COMMISSION DECISION

of 29 December 1976

authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the German text is authentic)

(77/147/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 Federal Republic of Germany,

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 and which fulfil the conditions provided for in this Directive are, after 31 December 1976, no longer subject to any marketing restrictions relating to variety within 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 Federal Republic of Germany 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 Federal Republic of Germany for the purpose of the German application; whereas the varieties of maize concerned have an FAO maturity class index of 350 or over; whereas it is well known that the varieties of maize which have an FAO maturity class index of 350 or over at present are not yet suitable for cultivation in the Federal Republic of Germany (Article 15 (3) (c), second case thereof);

Whereas, therefore, the application of the Federal Republic of Germany 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 Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany shall be authorized to prohibit the marketing in all of its territory of seed of the following varieties listed in the 1977 common catalogue of varieties of agricultural plant species:

Cereals

Zea mais L.
Armada 452
Atlas UC 2900
Brio 'Asgrow 42'
Champion 'Pag 40'
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

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

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
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 Federal Republic of Germany 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 Federal Republic of Germany.

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission