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European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council, as regards a trade standard applying to olive oils and olive-pomace oils

COUNCIL DECISION (EU) 2021/...

of ...

**on the position to be taken on behalf of the European Union
within the Council of Members of the International Olive Council,
as regards a trade standard applying to olive oils and olive-pomace oils**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The International Agreement on Olive Oil and Table Olives, 2015 (the ‘Agreement’) was signed on behalf of the Union in accordance with Council Decision (EU) 2016/1892¹ on 18 November 2016 at the United Nations Headquarters in New York, subject to its conclusion at a later date. The Agreement entered into force provisionally on 1 January 2017 in accordance with Article 31(2) thereof and was concluded on behalf of the Union by Council Decision (EU) 2019/848².
- (2) Pursuant to Article 7(1) of the Agreement, the Council of Members of the International Olive Council (the ‘Council of Members’) is to adopt decisions amending trade standards applying to olive oils and olive pomace oils.
- (3) On 25 November 2021, during its 114th session, the Council of Members is to adopt a decision amending a trade standard applying to olive oils and olive-pomace oils (the ‘amending decision’).

¹ Council Decision (EU) 2016/1892 of 10 October 2016 on the signing, on behalf of the European Union, and provisional application of the International Agreement on Olive Oil and Table Olives, 2015 (OJ L 293, 28.10.2016, p. 2).

² Council Decision (EU) 2019/848 of 17 May 2019 on the conclusion on behalf of the European Union of the International Agreement on Olive Oil and Table Olives, 2015 (OJ L 139, 27.05.2019, p. 1).

- (4) It is appropriate to establish the position to be taken on behalf of the Union within the Council of Members, as the amending decision to be adopted by the Council of Members will have legal effects on the Union as regards international trade with the other members of the International Olive Council and will be capable of decisively influencing the content of Union law, in particular as regards marketing standards concerning olive oil adopted by the Commission pursuant to Article 75 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council¹.
- (5) The decision to be adopted by the Council of Members concerns changing some chemical parameters of olive oils and olive-pomace oils, namely the inclusion of the decision tree on the linolenic acid limit between 1,00 and 1,40 %, the revision of the decision tree for refined olive oils and olive oils and the revision of the decision tree for crude and refined olive-pomace oils. The amending decision has been extensively discussed between scientific and technical experts on olive oil of the Commission and of the Member States. The amending decision will contribute to the international harmonisation of olive oil standards and will establish a framework which will ensure fair competition in the trading of products of the olive oil sector. The amending decision to be adopted by the Council of Members should therefore be supported.

¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

- (6) In case the adoption of the amending decision during the 114th session of the Council of Members is postponed as a result of some Members not being in a position to give their approval, the position to support the adoption of the amending decision should be taken on behalf of the Union within the framework of a possible procedure for adoption by the Council of Members by exchange of correspondence, pursuant to Article 10(6) of the Agreement. The procedure for adoption by exchange of correspondence should be initiated before the next regular session of the Council of Members in June 2022.
- (7) If the position to be taken on behalf of the Union is likely to be affected by new scientific or technical information presented before or during the 114th session, the Commission should be permitted, in order to preserve the interest of the Union, to request the adoption of the amending decision be postponed to a later session of the Council of Members,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the Union within the Council of Members on 25 November 2021 during its 114th session or within the framework of a procedure for adoption of decisions by the Council of Members by an exchange of correspondence to be initiated before its next regular session in June 2022, as regards the trade standards applying to olive oils and olive pomace oils, shall be to support the adoption by the Council of Members of the decision amending a trade standard applying to olive oils and olive pomace oils¹.

Article 2

If the position referred to in Article 1 is likely to be affected by new scientific or technical information presented before or during the 114th session of the Council of Members, the Commission shall request that the adoption of the decision amending a trade standard applying to olive oils and olive pomace oils be postponed until the position of the Union is established on the basis of that new information.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

For the Council

The President

¹ See document ST 12781/21 at <http://register.consilium.europa.eu>