COMMISSION DECISION

of 29 December 1976

authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the French text is authentic)

(77/145/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species (1), as last amended by Council Directive 73/438/EEC of 11 December 1973 (2), and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the Grand Duchy of Luxembourg,

Whereas under Article 15 (1) of the said Directive, seed and propagating material of varieties of agricultural plant species which have been officially accepted during the year 1974 in one or more of the Member States are, after 31 December 1976, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) of the said Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Grand Duchy of Luxembourg has applied for such authorization in respect of varieties of cereals;

Whereas the varieties of maize have not been the subject of official growing trials in the Grand Duchy of Luxembourg for the purpose of the Luxembourg application;

Whereas the varieties of maize concerned have an FAO maturity class index of 300 or over; whereas it is well known that the varieties of durum wheat and varieties of maize which have an FAO maturity class index of 300 or over at present are not yet suitable for cultivation in the Grand Duchy of Luxembourg (Article 15 (3) (c), second case thereof);

Whereas therefore the application of the Grand Duchy of Luxembourg in respect of all these varieties should be granted in full;

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 Grand Duchy of Luxembourg shall be authorized to prohibit the marketing in all of its territory of seed or propagating material of the following varieties listed in the 1977 common catalogue of varieties of agricultural plant species:

Cereals

1. Triticum durum L.
   Brumaire
   Campomoro
   Cappelli Senatore
   Castelnuovo
   Creso
   Granato
   Rekita
   Valfiora
   Valselva
   Wells

(1) OJ No L 225, 12. 10. 1970, p. 1.
(2) OJ No L 356, 27. 12. 1973, p. 79.

2. Zea mais L.
Armada 452
Atlas UC 2900
Brio 'Asgrow 42'
Champion 'Pag 40'
Corail 'Pag 315'
Cresus 'Pag 36 S'
Dedalo
Defi 'Pag 50 HT'
Dekalb XL 373
Diamant UC 5200
Eclair 'Pag 51'
Funk's G 23377
Funk's G 68004
Funk's G 68244
Funk's G Aster
Galeria
Hybridor 464
Hybridor 573
Hybridor 609
Hybridor 664
Hybridor 703
Hybridor 743
Isonzo
Jaguar UC 8700
Kelly UC 3300
Kobe UC 3600
Pactole 'Inra 621'
Peruviano
Plata TV 28
Regina
Roffi 730
Roz 'Anjou 303'
RX 59
RX 76
RX 78
RX 82
RX 84
RX 86
Saturno TV 33
Saturno TV 34
Silver U 333
Tiger
Tritone
Ulisse.

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Article 3

The Grand Duchy of Luxembourg shall notify the Commission of the date from which it is making use of the authorization given under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 29 December 1976.

For the Commission
P. J. LARDINOIS
Member of the Commission