

Wednesday 10 March 2004

P5_TA(2004)0165

COM in olive oil and table olives *

European Parliament legislative resolution on the proposal for a Council regulation on the common organisation of the market in olive oil and table olives and amending Regulation (EEC) No 827/68 (COM(2003) 698 — C5-0598/2003 — 2003/0279(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 698) ⁽¹⁾,
 - having regard to Articles 36 and 37(2), subparagraph 3 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0598/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on Budgets (A5-0106/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and the Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

Recital 4

(4) It is necessary that the marketing year is adapted to the production cycle of all olive varieties and, for harmonisation simplicity purposes, it should be realigned with the marketing year for other agricultural products. ~~deleted~~

Amendment 2

Recital 5a (new)

(5a) The prohibition of blends of olive oil and other oils derived from fats and the compulsory indication of the oil's origin, determined on the basis of the place of origin of the tree and the place of harvesting of the olives, are equally important in terms of market balance and transparency.

⁽¹⁾ Not yet published in OJ.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 3

Recital 6a (new)

(6a) To safeguard consumer protection and market transparency, a ban should be placed on the use of the term 'olive oil' or other references or images that are suggestive of the product, the olive tree or parts thereof on labels or consumer information supplied on any oils or fats, including spreads whose composition includes oils and fats other than those derived from the fruit of the olive tree.

Amendment 4

Recital 9

(9) The system of aid for private storage contracts is deemed to be an efficient instrument to regulate the supply of olive oil, acting as a safety net mechanism when there is serious disturbance of the market.

(9) The **automatic** system of aid for private storage contracts is deemed to be an efficient instrument to regulate the supply of olive oil, acting as a safety net mechanism when there is serious disturbance of the market.

Amendment 5

Recital 9a (new)

(9a) Refunds for olive oil used for the processing of certain preserves are an effective instrument for regulating the olive oil market, complementing the private storage mechanism, and are granted to facilitate the sale of olive oil to the canning industry.

Amendment 6

Recital 10

(10) The contribution of olive oil and table olive **operators** to improve and *guaranty* the quality of the products in question and *so to* develop the consumers' interests and *keep* the balance in the market should be encouraged and organised by a Community scheme.

(10) The contribution of olive oil and table olive **producers** to improve and *guarantee* the quality of the products in question, and *thus* develop the consumers' interests and *maintain* the balance in the market, should be encouraged and organised by a Community scheme.

Amendment 7

Recital 11

(11) Community finance, consisting of the percentage of direct aid that Member States are allowed to withhold in accordance with Article 143i(4) of Regulation (EC) No 1782/2003, is required to encourage approved **operators'** organisations to draw up work programmes for the purpose of improving the production quality of olive oil and table olives. Community support should be allocated according to the priorities given to the activities undertaken within the work programmes in question.

(11) Community finance, consisting of the percentage of direct aid that Member States are allowed to withhold in accordance with Article 143i(4) of Regulation (EC) No 1782/2003, is required to encourage approved **producers'** organisations to draw up work programmes for the purpose of improving the production quality of olive oil and table olives, **promoting such produce and stabilising the market.** Community support should be allocated according to the priorities given to the activities undertaken within the work programmes in question.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENTAmendment 8
Recital 11a (new)

(11a) Activities to monitor the granting of aids, checks that the labelling information and bottle contents correspond, import controls and efforts to combat fraud and adulteration, and other monitoring activities should continue to be the responsibility of the Member States' administrations in consultation with the Community bodies.

Amendment 9
Recital 14

(14) For the most part, the customs duties applicable to agricultural products under the World Trade Organisation (WTO) agreements are laid down in the common customs tariff. **However, the Commission should be able to suspend partially or fully these duties in order to ensure an adequate supply of the internal market in olive oil.**

(14) For the most part, the customs duties applicable to agricultural products under the World Trade Organisation (WTO) agreements are laid down in the common customs tariff.

Amendment 10
Recital 15

(15) To the extent necessary for its proper working, provision should be made for regulating or, when the situation on the market so requires, prohibiting in an harmonised way the use of inward and outward processing arrangements.

deletedAmendment 11
Recital 19

(19) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

deletedAmendment 12
Recital 20

(20) In view of the necessity to solve practical and specific problems, the Commission should be authorised to adopt necessary measures in cases of emergency.

deletedAmendment 13
Article 2

The marketing year for the products listed in Article 1 shall begin on **1 July** and end on **30 June** of the following year. **However, the 2004/05 marketing year shall begin on 1 November 2004.**

The marketing year for the products listed in Article 1 shall begin on **1 November** and end on **31 October** of the following year.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 14

Article 4a (new)

Article 4a***The production and marketing of mixtures of any type of oils or fats with olive oils shall be prohibited.***

Amendment 15

Article 4b (new)

Article 4b***It shall be prohibited to use the words 'olive oil', or any other term or image that suggests such a product, the olive tree or any parts thereof, on labelling or consumer information for products derived from any mixture of vegetable oils, including oils and fats for spreads, the composition of which includes oils or fats other than those obtained from the fruit of the olive tree.***

Amendment 16

Article 5, paragraph 1, subparagraph 2a (new)

The origin of virgin and extra virgin olive oils shall be indicated on the label. The origin shall be determined on the basis of the country in which the olives used during pressing were harvested.

Amendment 17

Chapter II, Section 2, heading

DISTURBANCE OF THE MARKET**MARKET ADJUSTMENT MEASURES**

Amendment 18

Article 6, paragraph 1, subparagraph 1

1. In the event of serious disturbance of the market in certain regions of the Community, in order to regularise the market, ***it may be decided in accordance with the procedure referred to in Article 18(2) to authorise*** bodies offering sufficient guarantees, and approved by the Member States, to conclude contracts for the storage of olive oil that they market.

1. In the event of serious disturbance of the market in certain regions of the Community, in order to regularise the market, bodies offering sufficient guarantees and approved by the Member States ***may decide*** to conclude contracts for the storage of olive oil that they market.

Amendment 19

Article 6, paragraph 1, subparagraph 2

The measures referred to in the first subparagraph ***may*** be implemented ***inter alia*** when the average price recorded on the market during a representative period is less than:

— ***EUR 1 779***/tonne for extra virgin olive oil, or

— ***EUR 1 710***/tonne for virgin olive oil, or

The measures referred to in the first subparagraph ***shall*** be implemented when the average price recorded on the market during a representative period is less than:

— ***EUR 2-000***/tonne for extra virgin olive oil, or

— ***EUR 1 931***/tonne for virgin olive oil, or

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BY PARLIAMENT

— **EUR 1 487**/tonne for lampante olive oil having 3 degree of free acidity, this amount being reduced by EUR 36,70/tonne for each additional degree of acidity.

— **EUR 1 744.70**/tonne for lampante olive oil having 3 degrees of free acidity, this amount being reduced by EUR 36,70/tonne for each additional degree of acidity.

Amendment 20

Article 6, paragraph 2

2. An aid for the performance of the contracts referred to in paragraph 1 **may** be granted by means of tenders.

2. An aid for the performance of the contracts referred to in paragraph 1 **shall** be granted by means of tenders.

Amendment 21

Article 6a (new)

Article 6a

1. **A production refund system shall operate for olive oil used for the processing of canned fish covered by CN Code 1604, not including subparagraph 1604 30, canned crustaceans and molluscs covered by CN Code 1605 and canned vegetables covered by CN Codes 2001, 2002, 2003, 2004 and 2005.**

2. **The amount of the refund shall be determined on the basis of the difference between prices on the world market and those on the Community market. The following shall be taken into consideration:**

— **the import duty on olive oil covered by subparagraph CN 1509 90 00 during a reference period,**

— **the factors taken into account when determining export refunds for olive oil covered by subparagraph CN 1509 90 00 during a reference period.**

3. **A refund that has been decided previously shall be maintained as long as the difference between that refund and the new one does not exceed an amount to be determined.**

4. **Entitlement to the refund shall be acquired when the oil is used in the canning process. Member States shall ensure, by means of a monitoring system, that refunds are granted only for olive oil used in the canning process referred to in paragraph 1.**

5. **The Commission shall determine the production refund every two months.**

6. **The procedures for implementing this article, in particular those relating to the monitoring system referred to in paragraph 4, shall be adopted according to the procedure laid down in Article 18.**

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 22

Article 7, paragraph 1

1. **For the purposes of this Regulation, operators'** organisations shall comprise approved producers' organisations, approved interbranch organisations **or approved organisations of other operators in the olive oil sector or their associations.**

1. **Producers'** organisations **and unions thereof** shall comprise approved producers' organisations **and** approved interbranch organisations.

Amendment 23

Article 8, paragraph 1, point (a)

(a) **the market follow-up** and administrative management in the olive oil and table olives sector;

(a) **the stabilisation of the internal market by means of appropriate measures** and administrative management **of the market** in the olive oil and table olives sector, **in view of the influence of variations in production levels and world market supply;**

Amendment 24

Article 8, paragraph 1, point (d)

(d) the traceability system, the certification and protection of olive oil and table olives quality, **in particular the monitoring of the quality of olive oils sold to final consumers, under the authority of the national administrations;**

(d) the traceability system, the certification and protection of olive oil and table olives quality;

Amendment 25

Article 8, paragraph 1, point (ea) (new)

(ea) operational plans for the restructuring of olive-growing holdings;

Amendment 26

Article 8, paragraph 1, point (eb) (new)

(eb) actions to promote olive oil and table olives.

Amendment 27

Article 8, paragraph 2, subparagraph 1, indent 3

— **75 %** for the work programmes carried out in at least three non producing Member States or third countries by approved operator organisations from at least two producer Member States in areas referred to in points (d) and (e) of paragraph 1, **and 50 % for the other activities in these areas.**

— **100 %** for the work programmes carried out in at least three non producing Member States or third countries by approved operator organisations from at least two producer Member States in areas referred to in points (d) and (e) of paragraph 1.

Amendment 28

Article 8, paragraph 2, subparagraph 1, indent 3a (new)

— **50 % for the activities referred to in paragraph 1, point (ea).**

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TEXT PROPOSED
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BY PARLIAMENT

Amendment 44

Section 3 a, Article 9 a (new)

SECTION 3 a

MONITORING

Article 9 a

Activities for administrative monitoring of the granting of aid to olive producers, market monitoring, verification of the ban on blends, combating fraud and checking that the contents of bottles correspond to the indications on the label shall remain the responsibility of the Member States' national monitoring agencies in close coordination with each other and with the competent Community authorities.

The aforementioned inspection agencies may, however, exercise additional duties and/or carry out additional activities in the agrifoodstuffs sector, including in sectors other than the olive oil sector, at the request of the Commission and/or the Member States' administrations. The Commission shall not participate in the financing of expenditure incurred by the monitoring agencies in the performance of such additional duties and/or activities, except for expenditure relating to tasks conferred by the Commission itself.

The activities of the national monitoring agencies shall include monitoring the activity programmes of producers' organisations in the olive industry.

Amendment 30

Article 11, paragraph 2

2. By way of derogation from paragraph 1, should the market price for olive oil in the Community exceed 1.6 times the average prices laid down in the second subparagraph of Article 6(1), during a period of at least three months, to ensure the Community market is adequately supplied with olive oil through imports from non-member countries, it may be decided, in accordance with the procedure referred to in Article 18(2):

- to partially or fully suspend the application of common customs duties to olive oil, and establish the detailed arrangements for any such suspension,*
- to open an import quota for olive oil at a reduced rate of the common customs duties and establish the detailed arrangements for managing such quota.*

deleted

These measures shall apply for the minimum necessary period, which in any event shall not exceed the end of the marketing year in question.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 31

Article 13

Article 13

deleted

To the extent necessary for the proper functioning of the common organisation of the markets in the olive oil and table olive sector, the use of inward-processing arrangements for the products listed in Article 1(a) and (b) may be fully or partially prohibited in accordance with the procedure referred to in Article 18(2).

Amendment 32

Article 19

Article 19

deleted

Measures that are both necessary and justifiable in an emergency, in order to resolve practical and specific problems shall be adopted in accordance with the procedure referred to in Article 18.

Such measures may derogate from certain parts of this Regulation, but only to the extent that, and for such a period, as is strictly necessary.

Amendments 33 and 43

Article 21

1. Regulations (EEC) No 136/66/EEC, (EEC) No 154/75, (EEC) No 2754/78, (EEC) No 3519/83, (EEC) No 2261/84, **(EEC) 2262/84**, (EEC) No 3067/85, (EEC) No 1332/92, (EEC) No 2159/92, (EEC) No 3815/92, (EC) No 1255/96, (EC) No 1414/97, (EC) No 1638/98 and (EC) No 1873/2002 are repealed.

However, *the provisions necessary for the management and control of the production aid shall remain applicable for the purposes of managing and controlling production aid related to the marketing years up to the marketing year 2003/04.*

2. *Transitional measures may be adopted in accordance with the procedure referred to in Article 18(2).*

1. Regulations (EEC) No 136/66/EEC, (EEC) No 154/75, (EEC) No 2754/78, (EEC) No 3519/83, (EEC) No 2261/84, (EEC) No 3067/85, (EEC) No 1332/92, (EEC) No 2159/92, (EEC) No 3815/92, (EC) No 1255/96, (EC) No 1414/97, (EC) No 1638/98 and (EC) No 1873/2002 are repealed.

However, *they shall continue to apply, where appropriate, during the transitional period laid down in Article 71(1) of Regulation (EC) No 1782/2003.*

2. *Regulation No 136/66/EEC is hereby amended as follows.*

(a) *in Article 4(2), 'for the 1998/99 to 2003/04 marketing years' shall be replaced by 'until the end of the transitional period laid down in Article 71(1) of Regulation (EC) No 1782/2003';*

(b) *in Article 5(2), 'for the 1998/99 to 2003/04 marketing years' shall be replaced by 'until the end of the transitional period laid down in Article 71(1) of Regulation (EC) No 1782/2003';*

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- (c) *in the second subparagraph of Article 5(9), 'for the 1998/99 to 2003/04 marketing years' shall be replaced by 'until the end of the transitional period laid down in Article 71(1) of Regulation (EC) No 1782/2003';*
- (d) *in the second subparagraph of Article 20d(1), 'for the 1998/99 to 2003/04 marketing years' shall be replaced by 'until the end of the transitional period laid down in Article 71(1) of Regulation (EC) No 1782/2003';*

Amendment 34

Article 22a (new)

Article 22a

Regulation (EC) No 1638/98 is hereby amended as follows:

(1) In Article 2:

- (a) *paragraph 1, the words '1998/99 to 2003/04 marketing years' shall be replaced by '1998/99 and subsequent marketing years';*
- (b) *in the second subparagraph of paragraph 2, the words '1998/99 to 2003/04 marketing years' shall be replaced by '1998/99 and subsequent marketing years';*
- (c) *in paragraph 4, the words '1998/99 to 2003/04 marketing years' shall be replaced by '1998/99 and subsequent marketing years'.*

2. *In Article 3(2), the words 'from 1 November 2004, the one established by Regulation No 136/66/EEC' shall be deleted.*

3. *In Article 5(1), the words 'from 1 November 2004' shall be replaced by 'until the end of the transitional period laid down in Article 71(1) of Regulation (EC) No 1782/2003'.*

Amendment 35

Article 22b (new)

Article 22b

Regulation (EEC) No 2262/84 is hereby amended as follows:

In Article 1(5), subparagraph 5, 'over a period of six years starting from the 1999/2000 marketing year' shall be replaced by 'until the end of the 2006/2007 marketing year'.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 36

*Article 23, subparagraph 2*It shall apply from the **2004/05** marketing year.It shall apply from the **2006/07** marketing year.

Amendment 37

Annex I, point 1, paragraph 1

Oils obtained from the fruit of the olive tree solely by mechanical or other physical means under conditions that do not lead to alterations in the oil, which have not undergone any treatment other than washing, decantation, centrifugation or filtration, to the exclusion of oils obtained using solvents or using adjuvants having a chemical or biochemical action, or by re-esterification process and any mixture with oils of other kinds.

Oils obtained from the fruit of the olive tree solely by mechanical or other physical means under conditions that do not lead to alterations in the oil, which have not undergone any treatment other than washing, decantation, centrifugation or filtration, to the exclusion of oils obtained using solvents or using adjuvants having a chemical or biochemical action (**not including the enzyme activities naturally present in olives**), or by re-esterification process and any mixture with oils of other kinds.

Amendment 38

*Annex I, point 2, heading***REFINED** OLIVE OIL**RECTIFIED** OLIVE OIL

Amendment 39

*Annex I, point 3, heading*OLIVE OIL COMPOSED OF **REFINED** OLIVE OILS AND VIRGIN OLIVE OILSOLIVE OIL COMPOSED OF **RECTIFIED** OLIVE OILS AND VIRGIN OLIVE OILS

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Delegations to joint parliamentary committees, interparliamentary delegations and delegations to parliamentary cooperation committees

European Parliament decision on the number of interparliamentary delegations, delegations to joint parliamentary committees and delegations to parliamentary cooperation committees

The European Parliament,

- having regard to Rules 168 and 170 of its Rules of Procedure,
- having regard to the objectives laid down in the Treaty on European Union in the sphere of common foreign and security policy,
- having regard to the association, cooperation, and other agreements concluded by the Union with third countries,
- having regard to the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 and entered into force on 1 April 2003,
- having regard to the Declaration of 12 September 2003 adopted at the Cancún session of the Parliamentary Conference on the WTO,