II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 August 1980

authorizing the Federal Republic of Germany to comply with certain provisions of Directive 77/93/EEC by a later date than 1 May 1980

(Only the German text is authentic)

(80/861/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 organisms harmful to plants or plant products [1], as amended by Directives 80/392/EEC and 80/393/EEC [2], and in particular Article 20 (2) thereof,

Having regard to the request made by the Federal Republic of Germany,

Whereas pursuant to Article 20 (1) of Directive 77/93/EEC Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive, with the exception of those laid down in Article 11 (3), by 1 May 1980 at the latest;

Whereas, however, pursuant to Article 20 (2) of this Directive, Member States may be authorized to comply with certain of the provisions of the Directive by a date later than the abovementioned, but not later than 1 January 1981;

Whereas the Federal Republic of Germany is unable to complete, for all the provisions of the Directive, the necessary legislative procedure in the form prescribed by the constitution within the period available between the adoption of the abovementioned amending Directives (18 March 1980) and the date laid down for implementation (1 May 1980);

Whereas, therefore, the Federal Republic of Germany should be authorized to comply with certain provisions of the Directive by a later date than 1 May 1980;

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

The Federal Republic of Germany is hereby authorized to comply with the provisions of Directive 77/93/EEC listed in the Annex, in so far as they concern the introduction of plants or plant products into the Federal Republic of Germany, by a later date than 1 May 1980, but not later than 1 January 1981.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 21 August 1980.

For the Commission

Finn GUNDELACH

Vice-President

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[1] OJ No L 26, 31. 1. 1977, p. 20.
[2] OJ No L 100, 17. 4. 1980, p. 32 and 35.

ANNEX

List of provisions of Directive 77/93/EEC to which the authorization shall apply

I. *Provisions less strict than the national rules applied hitherto*

1. Article 3 (4), in respect of Annex II (A) (a) (1), (4), (7) and (10), (c) (3)
2. Article 4 (1), in respect of Annex III (A) (2) to (4), (8) and (9) (partim)
3. Article 5 (1), in respect of Annex IV (A) (7), (8), (9), (12), (13), (14), (31), (34) and (36)
4. Article 10 (1), in respect of Annex VI
5. Article 11 (1) (a), in respect of Articles 6 and 7 and Annex V (1) and (2)

II. *Provisions stricter than the national rules applied hitherto*

1. Article 3 (1) and Article 12 (1) (a) first indent, in respect of Annex I (A) (a) (3), (9), (10), (12), (17) to (19), (c) (1), (d) (1), (4) to (8), (10) to (13), (15) and (16), (e) (2), (4), (5) and (7) and (f)
2. Article 3 (4) and Article 12 (1) (a) second indent, in respect of Annex II (A) (a) (3) and (8), (b) (1) to (4) and (6) to (9), (c) (1), (2), (4), (6), (7), (9), (11), (13) and (15) and (d)
3. Article 4 (1), in respect of Annex III (A) (5), (6), (6a), (7), (9) (partim) and (10)
4. Article 5 (1) and Article 12 (1) (a) third indent, in respect of Annex IV (A), (1), (3) to (6a), (10), (11), (16) to (21), (23) to (25), (27) to (30), (32), (33), (35), (37) to (41)