THIRD COUNCIL DECISION

of 27 June 1974

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

(74/348/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Directive No 66/400/EEC (1) of 14 June 1966 on the marketing of beet seed, as last amended by Directive No 73/438/EEC (2), and in particular Article 16 (1) (a) thereof;

Having regard to Council Directive No 66/401/EEC (3) of 14 June 1966, on the marketing of fodder plant seed, as last amended by Directive No 73/438/EEC, and in particular Article 16 (1) (a) thereof;

Having regard to Council Directive No 66/402/EEC (4) of 14 June 1966 on the marketing of cereal seed, as last amended by Directive No 73/438/EEC, and in particular Article 16 (1) (a) thereof;

Having regard to Council Directive No 69/208/EEC (5) of 30 June 1969 on the marketing of seed of oil and fibre plants, as last amended by Directive No 73/438/EEC, and in particular Article 15 (1) (a) thereof;

Having regard to the proposal from the Commission;

Whereas there are rules on seed control in Australia, Czechoslovakia, New Zealand, Spain, Switzerland, the United States and Yugoslavia; whereas these rules provide for official field inspection to be carried out during the period of seed production;

Whereas these rules and the manner in which they are applied have been reviewed and whereas this review has established that the prescribed field inspections satisfy the conditions laid down in Annex I to the abovementioned Directives;

Whereas this Decision does not preclude Community determinations being revoked or extension of the period of their validity being refused, when the conditions on which they are based are not or cease to be satisfied; whereas, to this end, further practical information on seed produced in the abovementioned countries should be obtained by growing and checking samples of such seed in comparative Community tests;

Whereas, on 5 October 1973, the Council of the Organization for Economic Cooperation and Development (OECD) extended the scope of its present scheme for the varietal certification of herbage seed moving in international trade to include certain crucifers and oil plants; whereas since this scheme will henceforth apply to swede, fodder kale and fodder radish species and to oil and fibre plants covered by Community Directives, it is appropriate to amend the special conditions laid down by the Council Decisions declaring equivalences;

Whereas a further amendment is necessary owing to a transfer of powers within a national authority responsible for official seed control,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby determined that, where the special conditions laid down in the Annex to this Decision are satisfied, field inspections of crops producing seed of the 'certified seed' category carried out in the countries and by the authorities listed in the said Annex and in respect of the species specified therein satisfy the conditions laid down in Annex I to Directive No 66/400/EEC, 66/401/EEC, 66/402/EEC or 69/208/EEC.

(1) OJ No 125, 11. 7. 1966, p. 2290/66.
(2) **OJ No L 356, 27. 12. 1973, p. 79.**
(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.

Article 2

The Annex to First Council Decision No 72/292/EEC [1] of 20 July 1972 on the equivalence of field inspections carried out in third countries on seed-producing crops, shall be amended as follows:

1. Under reference numbers 1, 6, 10, 12 and 13 the figure '2' which appears in column 5 in respect of 'swede cabbage', 'fodder kale', 'fodder radish' and 'oil and fibre plants' shall be replaced by the figure '1'.

2. Under reference number 12, the words 'Ministerul Agriculturii si Silviculturii, Bucuresti', which appear in column 3, shall be replaced by the words 'Ministerul Agriculturii, Industrici Alimentare, Silviculturii şi Apelor — Inspectia de stat pentru calitatea semintelor si materialului săditor'.

3. Under point 4 of the 'Special conditions', the words 'or in English' shall be deleted.

Article 3

The Annex to Second Council Decision No 73/86/EEC [2] of 26 March 1973 on the equivalence of field inspections carried out in third countries on seed-producing crops, shall be amended as follows:

Under reference numbers 2, 4 and 6, the figure '2' which appears in column 5 in respect of 'swede cabbage', 'fodder kale', 'fodder radish' and 'oil and fibre plants' shall be replaced by the figure '1'.

Article 4

1. Article 1 shall apply until 30 June 1976:

— from 1 July 1973, for swede, fodder kale, fodder radish and cereal species;

— from 1 July 1974, for the other species.

2. Article 2, point 1 and Article 3 shall apply to seed-producing crops harvested on and after 1 July 1975. These provisions may also be applied to some seed-producing crops harvested prior to the abovementioned date.

3. Article 2, point 2 shall apply as from 1 September 1972.

4. Article 2, point 3 shall apply as from 1 January 1973.

Article 5

This Decision is addressed to the Member States.

Done at Luxembourg, 27 June 1974.

For the Council

The President

K. GSCHEIDLE

[1] OJ No L 186, 16. 8. 1972, p. 22.
[2] OJ No L 106, 20. 4. 1973, p. 18.

ANNEX

Ref. No	Country	Authority	Species	Special conditions
1	2	3	4	5
1	Australia	Department of Primary Industries, Canberra	Fodder kale	1 or 2 (*); 3, 4, 5
2	Yugoslavia	— Institut za poljoprivredna istraživanja (Institute of Agricultural Research), Novi Sad — Zavod za krmno bilje (Animal Feedingstuffs, Research Station), Kruševač — Institut za poljoprivredna istraživanja (Institute of Agricultural) Research), Sarajevo — Institut za oplemenjivanje i proizvodnju bilja poljoprivrednog fakulteta (University Institute for Plant Improvement and Production), Zagreb — Poljoprivredni institut (Agricultural Institute), Osijek — Kemetijski institut Slovenije (Slovenian Agricultural Institute), Ljubljana — Zemjodelski institut (Agricultural Institute), Skopje	— Fodder kale, fodder radish — Oil and fibre plants (turnip rape, swede rape)	1 or 2 (*); 3, 4, 5 1, 3, 4, 5
3	New Zealand	Department of Agriculture	Fodder kale	1 or 2 (*); 3, 4, 5
4	Switzerland	— Station fédéral de recherches agronomiques, Lausanne — Eidgenössische Landwirtschaftliche Forschungsanstalt Zürich	Cereals, except canary grass, maize and rice	1, 3, 4, 5
5	Spain	Instituto Nacional de Semillas y Plantas de Vivero, Madrid	— Beet — Cereals, except rye, canary grass, maize and rice — Swede, fodder kale, fodder radish — Oil and fibre plants (swede rape, sunflower, soya beans)	1, 3, 5, 6 1, 3, 4, 5 1 or 2 (*); 3, 4, 5 1, 3, 4, 5
6	Czechoslovakia	Ústředni Kontrolni a zkušebni ústav zemědělský, Praha	— Beet — Grass and legume species subject to national rules on varietal control — Oil and fibre plants (sunflower)	1, 3, 5, 6 1, 3, 4, 5 1, 3, 4, 5

(*) Solely in the case of seed-producing crops harvested before 1 July 1975.

Ref. No	Country	Authority	Species	Special conditions
1	2	3	4	5
7	United States of America	— Alabama Crop Improvement Association, Inc. — Alaska Crop Improvement Association — Arizona Crop Improvement Association — Arkansas State Plant Board, Division of Seed Certification — California Crop Improvement Association — Colorado Seed Growers' Association — Delaware Crop Improvement Association — Florida Department of Agriculture — Georgia Crop Improvement Association, Inc. — Idaho Crop Improvement Association Inc. — Illinois Crop Improvement Association, Inc. — Indiana Crop Improvement Association, Inc. — Iowa Crop Improvement Association — Kansas Crop Improvement Association — Kentucky Seed Improvement Association — Louisiana Department of Agriculture, Division of Entomology — Maine Department of Agriculture, Division of Plant Industry — Maryland State Board of Agriculture, Department of Agronomy — Michigan Crop Improvement Association — Minnesota Crop Improvement Association — Mississippi Seed Improvement Association — Missouri Seed Improvement Association — Montana Seed Growers' Association — Nebraska Crop Improvement Association — Nevada Department of Agriculture, Division of Plant Industry	— Sugar beet — Cereals, except canary grass and maize — Swede, fodder kale, fodder radish — Oil and fibre plants subject to national rules on varietal control	1, 3, 5, 6 1, 3, 4, 5 1 or 2 (*); 3, 4, 5 1, 3, 4, 5

(*) Solely in the case of seed-producing crops harvested before 1 July 1975.

Ref. No	Country	Authority	Species	Special conditions
1	2	3	4	5
7	United States of America *(cont'd)*	— New Jersey Department of Agriculture, Division of Plant Industry		
		— New Mexico Crop Improvement Association		
		— New York Seed Improvement Coop., Inc.		
		— North Carolina Crop Improvement Association Inc.		
		— North Dakota State Seed Department		
		— Ohio Seed Improvement Association		
		— Oklahoma Crop Improvement Association		
		— Oregon State University, Extension Service,		
		— Pennsylvania State Department of Agriculture, Bureau of Plant Industry		
		— South Carolina Crop Improvement Association	— Sugar beet	1, 3, 5, 6
		— South Dakota Crop Improvement Association	— Cereals, except canary grass and maize	1, 3, 4, 5
		— Tennessee Crop Improvement Association	— Swede, fodder kale, fodder radish	1 or 2 (*); 3, 4, 5
		— Texas Department of Agriculture	— Oil and fibre plants subject to national rules on varietal control	1, 3, 4, 5
		— Utah Crop Improvement Association		
		— Utah Agricultural Experiment Station		
		— Vermont Department of Agriculture		
		— Virginia Crop Improvement Association		
		— Washington State Crop Improvement Association Inc.		
		— Washington State Department of Agriculture, Seed Branch		
		— West Virginia Associated Crop Growers' Association		
		— Wisconsin Crop Improvement Association		
		— Wyoming Seed Certification Service		

(*) Solely in the case of seed-producing crops harvested before 1 July 1975.

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.