

30.7.69

Official Journal of the European Communities

No L 186/7

REGULATION (EEC) No 1486/69 OF THE COMMISSION

of 28 July 1969

on communications between Member States and the Commission concerning oils and fats

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 136/66/EEC¹ of 22 September 1966 on the establishment of a common organisation of the market in oils and fats, as last amended by Regulation (EEC) No 2146/68,² and in particular Articles 10 (3), 11 (5), 13 (4), 17 (3), 26 (3) and 27 (5) thereof;

Having regard to Council Regulation No 162/66/EEC³ of 27 October 1966 on trade in oils and fats between the Community and Greece, and in particular Articles 3 (4), 8 and 9 thereof;

Having regard to Council Regulation No 115/67/EEC⁴ of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point, and in particular Article 7 thereof;

Having regard to Council Regulation No 142/67/EEC⁵ of 21 June 1967 on export refunds on colza, rape and sunflower seeds, as last amended by Regulation (EEC) No 845/68,⁶ and in particular Article 6 thereof;

Having regard to Council Regulation No 143/67/EEC⁷ of 21 June 1967 on the compensatory amount applicable to imports of certain vegetable oils, and in particular Article 7 thereof;

Having regard to Council Regulation No 169/67/EEC⁸ of 27 June 1967 introducing a system of production refunds on olive oil used in the manufacture of preserved fish and vegetables and amending Regulation No 217/66/EEC on arrangements for suspending the levy on this oil, and in particular Article 6 thereof;

Having regard to Council Regulation No 171/67/EEC⁹ of 27 June 1967 on export refunds and levies on olive oil, as last amended by Regulation (EEC) No 18/69,¹⁰ and in particular Article 11 thereof;

Having regard to Council Regulation No 754/67/EEC¹¹ of 26 October 1967 on the subsidy for olive oil, as amended by Regulation (EEC) No 1717/68,¹² and in particular Article 4 (2) thereof;

Whereas, in order to ensure sound management of the market in oils and fats, Member States must keep the Commission informed about the working of the various measures provided for in Regulation No 136/66/EEC; whereas to that end certain information on the situation with regard to production, markets and the pattern of trade in oils and fats must be communicated by Member States to the Commission at regular intervals;

Whereas, however, such communications should be kept to a strict minimum and should make allowance for the administrative facilities at present available in the Member States;

¹ OJ No 172, 30.9.1966, p. 3025/66.

² OJ No L 314, 31.12.1968, p. 1.

³ OJ No 197, 29.10.1966, p. 3393/66.

⁴ OJ No 111, 10.6.1967, p. 2196/67.

⁵ OJ No 125, 26.6.1967, p. 2461/67.

⁶ OJ No L 152, 1.7.1968, p. 6.

⁷ OJ No 125, 26.6.1967, p. 2463/67.

⁸ OJ No 130, 28.6.1967, p. 2594/67.

⁹ OJ No 130, 28.6.1967, p. 2600/67.

¹⁰ OJ No L 3, 7.1.1969, p. 1.

¹¹ OJ No 260, 27.10.1967, p. 2.

¹² OJ No L 268, 1.11.1968, p. 1.

Whereas the information to be supplied by Member States at regular intervals is specified in the following Regulations:

- No 173/66/EEC¹ of the Commission of 7 November 1966 on determining the c.i.f. price and the free-at-frontier price for unrefined olive oil and on fixing the levies applicable to this product, as last amended by Regulation (EEC) No 917/69,²
- No 174/66/EEC³ of the Commission of 7 November 1966 on import and export licences for olive oil, as last amended by Regulation (EEC) No 1077/69,⁴
- No 225/67/EEC⁵ of the Commission of 28 June 1967 on detailed rules for determining the world market price for oil seeds, as last amended by Regulation (EEC) No 1365/69,⁶
- No 282/67/EEC⁷ of the Commission of 11 July 1967 on detailed rules concerning intervention for oil seeds, as last amended by Regulation (EEC) No 1295/69,⁸
- No 284/67/EEC⁹ of the Commission of 11 July 1967 on detailed rules for the application of export refunds on oil seeds, as last amended by Regulation (EEC) No 1077/69,
- No 785/67/EEC¹⁰ of the Commission of 30 October 1967 on the buying-in of olive oil by intervention agencies, as amended by Regulation (EEC) No 1896/68,¹¹
- No 830/67/EEC¹² of the Commission of 9 November 1967 on detailed rules concerning the subsidy for olive oil, as last amended by Regulation (EEC) No 710/69,¹³
- No 1052/67/EEC¹⁴ of the Commission of 22 December 1967 on detailed rules for the application of the production refund on olive oil used in the manufacture of certain preserved foods, as last amended by Regulation (EEC) No 970/69,¹⁵

¹ OJ No L 202, 7.11.1966, p. 3482/66.

² OJ No L 127, 29.5.1969, p. 11.

³ OJ No 202, 7.11.1966, p. 3485/66.

⁴ OJ No L 139, 11.6.1969, p. 12.

⁵ OJ No 136, 30.6.1967, p. 2919/67.

⁶ OJ No L 176, 17.7.1969, p. 7.

⁷ OJ No 151, 15.7.1967, p. 1.

⁸ OJ No L 164, 5.7.1969, p. 8.

⁹ OJ No 151, 15.7.1967, p. 6.

¹⁰ OJ No 264, 31.10.1967, p. 11.

¹¹ OJ No L 288, 28.11.1968, p. 16.

¹² OJ No 272, 10.11.1967, p. 18.

¹³ OJ No L 93, 18.4.1969, p. 25.

¹⁴ OJ No 315, 28.12.1967, p. 10.

¹⁵ OJ No L 127, 29.5.1969, p. 9.

— (EEC) No 190/68¹⁶ of the Commission of 16 February 1968 on the denaturing process for colza and rape seeds, as amended by Regulation (EEC) No 972/69,¹⁷

— (EEC) No 911/68¹⁸ of the Commission of 5 July 1968 on certain detailed rules concerning the subsidy for oil seeds, as last amended by Regulation (EEC) No 971/69¹⁹;

Whereas experience has shown that in certain cases the information supplied by Member States does not allow the Commission to keep a close watch on the application of Regulation No 136/66/EEC; whereas this information should therefore be amplified; whereas in other cases it seems appropriate, in order to take account of the requirements specified above, to modify the frequency of certain communications;

Whereas, in the interests of efficient administration, all the obligations falling on Member States as regards the information to be sent at regular intervals to the Commission should be included in this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Oils and Fats;

HAS ADOPTED THIS REGULATION:

PART A

Olive oil

Article 1

With regard to the subsidy mentioned in Article 10 of Regulation No 136/66/EEC, for each of the qualities of olive oil corresponding to the definitions given in 1 and 4 of the Annex to that Regulation:

A. Producer Member States shall inform the Commission:

(1) during the month following the final date fixed for lodging applications for subsidies to be granted for each marketing year, of the quantities of oil for which applications for subsidies have been lodged;

(2) during the month following that in which payment of the subsidy to be granted for each marketing year has been effected,

(a) of the quantities of oil for which application for subsidies have been

¹⁶ OJ No L 43, 17.2.1968, p. 10.

¹⁷ OJ No L 127, 29.5.1969, p. 12.

¹⁸ OJ No L 158, 6.7.1968, p. 8.

¹⁹ OJ No L 127, 29.5.1969, p. 10.

lodged but which have not been recognised as eligible for the subsidy,

(b) of the quantities of oil on which the subsidy has been paid and the amounts of such payments;

(3) where the full amount of the subsidy has not been paid during the marketing year, or at the latest by the end of the first month of the following marketing year,

(a) of the quantities of oil which have not been recognised as eligible for the subsidy,

(b) of the quantities of oil on which the subsidy has been paid and the amounts of such payments;

(4) not later than 15 January of each marketing year, in a report covering previous marketing years,

(a) of the quantities of oil which have not been recognised as eligible for the subsidy,

(b) of the quantities of oil on which the subsidy has not yet been paid.

B. Italy shall inform the Commission each month of the quantities of oil for which applications for subsidies were lodged during the preceding month.

Article 2

With regard to the intervention measures referred to in Article 11 of Regulation No 136/66/EEC, producer Member States shall notify the Commission:

A. With regard to buying-in:

(a) if use is made of the option provided for in Article 3 (2) of Regulation No 785/67/EEC, of the provisions adopted for its application;

(b) within fifteen days of buying-in, of the quantities, qualities and place of taking over of the olive oil bought in by the intervention agencies, specifying where appropriate the quantities for which an additional price increase has been applied for; however, if substantial quantities are offered, the Member State concerned shall immediately inform the Commission;

(c) within fifteen days of an additional price increase being granted, of the quantities which have benefited from that increase and the amount of such increase.

B. With regard to sales:

Within fifteen days of sale, Member States shall inform the Commission of the quantities and qualities of olive oil sold by the intervention agency, indicating where they were stored at the time of sale; a distinction shall be made between sales on the Community market and sales for export.

Article 3

Member States shall communicate to the Commission all the information necessary for determining the c.i.f. price referred to in Article 13 of Regulation No 136/66/EEC and the free-at-frontier price referred to in Article 3 of Regulation No 162/66/EEC as soon as such information is available.

Article 4

1. On the 5th and 20th of each month Member States shall notify the Commission of the quantities of products listed in Article 1 (2) (c), (d) and (e) of Regulation No 136/66/EEC for which import or export licences were issued during the preceding fortnight. An indication shall be given of the quantities imported from or exported to Greece and of the quantities for which advance fixing was approved.

If a Member State considers that importation or exportation of the quantities covered by applications for licences or advance fixing lodged in that State threatens to disturb the market, that Member State shall immediately inform the Commission, indicating, in the manner already specified, the quantities for which licences or advance fixing have been applied for but not yet issued or approved and the quantities for which licences have been issued and applications for advance fixing approved during the current fortnight.

2. For the purposes of this Article:

(a) 'the fortnight preceding the 5th of each month' means the period from the 16th to the end of the month preceding the date specified;

(b) 'the fortnight preceding the 20th of each month' means the period from the 1st to the 15th of that month.

Article 5

With regard to the production refund referred to in Article 19 of Regulation No 136/66/EEC, Member States shall inform the Commission during the first month of each marketing year of the quantities of olive oil subjected to control during the preceding marketing year.

PART B

Oil seeds

Article 6

With regard to the intervention measures referred to in Article 26 of Regulation No 136/66/EEC, Member States shall inform the Commission:

- (a) within 15 days of buying-in, of the quantities, quality and place of taking over of seeds bought in by the intervention agencies;

If substantial quantities are offered, the Member State concerned shall immediately inform the Commission;

- (b) within fifteen days of sale, of the quantities and qualities of seeds sold by the intervention agencies, indicating where they were held at the time of sale; a distinction shall be made between sales on the Community market and sales for export.

Article 7

1. With regard to the subsidy mentioned in Article 27 of Regulation No 136/66/EEC, Member States shall notify the Commission:

- (a) not later than Wednesday each week, of the quantities of seeds for which applications for the advance fixing of the subsidy have been lodged during the preceding week in accordance with the procedure in force;
- (b) not later than Wednesday each week, of the quantities of seeds subjected during the preceding week to the control referred to in Article 2 of Regulation No 116/67/EEC, indicating:

- the quantities for which the amount of the subsidy was fixed in advance;
- the quantities to which the subsidy in force on the day they were placed under control at the oil-mill applies;

- (c) not later than Thursday each week, of the quantities of seeds subjected during the preceding week to the control referred to in Article 8 of Regulation No 116/67/EEC;
- (d) in the first month following the end of each marketing year of the quantities of seeds subjected to the control referred to in Article 8 of Regulation No 116/67/EEC which during that marketing year were found to be no longer eligible for the subsidy;
- (e) in the first month following the end of each marketing year, of the quantities for which the

deposits provided for in Article 5 (2) and Article 8 (2) of Regulation No 116/67/EEC were forfeited during that marketing year.

2. However, if the quantities referred to in paragraph 1 (d) and (e) substantially exceed the quantities to be regarded as normal, the Member State concerned shall immediately inform the Commission.

3. If a Member State considers that the quantities for which applications for the advance fixing of the subsidy are lodged in accordance with the procedure in force bear no relation to the normal disposal of seeds harvested within the Community, that Member State shall immediately inform the Commission, indicating the quantities for which applications for the advance fixing of the subsidy have been lodged but for which the certificates have not yet been issued and the quantities for which advance fixing certificates have been issued since the last notification.

Article 8

With regard to the measures on denaturing adopted pursuant to Article 27 (5) of Regulation No 136/66/EEC, Member States shall notify the Commission, during the first month following the end of each marketing year, of the quantities of seeds or mixtures from third countries imported in a denatured form or subjected to the denaturing process during that marketing year. However, if a Member State considers that these quantities of seeds or mixtures bear no relation to the quantities which can normally be used for purposes for which denaturing is necessary, that Member State shall immediately inform the Commission.

Article 9

1. With regard to the export refund referred to in Article 28 of Regulation No 136/66/EEC, Member States shall notify the Commission:

- (a) during the first week of each month, of the quantities for which applications for the advance fixing of the refund have been lodged during the preceding month in accordance with the procedure in force;
- (b) during the first week of each month, of the quantities exported which benefited during the preceding month from the refund in force on the day of exportation;
- (c) during the first month following the end of each marketing year, of the quantities for which the

guarantee referred to in Article 4 of Regulation No 142/67/EEC was forfeited during that marketing year.

2. If a Member State considers that the quantities for which applications for the advance fixing of the refund lodged in that State in accordance with the procedure in force threaten to disturb the market, that Member State shall immediately inform the Commission.

Article 10

Member States shall communicate to the Commission all the information necessary for determining the world market price referred to in Article 29 of Regulation No 136/66/EEC as soon as such information is available.

Article 11

Member States shall communicate to the Commission all the information necessary for the assessment of the situation with a view to the application of Article 3 (6) of Regulation No 136/66/EEC as soon as such information is available.

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

Done at Brussels, 28 July 1969.

Article 12

The following are hereby repealed:

- (a) Article 6 (1) of Regulation No 173/66/EEC;
- (b) Article 10 of Regulation No 174/66/EEC;
- (c) Article 8 (2) of Regulation No 282/67/EEC;
- (d) Article 8 of Regulation No 284/67/EEC;
- (e) the last subparagraph of Article 3 (2) and Article 7 of Regulation No 785/67/EEC;
- (f) Article 7 of Regulation No 830/67/EEC;
- (g) Article 8 (2) of Regulation No 1052/67/EEC;
- (h) Article 3 of Regulation (EEC) No 190/68;
- (i) Articles 24 and 26 of Regulation (EEC) No 911/68;
- (j) Article 9 of Regulation No 225/67/EEC.

Article 13

This Regulation shall enter into force on 1 August 1969.

For the Commission

The President

Jean REY