

Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed (Text with EEA relevance) (Codified version)

Article 16

1 In accordance with the procedure referred to in Article 21(2), it shall be decided whether vegetable propagating and planting material produced in a third country and affording the same guarantees as regards obligations on the supplier, identity, characteristics, plant health, growing medium, packaging, inspection arrangements, marking and sealing, is equivalent in all these respects to vegetable propagating and planting material produced in the Community and complying with the requirements and conditions of this Directive.

2 Pending the decision referred to in paragraph 1, Member States may, until [^{F1}31 December 2022], and without prejudice to the provisions of Directive 2000/29/EC, apply to the import of vegetable propagating and planting material from third countries conditions at least equivalent to those laid down temporarily or permanently in the schedules referred to in Article 4 of this Directive. Where no such conditions are laid down in those schedules, the import conditions must be at least equivalent to those applicable to production in the Member State concerned.

In accordance with the procedure referred to in Article 21(2), the date referred to in the first subparagraph of this paragraph may, for the various third countries, be deferred pending the decision referred to in paragraph 1 of this Article.

Vegetable propagating and planting material imported by a Member State in accordance with a decision taken by that Member State pursuant to the first subparagraph shall be subject to no marketing restrictions in the other Member States as regards the matters referred to in paragraph 1.

Textual Amendments

- F1** Substituted by [Commission Implementing Decision of 2 April 2013 amending Council Directive 2008/72/EC to extend the derogation relating to import conditions for vegetable propagating and planting material, other than seed, from third countries \(notified under document C\(2013\) 1773\) \(Text with EEA relevance\) \(2013/166/EU\)](#).