

COMMISSION DECISION

of 12 December 1996

recognizing Hungary as being free from *Clavibacter michiganensis* (Smith) Davis et al ssp. *sepedonicus* (Spieckerman et Kotthoff) Davis et al

(97/5/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 96/14/EC⁽²⁾, and in particular Annex III, Part A (12) thereto,

Whereas under the provisions of Annex III, Part A (12) of Directive 77/93/EEC tubers of *Solanum tuberosum* L., other than seed potatoes and certain other potatoes specified in Annex III, Part A (10) and (11), originating in certain European third countries other than those recognized as being free from *Clavibacter michiganensis* (Smith) Davis et al ssp. *sepedonicus* (Spieckerman et Kotthoff) Davis et al may not be introduced into the Member States;

Whereas it has appeared from official information supplied by Hungary that the aforementioned harmful organism does not occur in that country, and that it has long maintained a strict control and post-entry inspection and testing procedure for the aforementioned harmful organism on imports of potatoes;

Whereas it can therefore be established that there is no risk of the aforementioned harmful organism spreading;

Whereas this Decision is without prejudice to any subsequent findings which may show that the aforementioned harmful organism is present in that country;

Whereas the Commission will ensure that on a yearly basis Hungary makes all technical information available which is necessary to assess the aforementioned situation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby declared that Hungary is recognized as being free from *Clavibacter michiganensis* (Smith) Davis et al ssp. *sepedonicus* (Spieckerman et Kotthoff) Davis et al.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.