the product which the applicant undertakes to pay upon importation.

Article 3

The Commission shall fix the gross minimum levy in units of account per 100 kilograms for each of the products concerned, having regard to the situation

— on the world market or the Greek market as appropriate, and

— on the Community market

and to the gross levy rates indicated by tenderers.

Article 4

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

It shall apply from 1 January 1979.

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 185, 7. 7. 1978, p. 1.
(3) See page 1 of this Official Journal.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL