COMMISSION REGULATION (EEC) No 634/79

of 30 March 1979

derogating from Regulations (EEC) No 3135/78 and (EEC) No 3136/78 on import levies on products of the olive oil sector

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 1562/78 (2), and in particular Articles 16 (6) and 17 (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 Articles 5 (6) and 6 (5) thereof,

Whereas the import levies on olives and olive oil production residues are calculated on the basis of the levy applicable to untreated olive oil ; whereas these levies are fixed on the same dates and are applicable during the same period as those provided for in the case of the levy relating to olive oil ;

Whereas the levy applicable to imports of olive oil not exceeding 21 000 kg is equal to the last minimum levy fixed before the day of importation ;

Whereas the threshold price for olive oil will be altered appreciably as from 1 April 1979 ; whereas the levies in force from 6 April 1979 will take account of that alteration ; whereas, in the interests of fairness, it is necessary to derogate from Commission Regulation (EEC) No 3135/78 of 28 December 1978 on the fixing of the levy on olives and olive oil production residues (4) and Commission Regulation (EEC) No 3136/78 of 28 December 1978 laying down detailed rules for fixing the import levy on olive oil by tender (5) by applying to the products imported between 1 and 5 April 1979 the levy in force from 6 April 1979 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. By way of derogation from Article 1 of Regulation (EEC) No 3135/78, the levy applicable to :

— olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff, and

— products falling within subheadings 23.04 A II and 15.17 B I of the Common Customs Tariff,

imported between 1 and 5 April 1979, shall be the levy in force from 6 April 1979.

2. The difference between the amount provisionally paid in application of Regulation (EEC) No 3135/78 and the levy referred to in paragraph 1 shall be reimbursed at the request of the interested party.

Article 2

1. By way of derogation from Article 6 (2) of Regulation (EEC) No 3136/78, the levy applicable to imports of olive oil of a quantity not more than 21 000 kg, carried out between 1 and 5 April 1979, shall be the minimum levy fixed in force from 6 April 1979.

2. The difference between the amount provisionally paid in application of Regulation (EEC) No 3136/78 and the levy referred to in paragraph 1 shall be reimbursed at the request of the interested party.

Article 3

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

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 185, 7. 7. 1978, p. 1.
(3) OJ No L 331, 28. 11. 1978, p. 1.
(4) OJ No L 370, 30. 12. 1978, p. 70.
(5) OJ No L 370, 30. 12. 1978, p. 72.

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

Done at Brussels, 30 March 1979.

For the Commission

Finn GUNDELACH

Vice-President