COMMISSION DECISION

of 13 October 1977

authorizing the Kingdom of the Netherlands to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/402/EEC

(77/662/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (1), as last amended by Council Directive 75/444/EEC (2), and in particular Article 17 thereof,

Having regard to the request made by the Kingdom of the Netherlands,

Whereas in the Kingdom of the Netherlands the production of rye (winter rye) seed complying with requirements of the said Directive has been insufficient in 1977 and is not adequate to supply the needs of that country;

Whereas it has not been possible to cover these needs immediately 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 15 November 1977, the marketing of seed of the abovementioned species of a category subject to less stringest 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 Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of the Netherlands is authorized to permit for a period expiring on 15 November 1977 the marketing on its territory of rye seed (Secale cereale L.) — winter rye — up to a maximum of 2 000 tonnes of the category 'certified seed' of the first generation subject to less stringent requirements with regard to minimum germination capacity laid down in Annex II to Council Directive 66/402/EEC provided that the following requirements are satisfied:

(a) the germination capacity is at least 80 % of pure seed;

(b) the official label shall bear the supplementary indication:

'Minimum germination: 80 %',

'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 2 000 tonnes of rye seed — winter rye — 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 31 March 1978 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, 13 October 1977.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No 125, 11. 7. 1976, p. 2309/66.
(2) OJ No L 196, 26. 7. 1975, p. 6.