DECISIONS

COUNCIL DECISION (EU) 2021/1054

of 21 June 2021

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 and the method of analysis for the determination of the stigmastadienes content in vegetable 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) 2016/1892 ([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 on behalf of the Union 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 ('the Council of Members') is to adopt decisions amending trade standards applying to olive oils and olive pomace oils.

(4) During its 113th session from 28 to 30 June 2021, the Council of Members is to adopt decisions amending trade standards applying to olive oils and olive pomace oils (the 'amending decisions').

(5) It is appropriate to establish the position to be taken on behalf of the Union within the Council of Members, as the amending decisions to be adopted will have legal effects on the Union as regards international trade with the other members of the International Olive Coucnil (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 amending decisions to be adopted by the Council of Members concern changing the limits for some chemical parameters of olive oils and olive pomace oils and modifying one method of analysis. Changes to the limits comprise substituting the limit for α-tocopherol in refined oils by a reference to Good Manufacturing Practices, fixing the limit of oleic and palmitic acid in olive oils and olive pomace oils and fixing a limit for erythrodiol in refined oils. The method of analysis refers to the determination of the stigmastadienes content in vegetable oils. The amending decisions have been extensively discussed between scientific and technical experts on olive oil of the Commission and of the Member States. The amending decisions 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 decisions should therefore be supported.

([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, 27.5.2019, p. 1).

([3]) 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).

(7) In case the adoption of the amending decisions during the 113th 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 decisions 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 2021.

(8) In order to preserve the interest of the Union, 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 113th session, the representatives of the Union in the Council of Members should be allowed to request to postpone the adoption of the amending decisions to a later session,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the Union within the Council of Members during its 113th session from 28 to 30 June 2021 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 2021, as regards trade standards applying to olive oils and olive pomace oils, shall be to support the adoption by the Council of Members of the decisions amending the trade standards applying to olive oils and olive pomace oils and the method of analysis for the determination of the stigmastadienes content in vegetable oils ([4]).

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 113th session of the Council of Members, the Union shall request that the adoption by the Council of Members of the decisions amending trade standards or methods 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, 21 June 2021.

For the Council
The President
J. BORRELL FONTELLES

([4]) See document ST 8638/21 at http://register.consilium.europa.eu