II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 August 1989

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

(89/508/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 Directive 88/332/EEC [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 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 2 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.

[1] OJ No 125, 11. 7. 1966, p. 2326/66.
[2] OJ No L 151, 17. 6. 1988, p. 82.

Article 2

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, 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 3

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 1990. The authorizations provided for in Article 1 (1) and (2), in so far as they do not concern the first marketing, shall expire on 31 December 1992.

Article 4

Member States shall, before 1 January 1991, 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 5

This Decision is addressed to the Member States.

Done at Brussels, 10 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

LEGEND

The Member States and the States of provenance are indicated in the order of the abbrevations 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
CDN (QCI)	=	Canada (Queen Charlotte Island)
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
T	=	Turkey
USA	=	United States of America
YU	=	Yugoslavia

3. *Other abbrevations*

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	5 000	R (max. alt. 900 m)	50	CS (Sudeten strain) PL (max. alt. 900 m)
D	900	DDR, CS, R, CH, YU	20 000	DDR, CS, R, CH	100	CS
DK	600	R	10 100	R, CS, CH	—	
E	—		—		—	
F	—		—		500	CH, CS, PL, F, A
GB	5	EEC	15 000	EEC, R, CS, H, YU	250	EEC, A, CS YU (Sudeten strain)
GR	—		—		—	
I	—		3 000	IT	—	
IRL	—		2 000	Europe, non EEC	10	Europe, non EEC
L	—		—		—	
NL	75	R	5 000	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 (Carpathians) R (max. alt. 900 m) CS (max. alt. 900 m)	50	USA (Washington)
D	—		200	CS, R, DDR, PL, H, SU	300	CDN (QCI, West Coast) USA (Washington)
DK	—		600	DDR, CS, PL	600	CDN (QCI) USA (Washington)
E	25	J	50	YU, D	—	
F	200	J (Hokkaido)	400	PL (zones II, VIII)	400	USA (Washington, Oregon)
GB	550	EEC, J	500	PL, R, CS, EEC	750	USA (Washington, Oregon, Alaska) CDN (British Columbia)
GR	—		—		—	
I	120	J (Hokkaido)	—		—	
IRL	100	J	100	Europe, non EEC	600	USA (Washington, Oregon) CDN (QCI)
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	D, USA (Appalachians), DDR, CS
DK	250	T, YU, A, CS	200	N, S, SU	20	USA
E	550	YU, A, D, F	—		8	USA
F	300	BG (Kustendil)	200	PL (Zone II)	—	
GB	40	EEC, A	500	EEC	20	EEC, USA
GR	—		—		—	
I	—		—		50	USA (Appalachians)
IRL	10	Europe, non EEC	20	Europe, non EEC	—	
L	—		—		—	
NL	200	A, YU	—		75	CDN (Ontario) USA

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 Cascades, (max. alt. 600 m)	—		10 000	R, YU (Save Valley)
D	6 000	USA (Washington, Oregon) CDN (British Columbia)	2 000	DDR, CS, USA	15 000	DDR, YU
DK	250	USA	—		4 500	S, PL
E	150	USA (Washington, Oregon)	—		—	
F	2 800	USA (Washington, Oregon, California)	50 000	F	110 000	F
GB	1 000	USA (Washington, Oregon) CDN (British Columbia)	1 500	EEC, USA	40 000	EEC, CS, YU
GR	150	USA (Oregon, California)	—		—	
I	450	USA (Washington, Oregon, California)	—		2 000	I
IRL	200	USA (Western North America)	1 000	North America	2 000	Europe, non EEC
L	5	USA (Washington, West of Cascades) (max. alt. 900 m)	—		—	
NL	300	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	46 000	N, PL
E	—	
F	160 000	F
GB	45 000	EEC, CS, YU
GR	—	
I	2 000	I
IRL	2 000	Europe, non EEC
L	—	
NL	10 000	PL, CS
P		