COMMISSION DECISION

of 10 May 1977

authorizing the French Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/401/EEC

(77/396/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 request made by the French Republic,

Whereas in France the production of birdsfoot trefoil 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' or 'commercial seed' from other Member States or even from third countries, meeting all the requirements laid down in the said Directives;

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 a category subject to less stringent requirements;

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

The French Republic is authorized to permit for a period expiring on 30 June 1977 the marketing in its territory of a maximum of 500 tonnes of birdsfoot trefoil seed (Lotus corniculatus L.) of the category 'commercial seed' which do not satisfy the requirements laid down in Annex II to Directive 66/401/EEC of 14 June 1966, with regard to minimum germination capacity, 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'.

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 500 tonnes of birdsfoot trefoil seed, 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

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