COMMISSION DECISION

of 11 September 1975

authorizing the Kingdom of the Netherlands to approve for marketing for a period expiring on 31 December 1976, plants of *Quercus pedunculata Ehrh.* and *Quercus borealis Michx.* which do not comply with the requirements of the Council Directive on the marketing of forest reproductive material

(Only the Dutch text is authentic)

(75/580/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Directive No 66/404/EEC [1] of 14 June 1966 on the marketing of forest reproductive material, as last amended by the Second Council Directive of 26 June 1975 [2], and in particular Article 15 (1) thereof;

Having regard to the request submitted by the Kingdom of the Netherlands;

Whereas the bad seed harvest in 1974 has caused the production of plants of the species *Quercus pedunculata Ehrh.* and *Quercus borealis Michx.* to be so small that supplies for the Netherlands cannot be assured during the season 1975/76.

Whereas neither the other Member States nor third countries are in a position to supply sufficient quantities of plants of the said species which comply with the requirements of the above Directive;

Whereas in consequence the Netherlands should be authorized to approve for marketing a limited quantity of plants of the said species which satisfy less stringent requirements;

Whereas for genetic reasons these plants must be grown from seeds harvested at places of origin within the natural area of the species in question; whereas the strictest possible guarantees must given to ensure the identity of these plants;

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

The Kingdom of the Netherlands is authorized to approve for marketing within its territory for a period expiring on 31 December 1976:

— 2 500 000 plants of *Quercus pedunculata Ehrh.*
— 250 000 plants of *Quercus borealis Michx.*

grown in Hungary from seed harvested there in 1974 and satisfying less stringent requirements, on condition that the proof specified in Article 2 is furnished as regards the place of provenance and the altitude where the seeds have been harvested.

Article 2

1. The proof referred to in Article 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 does not apply to the place of provenance of the seed, other official documentary proof shall be admissible.

3. Where official documentary proof cannot be provided, the Netherlands may accept other proof which is not official.

Article 3

The Kingdom of the Netherlands shall before 31 January of each year supply the Commission with particulars of the quantities of plants approved for marketing in its territory during the preceding year by reason of this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 11 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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[1] OJ No 125, 11. 7. 1966, p. 2326/66.
[2] OJ No L 196, 26. 7. 1975, p. 14.