

COMMISSION DECISION

of 30 December 1975

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

(Only the French text is authentic)

(76/221/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 Grand Duchy of Luxembourg,

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 are, after 31 December 1975, 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, 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 Seed 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 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

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

3. *Zea mais* L.

Asgrow ATC 35 A

ASX 92

ATC 39

Bled

Cargill Aire 504

Cargill Sud 556

Cise X 5

Cise X 7

Coral

Dekalb KR 637

Dekalb KR 638

Dekalb XL 14

Dekalb XL 15 A

Dekalb XL 44

Dekalb XL 45 A

Dekalb XL 61

Dekalb XL 75

Dekalb XL 364

Dekalb XL 640 A

Emerald

Föhn LG 15

Funk's G 44

Funk's G 350

Funk's G 68227 Waxy

Funk's G 69930

Funk's G H.O. 605

Funk's G Pilot

Golden UC 1900

INRA 361

Lydia

Mercurio

Mistral LG 13

Morava

Nike U 383

NK 53 SP

Odra

Pag 64

Petula

Provence 610

RX 70

RX 80

Star 304

Strength UC 8800

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, 30 December 1975.

For the Commission

G. M. THOMSON

Member of the Commission