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COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 590 final

Brussels, 25th October 1979

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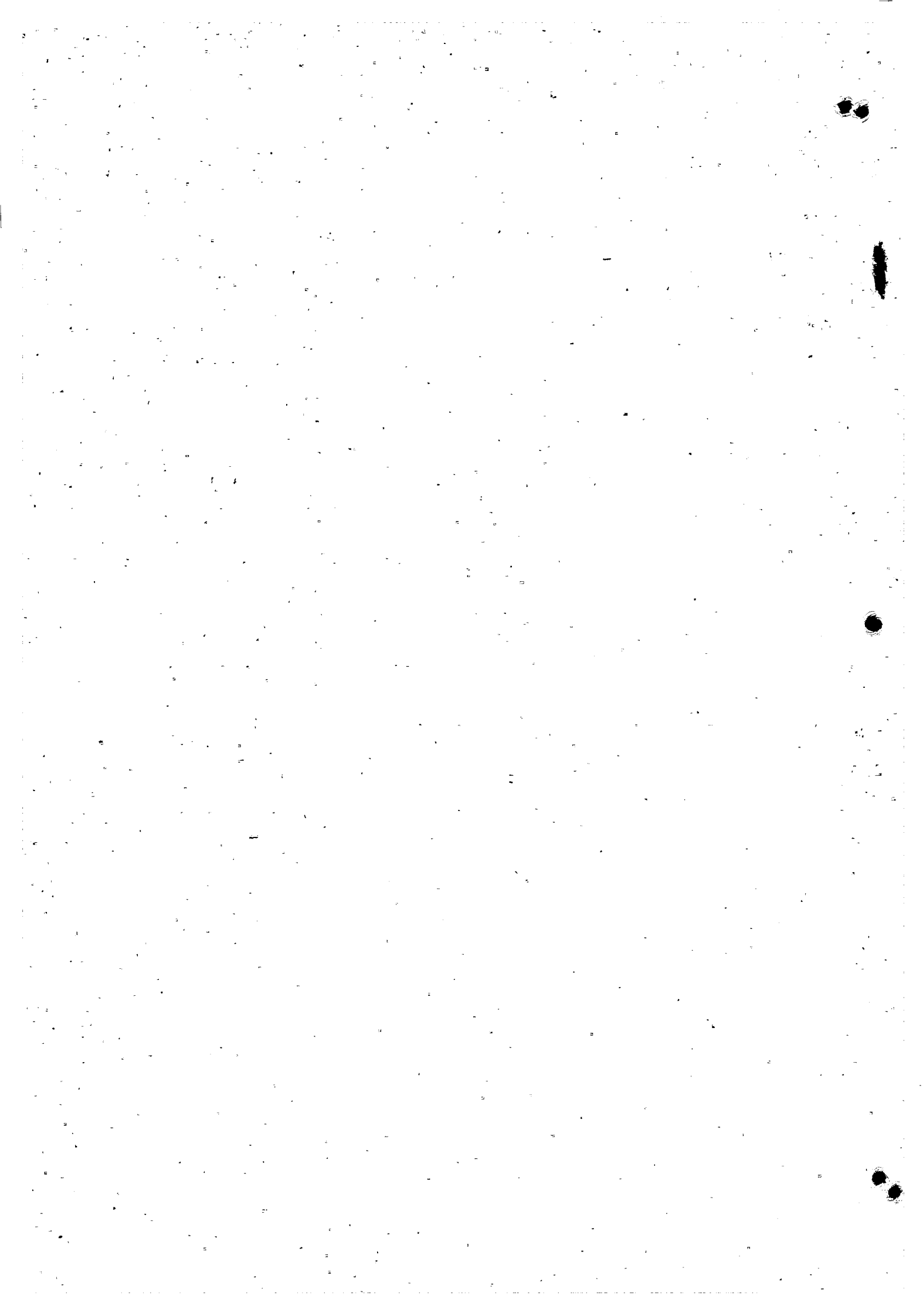
PROPOSAL FOR A COUNCIL REGULATION (EEC)  
AMENDING REGULATION (EEC) No 3809/78 LAYING  
DOWN GENERAL RULES IN RESPECT OF AID  
FOR THE CONSUMPTION OF OLIVE OIL

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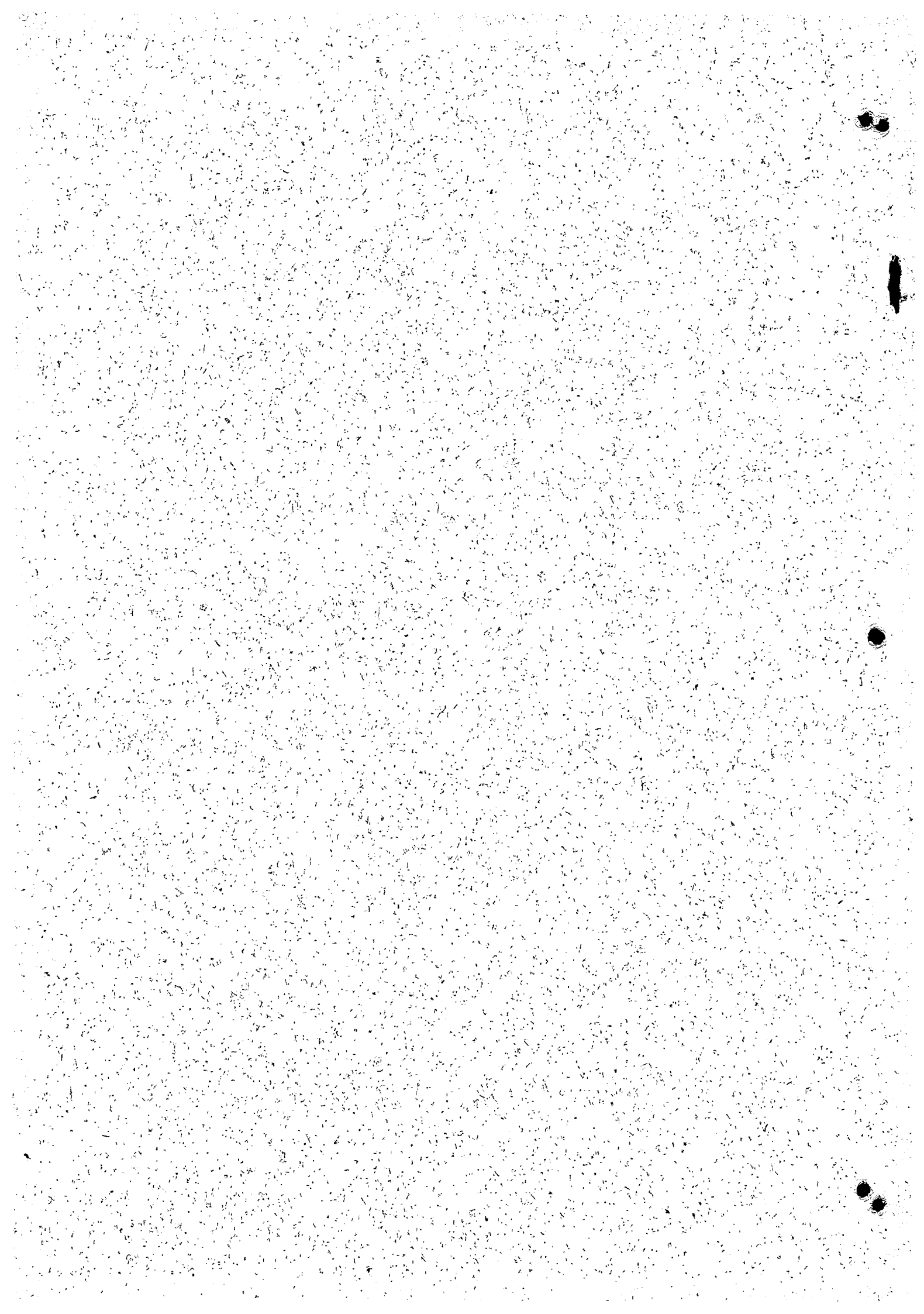
(presented by the Commission to the Council)

COM(79) 590 final



## EXPLANATORY MEMORANDUM

1. The system of consumption aid for olive oil provides in particular that release into free circulation in the Community of olive oil imported from non-member countries is subject to a security, the amount of which is equal to that of the consumption aid obtaining at the time of release into free circulation.
  2. The risk exists, in the event of a substantial alteration of the amount of the consumption aid, that operators will gain an undue benefit from the application of the security system referred to above.
  3. In order to avoid this difficulty, it should be made possible to adjust the amount of the security as soon as the case referred to under 2 arises.
  4. Since the risk referred to at point 2 has occurred in practice during the two weeks preceding the end of the marketing year, following the decision of the Council on 16 October 1979 to increase the amount of the consumption aid as from 1 November 1979, the beginning of the 1979/80 marketing year, the measure envisaged should be applied retroactively.
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Proposal for a  
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 3809/78 laying down general rules in respect of aid for the consumption of olive oil

THE COUNCIL 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 590/79<sup>(2)</sup>, and in particular Article 11(4) thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 9 of Council Regulation (EEC) No 3089/78<sup>(3)</sup>,

the amount of the security applicable to olive oil imported in bulk or in packages of a certain capacity is equal to that part of the consumption aid which would be paid to the packaging plants for the same quantity of olive oil produced in the Community and obtaining at the time to the release of the oil into free circulation;

Whereas, in the event of a substantial alteration in the consumption aid, there is a risk that traders will gain an undue benefit from the application of the security system referred to above; whereas, in order to avoid this difficulty, provision should be made to enable the amount of the security to be adjusted appropriately once the alteration in the aid has been decided on;

Whereas, in view of the increase in the aid applicable from 1 November 1979, the above-mentioned risk will in fact occur during the last two weeks preceding the end of the marketing year; whereas it is therefore necessary that the adjustment of the security should come into effect from the date on which speculative activity could take place; whereas, moreover, the traders concerned have been informed in good time of the measures envisaged;

HAS ADOPTED THIS REGULATION :

(1) OJ No 172, 30.9.1966, p. 3025/66

(2) OJ No L 78, 30.3.1979, p. 1

(3) OJ No L 369, 29.12.1978, p. 12

Article 1

In Article 9 (1) of Regulation (EEC) No 3089/79 a further subparagraph as follows is added :

"However, in the event of a decision entailing a substantial alteration in the consumption aid, the Commission may adjust, with effect from the date of that decision, the amount of the security in order to take account of the alteration in question."

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 22 October 1979.

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

Done at .....

For the Council