COMMISSION DECISION

of 8 February 1979

authorizing the Kingdom of Denmark to permit temporarily the marketing of cereal seed in packaging with traditional marking

(Only the Danish text is authentic)

(79/237/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 Directive 78/692/EEC (2), and in particular Article 10 (3) thereof,

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

Whereas cereal seed may not normally be placed on the market unless marking satisfies the provisions laid down in the abovementioned Directive;

Whereas, under those provisions, printing of the prescribed information on the package itself according to the model label generally required may be authorized at Community level;

Whereas, however, under the provisions laid down in Article 10 (3) of the abovementioned Directive, Member States may be authorized, by derogation from the abovementioned provisions, temporarily to retain provisions allowing the marketing of cereal seed the packaging of which includes the prescribed information but in a different layout from that of the model label;

Whereas the Kingdom of Denmark has requested such authorization;

Whereas the request of the Kingdom of Denmark should be granted, under certain conditions which ensure that responsibility rests with the certification authority;

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 Kingdom of Denmark is hereby authorized, under the conditions laid down in paragraph 2, to retain until 30 June 1980 provisions allowing the marketing of cereal seed of the categories 'basic seed' and 'certified seed' of all kinds, the packaging of which includes the prescribed information, but in a different layout from that of the model label.

2. The following conditions shall apply in respect of the authorization granted in paragraph 1:

(a) the prescribed information shall be printed or stamped indelibly on the package;

(b) the colour of the printing or the stamp and that of the package shall be such that there is no risk, taking into account the provisions laid down in Article 10 (1) (a) of Directive 66/402/EEC, of confusion with seed of another category;

(c) of the prescribed information, at least that required under Annex IV, Part A (a) (3), (3a) and (6) of Directive 66/402/EEC shall not be printed or stamped before samples have been taken pursuant to Article 7 (2) of the abovementioned Directive, the printing or stamping being done officially or under official supervison;

(d) the certification authority shall keep records of the quantities of seed thus marked, including the number and contents of the packages of each lot;

(e) producers' records shall be subject to supervision by the certification authority.

Article 2

The Kingdom of Denmark shall notify the Commission each year of the quantities of cereal seed marketed pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 8 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No 125, 11, 7. 1966, p. 2309/66.
(2) OJ No L 236, 26. 8. 1978, p. 13.