Council Decision (EU) 2019/1028 of 14 June 2019 on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council as regards trade standards applying to olive oils and olive pomace oils

COUNCIL DECISION (EU) 2019/1028

of 14 June 2019

on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council as regards trade standards 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(3), 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) 2016/1892[(1)] 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.

(2) The Agreement was concluded on 17 May 2019 by Council Decision (EU) 2019/848[(2)].

(3) Pursuant to Article 7(1) of the Agreement, the Council of Members of the International Olive Council ('Council of Members') is to adopt decisions that modify trade standards applying to olive oils and olive pomace oils.

(4) The Council of Members, during its 109th session from 17 June to 21 June 2019, is to adopt decisions modifying trade standards applying to olive oils and olive pomace oils.

(5) It is appropriate to establish the position to be taken on the Union's behalf in 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 on 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 Council[(3)].

(6) The decisions to be adopted by the Council of Members concern the revision of a title, precision and figure margins, chromatograms, precision values and references to other documents. They have been extensively discussed between scientific and technical experts of the Commission and Member States on olive oil. They will contribute to the international harmonisation of the olive oil standards and establish a framework which will ensure fair competition in the trading of products of the olive oil sector. Those

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/1028. (See end of Document for details)*

decisions should therefore be supported, and consequently amendments to Commission Regulation (EEC) No 2568/91[4] will be required.

(7) If the adoption of those decisions by the Council of Members during its 109th session 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. The procedure for adoption by exchange of correspondence should be initiated before the next regular session of the Council of Members in November 2019.

(8) In order to preserve the interests of the Union, the representatives of the Union in the Council of Members should be allowed to request to postpone the adoption of decisions modifying trade standards applying to olive oils and olive pomace oils in the 109th session of the Council of Members, if new scientific or technical information presented before or during that session calls into question the position to be taken on the Union's behalf,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Council of Members during its 109th session from 17 June to 21 June 2019, 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 November 2019, as regards trade standards applying to olive oils and olive pomace oils, is set out in the Annex.

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 109th session of the Council of Members, the Union shall request that the adoption by the Council de Members of decisions modifying trade standards 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 Luxembourg, 14 June 2019.

For the Council

The President

E.O. TEODOROVICI