COMMISSION DECISION

of 8 February 1979

extending for certain third countries the period provided for in Article 21 (2) of Directive 70/457/EEC and in Article 32 (2) of Directive 70/458/EEC

(79/236/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species [1], as last amended by Directive 78/55/EEC [2], and in particular the third sentence of Article 21 (2) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed [3], as last amended by Directive 78/692/EEC [4], and in particular the third sentence of Article 32 (2) thereof,

Whereas, under Article 21 (1) of Directive 70/457/EEC and under Article 32 (1) of Directive 70/458/EEC, the Council shall determine, on a proposal from the Commission, whether the checks on practices for the maintenance of varieties carried out in third countries afford the same guarantees as those carried out by the Member States ;

Whereas, by Decision 78/476/EEC of 30 May 1978 [5], the Council has determined this question as regards several third countries ;

Whereas the information available has not yet enabled this question to be determined as regards Japan, Austria, Switzerland, Czechoslovakia and Yugoslavia and to some extent Poland ;

Whereas, in order to prevent certain Member States' traditonal trade patterns from being disturbed, the period provided for in Article 21 (2) of Directive 70/457/EEC and in Article 32 (2) of Directive 70/458/EEC must therefore be extended ;

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. The period provided for in Article 21 (2) of Directive 70/457/EEC shall, as regards Austria, Switzerland, Czechoslovakia and Yugoslavia, and in respect of agricultural species, be extended until 30 June 1980.

2. The period provided for in Article 32 (2) of Directive 70/458/EEC shall, as regards Japan, Poland and Switzerland and in respect of vegetable species, be extended until 30 June 1980.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 225, 12. 10. 1970, p. 1.
(2) OJ No L 16, 20. 1. 1978, p. 23.
(3) OJ No L 225, 12. 10. 1970, p. 7.
(4) OJ No L 236, 26. 8. 1978, p. 13.
(5) OJ No L 152, 8. 6. 1978, p. 17.