

DECISIONS

COUNCIL DECISION (EU) 2022/2391

of 25 November 2022

on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council, as regards the trade standard applying to olive oils and olive-pomace oils

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The International Agreement on Olive Oil and Table Olives, 2015 (the 'Agreement') was concluded on behalf of the Union by Council Decision (EU) 2019/848 ⁽¹⁾.
- (2) Pursuant to Article 7(1) of the Agreement, the Council of Members of the International Olive Council (the 'Council of Members') is to take decisions and adopt recommendations for the application of the provisions of the Agreement.
- (3) During its 116th session to be held between 28 November and 2 December 2022, the Council of Members is to adopt a decision amending the trade standard applying to olive oils and olive-pomace oils and a decision to update a method of analysis for waxes and fatty acid ethyl esters.
- (4) It is appropriate to establish the position to be taken on behalf of the Union within the Council of Members, as the decisions to be adopted will be binding on the Union as regards international trade with the other members of the International Olive Council (IOC) and will be capable of decisively influencing the content of Union law, namely on marketing standards concerning olive oil adopted by the Commission pursuant to Article 75 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽²⁾.
- (5) The decisions to be adopted by the Council of Members concern the removal of Annex 1 of the trade standard and the simplification of the delta-7-stigmastenol decision trees, as well as the inclusion of revision 3 of the method on the determination of waxes and fatty acid ethyl esters. Those decisions have been extensively discussed between scientific and technical experts on olive oil of the Commission and of the Member States. Those decisions will contribute to the international harmonisation of olive oil standards and will establish a framework which will ensure fair competition in the trading of products of the olive oil sector. Those decisions should therefore be supported.
- (6) In case the adoption of those decisions within the Council of Members during its 116th session is postponed, as a result of some Members not being in a position to give their approval, the position to support the adoption of those decisions should be taken on behalf of the Union within the framework of a possible procedure for adoption by the Council of Members by exchange of correspondence, pursuant to Article 10(6) of the Agreement provided that such procedure is initiated before the next regular session of the Council of Members in June 2023.

⁽¹⁾ Council Decision (EU) 2019/848 of 17 May 2019 on the conclusion on behalf of the European Union of the International Agreement on Olive Oil and Table Olives, 2015 (OJ L 139, 27.5.2019, p. 1).

⁽²⁾ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

- (7) The revision of the trade standard applying to olive oils and olive pomace oils COI/T.15/NC No 3/Rev. 19 may require technical adaptations to other IOC methods or documents. These technical adaptations should be supported.
- (8) In order to preserve the interest of the Union, the Commission should however be allowed to request to postpone the adoption of the decisions amending trade standard or methods to a later session of the Council of Members, if the position to be taken on behalf of the Union is likely to be affected by new scientific or technical information presented before or during the 116th session,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf, within the Council of Members in its 116th session to be held between 28 November and 2 December 2022 or within the framework of a procedure for adoption of decisions by the Council of Members by an exchange of correspondence initiated before its next regular session in June 2023 as regards the revision of the trade standard applying to olive oils and olive-pomace oils COI/T.15/NC No 3/Rev. 19, shall be to support the decision to remove Annex 1 of the trade standard and simplify the delta-7-stigmastenol decision trees, and as regards the revision of the method COI/T.20/Do. No 28/REV 3 (Determination of the content of waxes and fatty acid ethyl esters by capillary gas chromatography), shall be to support the decision to include an alternative method of analysis and make some slight changes to the existing method.

Article 2

The position of the Union shall be to support technical adaptations to other IOC methods or documents if they result from the revision of the trade standard applying to olive oils and olive pomace oils COI/T.15/NC No 3/Rev. 19.

Article 3

Where the position referred to in Article 1 is likely to be affected by new scientific or technical information presented before or during the 116th session of the Council of Members, the Commission shall request that the adoption of the decision amending the trade standard applying to olive oils and olive-pomace oils and of the method of analysis for waxes and fatty acid ethyl esters be postponed until the position of the Union is established on the basis of that new information.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 November 2022.

For the Council
The President
J. SÍKELA
