COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.11.1996
COM(96) 604 final

Proposal for a

COUNCIL DECISION

amending Decision 95/514/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries

(presented by the Commission)

EXPLANATORY MEMORANDUM

Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC on the marketing of beet seed, fodder plant seed, cereal seed and seed of oil and fibre plants respectively, provide for the Council to determine whether field inspections in third countries and seed harvested in third countries are equivalent to those in the Community.

By Decision 95/514/EC the Council has determined for a limited period that field inspections carried out in certain third countries on seed-producing crops of certain species satisfies the conditions laid down in the Community legislation on the marketing of seed; by the same Decision 95/514/EC the Council also determined that seed of certain species produced in the same third countries was equivalent to corresponding seed produced in the Community. This Decision covered twenty-one third countries and established the conditions under which seed of agricultural plant species might be imported into the Community.

The Decision 95/514/EC will expire on 31 December 1996.

In that Decision, reference to the OECD schemes for the varietal certification of seed moving in international trade was made as one of the bases for Community equivalence. In 1995 a system of alternative seed certification was included in these schemes as an experiment. However the results of this experiment have not yet been evaluated. In these circumstances, it appears desirable to ensure continuation of the equivalence, but to limit it, under a new Decision, to further 12 months, i.e. from 1 January 1997 to 31 December 1997.

There are no subsidiarity implications given that the proposal aimes at extending the period of validity of an existing measure to ensure further uniform applications throughout the Community.

Proposal for a Council Decision

amending Decision 95/514/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed[1], and in particular Article 16(1)(b) thereof,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed[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], 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], and in particular Article 15(1)(b) thereof,

Having regard to the proposal from the Commission,

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1 OJ No 125, 11.07.1966, p. 2290/66. Directive as last amended by the 1994 Act of Accession.

2 OJ No 125, 11.07.1966, p. 2298/66. Directive as last amended by Commission Directive 96/18/EC (OJ No L 76, 26.03.1996, p. 21).

3 OJ No 125, 11.07.1966, p. 2309/66. Directive as last amended by Commission Directive 95/6/EC (OJ L 67, 25.03.1995, p. 30).

4 OJ No L 169, 10.07.1969, p. 3. Directive as last amended by Commission Directive 96/18/EC (OJ No L 76, 26.03.1996, p. 21).

Whereas, in Council Decision 95/514/EC[5] it has been determined for a limited period that field inspections carried out in certain third countries on seed-producing crops of certain species satisfies the conditions laid down in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC; whereas in Decision 95/514/EC it has also been determined that seed of certain species produced in certain third countries was equivalent to corresponding seed produced in the Community;

Whereas Decision 95/514/EC will expire on 31 December 1996; whereas a new decision is therefore necessary;

Whereas, in this Decision, reference to the OECD schemes for the varietal certification of seed moving in international trade was made as one of the bases for Community equivalence;

Whereas in 1995 a system of alternative seed certification was included in these schemes as an experiment;

Whereas, the results of this experiment have not yet been evaluated;

Whereas, in these circumstances, it appears desirable to ensure continuation of the equivalence, but to limit it, under this Decision, to further 12 months;

HAS ADOPTED THIS DECISION:

Article 1

In Article 6 of Decision 95/514/EC "31 December 1996" is replaced by "31 December 1997".

Article 2

This Decision is addressed to the Member States.

Done at Brussels, For the Council

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5 OJ No L 296, 09.12.1995, p. 34. Decision as last amended by Commission Decision 96/217/EC (OJ No L 72, 21.03.1996, p. 37).

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