COMMISSION DECISION

of 10 May 1977

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

(77/399/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 Kingdom of the Netherlands,

Whereas in the Netherlands the production of sheep's fescue 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 Kingdom of the Netherlands should therefore be authorized to permit, for a period expiring on 31 July 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 Kingdom of the Netherlands with this seed not complying with requirements of the Directive to permit the marketing of such seed provided that it is intended exclusively for the Netherlands ;

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 Kingdom of the Netherlands is authorized to permit for a period expiring on 31 July 1977 the marketing on its territory of a maximum of 55·3 tonnes of sheep's fescue seed (Festuca ovina L. ssp. tenuifolia) of the category 'certified seed of the first generation' which does not satisfy the requirements with regard to minimum germination capacity laid down in Annex II to Directive 66/401/EEC of 14 June 1966, 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 the Netherlands'.

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 55·3 tonnes of sheep's fescue seed provided that such seed is intended exclusively for the Netherlands. The official label shall state : 'intended exclusively for the Netherlands'.

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.