

COMMISSION OF THE EUROPEAN COMMUNITIES

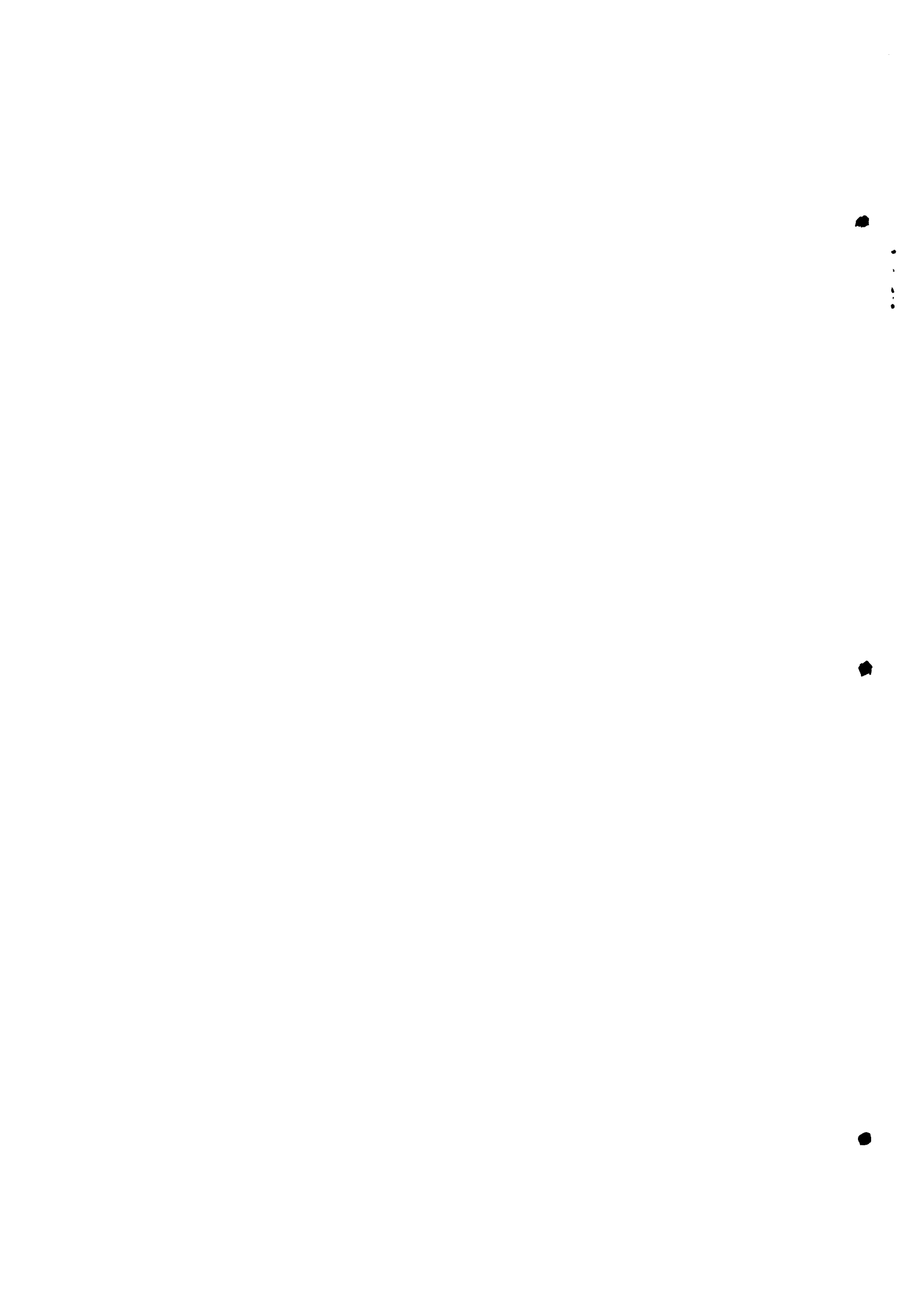
COM(81) 42 final

Brussels, 20 February 1981

Proposal for a
COUNCIL DIRECTIVE
amending Directives 66/402/EEC and 66/403/EEC on the marketing of cereal
seed and of seed potatoes

(submitted to the Council by the Commission)

COM(81) 42 final



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EXPLANATORY MEMORANDUM

The rules on the marketing of cereal seeds provide for authorizations whereby, subject to certain conditions, seed of which there has been no official field inspection may be officially certified until 31 December 1980.

The extension of the time limit provided for in this Directive would enable the necessary experience to be gained so that a more general and definitive solution could be found.

The Directive on the marketing of seed potatoes lays down as a general rule that, after 1 July 1975, Member States may no longer establish on their own responsibility the equivalence of inspections and checks carried out in non-member countries. Greece, however, being a new Member State, is to bring these rules into force so that it complies with the common plant-health arrangements with effect from 1 January 1983. Since Greece had already decided, on its own responsibility, to allow imports of seed potatoes produced in Canada, the period of validity of the decision concerned should be extended so that Greece can use the seed potatoes in question until 31 December 1982.

Proposal for a Council Directive amending Directives 66/402/EEC and 66/403/EEC
on the marketing of cereal seed and of seed potatoes

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Council Directive 66/402/EEC¹, as last amended by Directive 79/692/EEC², allows seeds which have not been the subject of an official field inspection to be certified officially under certain conditions until 31 December 1980; whereas an additional period should be granted in order that the necessary experience for a more general and definitive solution may be acquired;

Whereas Council Directive 66/403/EEC³, as last amended by Directive 80/52/EEC⁴, provides that, after 1 July 1975, Member States may no longer, in principle, establish under their own responsibility the equivalence of inspections and checks carried out in third countries;

Whereas, however, Member States have been authorized to extend the validity of decisions on equivalence already taken by them, since the discussions intended to enable such equivalence to be established at Community level have not yet been completed; whereas, in practice, such extension has been applied in the case of Canada only;

Whereas recourse to such extension is subject to the Community rules on plant health;

Whereas, in view of those rules, it would be pointless to extend the validity of such decisions taken by the Member States of the Community of Nine;

¹ OJ No 125, 11.7.1966, p. 2298/66

² OJ No L 205, 13.8.1979, p.1

³ OJ No 125, 11.7.1966, p. 2320/66

⁴ OJ No L 18, 24.1.1980, p.29

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Whereas, however, in the case of Greece, this new Member State must bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of the Community rules on plant health only with effect from 1 January 1983; whereas Greece had established under its own responsibility the possibility of seed potatoes produced in Canada being introduced; whereas the period of validity of such measures should therefore be extended in order to enable Greece to make use of the abovementioned period, in respect of the seed potatoes in question;

Whereas the above-mentioned Directives should therefore be amended,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 2(2)(d) of Directive 66/402/EEC, "31 December 1980" shall be replaced by "31 December 1982".

Article 2

In Article 15(2) of Directive 66/403/EEC, "31 March 1980" shall be replaced by "31 December 1982", without prejudice to the provisions of Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plant or plant products⁵, as last amended by Directive 80/393/EEC⁶.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1981 at the latest, in the case of Article 1.
2. Greece shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1981 at the latest, in the case of Article 2.

Article 4

This Directive is addressed to the Member States.

⁵OJ No L 26, 31.1.1977, p.20

⁶OJ No L 100, 17.4.1980, p.35

