



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.07.1997
COM(97)370 final

Proposal for a
COUNCIL DECISION

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

(presented by the Commission)

EXPLANATORY MEMORANDUM

Directive 70/457/EEC on the common catalogue of varieties of agricultural plant species and 70/458/EEC on the marketing of vegetable seed, provide for the Council to determine whether the checks on practices for the maintenance of varieties carried out in a third country afford the same assurance as those carried out by the Member States.

By Decision 92/420/EEC the Council determined that the checks on practices for the maintenance of varieties in certain third countries afforded the same assurance as those carried out by the Member States. That Decision will expire on 30 June 1997.

The present proposal renews the equivalence until 30 June 2002 for all the third countries referred to in Decision 92/420/EEC, with the exception of the Republic of Bosnia and Herzegovina as no varieties of Community interest are maintained there. In the case of the Federal Republic of Yugoslavia and the Republic of Korea the renewal only extends until 30 June 1999, as further information is awaited from those countries.

There are no subsidiarity implications given that the proposal is based on Article 21 of Directive 70/457/EEC and Article 32 of Directive 70/458/EEC, both of which Directives were adopted under Article 43 of the Treaty on the European Community.

Proposal for a Council Decision
of
on the equivalence of checks on practices for the maintenance of varieties
carried out in third countries

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species¹, 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 seed², and in particular Article 32(1)(b) thereof,

Having regard to the proposal from the Commission,

Whereas, by Decision 92/420/EEC³, 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 1997;

Whereas it appears that the abovementioned official checks carried out in the third countries referred to in Decision 92/420/EEC, without prejudice to the fact that the former "Czech and Slovak Federal Republic" was replaced by the "Czech Republic" and the "Slovak Republic", continue to afford the same guarantees as those carried out by the Member States;

Whereas, in the case of the Republic of Korea, covered by the above mentioned Decision, additional information has been requested; whereas additional information has also been requested from the Federal Republic of Yugoslavia;

¹ OJ No L 225, 12.10.1970, p. 1, Directive as last amended by the Act of Accession of Austria, Finland and Sweden

² OJ No L 225, 12.10.1970, p. 7, Directive as last amended by Directive 96/7/EC (OJ No L 304, 22.11.1996, p. 10)

³ OJ No L 231, 13.08.1992, p. 22

Whereas it is therefore appropriate, in the case of these countries, to grant a shorter period of equivalence to allow time for this information to be supplied and assessed;

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

Whereas the equivalence granted to such countries should be extended to these additional species;

Whereas it appears pointless to continue the equivalence previously granted in respect of the Republic of Bosnia and Herzegovina as no varieties of Community interest are maintained there;

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 covered by the Council Directives 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 1 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 1997 to 30 June 1999 in the case of the Republic of Korea and the Federal Republic of Yugoslavia and from 1 July 1997 to 30 June 2002 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,

For the Council,

LEGEND

<u>Column A:</u>	<u>Country:</u>
AR	= Argentina
AU	= Australia
BG	= Bulgaria
CA	= Canada
CH	= Suisse
CL	= Chile
CZ	= Czech Republic
HR	= Republic of Croatia
HU	= Hungary
IL	= Israel
JP	= Japan
KR	= Republic of Korea
MA	= Morocco
NZ	= New Zealand
PL	= Poland
RO	= Romania
SI	= Republic of Slovenia
SK	= Slovak Republic
TW	= Taiwan
US	= United States of America
UY	= Uruguay
YU	= Federal Republic of Yugoslavia
ZA	= South Africa

Column B: Authority responsible for carrying out checks

Column C: EEC Directive(s).

ANNEX

A	B	C
AR	Ministerio de Economia y Obras y Servicios Publicos Secretaria de Agricultura, Ganaderia y Pesca Instituto Nacional de Semillas Buenos Aires	66/400 66/401 66/402 69/208
AU	Commonwealth Department of Primary Industries and Energy Canberra	66/401 69/208 70/458
BG	Semena i Possadchen Material Sofia	66/400 66/401 66/402 69/208 70/458
CA	Plant Products Division Division des Produits végétaux Nepean, Ontario	66/400 66/401 66/402 69/208
CH	Eidgenossische Forschungsanstalt für Landwirtschaftlichen Pflanzenbau Reckenholz Zürich Station Fédérale de Recherches en Production Végétale de Changins (RAC) Nyon	66/400 66/401 66/402 69/208 70/458
CL	Servicio Agrícola y Ganadero Departamento de Semillas Santiago	66/400 66/401 66/402 69/208
CZ	Ustredni kontrolni a zkusebni ustav zemedelsky v Brne Odbor osiva a sadby Praha Central Institute for Supervising and Testing in Agriculture Department of seed testing Praha	66/400 66/401 66/402 69/208 70/458
HR	Bc Institute for Breeding and Production of Field Crops, Zagreb	66/400 66/401 66/402 69/208
HU	Orszagos Mezogazdasagi Minosito Intézet National Institute for Agricultural Quality Control 1024 Budapest Budapest	66/400 66/401 66/402 69/208 70/458
KR	Ministry of Agriculture, Forestry & Fisheries Vegetables Div. Seoul	70/458
MA	Ministère de l'Agriculture et de la Mise en Valeur Agricole Direction de la Protection des Végétaux des Contrôles Techniques et de la Repression des Fraudes	66/401 66/402 69/208 70/458

Rabat		
A	B	C
NZ	Ministry of Agriculture Te Manatu Ahuwhenua Aotearoa MAF Regulatory Authority Wellington	66/401
PL	Inspekcja Nasienna Centralny Inspektorat Seed Inspection Service General Inspectorate Warszawa	66/400 66/401 66/402 69/208 70/458
RO	Ministry of Agriculture and Food Control and Inspections Department Bucharest	69/208
SI	Kmetijski Institut Slovenije Agricultural Institute of Slovenia Ljubljana	66/400 66/401 66/402 69/208
SK	Ustredny Kontrolny a Skusobny Ustav Polnohospodarsky Bratislava	66/400 66/401 66/402 69/208 70/458
TW	Council of Agriculture, Food and Agriculture Department Taipei	70/458
US	United States Department of Agriculture Agricultural Research Service Beltsville, Maryland	66/400 66/401 66/402 69/208 70/458
UY	Ministerio de Ganaderia, Agricultura y Pesca Direccion General de Servicios Agronomicos Direccion Granos Unidad Ejecutora de Semillas Montevideo	66/400 66/401 66/402 69/208
YU	Savezno Ministarstvo za Poljoprivredu Federal Ministry of Agriculture Beograd	66/402
ZA	Department of Agriculture Directorate of Plant and Quality Control Pretoria	66/401 66/402 69/208

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