COMMISSION DECISION

of 10 May 1977

authorizing the Federal Republic of Germany and the Italian Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/401/EEC

(77/395/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (1), as last amended by Council Directive 75/444/EEC of 26 June 1975 (2), and in particular Article 17 thereof,

Having regard to the requests made by the Federal Republic of Germany and the Italian Republic,

Whereas in Germany and in Italy the production of field pea seed complying with requirements of the said Directive has been insufficient in 1976 and is not adequate to supply the needs of those countries;

Whereas it has not been possible to cover these needs sufficiently by 'certified seed' from other Member States or even from third countries, of varieties included in the Common catalogue of varieties of agricultural plant species or included in the national catalogues respectively of the Federal Republic of Germany and of the Italian Republic;

Whereas the Federal Republic of Germany and the Italian Republic should therefore be authorized to permit, for a period expiring on 30 September 1977, the marketing of seed of the abovementioned species of varieties not included in the Common catalogue of varieties of agricultural plant species or included in the national catalogues of varieties respectively of the Federal Republic of Germany and of the Italian Republic and, in the case of Italy, also seeds of the category 'commercial seed'.

Whereas, it appears also desirable to authorize other Member States which are able to supply the Federal Republic of Germany and the Italian 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 Germany or Italy;

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 Federal Republic of Germany is authorized to permit for a period expiring on 30 September 1977 the marketing in its territory of a maximum of 600 tonnes of field pea seed (Pisum avense L.) of the category 'certified seed of the first generation' of varieties not included in the Common catalogue of varieties of agricultural plant species or in its national catalogues of varieties. The official label shall state: 'intended exclusively for Germany'.

2. The Italian Republic is authorized to permit for a period expiring on 30 September 1977 the marketing in its territory of a maximum of 1 000 tonnes of field pea seed (Pisum arvense L.) of the category 'certified seed of the first generation' of varieties not included in the Common catalogue of varieties of agricultural plant species or in its national catalogues of varieties or of the category 'commercial seed'. The official label shall state: 'intended exclusively for Italy'.

Article 2

The other Member States are authorized to permit, subject to the conditions laid down in Article 1, and up to the quantities referred to therein, the marketing in their territories of field pea seed, provided that such seed is intended exclusively for Germany or Italy. The official label shall state 'intended exclusively for Germany or Italy' save in the case of 'commercial seed' where the official label shall state: 'intended exclusively for Italy'.

Article 3

The Member States shall notify the Commission before 1 December 1977 of the quantities of seed

(1) OJ No 125, 11. 7. 1966, p. 2298/66.
(2) OJ No L 196, 26. 7. 1975, p. 6.

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