COMMISSION DECISION

of 10 May 1977

authorizing the Italian Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 70/458/EEC

(77/402/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 Council Directive 76/307/EEC of 15 March 1976 (2), and in particular Article 33 thereof,

Having regard to the request made by the Italian Republic,

Whereas in Italy the production of fennel 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 satisfactorily by such seed from other Member States or even from third countries;

Whereas the Italian Republic 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 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 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

The Italian Republic is authorized to permit for a period expiring on 31 July 1977 the marketing on its territory of a maximum of 13·3 tonnes of fennel seed (Foeniculum vulgare P. Mill) of the category 'standard seed' subject to less stringent requirements with regard to minimum germination capacity laid down in Annex II to Directive 70/458/EEC, provided that the following requirements are satisfied:

(a) the germination capacity is at least 50 % of pure seed;

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

— 'minimum germination capacity 50 %',
— 'intended exclusively for Italy'.

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 13·3 tonnes of fennel seed provided that such seed is intended exclusively for Italy. The official label shall state: 'intended exclusively for Italy'.

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 L 225, 12. 10. 1970, p. 7.
(2) OJ No L 72, 18. 3. 1976, p. 16.