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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 (IOC) as regards one method of analysis and the IOC trade standard for olive oils and olive pomace oils

COUNCIL DECISION (EU) 2024/…

of …

on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council (IOC) as regards one method of analysis and the IOC trade standard for 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 concluded on behalf of the Union by means of Council Decision (EU) 2019/848[1].

(2) Pursuant to Article 7(1) of the Agreement, the Council of Members of the International Olive Council (the 'Council of Members') is to take decisions and adopt recommendations for the application of the provisions of the Agreement.

(3) During its 120th session, to be held in November 2024, the Council of Members is to adopt a decision to revise the trade standard for olive oils and olive pomace oils as well as a decision to revise the method for determining the content of waxes and ethyl esters of fatty acids by capillary column gas chromatography.

(4) The decisions to be adopted during the 120th session of the Council of Members have been extensively discussed by scientific and technical experts on olive oil of the Commission and of the Member States. Those decisions will contribute to the international harmonisation of standards for olive oils and will establish a framework which will ensure fair competition in the trading of products of the olive oil sector. The Union should therefore support the adoption of those decisions.

[1] 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, 27.5.2019, p. 1, ELI: http://data.europa.eu/eli/dec/2019/848/oj).

(5) It is appropriate to establish the position to be taken on behalf of the Union within the Council of Members, as the decisions to be adopted will have legal effects on the Union as regards international trade with the other members of the International Olive Council (IOC) and will be capable of decisively influencing the content of Union law, namely the marketing standards for olive oil adopted by the Commission pursuant to Article 75 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council[2].

(6) In the event that the adoption of the decisions at the 120th 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 set out in the Annex to this 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, provided that such procedure is initiated before the next regular session of the Council of Members in June 2025.

[2] 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, ELI: http://data.europa.eu/eli/reg/2013/1308/oj).

(7) It should, however, be possible for the representatives of the Union in the Council of Members to agree to technical adaptations to other methods or documents of the IOC without further decision of the Council if those technical adaptations result from amendments related to the revision of the trade standard for olive oils and olive pomace oils or of the method for determining the content of waxes and ethyl esters of fatty acids by capillary column gas chromatography.

(8) In order to preserve the interests of the Union, the representatives of the Union in the Council of Members should, however, be allowed to request to postpone the adoption of the decisions to a later session of the Council of Members 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 120th session,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Council of Members of the International Olive Council (IOC) at its 120th session, to be held in November 2024, or within the framework of a procedure for adoption of decisions by the Council of Members by an exchange of correspondence initiated before its next regular session in June 2025 on the decision to revise the trade standard for olive oils and olive pomace oils as well as on the decision to revise the method for determining the content of waxes and ethyl esters of fatty acids by capillary column gas chromatography, is set out in the Annex to this Decision.

Article 2

Technical adaptations to other methods or documents of the IOC may be agreed to by the representatives of the Union in the Council of Members of the IOC (the 'Council of Members') without further decision of the Council if those technical adaptations result from amendments related to the revision of the trade standard for olive oils and olive pomace oils or of the method for determining the content of waxes and ethyl esters of fatty acids by capillary column gas chromatography.

Article 3

Where the position referred to in Article 1 is likely to be affected by new scientific or technical information presented before or during the 120th session of the Council of Members, the representatives of the Union shall request that the adoption of the decisions to revise the trade standard for olive oils and olive pomace oils and the method for determining the content of waxes and ethyl esters of fatty acids by capillary column gas chromatography be postponed until the position of the Union is established on the basis of that new information.

Article 4

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

Done at …, …

For the Council
The President