

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 568 final

Brussels, 6th October 1980

PROPOSAL FOR A COUNCIL REGULATION (EEC)
AMENDING FOR THE SECOND TIME REGULATION (EEC) No. 3089/78
LAYING DOWN GENERAL RULES IN RESPECT OF
AID FOR THE CONSUMPTION OF OLIVE OIL

(presented by the Commission to the Council)

COM(80) 568 final

EXPLANATORY MEMORANDUM

This draft Regulation requires provision of the security provided for under the consumption aid system for all olive oil imported into the Community, however it is put up (bulk or small containers).

Proposal for a
COUNCIL REGULATION (EEC)

amending for the second time Regulation (EEC) No. 3089/78 laying down general
rules in respect of aid for the consumption of olive oil

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 organisation of the market in oils and fats (1), as last amended by Regulation (EEC) No. 1917/80(2), and in particular Article 11 (7) thereof,

Having regard to the proposal from the Commission,

Whereas Article 11 of Regulation No. 136/66/EEC established arrangements for aid for consumption of olive oil produced and marketed within the Community;

Whereas, in order that the arrangements for aid for consumption achieve their objectives and to prevent olive oils imported from non-member countries from deriving undue benefit from the aid, Article 9 of a Council Regulation (EEC) No. 3089/78 (3), as amended by Regulation (EEC) No. 2380/79 (4), lays down that all olive oil imported from non-member countries and placed in free circulation within the Community shall be subject to payment of a security, with the exception of oil put up in small containers;

Whereas it has been found during the 1979/80 marketing year that an abnormal increase in the imports of olive oil in small containers has taken place; whereas the administrations in question have great difficulty in checking the final destination of the said oil; whereas, in these circumstances, the said oil could derive undue benefit from the consumption aid; whereas, in order to rectify this situation, all imports of olive oil, in whatever form they are put up, should be subject to provision of a security,

HAS ADOPTED THIS REGULATION:

(1) OJ No. 172, 30.9.1966, p. 3025/66

(2) OJ No. L 186, 19.7.1980, p.1

(3) OJ No. L 369, 29.12.1978, p.12

(4) OJ No. L 274, 31.10.1979, p.5

Article 1

Article 9 of Regulation (EEC) N° 3089/78 is hereby replaced by the following

Article 9

1 Every release into free circulation in the Community of olive oil falling within subheading 15.07 A of the Common Customs Tariff shall be subject to the payment of a security. The amount of this security shall be equal to the part of the consumption aid which is paid to packaging plants for the same quantity of olive oil produced in the Community and which obtains when the customs formalities placing the oil into free circulation are completed.

However, in the event of a decision entailing a substantial alteration in the consumption aid, the Commission may adjust, as from the date of that decision, the amount of the security to take account of the alteration in question.

2. The security referred to in paragraph 1 shall be released as soon as the party concerned provides proof that the olive oil placed in free circulation has been made ineligible for consumption aid."

Article 2

This Regulation shall enter into force on 1 November 1980.

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

Done at Brussels,

For the Council

FINANCIAL STATEMENT

DATE : 25.09.1980

1. BUDGET LINE CONCERNED : 6312 Appropriations: 118 million EUA

2. ACTION : Proposed Council Regulation amending, for the second time, Regulation (EEC) N° 3089/78 laying down general rules in respect of aid for the consumption of olive oil.

3. LEGAL BASIS : Article 11 of Council Regulation 136/66/EEC

4. OBJECTIVES : To require a security for all imports of olive oil.

5. FINANCIAL CONSEQUENCE	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
5.0 EXPENDITURE		(80)	(81)
-CHARGED TO THE EC BUDGET (REVENUE/INTERVENTIONS)			
-CHARGED TO NATIONAL ADMINISTR.			
-CHARGED TO OTHER NATIONAL GROUPS			
5.1 RECEIPTS			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)	(1)	(1)	(1)
-NATIONAL			

	YEAR 1982	YEAR 1983	YEAR
5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE			
5.1.1 PLURIANNUAL PATTERN OF RECEIPTS	(1)	(1)	

5.2 METHOD OF CALCULATION

- 6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ? YES/NO

- 6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ? YES/NO

- 6.2 POSSIBILITY FOR A SUPPLEMENTARY BUDGET ? YES/NO

- 6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ? YES/NO

COMMENTS :

(1) With regard to financial implications, the object of the proposal is the avoidance of any fraud; there will be a positive effect on receipts or levies but no figure can be put on it.