II

*(Acts whose publication is not obligatory)*

# COUNCIL

## COUNCIL DECISION

**of 13 July 1992**

**on the equivalence of checks on practices for the maintenance of varieties carried out in third countries**

(92/420/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species [1], and in particular Article 21 (1) (b) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed [2], and in particular Article 32 (1) (b) thereof,

Having regard to the proposal from the Commission,

Whereas, by Decision 78/476/EEC [3], the Council noted that the official checks on practices for the maintenance of varieties carried out in certain third countries afforded the same guarantees as those carried out by the Member States; whereas the said Decision expires on 30 June 1992;

Whereas it appears that the abovementioned official checks carried out in the third countries referred to in Decision 78/476/EEC continue to afford the same guarantees as those carried out by the Member States;

Whereas, in the case of the country referred to as Yugoslavia in Decision 78/476/EEC, it is appropriate, given the recent developments in that country, to replace the name 'Yugoslavia' with the names 'Republic of Bosnia and Herzegovina', 'Republic of Croatia' and 'Republic of Slovenia', all of which countries have recently been recognized by the Community;

Whereas additional information has been requested from these three countries; whereas it is therefore appropriate, in these cases, to grant a shorter period of equivalence to allow time for this information to be supplied and assessed;

Whereas it has now been established that practices for the maintenance of certain varieties can be officially checked also in Switzerland, Morocco, Taiwan, Uruguay, Finland and, in connection with vegetables species, in Hungary in addition to agricultural plant species;

Whereas an examination of the conditions under which official checks on practices for the maintenance of varieties are carried out in the abovementioned six countries has shown that these checks afford the same guarantees as those carried out by the Member States;

Whereas Switzerland, Morocco, Taiwan, Uruguay and Finland should therefore be granted equivalence, and the equivalence granted to Hungary should be extended to vegetable species;

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(1) OJ No L 225, 12. 10. 1970, p. 1. Directive as last amended by Directive 90/654/EEC (OJ No L 353, 17. 12. 1990, p. 48).
(2) OJ No L 225, 12. 10. 1970, p. 7. Directive as last amended by Directive 90/654/EEC (OJ No L 353, 17. 12. 1990, p. 48).
(3) OJ No L 152, 8. 6. 1978, p. 17. Decision as last amended by Decision 88/574/EEC (OJ No L 313, 19. 11. 1988, p. 45).

Whereas the Republic of Korea has been requested to supply additional detailed information and it is therefore appropriate to grant that country a shorter period of equivalence to allow time for this information to be supplied and assessed;

Whereas this Decision in no way prevents Community findings on equivalence from being revoked or the extension of their period of validity being refused when the conditions on which they are based are not, or cease to be, satisfied; whereas, to this end, further practical information on seed of the varieties being maintained in the abovementioned countries should also be obtained when carrying out Community comparative tests;

Whereas certain of the technical and administrative provisions in the Annex may be subject to frequent adjustment; whereas, in order to simplify the procedure which at present governs amendments to the Annex, recourse should be had to the procedure of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

*Article 1*

It is hereby noted that the official checks on practices for the maintenance of varieties carried out in the countries by the authorities listed in the Annex for the species listed therein and concerning the said countries afford the same guarantees as those carried out by the Member States.

*Article 2*

The technical and administrative adjustments to be made to the Annex, with the exception of those concerning column 2 of the table, shall be adopted in accordance with the procedure laid down in Article 23 of Directive 70/457/EEC and in Article 40 of Directive 70/458/EEC.

*Article 3*

This Decision shall apply from 1 July 1992 to 30 June 1993 in the case of the Republic of Korea, the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Republic of Slovenia and from 1 July 1992 to 30 June 1997 in the case of the other third countries listed in the Annex.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 13 July 1992.

*For the Council*

*The President*

J. GUMMER

*ANNEX*

| Reference No | Country | Authority responsible for carrying out checks | Species |
|---|---|---|---|
| 1 | Austria | Bundesanstalt für Pflanzenbau, Wien | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 2 | Australia | Commonwealth Department of Primary Industry and Energy, Canberra | Agricultural plant species referred to in Directives 66/401/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 3 | Bulgaria | Sortovi Semena I Posadatchen Materiel, Sofia | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 4 | Switzerland | Eidgenössische Forschungsanstalt für landwirtschaftlichen Pflanzenbau, Zürich-Reckenholz<br>Station Fédérale de Recherches Agronomiques de Changins, Nyon | Agricultural plant species referred to in Directives 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 5 | Canada | Agriculture Canada, Ottawa | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC |
| 6 | Czech and Slovak Federal Republic | Ustredni kontrolní a zkusební ustav zemedelsky, 18648 Praha, Sokolovska 1<br>Central Controlling and Testing Institute for Agriculture, Matuskova 21, 83316 Bratislava | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 7 | Hungary | Institute for Agricultural Quality Control, Budapest | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 8 | Israel | Seed and Nursery Stock Inspection Service of the Ministry of Agriculture, Beg-Dagen | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 9 | Japan | Ministry of Agriculture, Forestry and Fisheries - Japan | Vegetable species referred to in Directive 70/458/EEC |
| 10 | Morocco | Ministère de l'Agriculture et de la Réforme Agraire, Rabat | Agricultural plant species referred to in Directives 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species *(Phaseolus vulgaris; Pisum sativum* and *Vicia faba)* referred to in Directive 70/458/EEC |

| Reference No | Country | Authority responsible for carrying out checks | Species |
|---|---|---|---|
| 11 | New Zealand | Ministry of Agriculture and Fisheries, Wellington | Agricultural plant species referred to in Directive 66/401/EEC |
| 12 | Poland | Inspekcja Nasienna, Warszawa | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 13 | Romania | Ministeral Agriculturii, Bucuresti | *Helianthus annuus* |
| 14 | Argentina | Instituto Nacional de Semillas, Buenos Aires | Agricultural plant species referred to in Directives 66/401/EEC, 66/402/EEC and 69/208/EEC |
| 15 | Taiwan | Council of Agriculture, Taipei | Vegetable species referred to in Directive 70/458/EEC |
| 16 | Chile | Servicio Agricola y Canadero, Santiago de Chile | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC |
| 17 | Republic of Korea | Ministry of Agriculture and Forestry, Seoul | Vegetable species referred to in Directive 70/458/EEC |
| 18 | Sweden | Swedish Seed Testing and Certification Institute, Lund | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 19 | Finland | State Seed Testing Station, Helsiniki | Agricultural plant species referred to in Council Directive 66/401/EEC |
| 20 | Uruguay | Unidad Ejecutora de Semillas, Ministerio de Ganaderias, Agricultura y Pesca, Montevideo | Linseed |
| 21 | United States of Amerika | US Department of Agriculture, Beltsville | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC<br>Vegetable species referred to in Directive 70/458/EEC |
| 22 | Republic of Bosnia and Herzegovina | | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC |
| 23 | Republic of Croatia | Ministarstvo Trgovine, 41000 Zagreb, Trg Drage Iblera 9, Croatia | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC |
| 24 | Republic of Slovenia | Ministrstvoza Kmetijstvo Gozdarstvo in Prehrano, Slovenia | Agricultural plant species referred to in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC |
| 25 | South-Africa | Department of Agricultural Technical Services, Devision of Seed Control, Pretoria | Agricultural plant species referred to in Directives 66/401/EEC and 69/208/EEC, and the species Zea mays. |