II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 January 1978

authorizing Member States to permit temporarily the marketing of forestry reproductive material not complying with requirements of Council Directive 66/404/EEC

(78/200/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forestry reproductive material (1), as last amended by Council Directive 75/445/EEC of 26 June 1975 (2), and in particular Article 15 (1) thereof,

Having regard to the requests submitted by the nine Member States,

Whereas the production of reproductive material of the species set out in the Annex hereto is at present insufficient in all Member States so that their requirements for reproductive material conforming to the requirements of the above Directive cannot be met;

Whereas third countries are no longer in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the requirements of the above Directive;

Whereas the Member States should therefore be authorized to allow, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements;

Whereas, for genetic reasons, the seed must be collected at places of origin within the natural range of the relevant species and the strictest possible guarantees must be given to ensure the identity of the seed;

Whereas each of the nine Member States should furthermore be authorized to approve for marketing in its own territory seed which satisfies less stringent requirements, together with plants produced therefrom, which have been approved for marketing under this Decision in another Member State; whereas such a measure is likely to permit intra-Community trade in the relevant reproductive material and to satisfy better the respective needs of the Member States involved;

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. Member States are hereby authorized, on the terms set out in the Annex hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected, to approve for marketing within their own territory seed satisfying less stringent requirements.

(1) OJ No 125, 11. 7. 1966, p. 2326/66.
(2) OJ No L 196, 26. 7. 1975, p. 14.

2. Member States are further authorized to approve for marketing in their own territory seed approved for marketing under this Decision in another Member State.

3. Member States are further authorized to approve for marketing in their own territory plants produced from the abovementioned seed.

Article 2

1. The proof referred to in Article 1 (1) shall be deemed to be furnished where the seed is of the category 'source-identified reproductive material' as defined in the OECD scheme for the control of forest reproductive material moving in international trade.

2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the seed, other official evidence shall be admissible.

3. Where official evidence cannot be provided in the case of the species Larix leptolepis and Pinus strobus, Member States may accept other, non-official, evidence.

Article 3

Authorizations granted under Article 1 (1), which concern the first marketing in the territory of different Member States, shall expire on 31 December 1978. Authorizations granted under Article 1 (1), which do not concern the first marketing, and authorizations granted under Article 1 (2), shall expire on 31 December 1981.

Article 4

Member States shall before 31 January 1979 notify the Commission of the quantities of seed satisfying less stringent requirements which are first marketed in their own territory under this Decision. The Commission shall inform the other Member States thereof.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 20 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

BILAG — ANLAGE — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Medlemsstat Mitgliedstaat Member State État membre Stato membro Lid-Staat	**Abies alba Mill.**		**Fagus silvatica L.**		**Larix decidua Mill.**	
	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst
B			5 000	R (alt. < 900 m)	75	CS, PL (alt. < 900 m)
D						
DK	1 000	R	10 000	BG, R		
F	200	F	10 000	R		
GB			7 250	R	250	CS, PL
I			1 000	I		
IRL			200	R		
L					1	J (Hokkaïdo)
NL	50	R	25 000	BG, CS, R	50	CS, PL

Medlemsstat Mitgliedstaat Member State État membre Stato membro Lid-Staat	**Larix leptolepis (Sieb. & Zucc. Gord.**		**Picea abies Karst.**		**Picea sitchensis Tràutv. et Mey.**	
	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst
B	100	J (Hokkaïdo)	200	CS, P (Ca), R, (alt. < 900 m)	70	USA (Washington)
D					400	CDN (British Columbia) USA (Washington)
DK			350	PL, R (alt. < 500 m)	50	CDN (British Columbia) USA (Washington, Oregon)
F	200	J (Hokkaïdo)	250	PL	200	USA (Washington)
GB	200	J	300	CS, R	300	CDN (British Columbia) USA (Washington)
I	30	J				
IRL	30	J				
L	1	J (Hokkaïdo)	5	CS, PL, R		
NL	80	J	100	CS, PL	25	CDN (British Columbia) USA (Washington)

Medlemsstat Mitgliedstaat Member State État membre Stato membro Lid-Staat	**Pinus nigra Arn.**		**Pinus silvestris L.**		**Pinus strobus L.**	
	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst
B						
D			100	PL, SU (Ba)		
DK	50	YU	100	N, SU (Le, Li)		
F			300	PL, SU (Bi)	150	CH, USA (Appalachians)
GB						
I					5	USA (Appalachians)
IRL						
L						
NL					50	CDN (Ontario) USA (Appalachians)

Medlemsstat Mitgliedstaat Member State État membre Stato membro Lid-Staat	**Pseudotsuga taxifolia (Poir.) Britt.**		**Quercus borealis Michx.**		**Quercus pedunculata Ehrk.**	
	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Provenance Provenienza Herkomst
B	500	USA (Washington, West of Cascades, alt. < 700 m)				
D	6 000	CDN (British Columbia) USA (Oregon, Washington)			10 000	DDR, YU
DK						
F	3 000	F USA (Oregon, Washington)			1 000	F, R
GB	140	CDN (British Columbia) USA (Washington)			17 200	R
I	500	USA (California, Oregon, Washington)			2 000	I
IRL	50	USA (Washington)				
L	9	USA (Washington, West of Cascades, alt. 700 m)	10	D, F, USA		
NL	400	CDN (British Columbia) USA (Washington)				

Medlemsstat Mitgliedstaat Member State État membre Stato membro Lid-Staat	Quercus sessilifiora Sal.		
	kg	Oprindelse Herkunft Provenance Provenienza Herkomst	
B			
D			
DK	1 000	N	
F	15 000	F, R	
GB	7 400	PL, R	
I	3 000	I	
IRL			
L			
NL	2 500	CS, DDR, PL	

LEGEND

The Member States and the States of provenances are indicated in the order of the abbreviations of the international code used for motor vehicles.

1. **Member States**

B	=	Kingdom of Belgium
D	=	Federal Republic of Germany
DK	=	Kingdom of Denmark
F	=	French Republic
GB	=	United Kingdom
I	=	Italian Republic
IRL	=	Ireland
L	=	Grand Duchy of Luxembourg
NL	=	Kingdom of the Netherlands

2. **States of provenances**

BG	=	Bulgaria
CDN	=	Canada
CH	=	Switzerland
CS	=	Czechoslovakia
DDR	=	German Democratic Republic
J	=	Japan
N	=	Norway
PL	=	Poland
PL (Ca)	=	Poland (Carpathians)
R	=	Romania
SU (Ba)	=	Union of Soviet Socialist Republics (Baltic States)
SU (Le, Li)	=	Union of Soviet Socialist Republics (Latvia, Lithuania)
SU (Bi)	=	Union of Soviet Socialist Republics (Bielorussia)
USA	=	United States of America
YU	=	Yugoslavia