COMMISSION DECISION

of 15 February 1988

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

(88/208/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 to the requests submitted by certain Member States,

Whereas production of reproductive 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, Denmark has requested authorization to permit temporarily the marketing in its territory of seedlings of *Faqus silvatica* L. produced in Romania, Czechoslovakia, Switzerland and Yugoslavia, of *Quercus pedunculata* Ehrh. produced in the Community and in Sweden and of *Quercus sessiliflora* Sal. produced in Norway and Sweden, in each case 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 Member 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 *Fagus silvatica* L., *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 *Fagus silvatica* L. must come from Romania, Czechoslovakia, Switzerland or Yugoslavia;

(ii) the number of seedlings must not exceed 500 000;

(iii) the seedling of *Quercus pedunculata* Ehrh. must come from Member States or Sweden;

(1) OJ No 125, 11. 7. 1966, p. 2326/66.
(2) OJ No L 362, 31. 12. 1985, p. 8.

(iv) the number of seedlings must not exceeed 200 000 ;

(v) the seedlings of *Quercus sessiliflora* Sal. must come from Norway or Sweden ;

(iv) the number of seedlings must not exceed 100 000.

Article 3

1. The proof referred to in Articles 1 (1) and 2 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, or of another category defined in that scheme.

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 30 November 1988. The authorizations provided for in Article 1 (1) and (2), in so far as they do not concern the first marketing, and the authorizations provided for in Article 2 shall expire on 31 December 1990.

Article 5

Member States shall, before 1 January 1989, 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, 15 February 1988.

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
S	= Sweden
SU	= Union of Soviet Socialist Republics
USA	= United States of America
YU	= Yugoslavia

3. *Other abbreviations*

exc.	= except
max. alt.	= maximum altitude

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 (max. alt. 900 m)	50	CS (Sudètes) PL (max. alt. 900 m)
D	900	DDR, CS, R, CH, YU	20 000	DDR, CS, R, CH	100	CS
DK	850	R	15 000	R, CS, CH, YU	50	CS
E						
F					150	PL (zones VI-7, VII-8) CS (Sudètes) CH (max. alt. 800 m)
GB			16 350	EEC, R, CS, YU	390	EEC, A, CS
GR						
I			3 000	EEC		
IRL			750	EEC, R, YU		
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. & 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 (Ca) R, CS (max. alt. 900 m)	50	USA (Washington)
D			200	CS, R, DDR, PL, SU, H	300	CDN (Queen Charlotte Island and West Coast) USA (Washington)
DK	50	J	1 000	EEC, PL, CS, DDR	300	CDN (British Columbia) USA (Washington)
E					50	USA
F	50	J	200	PL (zones II-1, II-2, VIII-5)	300	USA (Oregon, Washington)
GB	430	EEC, J	910	EEC, R, CS	450	USA (Washington) CDN (Vancouver Island)
GR						
I	120	J (Hokkaido)				
IRL	50	EEC, J			300	USA (Washington) CDN (Queen Charlotte Island)
L						
NL	80	J	200	PL, CS	25	USA (Washington) CDN (British Columbia)
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 (exc. Dalmatia)			40	CDN (Ontario) USA YU
D	300	YU	150	PL	150	USA (Appalachians), EEC, DDR, CS
DK	150	YU, CS	150	N	10	USA
E						
F	100	BG (Kustendil)	80	PL (zones II-1, II-2)		
GB	135	EEC, A	830	EEC	2	EEC
GR						
I					50	USA (Eastern States)
IRL						
L						
NL	200	A, YU			75	USA (Appalachians) CDN (Ontario)
P						

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, West of the Cascades; max. alt. 610 m)			10 000	R, YU (Save Valley)
D	6 000	USA (Washington, Oregon) CDN (British Columbia)	2 000	USA, DDR, CS	15 000	YU, DDR
DK	350	USA, CDN			15 000	EEC, S
E	150	USA				
F	2 500	USA (Washington, Oregon)				
GB	965	USA (Washington) CDN	2 100	EEC	70 600	EEC, CS, YU
GR						
I	450	USA (Oregon, Washington, California)				
IRL	150	USA (Washington)	300	EEC	1 000	EEC, YU
L						
NL	600	USA (Washington)				
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	55 000	N, S
E		
F		
GB	41 050	EEC, CS
GR		
I	2 000	EEC
IRL	1 000	EEC, YU
L		
NL	10 000	PL, CS
P		