

COMMISSION OF THE EUROPEAN COMMUNITIES

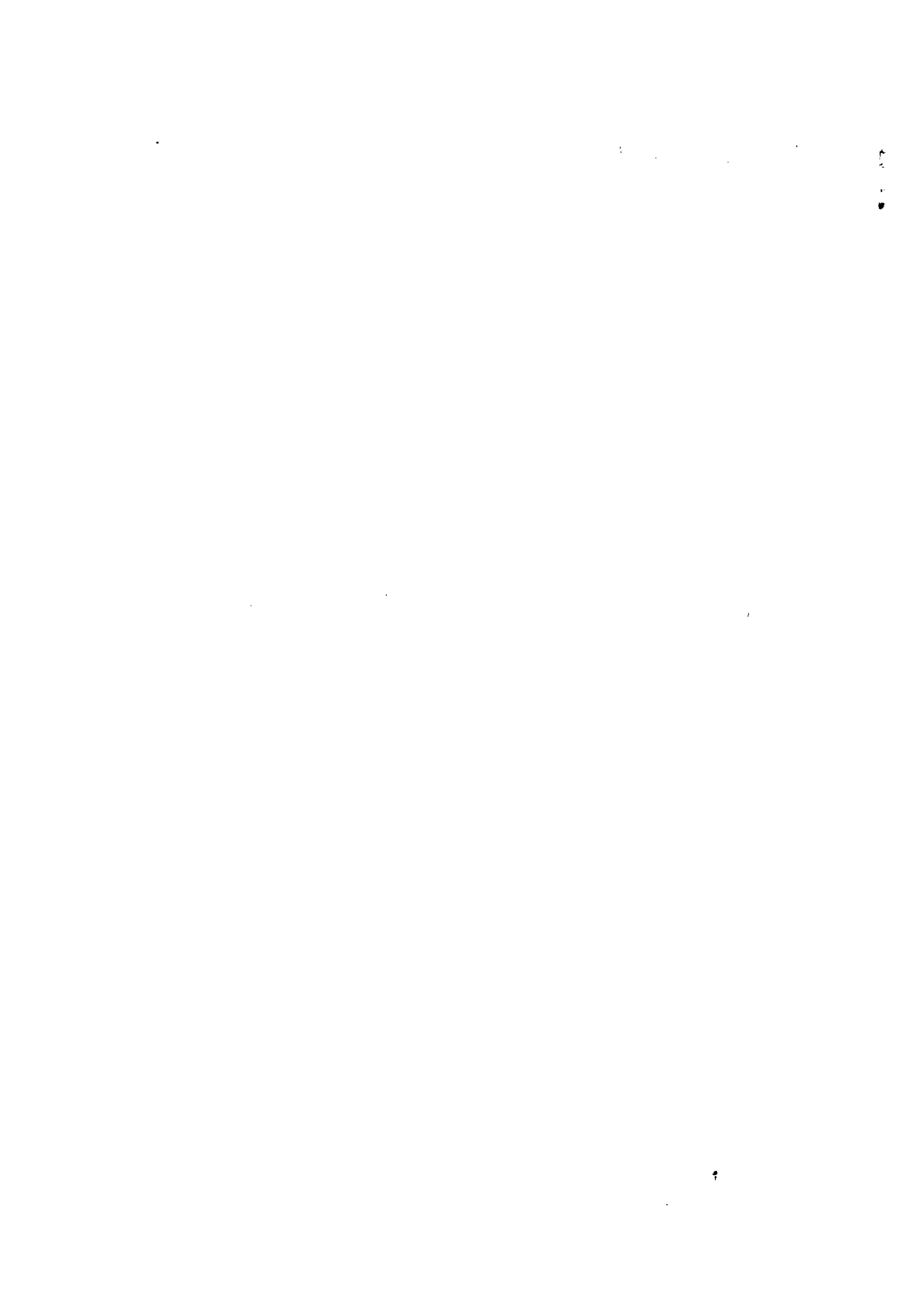
COM(75) 521 final

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Brussels, 23 October 1975

Proposal for a

Council Directive amending the Directives
(66/403/EEC) and (70/458/EEC) on the marketing
of seed potatoes and vegetable seed.

(submitted to the Council by the Commission)



Explanatory Memorandum

1. During its examination of the proposal for a Council Directive on measures to be taken against the introduction into Member States of organisms harmful to plants, the Working Party on Agricultural Questions was faced with certain difficulties when it tackled the problem of intra-community trade in seed potatoes. It then appeared that a slight amendment to the Council Directive 66/403/EEC of 14 June 1966, which deals essentially with plant health measures, might facilitate the resolution of this problem. It is consequently proposed to extend the scope of the national protection measures provided for in Article 13 paragraph 2.
2. In accordance with the provisions of the Directives on seeds and agricultural propagating material, the Council, on a proposal from the Commission, may determine whether the field inspections carried out in third countries as well as seed and propagating material produced in third countries are equivalent to the official inspections and to the seeds and propagating material of the Community. In the extent that the Council has not determined such equivalences, Member States may continue to make such decisions at national level until 1 July 1975. However, this time limit has had to be put back to 1 July 1977 for fodder plant seed and seed of oil and fibre plants. In effect, the examinations necessary to grant equivalence to certain third countries had not been completed and it seemed desirable not to disrupt well established commercial relations. It has not yet been possible to postpone the time limit for vegetable seed and this proposal therefore seeks to fill this gap.

An analogous situation exists moreover for seed potatoes; however in this case, it seems sufficient that Member States should simply be authorized to extend by one year the validity of the national equivalences which they have granted in respect of certain third countries.

Draft Council Directive of amending Directives No
(66/403/EEC) and (70/458/EEC) on the marketing of seed potatoes and
vegetable seed.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Articles 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas for the reasons stated hereafter certain provisions of the
Directives on the marketing of seed potatoes and vegetable seeds should
be amended;

Whereas the Directive on the marketing of seed potatoes is concerned
with the health value of potatoes and whereas it is a plant health
measure in that it lays down maximum values for certain disease vectors;

Whereas Member States endeavour to keep certain areas free of viruses
and bacteria in order to guarantee the health of their potatoes;

Whereas this Directive will improve their ability to protect these
areas;

Whereas the abovementioned Directives provide that after 30 June and 1 July 1975 respectively the Member States may not longer determine of their own authority, whether inspections and controls carried out in third countries are of equal value; whereas, however, because the examinations leading to a Community determination of equal values are not yet completed in the case of vegetables the said time limit should be extended for a short period and in the case of seed potatoes, Member States should be given the right to extend the validity of the decisions which they have already taken in order to avoid disturbing their traditional trade relations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Council Directive of 14 June 1966 on the marketing of seed potatoes (1); as last amended by Directive No 75/444/EEC (2), is be amended as follows:

1. Article 13 (2) is amended to read as follows:

"2. The Commission, acting in accordance with the procedure laid down in Article 19 shall, in respect of the marketing of seed potatoes in all or part of the territory of one or more Member States authorize more stringent measures than those provided for in Annex I to be taken particular virus or bacterial diseases which do not exist either at all or only to an insignificant extent in those regions or which appear particularly harmful to crops in those regions. Where there is imminent danger of the introduction or spread of such virus or bacteria, and until such time as the Commission has given a final ruling on the matter, such measures may be taken by the Member State concerned as soon as its request has been submitted".

2. The following paragraph is added to Article 15.

"2a. The Member States shall be authorized to extend until 1 July 1976 the validity of their decisions taken under paragraph 2 in their territory up to 1 July 1975 in relation to certain third countries".

(1) O.J. No 125 of 4/7/1966, p. 2320/66

(2) O.J. No L 196 of 26/7/1975, p. 6

Article 2

In Article 32 (2) of Council Directive No 70/458/EEC (3) of 29 September 1970 on the marketing of vegetable seed (3), as last amended by Directive (73/438/EEC) (4), for "30 June 1975" read "30 June 1977".

Article 3

Member States shall bring into force the necessary laws, regulations and administrative provisions to comply:

- a) with Articles 1 (2) and 2 to have effect from 30 June 1975;
- b) with Article 1 (1) by 1 July 1976 at the latest.

They shall forthwith inform the Commission thereof.

Article 4

This Directive is addressed to the Member States.

(3) O.J. No. L 225 of 12.10.1970, p. 7

(4) O.J. No. L 356 of 27.12.1973, p. 79