II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 April 1975

authorizing the Member States to approve for marketing reproductive material of certain forest species not complying with the requirements of the Council Directive on the marketing of forest reproductive material

(75/301/EEC)

THE COMMISSION 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] concerning the marketing of forest reproductive material, as last amended by the Act of Accession [2], and to the Council Decision of 1 January 1973 [3] adjusting the documents concerning the accession of new Member States to the European Communities, and in particular Article 15 (1) thereof;

Having regard to the requests submitted by the nine Member States;

Whereas in all the Member States production of reproductive material of the species set out in the Annex hereto is insufficient, with the result that the requirements in these countries for reproductive material of the aforesaid species cannot be met;

Whereas nor are third countries able to supply in sufficient quantities reproductive material of the species concerned affording the same guarantees as Community reproductive material and conforming to the requirements of the above Directive;

Whereas it is consequently appropriate to authorize the Member States to allow, for a limited period, the marketing or reproductive material of the species in question which satisfies less stringent requirements;

Whereas for genetic reasons the seed must be collected at places of origin within the natural range of the species in question, while to ensure the identity of the seed it is necessary that as strict guarantees as possible are given;

Whereas it is moreover appropriate to authorize each of the nine Member States to approve for marketing in its territory seed satisfying less stringent requirements, and also plants produced therefrom, where such seed has been approved for marketing under this Decision in another Member State; whereas such a measure is of a kind calculated to permit intra-Community trade in the reproductive material concerned and to satisfy more precisely the respective needs of the Member States concerned;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Every Member State is authorized, on the terms specified in the Annex hereto and on condition that proof as specified in Article 2 is furnished as regards the place of provenance of the seed and the altitude

(1) OJ No 125, 11. 7. 1966, p. 2326/66.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 2, 1. 1. 1973, p. 1.

at which it was collected, to approve for marketing within its territory seed satisfying less stringent requirements.

2. Every Member State is also authorized to approve for marketing in its territory seed approved for marketing under this Decision in another Member State.

3. Every Member State is also authorized to approve for marketing in its territory plants produced from the abovementioned seed.

Article 2

1. The proof referred to in Article 1 (1) shall be considered to be furnished where the seed is of the category 'source-identified reproductive material' as defined in the OECD Scheme for the Control of Forest Reproductive Material moving in International Trade of 30 May 1967.

2. Where the OECD scheme mentioned in paragraph 1 is not applied at the place of provenance of the seed, other official evidence shall be admissible.

3. Where, for the species *Larix leptolepis, Picea sitchensis, Pinus strobus* and *Pseudotsuga taxifolia,* official evidence cannot be provided, Member States may accept other, non-official, evidence.

Article 3

The authorizations given in Article 1 (1) and (2) shall expire on 31 December 1980.

Article 4

Every Member State shall before 31 January of each year communicate to the Commission particulars of the quantities of seed satisfying less stringent requirements marketed in its territory under this Decision during the preceding year. The Commission shall inform the other Member States thereof.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 18 April 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Member State	Abies alba Mill.			Fagus silvatica L.			Larix decidua Mill.		
	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest
Federal Republic of Germany	150	Austria Switzerland Czechoslovakia Romania Poland	Before 30 June 1975				400	Austria Switzerland Czechoslovakia Poland	Before 30 June 1975
Belgium				10 000	Romania Czechoslovakia	Before 30 June 1975	75	Poland Czechoslovakia	Before 30 June 1975
Denmark	1 200	Romania	Before 30 June 1975	6 000	Czechoslovakia Romania Bulgaria	Before 30 June 1975			
France				8 000	France Romania Czechoslovakia	Before 30 June 1975	500	Austria Poland Czechoslovakia	Before 30 June 1975
Ireland									
Italy									
Luxembourg									
Netherlands	50	Romania	Before 30 June 1975	15 000	Romania Czechoslovakia Bulgaria	Before 30 June 1975	50	Czechoslovakia Poland	Before 30 June 1975
United Kingdom				2 000	Romania Bulgaria	Before 30 June 1975	150	Poland Czechoslovakia	Before 30 June 1975

Member State	Larix Leptolepis (Sieb. e Zucc.) Gord.			Picea abies Karst.			Picea sitchensis Trautv. et Mey.		
	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest
Federal Republic of Germany				150	Austria Democratic Republic of Germany Romania Yugoslavia Czechoslovakia Switzerland Poland	Before 30 June 1975	500	British Columbia (CDN) Washington (USA)	Before 30 June 1975
Belgium	140	Japan	Before 30 June 1975				60	Washington (USA)	Before 30 June 1975
Denmark							200	British Columbia (CDN) Washington (USA)	Before 30 June 1975
France	300	Japan	Before 30 June 1975	700	Poland Romania	Before 30 June 1975	400	Washington (USA)	Before 30 June 1975
Ireland							50	Washington (USA)	Before 30 June 1975
Italy	100	Japan	Before 30 June 1975						
Luxembourg	2	Japan	Before 30 June 1975						
Netherlands	100	Japan	Before 30 June 1975	250	Poland Czechoslovakia	Before 30 June 1975	50	Washington (USA) British Columbia (CDN)	Before 30 June 1975
United Kingdom	520	Japan	Before 30 June 1975	500	Poland Austria	Before 30 June 1975	80	British Columbia (CDN) Washington (USA)	Before 30 June 1975

Member State	Pinus nigra Aru.			Pinus silvestris L.			Pinus Strobus L.		
	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest
Federal Republic of Germany	500	Austria Yugoslavia	Before 30 June 1975	150	Poland Czechoslovakia Austria Democratic Republic of Germany	Before 30 June 1975	200	Appalachians (USA) Austria Czechoslovakia Democratic Republic of Germany	Before 30 June 1975
Belgium	200	Austria Yugoslavia	Before 30 June 1975						
Denmark	200 50	Austria Yugoslavia	Before 30 June 1975	55	Vestlandet (N)	Before 30 June 1975	20 5	Democratic Republic of Germany USA	Before 30 June 1975
France	2 000	Austria Yugoslavia Hungary	Before 30 June 1975	400	Poland	Before 30 June 1975	500	Switzerland Appalachians (USA)	Before 30 June 1975
Ireland									
Italy							100	Appalachians (USA)	Before 30 June 1975
Luxembourg									
Netherlands	200	Austria	Before 30 June 1975				100	Appalachians (USA) Ontario (CDN)	Before 30 June 1975
United Kingdom									

Member State	Pseudotsuga taxifolia (Poir.) Britt.			Quercus borealis Michx			Quercus pedunculata Ehrk.		
	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest
Federal Republic of Germany	7 000	British Columbia (CDN) Oregon (USA) Washington (USA)	Before 30 June 1975	4 000	Democratic Republic of Germany Austria Czechoslovakia USA Poland Romania	Before 31 Dec. 1975	10 000	Yugoslavia Czechoslovakia Democratic Republic of Germany Romania Poland	Before 31 Dec. 1975
Belgium	600	Washington (USA)	Before 30 June 1975						
Denmark									
France	3 000	Washington (USA)	Before 30 June 1975				10 000	France	Before 31 Dec. 1975
Ireland	55	Washington (USA)	Before 30 June 1975						
Italy	800	British Columbia (CDN) California (USA) Washington (USA)	Before 30 June 1975						
Luxembourg	15	British Columbia (CDN) Washington (USA)	Before 30 June 1975						
Netherlands	250	Washington (USA)	Before 30 June 1975	50 000	Hungary Poland Romania	Before 31 Dec. 1975	100 000	Hungary Poland Romania	Before 31 Dec. 1975
United Kingdom	300	Oregon (USA) Washington (USA)	Before 30 June 1975	2 000	Poland Czechoslovakia Romania Austria	Before 31 Dec. 1975	3 500	Poland Czechoslovakia Romania Austria	Before 31 Dec. 1975

Member State	Quercus sessiliflora Sal.								
	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest	kg	Provenance	Date of harvest
Federal Republic of Germany	5 000	Yugoslavia Czechoslovakia Democratic Republic of Germany Romania Poland	Before 31 Dec. 1975						
Belgium									
Denmark	6 000	Agderkysten (N)	Before 31 Dec. 1975						
France	20 000	France	Before 31 Dec. 1975						
Ireland									
Italy									
Luxembourg									
Netherlands	20 000	Democratic Republic of Germany Czechoslovakia	Before 31 Dec. 1975						
United Kingdom	4 250	Poland Czechoslovakia Romania Austria Norway	Before 31 Dec. 1975						