COMMISSION DECISION

of 10 May 1977

authorizing the French Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 69/208/EEC

(77/393/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants [1], as last amended by Council Directive 75/444/EEC of 26 June 1975 [2], and in particular Article 16 thereof,

Having regard to the request made by the French Republic,

Whereas in France the production of hemp seed complying with requirements of the said Directive has been insufficient in 1976 and is not adequate to supply the needs of that country;

Whereas it has not been possible to cover these needs sufficiently by certified seed from other Member States or even from third countries, meeting all the requirements laid down in the said Directive;

Whereas the French Republic should therefore be authorized to permit, for a period expiring on 30 June 1977, the marketing of seed of the abovementioned species of the category 'certified seed of the first generation' subject to less stringent requirements and also of the category 'commercial seed';

Whereas it appears also desirable to authorize other Member States which are able to supply the French Republic with this seed not complying with requirements of the Directive to permit the marketing of such seed provided that it is intended exclusively for France;

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 French Republic is authorized to permit for a period expiring on 30 June 1977 the marketing in its territory of a maximum of 30 tonnes of hemp seed (Cannabis sativa L.) of the categories 'certified seed of the first generation' which do not satisfy the requirements laid down in Annex II to Directive 69/208/EEC, with regard to the minimum germination, provided that the following requirements are satisfied:

(a) the germination capacity is at least 70 % of pure seed;

(b) the official label shall bear the following endorsements:

— 'minimum germination capacity 70 %',

— 'intended exclusively for France'.

2. The French Republic is authorized to permit for a period expiring on 30 June 1977 the marketing in its territory of a maximum of 250 tonnes of hemp seed (Cannabis sativa L.) of the category 'commercial seed'. The official label shall state: 'intended exclusively for France'.

Article 2

The other Member States are authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territories of a maximum of 30 tonnes of seed referred to in Article 1 (1) and of a maximum of 250 tonnes of seed referred to in Article 1 (2) provided that such seed is intended exclusively for France. The official label shall state: 'intended exclusively for France'.

Article 3

The Member States shall notify the Commission before 1 November 1977 of the quantities of seed marketed in their territories pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 10 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

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(1) OJ No L 169, 10. 7. 1969, p. 3.
(2) OJ No L 196, 26. 7. 1975, p. 6.