



Council of the  
European Union

Brussels, 8 June 2016  
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**Interinstitutional File:**  
**2016/0174 (NLE)**

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**PROBA 8**  
**RELEX 483**  
**AGRI 311**

## PROPOSAL

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| From:            | Secretary-General of the European Commission,<br>signed by Mr Jordi AYET PUIGARNAU, Director   |
| date of receipt: | 7 June 2016  |
| To:              | Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of<br>the European Union   |
| No. Cion doc.:   | COM(2016) 373 final  |
| Subject:         | Proposal for a COUNCIL DECISION establishing the position to be<br>adopted on behalf of the European Union with regard to certain decisions<br>to be adopted in the framework of the International Olive Council (IOC) |

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Delegations will find attached document COM(2016) 373 final.

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Encl.: COM(2016) 373 final



Brussels, 7.6.2016  
COM(2016) 373 final

2016/0174 (NLE)

Proposal for a

**COUNCIL DECISION**

**establishing the position to be adopted on behalf of the European Union with regard to certain decisions to be adopted in the framework of the International Olive Council (IOC)**

## EXPLANATORY MEMORANDUM

### **1. CONTEXT OF THE PROPOSAL**

The International Olive Council (IOC) is an intergovernmental scientific and technical organisation active in the sector of olive oil and table olive. The objectives of the IOC are (i) to seek to achieve uniformity in national and international legislation relating to the physico-chemical and organoleptic characteristics of olive oils, olive pomace oils and table olives in order to prevent any obstacle to trade (ii) to conduct activities in the area of physico-chemical and organoleptic testing in order to add to the knowledge of the composition and quality characteristics of olive products, with a view to consolidating international standards, and (iii) to strengthen the role of the International Olive Council as a forum of excellence for the international scientific community in the area of olives and olive oil.

Currently the IOC is composed of 16 members, among which the European Union.

At EU level, pursuant to 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 (CMO Regulation, OJ L 347, p. 671), certain decisions adopted and published by the IOC affect EU law.

### **2. LEGAL ELEMENTS**

- On the basis of discussions held within the groups of experts meeting to prepare the meeting of the Council of the IOC, it can be expected that the following five Decisions, producing legal effect within the EU acquis, will be on the agenda of the next IOC Council meeting scheduled on 15 July 2016 for adoption:
- The draft Decision modifying the trade standard applying to olive oils and olive pomace oils (COI/T.15/Rev...): modification of the limit of ethyl esters.
- The draft Decision modifying the trade standard applying to olive oils and olive pomace oils (COI/T.15/Rev...): modification of the limits of heptadecanoic, heptadecenoic and eicosenoic acids.
- The draft Decision modifying the trade standard applying to olive oils and olive pomace oils (COI/T.15/Rev...): modification of the limit of the specific extinction coefficient at wavelength 270 (k<sub>270</sub>).
- The draft Decision modifying the trade standard applying to olive oils and olive pomace oils (COI/T.15/Rev...): official notification of the ISO methods adopted with a view to achieving full harmonisation and inclusion of a reference to the new peroxide value method.
- The draft Decision adopting the new method of analysis for the determination of the peroxide value (COI/T.20/Doc. No...).

The above mentioned decisions have been extensively discussed between scientific and technical experts of the olive oil sector. They contribute to the international harmonisation of the olive oil standard and they will set a framework which will ensure fair competition in the trading of olive oil sector. They should therefore be supported.

As in the past, it can be expected that the agenda of the meeting of the Council of the IOC will still evolve and that further Decisions affecting the *acquis* will be added to the agenda. In order to ensure efficiency of the work of the Council of the IOC while respecting the rules of the Treaties, the Commission will in due time supplement and/or amend the present proposal to enable the Council to adopt the position to be taken also for these Decisions.

Proposal for a

## COUNCIL DECISION

**establishing the position to be adopted on behalf of the European Union with regard to certain decisions to be adopted in the framework of the International Olive Council (IOC)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(3) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The International Olive Council (IOC) is an intergovernmental scientific and technical organisation active in the sector of olive oil and table olives.
- (2) The Union, as a member of the IOC, can propose amendments to the draft IOC decisions and express its formal position on them according to procedural and voting rules of that organisation.
- (3) During the next meeting of its Council of Members on 15 July 2016, the IOC will examine and possibly adopt five draft decisions which will affect Union law.
- (4) In particular, the first, second, third and fourth draft decisions modify the trade standard applying to olive oils and olive pomace oils (COI/T.15/Rev...): they concern the modification of the limit of ethyl esters, the modification of the limits of heptadecanoic, heptadecenoic and eicosenoic acids, the modification of the limit of the specific extinction coefficient at wavelength 270 (k<sub>270</sub>) and the official notification of the ISO methods adopted with a view to achieving full harmonisation and inclusion of a reference to the new peroxide value method, respectively.
- (5) The fifth draft decision adopts the new method of analysis for the determination of the peroxide value (COI/T.20/ Doc. No...).
- (6) Those draft decisions imply that amendments may need to be made to Commission Regulation (EEC) No 2568/91<sup>1</sup>.
- (7) Those draft decisions have been extensively discussed between scientific and technical experts of the olive oil sector. They contribute to the international harmonisation of the

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<sup>1</sup> Commission Regulation (EEC) No 2568/91 of 11 July 1991 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis (OJ L 248, 5.9.1991, p. 1).

olive oil standard and will set a framework which will ensure fair competition in the trading of products of the olive oil sector. They should therefore be supported.

- (8) In order to allow for the necessary flexibility during the negotiations ahead of the meeting of the Council of Members of the IOC, the Union should be authorised to agree to changes to those decisions provided that such changes do not alter the substance thereof,

HAS ADOPTED THIS DECISION:

*Article 1*

The position of the Union at the meeting of the Council of Members of the IOC on 15 July 2016 shall be in accordance with the Annex to this Decision.

*Article 2*

1. Where the position referred to in Article 1 is likely to be affected by new scientific or technical information presented before or during the meeting of the Council of Members of the IOC, the Union shall request that the adoption in the IOC Council of Members meeting to be postponed until the position of the Union is established on the basis of that new information.
2. Minor changes to the draft Decision may be agreed to by the representatives of the Union in the Council of Members of the IOC without further decision of the Council.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels,

*For the Council  
The President*