COUNCIL REGULATION (EEC) No 477/86

of 25 February 1986

adopting appropriate measures for trade in processed oil products with Spain or Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 93 (4) of the Act of Accession provides that, until 31 December 1990, in trade in processed oil products falling within 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 3768/85 [2], appropriate measures shall be adopted to take account of the difference in the prices of these oils in Spain and in the Community as constituted on 31 December 1985;

Whereas Article 291 (4) of the Act of Accession provides that, until 31 December 1990, in trade in processed vegetable oil products intended for human consumption, with the exception of olive oil products, appropriate measures shall be adopted to take account of the differences in the prices of these oils in Portugal and in the Community as constituted on 31 December 1985;

Whereas, under the arrangement for controlling the prices and quantities of certain oil and fat sector products pursuant to Articles 94 and 292 of the Act, prices in Spain, Portugal, and the Community as constituted on 31 December 1985 may differ considerably; whereas this may lead to distortions in trade in products containing a significant proportion of oil or fat; whereas provision should therefore be made for the possible introduction of a compensatory amount with a view to correcting any such distortions,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where a significant difference in prices threatens to distort trade, a compensatory amount may be applied to trade in certain processed oil products between, on the one hand, Spain or Portugal, and, on the other hand, the Community as constituted on 31 December 1985.

2. The compensatory amount shall be no greater than the impact of the difference in prices for the raw materials referred to in Articles 94 (1) (b) and 292 (1) (b).

Article 2

Detailed rules for the application of this Regulation, covering in particular:

— the products to which the compensatory amount is applicable by reason of the pattern of trade,

— the level, in respect of each product, of the compensatory amount, applicable to the trade in question,

shall be drawn up in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

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[1] OJ No 172, 30. 9. 1966, p. 3025/66.

[2] OJ No L 362, 31. 12. 1985, p. 8.