

COMMISSION DECISION

of 28 December 1977

authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed
of certain varieties of agricultural plant species

(Only the French text is authentic)

(78/124/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
Directive 78/55/EEC of 19 December 1977⁽²⁾, and in
particular Article 15 (2) and (3) thereof,Having regard to the application lodged by the Grand
Duchy of Luxembourg,Whereas, under Article 15 (1) of the said Directive,
seed or propagating material of varieties of agricultural
plant species which have been officially accepted
during the year 1975 in one or more of the Member
States are, after 31 December 1977, no longer subject
to any marketing restrictions relating to variety in 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 Grand Duchy of Luxembourg 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 300 or over;
whereas it is well known that the varieties of winter
oats, the varieties of durum wheat and varieties of
maize which have an FAO maturity class index of 300
or over at present are not yet suitable for cultivation in
the Grand Duchy of Luxembourg (Article 15 (3) (c),
second case thereof);Whereas, therefore, the application of the Grand
Duchy of Luxembourg 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 Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

*Article 1*The Grand Duchy of Luxembourg shall be authorized
to prohibit the marketing in all of its territory of seed
or propagating material of the following varieties
listed in the 1978 common catalogue of varieties of
agricultural plant species:**Cereals**1. *Avena sativa* L.Marros
Trevine;2. *Triticum durum* L.Isa
Mida
Polesine
Riente
Sabato Visco
Tomclair
Valgerardo
Valnova;3. *Zea mais* L.Alfa
Arx
Athos
Avala
Axia
Azur 602
Banat
Beograd
Boran
Bosna
Drop 588
Faktor
Flare
Granit
Hawk
Iris
Jadran⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

Kirk
Kombinat
Light
Lucal
Luck
Manor
Mentor
Oromais
Panter
Petrovaradin
Quadrant
Ruma
Siloverde
Sirmium
Zemun.

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Article 3

The Grand Duchy of Luxembourg 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.

Article 4

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President