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COM(77) 377 final.

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Proposal for a
SERIALS UNIT
COUNCIL DECISION

amending the Annex to Fifth Council Decision 76/539/EEC on
the equivalence of seed produced in third countries

Proposal for a
COUNCIL DECISION

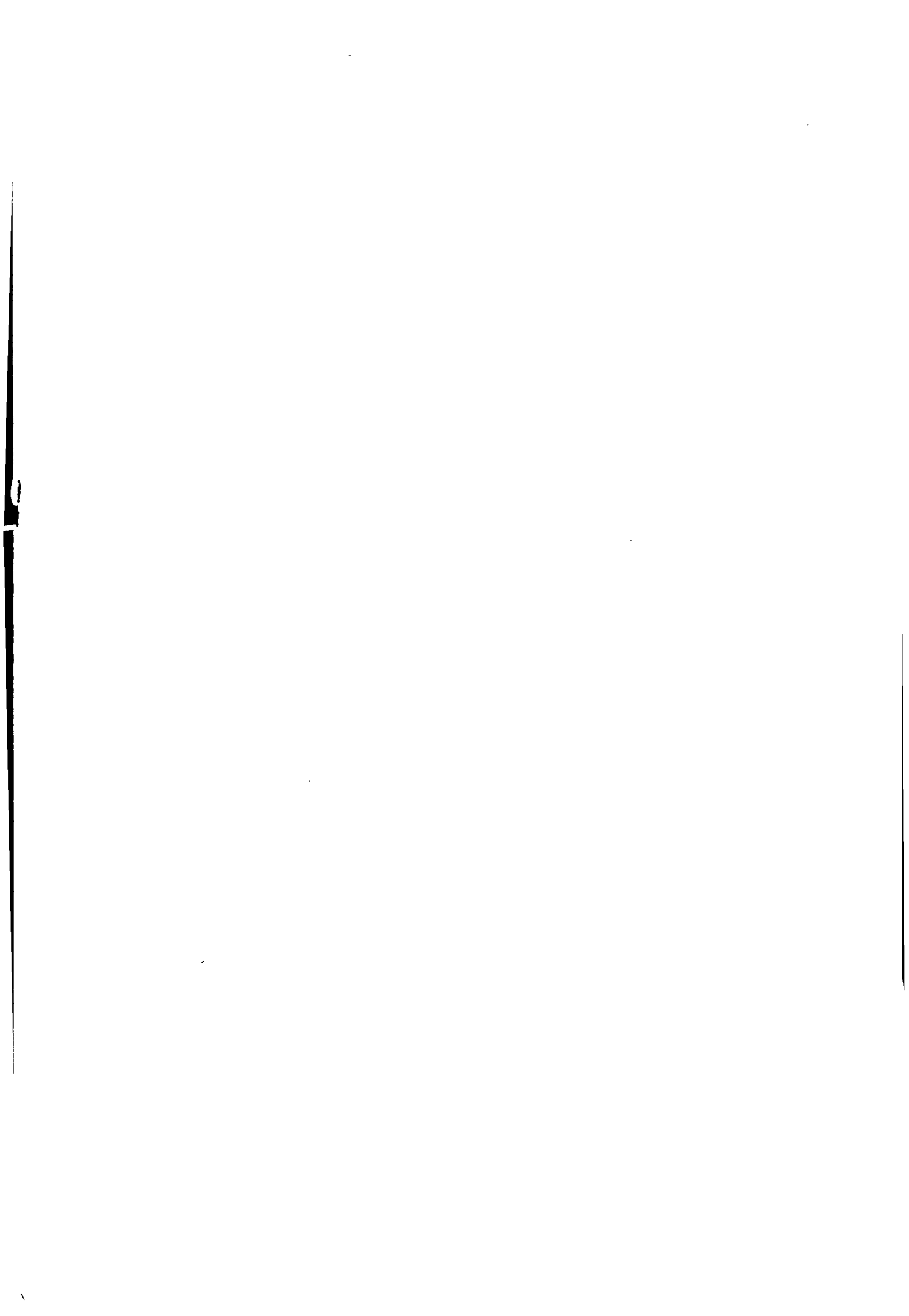
amending the Annex to Fifth Council Decision 76/538/EEC on
the equivalence of field inspections carried out in third
countries on seed producing crops

Proposal for a
COUNCIL DECISION

on the equivalence of forest reproductive material produced
in Austria

(submitted to the Council by the Commission)

COM(77) 377 final.



Council Decision amending the Annex to Fifth Council Decision 76/539/EEC on the equivalence of seed produced in third countries.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (1), as last amended by Directive 75/444/EEC (2), and in particular Article 16 (1) (b) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (3), as last amended by Directive 75/444/EEC, and in particular Article 16 (1) (b) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants (4), as last amended by Directive 75/444/EEC, and in particular Article 15 (1) (b) thereof,

Having regard to the proposal from the Commission,

Whereas by Council Decision 76/539/EEC of 17 May 1976 (5) equivalence has been granted for seed of 20 third countries ;

Whereas this equivalence relates for certain species to Czechoslovakia, Hungary, New Zealand, Romania, Yugoslavia ;

Whereas an examination of the rules of these countries ^{of} and the manner in which they are applied has shown that for other species also the conditions governing seed harvested and controlled in these countries afford the same assurances as regards the seed's characteristics, identity, examination, marking and control, as do the conditions applicable to seed harvested and controlled within the Community ;

Whereas the equivalence should consequently be extended to these species,

HAS ADOPTED THIS DECISION :

(1) OJ N° 125, 11/7/1966, p. 2298/66

(2) OJ N° L 196, 26/7/1975, p. 6

(3) OJ N° 125, 11/7/1966, p. 2309/66

(4) OJ N° L 169, 10/7/1969, p. 3

(5) OJ N° L 162, 23/6/1976, p. 10

Article 1 . . .

With effect from 1 July 1977, there shall be added to the Annex to Decision 76/539/EEC, reference Numbers ~~5, 7~~, 12, 17 and 19, the entries set out in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the Council,

ANNEX

Ref. No	Country	Authority	Species	Categories :		Special conditions
				in the country	in the Community	
1	2	3	4	5	6	7
17	Czechoslovakia (CS)	Ustredni kontrolni a zkuschni ustav zemédelsky (Central Agricultural Control and Research Institute), Praha	- Soya bean	- Basic seed - Certified seed, 1st generation	- Basic seed - Certified seed	1,3,5,8,9,10 1,3,4 (a),5,8,9,10
19	Hungary (H)	Országos Vetőmag-felügyelőseg (Hungarian Seed Control Office), Budapest	- Grass species subject to national rules on varietal control	- Basic seed - Certified seed, 1st generation - Certified seed, 2nd and later generations	- Basic seed - Certified seed, 1st generation - Certified seed, subsequent generations	1,3,5,8,9,10 1,3,4 (a),5,8,9,10 1,3,4 (a),5,8,9,10
7	New Zealand (NZ)	Department of Agriculture	- Swede - Cereals, except canary grass, rye, spelt wheat, rice and maize	- Basic seed - Certified seed - Basic seed - Certified seed, 1st generation - Certified seed, 2nd generation (except rye)	- Basic seed - Certified seed - Basic seed - Certified seed, 1st generation - Certified seed, 2nd generation (except rye)	1,3,5,8,9,10 1,3,4 (a),5,8,9,10 1,3,5,8,9,10 1,3,4 (a),5,8,9,10 1,3,4 (a),5,8,9,10
12	Romania (R)	Ministerul Agriculturii si Industriei Alimentare - Inspectoria de Stat pentru Calitatea Semintelor si Materialului Saditor (Ministry of Agriculture and Food Industry - State Inspectorate for	- Turnip rape	- Basic seed - Certified seed, 1st generation	- Basic seed - Certified seed, 1st generation	1,3,5,8,9,10 1,3,4 (a), 5, 8,9,10

5

Yugoslavia (Yu)	<p>the quality of Seed and Propagating Material)</p> <ul style="list-style-type: none">- Institut za poljoprivredna istraživanja (Institute of Agricultural Research), Novi Sad- Institut za oplemenjvanje i proizvodnju bilja poljoprivrednog Fakulteta (University Institute for Plant Improvement and Production), Zagreb	- Soya bean	<ul style="list-style-type: none">- Basic seed- Certified seed, 1st generation	<ul style="list-style-type: none">- Basic seed- Certified seed	1,3,5,8,9,10 1,3,4 (a),5,8,9 10
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Council Decision amending the Annex to Fifth Council Decision 76/538/EEC on the equivalence of field inspections carried out in third countries on seed producing crops.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (1), as last amended by Directive 75/444/EEC (2), and in particular Article 16 (1) (a) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (3), as last amended by Directive 75/444/EEC, and in particular Article 16 (1) (a) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants (4), as last amended by Directive 75/444/EEC, and in particular Article 15 (1) (a) thereof,

Having regard to the proposal from the Commission,

Whereas by Council Decision 76/538/EEC of 17 May 1976 (5) equivalence has been granted for field inspections on seed-producing crops of 20 third countries,

Whereas this equivalence relates for certain species to Czechoslovakia, Hungary, New Zealand, Romania and Yugoslavia ;

Whereas an examination of the rules of these countries and^{of} the manner in which they are applied has shown that for other species also the field inspections prescribed satisfy the conditions laid down in Annex I to each of the above-mentioned Directives ;

Whereas the equivalence should consequently be extended to these species,

HAS ADOPTED THIS DECISION :

(1) OJ N° 125, 11/7/1966, p. 2298/66

(2) OJ N° L 196, 26/7/1975,

(3) OJ N° 125, 11/7/1966, p. 2309/66

(4) OJ N° L 169, 10/7/1969, p. 3

(5) OJ N° L 162, 23/6/1976, p. 1

Article 1 . . .

With effect from 1 July 1977, there shall be added to the Annex to Decision 76/538/EEC, reference numbers 5, 7, 12, 17 and 19, the entries set out in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the Council

ANNEX

Ref. No	Country	Authority	Species	Special conditions
17.	Czechoslovakia (CS)	Ustredni kontrolni a zkusebni ustav zemedelsky (Central Agricultural Control and Research Institute), Praha	- Soya bean	1,3,4,5
19.	Hungary (H)	Országos Vetőmag- felügyelőség (Hungarian Seed Control Office), Budapest	- Grass species subject to national rules on varietal control	1,3,4,5
71	New Zealand (NZ)	Department of Agriculture	- Swede - Cereals except rye, canary grass, spelt wheat, rice and maize	1,3,4,5 1,3,4,5
12.	Romania (R)	Ministerul Agriculturii si Industriei Alimentare - inspectia de Stat pentru Calitatea Semintelor si Materialului Sador (Ministry of Agriculture and Food Industry - State Inspectorate for Seed and Propagating Material Quality)	- Turnip rape,	1,3,4,5
5	Yugoslavia (YU)	- Institut za poljoprivredna istrazivanja (Institute of Agricultural Research), Novi Sad - Zavod za krmno bilje (Animal Feedingstuff Research Station), Krusevac - Institut za poljoprivredna istrazivanja (Institute of Agricultural Research), Sarajewo - Institut za oplemenjivanje i proizvodnju bilja poljoprivrednog fakulteta (University Institute for Plant Improvement and Production), Zagreb - Poljoprivredni institut (Agricultural Institute), Osijek	- Soya bean	1,3,4,5

- Kmetijski institut Slovenije (Slovenian Agricultural Institute), Ljubljana
- Zemjodelski institut (Agriculture Institute), Skopje

Draft Commission proposal for a Council Decision on the equivalence of forest reproductive material produced in Austria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material (1), at last amended by the Directive 75/445/EEC (2), and in particular Article 14(1) thereof,

Having regard to the proposal from the Commission,

Whereas, except when special authorization is given in case of general supply difficulties, forest reproductive material produced in a third country may only be marketed in the Community when it has been determined that it affords the same assurances as regards the genetic characters of its basic material and the measures taken for its source-identification as does reproductive material produced within the Community and complying with the provisions of the said Directive of (determination of equivalence) ;

Whereas rules on forest reproductive material control exist in Austria ; whereas an examination of these rules and of the manner in which they are applied has shown that the conditions compulsorily or voluntarily governing forest reproductive material produced and controlled there as regards the genetic characters of its basic material and the measures taken for its source-identification satisfy the same conditions for a determination of equivalence ;

Whereas equivalence may therefore in principle be determined for a given period for specific forest reproductive material produced in Austria ; whereas this determination also affects material which is produced within the Community from material produced in Austria ; whereas, however, Member States must be

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(1) OJ N° 125, 11/7/1966, p. 2326/66

(2) OJ N° L 196, 26/7/1975, p. 14

allowed to restrict the marketing thereof, if they fear that the use of such reproductive material would, because of its genetic character, adversely affect their forestry ;

Whereas this Decision does not prevent the Community determination of equivalence being revoked or its period of validity being ^{not} extended when experience or using forest reproductive material produced in Austria shows that the conditions on which the determination is based are not or are no longer satisfied;

Whereas, in order to simplify the procedure, any technical and administrative changes to be made to the Annex, any authorizations of Member States to restrict the marketing of the reproductive material referred to herein and any extension of the period of validity hereof should be referred 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 determined that forest reproductive material produced in Austria and belonging to the species, basic materials or regions of provenance and categories specified in the Annex affords the same assurances as regards the genetic characters of its basic material and the measures taken for its source-identification as does reproductive material produced within the Community and complying with the provisions of Directive 66/404/EEC, provided that the special conditions set out in the Annex are satisfied.

Article 2

In accordance with the procedure laid down in Article 17 of Directive 66/404/EEC

- technical and administrative amendments to be made to the Annex shall be adopted, save in the case of amendments concerning column 1,
- a Member State may be authorized on application to prohibit the marketing in all or part of its territory of reproductive material derived from specific basic material or a specific region of provenance specified in the Annex, where it fears that the use of such reproductive material would, because of its genetic character, adversely affect its forestry.

Article 3

This Decision shall apply from 1 January 1978 to 31 December 1987.

Its period of validity may be extended in accordance with the procedure laid down in Article 17 of Directive 66/404/EEC.

Article 4

This Decision is addressed to the Member States.

ANNEX

Special conditions

1. Reproductive material shall be controlled, packed and marked in accordance with the system of the Organization for Economic Co-operation and Development (OECD) for the control of forest reproductive material moving in international trade.
2. Reproductive material shall be accompanied by an official certificate of provenance in accordance with the specimen set out in the system referred to in point 1, issued by "Forstliche Bundesversuchsanstalt, Wien".

Species	Basic material or region of provenance	Category	
		of the country	of the Community
1	2	3a	3b
<i>Abies alba</i>	1. Wuchsgebiet IIa: Herkunftsggebiete 1,2,,4,5 2. Wuchsgebiet IIb: Herkunftsggebiete 1,2,, 3. Wuchsgebiet III: Herkunftsggebiete 1,2,,3,4 4. Wuchsgebiet IV: Herkunftsggebiete 1,2,, 5. Wuchsgebiet V: Herkunftsggebiete 1,2. 6. Wuchsgebiet VI: Herkunftsggebiete 1,2,,	Selected Reproductive Material	Selected Reproductive Material
<i>Fagus silvatica</i>	1. Wuchsgebiet III: Herkunftsggebiete 1,2,,3,4 2. Wuchsgebiet IV: Herkunftsggebiete 1,2,,	Selected Reproductive Material	Selected Reproductive Material
<i>Larix deccidua</i>	1. Wuchsgebiet I: Herkunftsggebiete 1,2,,3,4, 5,6,7,8,9 2. Wuchsgebiet III: Herkunftsggebiete 1,2,,3,4	Selected Reproductive Material	Selected Reproductive Material

Species	Basic material or region of provenance	Category	
		of the country	of the Community
1	2	3a	3b
Picca abies	1. Wuchsgebiet I: Herkunftsgebiete 1,2,3,4,5,6, 7,8,9	Selected Repro- ductive Material	Selected Reproducti- ve Material
	2. Wuchsgebiet IIa: Herkunftsgebiete 1,2,3,4,5		
	3. Wuchsgebiet IIb: Herkunftsgebiete 1,2,3		
	4. Wuchsgebiet III: Herkunftsgebiete 1,2,3,4		
	5. Wuchsgebiet IV: Herkunftsgebiete 1,2,3		
	6. Wuchsgebiet V: Herkunftsgebiete 1,2		
	7. Wuchsgebiet VI: Herkunftsgebiete 1,2,3		
Pinus nigra	Wuchsgebiet III: Herkunftsgebiete 3,4	Selected Repro- ductive Material	Selected Reproducti- ve Material

Species	Basic material or region of provenance	Category	
		of the country	of the Community
1	2	3a	3b
<i>Pinus silvestris</i>	1. Wuchsgebiet I: Herkunftsgebiete 1,2,3,4,5,6,7,8,9 2. Wuchsgebiet IIa: Herkunftsgebiete 1,2,3,4,5 3. Wuchsgebiet IIb: Herkunftsgebiete 1,2,3 4. Wuchsgebiet III: Herkunftsgebiete 1,2,3,4 5. Wuchsgebiet V: Herkunftsgebiete 1,2 6. Wuchsgebiet VI: Herkunftsgebiete 1,2,3	Selected Reproductive Material	Selected Reproductive Material
<i>Pinus strobus</i>	alle Gebiete	Selected Reproductive Material	Selected Reproductive Material
<i>Pseudotsuga taxifolia</i>	alle Gebiete	Selected Reproductive Material	Selected Reproductive Material
<i>Quercus pedunculata</i>	Wuchsgebiet VII: Herkunftsgebiet 6	Selected Reproductive Material	Selected Reproductive Material
<i>Quercus seniliflora</i>	Wuchsgebiet III: Herkunftsgebiete 1,2,3,4 Wuchsgebiet VII: Herkunftsgebiet 6	Selected Reproductive Material	Selected Reproductive Material

