

COMMISSION DECISION

of 7 May 1973

exempting the Federal Republic of Germany and the Grand Duchy of Luxembourg from applying to certain species the Council Directive of 29 September 1970 concerning the marketing of vegetable seed

(Only the German and French texts are authentic)

(73/122/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 29 September 1970 ⁽¹⁾ concerning the marketing of vegetable seed, last modified by the Council Directive of 6 December 1972 ⁽²⁾ and particularly Article 42 thereof;

Having regard to the requests made by the Federal Republic of Germany and the Grand Duchy of Luxembourg;

Whereas the Directive makes it possible to grant exemption for the species concerned, and at the same time does not lay down any particular requirements;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Agricultural, Horticultural and Forestry Seeds and Plants;

HAS ADOPTED THIS DECISION:

Article 1

1. The Federal Republic of Germany is exempted from applying the Council Directive of 29 September 1970 concerning the marketing of vegetable seed, with the exception of the provisions of Article 16 (1) and of Article 30 (1), to the species listed below:

- | | |
|---|--------------|
| (a) <i>Anthriscus cerefolium</i> (L.) Hoffm. | Chervil |
| (b) <i>Asparagus officinalis</i> L. | Asparagus |
| (c) <i>Beta vulgaris</i> L. var. <i>cycla</i> (L.) Ulrich | Spinach beet |
| (d) <i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>italica</i> Plenck | Broccoli |
| (e) <i>Cichorium intybus</i> L. var. <i>foliosum</i> Bisch. | Endive |
| (f) <i>Citrullus vulgaris</i> L. | Water melon |
| (g) <i>Foeniculum vulgare</i> P. Mill. | Fennel |
| (h) <i>Scorzonera hispanica</i> L. | Scorzonera |

2. The Grand Duchy of Luxembourg is exempted from applying the Council Directive of 29 September 1970 concerning the marketing of vegetable seed, with the exception of the provisions of Article 16 (1) and of Article 30 (1), to the species listed below:

- | | |
|---|--------------|
| (a) <i>Anthriscus cerefolium</i> (L.) Hoffm. | Chervil |
| (b) <i>Asparagus officinalis</i> L. | Asparagus |
| (c) <i>Beta vulgaris</i> L. var. <i>cycla</i> (L.) Ulrich | Spinach beet |
| (d) <i>Brassica oleracea</i> L. var. <i>acephala</i> D.C. subvar. <i>laciniata</i> L. | Curly kale |
| (e) <i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>botrytis</i> | Cauliflower |

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 7.

⁽²⁾ OJ No L 287, 26. 12. 1972, p. 22.

(f) *Brassica oleracea* L. convar.
botrytis (L.) Alef. var. *italica*
Plenck

Broccoli

Article 2

This Directive is addressed to the Federal Republic of Germany and to the Grand Duchy of Luxembourg.

(g) *Cichorium intybus* L. var.
foliosum Bisch.

Endive

Done at Brussels, 7 May 1973.

(h) *Citrullus vulgaris* L.

Water melon

For the Commission

(i) *Foeniculum vulgare* P. Mill.

Fennel

The President

(j) *Scorzonera hispanica* L.

Scorzonera

François-Xavier ORTOLI