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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3461/87

of 17 November 1987

amending Regulation (EEC) No 3089/78 laying down general rules in respect of aid for the consumption of olive oil, and providing for certain exceptional measures

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 1915/87 [2], and in particular Articles 11 (7) thereof,

Having regard to the proposal from the Commission,

Whereas Article 11 of Regulation No 136/66/EEC instituted consumption aid for olive oil produced and marketed in the Community;

Whereas Article 35 of the said Regulation stipulates that, from 1 November 1987, only oil as referred to in point 1 (a) and (b) and points 3 and 6 of the Annex to the said Regulation may be marketed at the retail stage; whereas Regulation (EEC) No 3089/78 [3], as last amended by Regulation (EEC) No 3788/85 [4], should therefore be amended so that provision be no longer made for consumption aid for ordinary virgin olive oil;

Whereas, pursuant to Article 35 (3) of Regulation No 136/66/EEC Member States may, until 31 December 1989, derogate from the provisions of that Article as regards the marketing of olive oil and olive-pomace oil within their territory; whereas this Regulation must not affect that right; whereas it is therefore advisable to provide for exceptional measures for a limited period,

HAS ADOPTED THIS REGULATION:

Article 1

Point (a) in Article 4 (1) of Regulation (EEC) No 3089/78 is hereby replaced by the following:

'(a) complies with one of the definitions given in point 1 (a) and (b) and points 3 and 6 of the Annex to Regulation No 136/66/EEC.'

Article 2

In those Member States which apply the derogation provided for in the first indent of Article 35 (3) of Regulation No 136/66/EEC, ordinary virgin olive oil, as referred to in 1 (c) of the Annex to the said Regulation, which is packed and placed on the market in accordance with the provisions of Commission Regulation (EEC) No 2677/85 [5] and with national provisions before 1 April 1989, may qualify for consumption aid by way of derogation from Article 4 (1) of Regulation (EEC) No 3089/78.

Article 3

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

It shall apply from 1 November 1987.

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

Done at Brussels, 17 November 1987.

For the Council

The President

L. TØRNÆS

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 183, 3. 7. 1987, p. 7.
(3) OJ No L 369, 29. 12. 1978, p. 12.
(4) OJ No L 367, 31. 12. 1985, p. 1.
(5) OJ No L 254, 25. 9. 1985, p. 5.