



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.07.1995

COM(95) 338 final

95/ 0189 (ACC)

95/ 0190 (ACC)

Proposal for a

COUNCIL DECISION


on the conclusion of an Agreement in the form of an exchange of letters between the European Community and the Kingdom of Morocco fixing the additional amount to be deducted from the charge on imports into the Community of untreated olive oil originating in Morocco

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EEC) No 1521/76
on imports of olive oil originating in Morocco

(presented by the Commission)



Explanatory memorandum

1. Annex B to the Cooperation Agreement between the European Economic Community and Morocco, and Annex IV to Decision No 1/77 of the EEC-Turkey Association Council dated 17 May 1977 on the results of the second review of the arrangements applicable to Turkish agricultural products, provide for the possibility of increasing, by fixing an additional amount, the amount to be deducted under certain conditions from the levy on imports into the Community of olive oil other than olive oil having undergone a refining process.

Any such additional amount is fixed periodically by an exchange of letters between the Contracting Parties in the light of conditions on the olive oil market.

2. The Commission considers that, in order to implement the present agreements, application of the additional amount at its current value for Morocco and Turkey should be extended.

Given that the levies have been replaced by customs duties following the conclusion of the Uruguay Round agreements, provision should be made to apply the additional amount to these customs duties for the products concerned from 1 July 1995 up to expiry of the arrangements.

It also recommends the Council to authorize it to negotiate the exchanges of letters annexed hereto with the countries concerned.

3. In view of the time needed to complete procedures, the Commission is also hereby submitting to the Council the Decisions on the conclusion of the exchanges of letters which it plans to negotiate with the countries concerned, and proposals for Regulations to implement the measures agreed in the exchanges of letters.

It proposes that the Council should adopt these Decisions and Regulations once the Commission has informed it of the completion of negotiations and the final text of the exchanges of letters.



Draft
COUNCIL DECISION
of 1995

on the conclusion of an Agreement in the form of an exchange of letters between the European Community and the Kingdom of Morocco fixing the additional amount to be deducted from the charge on imports into the Community of untreated olive oil originating in Morocco

(95/ /EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with the first sentence of Article 228(2) thereof,

Having regard to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco¹, which entered into force on 1 November 1978, and in particular Annex B thereto,

Having regard to the proposal from the Commission,

Whereas the Agreement in the form of an exchange of letters between the European Community and the Kingdom of Morocco fixing the additional amount to be deducted from the charge on imports into the Community of untreated olive oil falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10 originating in Morocco, should be approved;

¹ OJ No L 264, 27.9.1978, p. 2.

[REDACTED]

Whereas Council Regulation (EEC) No 3813/92 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy², as last amended by Regulation (EC) No 150/95³, abolishes application of a correcting factor of 1.207509 applied to the agricultural conversion rates up to 31 January 1995; whereas it is therefore necessary, taking account of the operative event for the agricultural conversion rate to be used, to provide for an amount for the period ending on 31 January 1995 and an amount applicable as from 1 February 1995,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters between the European Community and the Kingdom of Morocco fixing, from 1 January 1994, the additional amount to be deducted from the levy or customs duties on imports into the Community of untreated olive oil falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10 originating in Morocco, is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

This Decision shall be published in the Official Journal of the European Communities.

Done at Brussels,

For the Council

The President

² OJ No L 387, 31.12.1992, p. 1.

³ OJ No L 22, 31.1.1995, p. 1.

DRAFT LETTER

AGREEMENT

in the form of an exchange of letters between the European Community and the Kingdom of Morocco fixing from 1 January 1994 the additional amount to be deducted from the levy or the customs duties on imports into the Community of untreated olive oil originating in Morocco

Letter No 1

Sir,


Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates that for untreated olive oil falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10, the amount to be deducted from the amount of the levy under Article 17(1)(b) of the Cooperation Agreement is to be increased by an additional amount under the same conditions and arrangements as laid down for the application of the aforementioned provisions, to take account of certain factors and of the situation on the olive oil market.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to ensure that the additional amount applicable for the period 1 January 1994 to 31 January 1995 is ECU 12.09 per 100 kilograms and ECU 14.60 per 100 kilograms for the period beginning on 1 February 1995.

I should be obliged if you would acknowledge receipt of this letter and confirm your Government's agreement to its contents.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council
of the European Union



Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

"Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates that for untreated olive oil falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10, the amount to be deducted from the amount of the levy under Article 17(1)(b) of the Cooperation Agreement is to be increased by an additional amount under the same conditions and arrangements as laid down for the application of the aforementioned provisions, to take account of certain factors and of the situation on the olive oil market.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to ensure that the additional amount applicable for the period 1 January 1994 to 31 January 1995 is ECU 12.09 per 100 kilograms and ECU 14.60 per 100 kilograms for the period beginning on 1 February 1995.

I should be obliged if you would acknowledge receipt of this letter and confirm your Government's agreement to its contents."

I am able to confirm the agreement of my Government to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Government of
the Kingdom of Morocco



Draft

COUNCIL REGULATION (EC) No /

of

amending Regulation (EEC) No 1521/76 on imports
of olive oil originating in Morocco

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Having regard to Council Regulation (EEC) No 3813/92 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy¹, and in particular Article 13(1) thereof,


Whereas Article 17 of, and Annex B to, the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco² stipulate that if Morocco levies a special export charge on imports into the Community of olive oil falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10, the levy applicable to such oil is to be reduced by a fixed amount of ECU 0,7245 per 100 kilograms and by an amount equal to the special charge, but not exceeding ECU 12,09 per 100 kilograms in the case of the reduction provided for in the aforementioned Article and ECU 12,09 per 100 kilograms in the case of the additional amount provided for in the aforementioned Annex B;

Whereas the aforementioned Agreement was implemented by Council Regulation (EEC) No 1521/76³, as last amended by Regulation (EEC) No 1901/92⁴;

¹ OJ No L 387, 31.12.1992, p. 1.

² OJ No L 264, 27.9.1978, p. 2.

³ OJ No L 169, 28.6.1976, p. 43.



Whereas the Contracting Parties have agreed, by exchange of letters, to fix the additional amount at ECU 12,09 per 100 kilograms;

Whereas Regulation (EEC) No 1521/76 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(b) of Regulation (EEC) No 1521/76 is hereby replaced by the following:

"(b) an amount equal to the special charge levied by Morocco on exports of the said oil but not exceeding ECU 12,09 per 100 kilograms for the period 1 January 1994 to 31 January 1995 and not exceeding ECU 14,60 per 100 kilograms for the period beginning on 1 February 1995, these amounts being increased by ECU 12,09 per 100 kilograms for the first period and by ECU 14,60 per 100 kilograms for the second period respectively."

Article 2

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

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

Done at Brussels,

For the Council

⁴ OJ No L 192, 11.7.1992, p. 2.

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DOCUMENTS

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