SECOND COUNCIL DECISION

of 26 March 1973

on the equivalence of seed produced in third countries

(73/87/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) (b) 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) (b) 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) (b) 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) (b) thereof;

Having regard to the proposal from the Commission;

Whereas there are rules on seed control in Finland, Canada, Norway, Sweden, Switzerland, South Africa and Hungary;

Whereas those rules and the manner in which they are applied have been examined and this examination has established that the conditions governing seed harvested and controlled in those countries as regards its characteristics, examination, identity, marking and control afford the same assurances as the conditions applicable to seed harvested and controlled within the Community;

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

HAS ADOPTED THIS DECISION:

Article 1

It is hereby declared that, where the special conditions laid down in the Annex are satisfied, seed harvested in Finland, Canada, Norway, Sweden, Switzerland, South Africa, Hungary, and officially controlled by the authorities listed in the Annex and belonging to the species and categories specified therein is equivalent to seed of the corresponding categories harvested within the Community and complying with the Council Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed and cereal and 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

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(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	Categories		Special conditions
				of the country	of the Community	
1	2	3	4	5	6	7
1	Finland	Valtion Siementarkastuslaitos, Helsinki	Grass and legume species subject to national rules on varietal control	— Basic Seed	— Basic Seed	1, 3, 5, 8, 9, 10
				— Certified Seed, 1st generation	— Certified Seed, 1st generation	1, 3, 5, 8, 9, 10
				— Certified Seed, 2nd and later generations	— Certified Seed, subsequent generations	1, 3, 5, 8, 9, 10
2	Canada	Canadian Seed Growers' Association	— Beet	— Basic Seed	— Basic Seed	1, 3, 6, 8, 9, 10
				— Certified Seed	— Certified Seed	1, 3, 6, 8, 9, 10
			— Cereals, except canary grass, maize and rice	— Basic Seed	— Basic Seed	1, 3, 5, 8, 9, 10
				— Certified Seed	— Certified Seed; Certified Seed, first generation	1, 3, 5, 8, 9, 10
				— Certified Seed, 2nd generation (except rye)	— Certified Seed, 2nd generation (except rye)	1, 3, 5, 8, 9, 10
			— Maize	— Foundation Seed	— Basic Seed	2, 3, 7, 8, 9, 10
				— Certified Seed	— Certified Seed	2, 3, 7, 8, 9, 10
			— Swede cabbage, fodder kale, fodder radish	— Foundation Seed	— Basic Seed	2, 3, 7, 8, 9, 10
				— Certified or Registered Seed (foreign varieties)	— Certified Seed	2, 3, 7, 8, 9, 10
			— Oil and fibre plants (Swede rape, turnip rape, sunflower, mustards, oil bearing flax, soya bean)	— Foundation Seed	— Basic Seed	2, 3, 7, 8, 9, 10
				— Certified or Registered Seed (foreign varieties)	— Certified Seed, 1st generation	2, 3, 7, 8, 9, 10
3	Norway	Statens Savarerad, Oslo	Grass and legume species subject to national rules on varietal control	— Basic Seed	— Basic Seed	1,3,5,7,8,9,10
				— Certified Seed, 1st generation	— Certified Seed, 1st generation	1,3,5,7,8,9,10
				— Certified Seed, 2nd and later generations	— Certified Seed, subsequent generations	1,3,5,7,8,9,10

Ref. No	Country	Authority	pecies	Categories		pecial conditions
				of the country	of the Community	
1	2	3	4	5	6	7
4	Sweden	Statens Centrala Frökontrollanstalt, Solna	— Beet	— Basic Seed	— Basic Seed	1, 3, 6, 8, 9, 10
				— Certified Seed	Certified Seed	1, 3, 6, 8, 9, 10
			— Swede cabbage fodder kale, fodder radish	— Class B	— Basic Seed	2, 3, 7, 8, 9, 10
				— Class C	— Certified Seed	2, 3, 7, 8, 9, 10
			— Oil and fibre plants (turnip rape, swede rape, white mustard, hemp, flax, opium poppy	— Class B	— Basic Seed	2, 3, 7, 8, 9, 10
				— Class C	— Certified Seed, 1st generation	2, 3, 7, 8, 9, 10
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	— Basic Seed	— Basic Seed	1, 3, 5, 8, 9, 10
				— Certified Seed, 1st generation	— Certified Seed, 1st generation	1, 3, 5, 8, 9, 10
				— Certified Seed, 2nd and later generations	— Certified Seed subsequent generations	1, 3, 5, 8, 9, 10
6	South Africa	Department of Agricultural Services, Division of Seed Control	White, blue and yellow lupins, rich in bitter substances	— Commercial Seed	— Commercial Seed	8,10,11,12,13
7	Hungary	Országos Vetömag-felügyelöség (Hungarian Office in charge of Seed Control), Budapest	Fodder radish	— Elit	— Basic Seed	2, 3, 7, 8, 9, 10
				— Certificalt Vetömag	— Certified Seed	2, 3, 7, 8, 9, 10

SPECIAL CONDITIONS

1. Seed shall be officially certified and its packages officially sealed and marked in accordance with the scheme of the Organization for Economic Cooperation and Development (OECD) for the varietal certification of seed moving in international trade. The quality of the seed shall meet the requirements of Community rules.

2. Seed shall be officially certified and its packages officially sealed and marked in accordance with national provisions. The quality of the seed shall meet the requirements of Community rules.

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. (nil)

5. The official label shall give the following additional information:

   (a) date of official sealing;

   (b) statement that the seed complies with EEC rules and standards.

   This information may also appear on another official label which, in addition, shall give the name of the authority and of the country.

6. The official label shall also give the date of official sealing.

   This information may also appear on another official label which, in addition, shall indicate the name of the authority and of the country.

7. The official label shall give the following minimum information:

   (a) certification authority and country;

   (b) a statement that the seed complies with EEC rules and standards;

   (c) reference number of the lot;

   (d) species;

   (e) varieties or, in the case of hybrids, inbred line;

   (f) category (basic seed or certified seed);

   (g) country of production;

   (h) declared net or gross weight;

   (i) date of official sealing;

   (j) in the case of certified seed the second and subsequent generations, number of generations from basic seed;

   (k) in the case of hybrid varieties:

      — the word 'hybrid',

      — in the case of the category 'certified seed' which has not been certified within the Community, a statement that the basic seed has been officially examined.

   The colour of the label shall be:

   — white for basic seed;

   — blue for certified seed and certified seed of the first generation;

   — red for certified seed of subsequent generations.

8. Any chemical treatment of the seed shall be noted either on the official label or on a special label and on the package or inside it.

9. An official notice placed inside the package shall give at least the reference number of the lot, the species and the variety; in addition, in the case of beet seed it shall be stated, where appropriate, whether the seed is monogerm or precision seed.

   This notice is not necessary if the minimum information is printed indelibly on the package.

10. All information required for official labels, official notices and packages shall be given in at least one of the official languages of the European Communities.

11. Seed shall be officially controlled and its packages officialy sealed and marked in accordance with national provisions. The quality of the seed shall meet the requirements of Community rules.

12. The official label shall give the following minimum information;

   (a) control authority and country;

   (b) the words 'commercial seeds (variety uncertified)';

   (c) a statement that the seed complies with EEC rules and standards;

   (d) reference number of the lot;

   (e) species and a statement that they are lupins rich in alkaloids;

   (f) region of production;

   (g) declared net or gross weight;

   (h) date of official sealing.

   The colour of the label shall be brown.

13. An official notice placed inside the package shall give at least the information provided for under point 12. (b), (d) and (e).

   This notice is not required if the minimum information is indelibly printed on the package.