SECOND COUNCIL DECISION

of 26 March 1973

on the equivalence of field inspections carried out in third countries on seed-producing crops

(73/86/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 14 June 1966 (1) on the marketing of beet seed, as last amended by the Directive of 6 December 1972 (2), and in particular Article 16 (1) (a) thereof;

Having regard to the Council Directive of 14 June 1966 (3) on the marketing of fodder plant seed, as last amended by the Directive of 6 December 1972 (2), and in particular Article 16 (1) (a) thereof;

Having regard to the Council Directive of 14 June 1966 (4) on the marketing of cereal seed, as last amended by the Directive of 6 December 1972 (2), and in particular Article 16 (1) (a) thereof;

Having regard to the Council Directive of 30 June 1969 (5) on the marketing of seed of oil and fibre plants, as last amended by the Directive of 6 December 1972 (2), and in particular Article 15 (1) (a) thereof;

Having regard to the proposal from the Commission;

Whereas there are rules on seed control in Finland, Canada, Norway, Sweden, Switzerland and Hungary; whereas those rules provide for official field inspection to be carried out during the period of seed production;

Whereas those rules and the manner in which they are applied have been examined and the examination has established that the prescribed field inspections satisfy the conditions laid down in Annex I to the above Directives;

Whereas, if it becomes apparent that the conditions on which Community determinations are based are not or are no longer satisfied, the Decision shall not prevent those determinations from being revoked or the period of their validity from not being extended; whereas further practical information on seed produced in the abovementioned countries should be obtained by growing and controlling samples of such seed in comparative Community tests;

HAS ADOPTED THIS DECISION:

Article 1

It is hereby declared that, where the special conditions laid down in the Annex are satisfied, field inspections of crops producing seed of the 'certified seed' category carried out in Finland, Canada, Norway, Switzerland and Hungary by the authorities listed in the Annex and in respect of the species specified therein, satisfy the conditions laid down in Annex I to the Council Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed and cereal seed and to the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants.

Article 2

This Decision shall apply from 1 January 1973 until 30 June 1976.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 26 March 1973.

For the Council

The President

A. LAVENS

(1) OJ No 125, 11. 7. 1966, p. 2290/66.
(2) OJ No L 287, 26. 12. 1972, p. 22.
(3) OJ No 125, 11. 7 1966, p 2298/66.
(4) OJ No 125, 11. 7. 1966, p. 2309/66.
(5) OJ No L 169, 10. 7. 1969, p. 3.

ANNEX

Ref No	Country	Authority	Species	Special conditions
1	2	3	4	5
1	Finland	Valtion Siementarkastuslaitos, Helsinki	Grass and legumes species subject to national rules on varietal control	1, 3, 4, 5
2	Canada	Canadian Seed Growers' Association	— Beet	1, 3, 5, 6
			— Cereals except canary grass, maize and rice	1, 3, 4, 5
			— maize	2, 3, 4, 5
			— Swede cabbage, fodder kale, fodder radish	2, 3, 4, 5
			— Oil and fibre plants (swede rape, turnip rape, sunflower, oil-bearing flax, mustards, soya bean)	2, 3, 4, 5
3	Norway	Statens Såvareråd, Oslo	Grass and legume species subject to national rules on varietal control	1, 3, 4, 5
4	Sweden	Statens Centrala Frökontrollanstalt, Solna	— Beet	1, 3, 5, 6
			— Swede cabbage, fodder kale	2, 3, 4, 5
			— Oil and fibre plants (turnip rape, swede rape, flax, opium, poppy, white mustard)	2, 3, 4, 5
5	Switzerland	— Station fédérale de recherches agronomiques, Lausanne — Station fédérale de recherches agronomiques, Zürich	Grass and legume species subject to national rules on varietal control	1, 3, 4, 5
6	Hungary	Országos Vetömagfelügyelöség (Hungarian Office in charge of seed control) Budapest	Fodder radish	2, 3, 4, 5

SPECIAL CONDITIONS

1. Field inspection shall be carried out in accordance with national rules for the application of the scheme for the varietal certification of seed moving in international trade of the Organization for Economic Cooperation and Development (OECD)

2. Field inspection shall be carried out in accordance with national rules for the varietal control of seed.

3. Field inspection shall be carried out by State authorities or by any legal person whether governed by public or by private law, acting under the responsibility of such authorities, provided that such person derives no private gain from the result of the inspection.

4. Harvested seed shall be packed in officially sealed packages which bear an official label giving the following information:

   (a) authority responsible and country;

   (b) species;

   (c) variety;

   (d) reference number of the basic seed and name of the Member State which certified the seed;

   (e) reference number of the lot;

   (f) declared net or gross weight;

   (g) the words 'non-certified seed'.

   All information shall be given in at least one of the official languages of the European Communities.

5. An official notice shall give the following information:

   — area cultivated;

   — quantity of harvested seed;

   — an attestation that the crops from which the seed comes have satisfied an official field inspection.

6. Harvested seed shall be packed in an officially sealed package bearing the special label prescribed by the OECD for seed which has not been finally certified; this label shall give the following additional information:

   — reference number of the basic seed;

   — name of the Member State which certified the seed.