COMMISSION DECISION

of 17 December 1980

amending Decision 80/566/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oak wood originating in Canada

(Only the Danish, Dutch, French, German and Italian texts are authentic)

(80/1237/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plant or plant products [1], as amended by Directives 80/392/EEC and 80/393/EEC [2], and in particular Article 14 (3) thereof,

Having regard to the request made by the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands,

Whereas, under the provisions of Directive 77/93/EEC, oak wood with bark attached, originating in North America, may in principles not be introduced into the Community, because of the risk of *Ceratocystis fagacearum* (oak wilt) being introduced ;

Whereas, however, Article 14 (3) of the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms ;

Whereas, in the requesting Member States, there is a need to import oak wood with bark attached, because of the technical requirements of veneer production ;

Whereas, in respect of Canada, the Commission has established that on the basis of the information available at present, there is no evidence of *Ceratocystis fagacearum* occurring in any part of that country and also no other risk of spreading *Ceratocystis fagacearum,* provided that certain special technical conditions are satisfied ;

Whereas under Commission Decision 80/566/EEC [3], the Commission has already granted such a derogation to some of the requesting Member States for the period expiring on 31 December 1980 ;

Whereas there is no information giving cause for its restriction to the requesting Member States listed in Decision 80/566/EEC ; whereas there is, moreover, no new information giving cause for the revision of the authorization ;

Whereas the requesting Member States should therefore be authorized to provide for derogations in respect of oak wood originating in Canada for a further period under those special technical conditions ;

Whereas, without prejudice to possible requirements in respect of the period of felling, this authorization will be extended unless new information gives cause for its revision ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION :

Article 1

Decision 80/566/EEC is hereby amended as follows :

1. In Article 1 (1), 'the Kingdom of Denmark' is inserted after the 'Kingdom of Belgium'.

2. In Article 1 (1), 'the French Republic' is inserted after 'Federal Republic of Germany'.

3. In Article 1 (2) (b), 'botanical name of the species' is replaced by 'botanical name of the genus or the species'.

4. In Article 1 (2) (c), the list of ports of unloading is supplemented as follows :

'— København

— Le Havre'.

(1) OJ No L 26, 31. 1. 1977, p. 20.
(2) OJ No L 100, 17. 4. 1980, pp. 32 and 35.
(3) OJ No L 149, 17. 6. 1980, p. 42.

5. In Article 2 (1), '31 December 1980' is replaced by '31 October 1981'.

6. Article 2 (2) is deleted.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 17 December 1980.

For the Commission

Finn GUNDELACH

Vice-President