COMMISSION DECISION

of 3 March 1977

revoking Commission Decision 74/365/EEC provisionally authorizing the French Republic to prohibit the marketing in France of dwarf french bean seed of the variety 'Midas'

(Only the French text is authentic)

(77/219/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed [1], as last amended by Directive 76/307/EEC [2], and in particular Article 16 (2) thereof,

Whereas the variety of dwarf french bean 'Midas' is published in the common catalogue of varieties of vegetable species [3]; whereas, therefore, in accordance with Article 16 (1) of the said Directive, the seed of this variety is not in principle subject within the Community to any marketing restrictions relating to variety;

Whereas however the Commission, by Decision 74/365/EEC of 13 June 1974 [4], authorized the French Republic, pending a further Decision, to prohibit the marketing in its territory of dwarf french been seed of the variety 'Midas' because the variety had been judged not sufficiently uniform there;

Whereas the said Decision provided for a crop examination under Community responsibility in order to arrive at a uniform conclusion regarding the homogeneity of the variety;

Whereas this crop examination has been carried out; whereas, on the basis of the material tested, the variety may be considered as sufficiently uniform;

Whereas the conditions giving rise to the authorization to the French Republic therefore no longer apply;

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

Commission Decision 74/365/EEC of 13 June 1974 is hereby revoked.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 3 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

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(1) OJ No L 225, 25. 10. 1970, p. 7.
(2) OJ No L 72, 18. 3. 1976, p. 16.
(3) OJ No C 161, 31. 12. 1974, p. 162.
(4) OJ No L 196, 16. 7. 1974, p. 23.