

29.10.66

OFFICIAL JOURNAL OF THE EUROPEAN COMMUNITIES

3393/66

REGULATION No 162/66/EEC OF THE COUNCIL

of 27 October 1966

on trade in oils and fats between the Community and Greece

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Council Regulation No 136/66/EEC¹ on the establishment of a common organisation of the market in oils and fats establishes a common system of trade in oils and fats; whereas this system provides for the application of customs duties for most products, but for olive oil, olives, olive residues and other residues it provides for a system of levies;

Whereas the customs duties applied by Member States to Greece are laid down in the Agreement establishing an Association between the European Economic Community and Greece; whereas Member States should not charge customs duties on imports of olives falling within tariff sub-heading No 07.01 N or 07.03 A for the purposes other than the production of oil;

Whereas Protocol No 12 to that Agreement stipulates that, should levies be fixed for olive oil and olives, Greece shall, in anticipation of the harmonisation of the agricultural policies of the Community and Greece, be accorded the same treatment as that applied by the Member States between themselves;

Whereas Regulation No 136/66/EEC provides, in respect of olive oil, for a single production target price, a single market target price, a single threshold price and a single intervention price; whereas these

rules for determining prices, ensure that, subject to differences due to natural conditions of price formation, the price level for olive oil and olives will be the same in all Member States; whereas it is therefore possible, in accordance with the principles of the levy system, to dispense with levies in trade between Member States;

Whereas the rules for determining prices introduced by Regulation No 136/66/EEC do not extend to Greece; whereas differences may therefore arise between the price on the Greek market and that on the Community market; whereas such differences must, in accordance with the principles of the levy system, be compensated by a levy calculated on the basis of the rules generally applied, within the framework of the common agricultural policy, to trade between Member States;

Whereas, since Greece is not obliged to apply the system of levies established by the Community to olive oil and olives imported from third countries, the application of the special levy in question to exports from Greece to the Community which do not consist of products obtained entirely in Greece might lead to substantial deflections of trade; whereas the application of the special levy must consequently be restricted to products obtained entirely in Greece;

Whereas the system laid down in this Regulation for imports and exports of olive oil and olives might in certain circumstances lead to disturbances on the Community market; whereas provision should therefore be made for dealing with such a situation;

Whereas the introduction of the system mentioned above makes it possible to eliminate all other obstacles to trade between the Community and Greece;

Whereas, in compliance with commitments arising from the Association Agreement, certain provisions of Regulation No 136/66/EEC may be applied to trade between the Community and Greece;

¹ OJ No 172, 30.9.1966, p. 3025/66.

HAS ADOPTED THIS REGULATION:

Article 1

Trade between the Community and Greece in products listed in Article 1 (2) of Regulation No 136/66/EEC, hereinafter called the 'basic Regulation', shall be governed by the following provisions.

Article 2

1. As regards the products listed in Article 1 (2) (a), (b) and (d) of the basic Regulation, Member States shall, in trade between the Community and Greece, apply the customs duties applicable under the Agreement establishing an Association between the European Economic Community and Greece, hereinafter called the 'Agreement'.

2. In order to eliminate difficulties which might arise on the Community market by reason of disparities in the duties applicable under Article 37 (3) of the Agreement, the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall, not later than 30 June 1967, adopt the necessary measures to be applied within the Community.

Article 3

1. On imports of unrefined olive oil produced entirely in Greece and transported direct from that country into the Community, a levy shall be charged equal to the difference between the threshold price, fixed in accordance with Articles 4, 8 and 9 of the basic Regulation, and the free-at-frontier price, less a standard amount.

2. The free-at-frontier price, calculated for the Community frontier crossing point fixed in accordance with Article 13 (2) of the basic Regulation, shall be determined on the basis of the most favourable purchasing opportunities on the Greek market; prices shall be adjusted to allow for any deviations from the description or quality for which the threshold price was fixed.

3. The standard amount for the 1966/67 marketing year is fixed at 0.5 units of account per 100 kilograms of imported product.

For subsequent marketing years, the method of calculation and the level of the standard amount shall be determined each year by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, after prior consultation with Greece on the level of the standard amount.

4. The levy shall be fixed by the Commission. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38 of the basic Regulation.

Article 4

1. On imports of refined olive oil produced entirely in Greece transported direct from that country to the Community, a levy shall be charged made up of a variable component and a fixed component, determined as follows:

The variable component shall be equal to the difference between the threshold price and the free-at-frontier price applicable to the quantity, which may be fixed at a standard rate, of olive oil needed for the production of the imported product.

The fixed component applicable for the 1966/67 marketing year shall be equal to 40% of the fixed component determined in accordance with Article 14 of the basic Regulation. This percentage shall be reduced to 30% for the 1967/68 marketing year and to 15% for the 1968/69 marketing year. The fixed component shall be abolished from 1 November 1969.

2. Detailed rules for the application of this Article shall be adopted by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

Article 5

On imports of olives falling within sub-heading No 07.01 N or 07.03 A harvested in Greece and transported direct from that country into the Community, excluding those for purposes other than the production of oil, a levy shall be charged calculated on the amount of the levy applicable under Article 3 to olive oil, by reference to the oil content of the imported product, the relevant customs duties not being charged.

On imports from Greece into the Community of olives falling within tariff sub-heading No 07.01 N or 07.03 A, for purposes other than the production of oil, Member States shall not charge customs duties. The same shall apply to olives falling within tariff sub-heading No 07.01 N or 07.03 A not harvested in Greece but transported direct from that country into the Community for the production of oil.

2. On imports of the products listed in Article 1 (2) (e) of the basic Regulation which are produced entirely in Greece and transported direct from that country into the Community, a levy shall be charged

calculated on the amount of the levy applicable to the olive oil referred to in Article 3 (1), by reference to the oil content of the imported product.

The levy may, however, be charged only in accordance with the provisions of Article 37 (3) (a) of the Agreement.

3. Detailed rules for the application of this Article, and in particular those regarding the determination of the oil content, which may be fixed at a standard rate, shall be adopted by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

Article 6

1. Should the Community market in olive oil experience or be threatened with serious disturbances by reason of:

- imports of the products listed in Article 1 (2) (c), (d) and (e) of the basic Regulation produced entirely in Greece and transported direct from that country into the Community, in particular when the intervention agencies might, because of such imports, be induced to buy in substantial quantities of olive oil pursuant to Article 11 (1) of the basic Regulation, or
- exports of olive oil to Greece, in particular when by reason of those exports, the market price of olive oil might appreciably exceed or threaten to exceed the level of the market target price or when, by reason of those exports, a decision has been taken to dispose of the buffer stock,

appropriate measures may be applied until such disturbance or threat of disturbance has ceased.

2. All decisions taken under paragraph 1 shall be communicated to Greece.

3. The nature of the measures which may be adopted and the conditions for applying this Article shall, after consultation with Greece, be laid down by the Council acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

Article 7

Subject to the provisions of Article 6, 8, and 9 the following shall, in trade with Greece, be incompatible with the application of the provisions of this Regulation:

- the charging of any customs duty, or charge having equivalent effect, other than those provided for in this Regulation;
- the application of any quantitative restriction or measure having equivalent effect;
- recourse to Article 41 of the Agreement in respect of the products listed in Article 1 (2) (c), (d) and (e), excluding those falling within headings Nos ex 07.02 and ex 07.04 B of the basic Regulation.

Article 8

Subject to the provisions of the Agreement, both the following Articles of the basic Regulation and the measures adopted for their application shall apply: Article 3 (3) and (5); the second sentence of Article 10 (2); Article 16; Article 17; Article 18; Article 19; Article 27 (3) (c) and (5); Article 28; Article 35; Article 41 (1) and the third paragraph of Article 43.

Article 9

When the products imported into the Community are not produced entirely in Greece or are not transported direct from that country into the Community, Articles 13, 14, 15 and 20 of the basic Regulation shall apply to the products covered by those Articles, subject to the provisions of the Agreement.

Article 10

The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, may after consultation with Greece amend the list of products to which this Regulation applies, or adopt any measure in derogation therefrom, in order to take account of any special conditions affecting such products.

Article 11

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

It shall apply to the products listed in Article 1 (2) (c), (d) and (e) of the basic Regulation from the date of entry into force of that Regulation in respect of those products; and from 1 July 1967 in respect of the other products listed in Article 1 of that Regulation.

This Regulation shall be applicable until the decision of the Association Council provided for in Article 35 of the Agreement is taken or until the periods of two years and one year provided for respectively in Article 36 (1) and (2) of the Agreement have expired.

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

Done at Brussels, 27 October 1966.

For the Council

The President

L. DE BLOCK
