COMMISSION DECISION

of 5 June 1986

authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directive 66/404/EEC

(86/301/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 forest reproductive material (1), as last amended by Regulation (EEC) No 3768/85 (2), and in particular Article 15 thereof,

Having regard the requests submitted by certain Member States,

Whereas production of reproducitve material of the species set out in the Annex hereto is at present insufficient in all Member States, with the result that their requirements for reproductive material conforming to the provisions of Directive 66/404/EEC cannot be met;

Whereas third countries are not 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 provisions of the abovementioned Directive;

Whereas, moreover, the Kingdom of Denmark should be authorized to permit temporarily the marketing in its territory of seedlings of *Quercus pedunculata* Ehrh. and *Quercus sessiliflora Sal.* produced in Sweden and Norway respectively from seed satisfying less stringent requirements in respect of provenance;

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

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

Whereas each of the States should furthermore be authorized to permit the marketing in its territory of seed which satisfies less stringent requirements in respect of provenance, together with seedlings produced therefrom, the marketing of which has been permitted under this Decision in the other Member States; whereas such a measure is likely to permit intra-Community trade in the relevant reproductive material and to satisfy better the 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 3 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected, to permit the marketing in their territory of seed satisfying less stringent requirements in respect of provenance.

2. Member States are further authorized to permit the marketing in their territory of seed approved for marketing under this Decision in the other Member States.

3. Member States are further authorized to permit the marketing in their territory of seedlings produced from the abovementioned seed.

Article 2

Denmark is hereby authorized, on condition that the proof specified in Article 3 is furnished with regard to the place of provenance of the seed, to permit the marketing in its territory of seedlings of *Quercus pedunculata* Ehrh. and *Quercus sessiliflora* Sal. produced from seed satisfying less stringent requirements in respect of provenance, under the following conditions:

(i) the seedlings of *Quercus pedunculata* Ehrh. must come from Sweden;

(ii) the number of seedlings must not exceed 300 000;

(iii) the seedlings of *Quercus sessiliflora* Sal. must come from Norway;

(iv) the number of seedlings must not exceed 110 000.

Article 3

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 (Organization for Economic Cooperation and Development) scheme for the control of forest reproductive material moving in international trade.

(1) OJ No 125, 11. 7. 1966, p. 2326/66.
(2) OJ No L 362, 31. 12. 1986, p. 8.

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 *Pinus strobus,* Member States may accept other non-official evidence.

Article 4

The authorizations provided for in Article 1 (1) and (2), in so far as they concern the first marketing in the territory of the Member States, shall expire on 28 February 1987. The authorizations provided for in Article 1 (1) and Article 2, in so far as they do not concern the first marketing, and the authorizations provided for in Article 1 (2) shall expire on 31 December 1989.

Article 5

Member States shall, before 1 April 1987, notify the Commission of the quantities of seed or, where appropriate, seedlings satisfying less stringent requirements which have been approved for first marketing in their territory under this Decision. The Commission shall inform the other Member States thereof.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 5 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

LEGEND

The Member States and the States of provenance 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
E	=	Kingdom of Spain
F	=	French Republic
GB	=	United Kingdom
GR	=	Greece
I	=	Italian Republic
IRL	=	Ireland
L	=	Grand Duchy of Luxembourg
NL	=	Kingdom of the Netherlands
P	=	Republic of Portugal

2. *States of provenance*

A	=	Austria
BG	=	Bulgaria
CDN	=	Canada
CH	=	Switzerland
CS	=	Czechoslovakia
DDR	=	German Democratic Republic
H	=	Hungary
J	=	Japan
N	=	Norway
PL	=	Poland
PL(Ca)	=	Poland (Carpathians)
R	=	Romania
SU	=	Union of Soviet Socialist Republics
SU(Li)	=	Union of Soviet Socialist Republics (Lithuania)
USA	=	United States of America
YU	=	Yugoslavia

ANEXO — BILAG — ANLAGE — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	**Abies alba Mill.**		**Fagus silvatica L.**		**Larix decidua Mill**	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	30	R	15 000	R (alt. max. 900 m)	50	CS (Sudètes) PL (alt. max. 900 m)
D	900	DDR, CS, R, CH, YU	20 000	DDR, CS, R, CH	100	CS PL (alt. max. 900 m)
DK	850	R (Lapos)	26 000	R (Lapos) CS, CH, YU	50	CS (Sudètes)
E						
F					100	CS (Sudètes) PL CH (alt. max 800 m)
GB			5 250	R, CS, YU	210	A, CS
GR						
I			1 200	I		
IRL						
L						
NL	75	R	15 000	R	50	PL, CS
P						

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	**Larix leptolepis (Sieb. & Zucc. Gord.)**		**Picea abies Karst.**		**Picea sitchensis Trautv. et Mey.**	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	80	J (Hokkaido, Nagano)	100	PL (Carpates) R, CS } (alt. max. 900 m)	50	USA (Washington)
D			200	CS, R, SU, PL, H, DDR	300	CDN (exp. Q. Charlotte Isl.) USA (Washington)
DK	50	J	1 050	PL, CS, DDR	300	CDN (exp. Q. Charlotte Isl.) USA (Washington)
E	30	A			30	USA
F	100	J	100	PL (Zones II 1-3, VIII-5)	130	USA (Oregon) CDN (exp. Q. Charlotte Isl.)
GB	110	J (Hokkaido, Nagano), EEC	630	CS, R		
GR						
I	50	J				
IRL					6	USA (Oregon)
L						
NL	80	J	200	PL, CS	25	USA (Washington)
P						

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Pinus nigra Arn.		Pinus silvestris L.		Pinus strobus L.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	60	YU			50	CDN (Ontario) USA, YU
D	300	YU	150	PL, SU	150	USA (Appalachians) DDR, CS
DK	150	YU, CS	150	N	10	USA (Minnesota)
E						
F			100	PL (Zone II-1 et 2)		
GB	110	A, F	200	EEC	2	USA
GR						
I					100	USA
IRL	5	YU				
L						
NL	200	A, YU			75	CDN (Ontario) USA (Appalachians)

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Pseudotsuga taxifolia (Poir.) Britt.		Quercus borealis Michx.		Quercus pedunculata Ehrh.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	500	USA (Washington, alt. max. 610 m à l'ouest des Cascades			10 000	R, YU (save)
D	6 000	USA (Washington, Oregon) CDN (B. Columbia)	2 000	USA, DDR, CS	15 000	DDR, YU
DK	350	USA (Washington) CDN (B. Columbia)				
E	150	USA				
F	6 000	USA (Washington, alt. max. 500 m)				
GB	700	USA CDN (Vancouver Is.)			27 500	YU, EEC
GR						
I	500	USA (Oregon, Wash. Cal.)			2 000	I
IRL	50	USA (Washington)				
L						
NL	600	USA (Washington) CDN (B. Columbia)			50 000	PL, CS
P						

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	**Quercus sessiliflora Sal.**	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	10 000	R
D		
DK	48 500	N
E		
F		
GB	16 750	CS, YU, EEC
GR		
I	3 000	I
IRL	250	YU
L		
NL	10 000	PL, CS
P		