

COMMISSION DECISION

of 20 January 1989

releasing Belgium, Denmark, Germany, Spain, Ireland, Luxembourg and the United Kingdom from the obligation to apply to certain species Council Directives 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC on the marketing of fodder plant seed, cereal seed, seed of oil and fibre plants and vegetable seed respectively

(Only the Danish, French, English, Dutch, Spanish and German texts are authentic)

(89/101/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Commission Directive 89/100/EEC⁽²⁾, and in particular Article 23a thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽³⁾, as last amended by Directive 89/2/EEC⁽⁴⁾, and in particular Article 23a thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁵⁾, as last amended by Directive 88/380/EEC⁽⁶⁾, and in particular Article 22 thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed⁽⁷⁾, as last amended by Directive 88/380/EEC, and in particular Article 42 thereof,

Having regard to the requests submitted by Belgium, Denmark, Germany, Spain, Ireland, Luxembourg and the United Kingdom,

Whereas seed of rescue grass, Alaska brome-grass, Bermuda grass, Harding grass, Golden oatgrass, sulla, fenugreek, California bluebell, rice, sorghum, Sudan grass, hybrids resulting from the crossing of sorghum and Sudan grass, safflower, gourd and cardoon is not normally reproduced or marketed in certain Member States;

Whereas, as long as those conditions obtain, the relevant Member States should be released from the obligation to apply the provisions of the above Directives to the species in question;

Whereas certain Member States also wish to be released from the obligation to apply Directive 70/458/EEC to industrial chicory;

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

1. The Member States indicated in column 1 of Part I of the Annex are hereby released from the obligation to apply Directive 66/401/EEC, with the exception of Article 14 (1), to the species indicated in column 2.
2. The Member States indicated in column 1 of Part II of the Annex are hereby released from the obligation to apply Directive 66/402/EEC, with the exception of Article 14 (1), to the species indicated in column 2.
3. The Member States indicated in column 1 of Part III of the Annex are hereby released from the obligation to apply Directive 69/208/EEC, with the exception of Article 13 (1), to the species indicated in column 2.
4. The Member States indicated in column 1 of Part IV of the Annex are hereby released from the obligation to apply Directive 70/458/EEC, with the exception of Articles 16 (1) and 30 (1), to the species indicated in column 2.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Kingdom of Spain, Ireland, the Grand Duchy of Luxembourg and the United Kingdom.

Done at Brussels, 20 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ See page 36 of this Official Journal.

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽⁴⁾ OJ No L 5, 7. 1. 1989, p. 31.

⁽⁵⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁶⁾ OJ No L 187, 16. 7. 1988, p. 31.

⁽⁷⁾ OJ No L 225, 12. 10. 1970, p. 7.

ANNEX

1	2
Member State	Species
Part I — Directive 66/401/EEC	
1. Germany, Spain, Ireland	<i>Bromus catharticus</i> Vahl — Rescue grass
2. Germany, Spain, Ireland	<i>Bromus sitchensis</i> Trin. — Alaska brome-grass
3. Belgium, Denmark, Germany, Luxembourg, United Kingdom	<i>Cynodon dactylon</i> (L.) Pers. — Bermuda grass
4. Belgium, Denmark, Germany, Luxembourg, United Kingdom	<i>Phalaris aquatica</i> (L.) — Harding grass, Phalaris
5. Belgium	<i>Trisetum flavescens</i> (L.) P. Beauv. — Golden oatgrass
6. Belgium	<i>Hedysarium coronarium</i> L. — Sulla
7. Belgium	<i>Trigonella foenum — graecum</i> L. — Fenugreek
8. Spain, Ireland, United Kingdom	<i>Phacelia tanacetifolia</i> Benth. — California bluebell
Part II — Directive 66/402/EEC	
9. Belgium	<i>Oryza sativa</i> L. — rice
10. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Sorghum bicolor</i> (L.) Moench — Sorghum
11. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Sorghum sudanense</i> (Piper) Stapf. — Sudan grass
12. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Sorghum bicolor</i> (L.) Moench × <i>Sorghum sudanense</i> (Piper) Stapf. — Hybrids resulting from the crossing of sorghum and Sudan grass
Part III — Directive 69/208/EEC	
13. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Carthamus tinctorius</i> L. — Safflower
Part IV — Directive 70/458/EEC	
14. Germany, Ireland, Luxembourg, United Kingdom	<i>Cichorium intybus</i> L. (<i>partim</i>) — Industrial chicory
15. Germany, Ireland, Luxembourg	<i>Cucurbita maxima</i> Duchesne — Gourd
16. Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Cynara cardunculus</i> L. — Cardoon