COMMISSION DECISION

of 29 December 1976

extending for the Federal Republic of Germany in respect of a certain number of varieties the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the German text is authentic)

(77/146/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 (7) thereof,

Whereas, in accordance with the provisions of Article 15 (1) of the abovementioned Directive, seeds or propagating material of these varieties of agricultural species which have been officially approved during the year 1974 in at least one of the Member States and which also fulfil the conditions laid down in the said Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned 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 Federal Republic of Germany has requested by letter of 29 November 1976 such authorization for a certain number of varieties;

Whereas this request is now being carefully examined by the Commission; whereas the Commission has, by its Decision of 29 December 1976, granted such authorization for some of these varieties; whereas it is not possible to complete examination of the other varieties which are the subject of the request before expiry of the period in question; taking into account in particular that durum wheat (Triticum durum L.) not under cultivation in Germany, is now under test for a possible cultivation of this species in that country; whereas it can therefore not be established at this stage whether varieties of this species are not yet suitable for cultivation in any part of the territory of the Federal Republic of Germany (Article 15 (3) (c) second case of the abovementioned Directive);

Whereas it consequently seems desirable to extend, for the Federal Republic of Germany, the period in question for an appropriate time to permit a full examination of the request for those other varieties;

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. The period provided for in Article 15 (1) of Directive 70/457/EEC, shall be extended for the Federal Republic of Germany beyond 31 December 1976 until 31 March 1977 in respect of the following varieties:

I. **Beets**

Sugar beets
Marimono

II. **Fodder plants**

1. Festuca rubra L.
Erika
Wintergreen

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

2. Lolium perenna L.
Patora

III. **Cereals**

Zea Mais L.
Sprint 180

2. The period referred to in paragraph 1 shall be extended for the Republic of Germany beyond 31 December 1976 to 31 December 1977 for the following varieties:

Cereals

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

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 29 December 1976.

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