

COMMISSION REGULATION (EEC) No 2492/79

of 12 November 1979

amending for the fourth time Regulation (EEC) No 557/79 laying down detailed rules for the application of the system of consumption aid for olive oil

THE COMMISSION 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
590/79⁽²⁾, and in particular Article 11 (5) thereof,

Whereas Article 2 of Commission Regulation (EEC)
No 557/79⁽³⁾, as last amended by Regulation (EEC)
No 1980/79⁽⁴⁾, laid down certain conditions for the
approval of olive oil packaging plants; whereas, in
view of experience gained, these conditions should be
relaxed, while at the same time ensuring that the
undertakings approved carry out their activity in a
proper manner; whereas, with a view to ensuring fair-
ness, it is necessary to apply new conditions to under-
takings which have carried out their activities during
the 1978/79 marketing year;

Whereas, pursuant to Article 13 of Regulation (EEC)
No 557/79, any import of olive oil is subject to the
lodging of a security, with the exclusion of edible
virgin olive oil and refined oil in small packages;

Whereas in certain Member States a pattern of trade
in lampante olive oil put up in small packages and
intended for direct consumption has been found;
whereas the existing rules do not provide for the
release of the security in respect of this oil; whereas it
is advisable to provide for the release of the said secu-
rity where it is proved that the oil in question has
been released for consumption in the natural state;
whereas the production of such proof permits the
release of the total amount of the security lodged;
whereas it is necessary to provide special arrange-
ments for the release of the security for oils imported
in April and May 1979;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 557/79 is amended as follows :

1. Article 2 shall be replaced by the following text :

'For the purposes of approval, a plant must under-
take :

- (a) except in cases of *force majeure*, to carry on
packaging operations for at least 150 days in
every marketing year ;
- (b) to package during the period referred to under
(a) a total quantity of at least 60 tonnes of olive
oil.

As regards plants which commence operations
during a marketing year, the minimum figures
under (a) and (b) shall be fixed according to the
number of months remaining until the end of the
marketing year in question.'

2. In Article 13 (4), the following sentence shall be
added to the first subparagraph :

'However, with regard to the oil referred to in
Article 14 (1) (d) which is released on the market
between 1 April and 31 May 1979, except in cases
of *force majeure*, the security shall be released on
presentation of the original copy of the above-
mentioned certificate before 1 December 1979.'

3. In Article 13 (4), the following subparagraph shall
be inserted before the last subparagraph :

'However, with regard to the oil referred to in
Article 14 (1) (d), the total amount of the security
lodged shall be released.'

4. The following subparagraph shall be added to
Article 14 (1) :

'or

- (d) it has been demonstrated, to the satisfaction of
the Member State concerned, that the oil,
falling within subheading 15.07 A I b) of the
Common Customs Tariff and imported in
immediate packages of not more than five
litres, has been released without further treat-
ment for consumption on the market of the
said Member State.'

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 73, 24. 3. 1979, p. 13.

⁽⁴⁾ OJ No L 228, 8. 9. 1979, p. 39.

5. In Article 14 (3), '(a) and (c)' shall be replaced by 'a', 'c' and 'd'.
6. In the part of the Annex 'Declaration by the issuing body', '(packaged/exported/used in preserved products)' shall be replaced by '(packaged/exported/used in preserved products/released on the market for consumption without further treatment)'.

Article 2

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

It shall apply with effect from 1 April 1979.

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

Done at Brussels, 12 November 1979.

For the Commission

Finn GUNDELACH

Vice-President
