

COMMISSION DECISION

of 30 December 1975

authorizing the Federal Republic of Germany to restrict the marketing of seed or propagating material of certain varieties of agricultural plant species

(Only the German text is authentic)

(76/216/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973 ⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the Federal Republic of Germany,

Whereas under Articles 15 (1) and 16 of the said Directive, seed and propagating material of varieties of agricultural plant species which have been officially accepted before 1 January 1974 in one or more of the Member States and which fulfil the conditions provided for in this Directive, are, after 31 December 1975, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the said Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has applied for such authorization in respect of varieties of cereals;

Whereas the varieties of oats concerned are of the winter type; whereas the varieties of maize concerned have an FAO maturity class index of 350 or over; whereas it is well known that the varieties of winter oats, varieties of durum wheat and varieties of maize which have an FAO maturity class index of 350 or over at present are not yet suitable for cultivation in the Federal Republic of Germany (Article 15 (3) (c), second case thereof);

Whereas therefore the application of the Federal Republic of Germany in respect of all these varieties should be granted in full;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany shall be authorized to prohibit the marketing in all of its territory of seed of the following varieties listed in the 1976 common catalogue of varieties of agricultural plant species:

CEREALS

1. *Avena sativa* L.

Crin Noir

Maris Osprey

2. *Triticum durum* L.

Appulo

Belfuggito

Belvedere

Conte Morando

Eliodoro

Lambro

Valgiorgio

Valsacco

3. *Zea mais* L.

ASX 92

ATC 39

Bled

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

Cargill Aire 504	NK 53 Sp
Cargill Sud 556	Odra
Cise X 5	Pag 64
Cise X 7	Provence 610
Coral	RX 70
Dekalb KR 637	RX 80
Dekalb KR 638	Star 304
Dekalb XL 14	Strength UC 8800

Dekalb XL 15 A
Dekalb XL 44

Article 2

Dekalb XL 45 A
Dekalb XL 61
Dekalb XL 75

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Dekalb XL 364

Article 3

Dekalb XL 640 A

The Federal Republic of Germany shall notify the Commission of the date from which it is making use of the authorization given under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Emerald

Föhn LG 15

Funk's G 44

Funk's G 350

Article 4

Funk's G 68227 Waxy

This Decision is addressed to the Federal Republic of Germany.

Funk's G 69930

Funk's G H.O. 605

Funk's G Pilot

INRA 361

Done at Brussels, 30 December 1975.

Lydia

Mercurio

For the Commission

Morava

G. M. THOMSON

Nike U 383

Member of the Commission
