4.8.72 Official Journal of the European Communities No L 177/27

REGULATION (EEC) No 1687/72 OF THE COMMISSION

of 2 August 1972

on measures relating to seed harvested before 1 January 1972

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2358/71[1] of 26 October 1971 on the common organization of the market in seeds, and in particular Articles 9 and 16 thereof;

Whereas Regulation (EEC) No 2358/71 made provision for the possibility of granting a production aid for certain seeds;

Whereas this Community aid will be granted only from the 1972/73 marketing year;

Whereas Council Regulation (EEC) No 1674/72[2] of 2 August 1972 laying down general rules for granting and financing aid for seed specifies that aid is granted only for seed harvested during the calendar year in which the marketing year for which that aid was fixed begins;

Whereas certain quantities of seed harvested before 1 January 1972 are still being marketed; whereas this seed was produced under the national system operative before the implementation of Regulation (EEC) No 2358/71 and whereas this system included various protective measures in relation to imports; whereas the abolition of these measures could lead to a deterioration of marketing conditions for the products in question;

Whereas it is advisable in these circumstances to allow the granting of national aids to deal with this transitional problem;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Seeds;

HAS ADOPTED THIS REGULATION:

Article 1

Articles 92, 93 and 94 of the Treaty shall not apply to aids granted by Member States to persons who on 1 July 1972 possess, in the territory of those States, certified seed of the species or groups of varieties shown in the Annex to Regulation (EEC) No 2358/71 which was harvested within Community territory before 1 January 1971, is still being marketed and is intended for use in their territory.

The amount of these aids may not exceed the amount of aid fixed by Council Regulation (EEC) No 1675/72[3] fixing aid for seed for the 1972/73 marketing year, less the amount of aid from which the product benefited under the national system.

Article 2

Member States shall notify the Commission immediately of measures taken under this Regulation.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities.*

It shall apply from 1 July 1972 to 30 June 1973.

[1] OJ No L 246, 5.11.1971, p. 1.
[2] OJ No L 177, 4.8.1972, p. 1.
[3] OJ No L 177, 4.8.1972, p. 3.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1972.

For the Commission

The President

S. L. MANSHOLT