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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 652/79****of 29 March 1979****on the impact of the European monetary system on the common agricultural policy**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28, 43 and 235 thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2543/73⁽²⁾, and in particular to Article 3 thereof,

Having regard to the proposal from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Regulations (EEC) No 3180/78⁽⁶⁾ and (EEC) No 3181/78⁽⁷⁾ introduced a unit of account called the ECU as the basis of the new European monetary system; whereas this unit of account should also be applied for the purposes of the common agricultural policy; whereas under the existing provisions the ECU will be used for calculating the monetary compensatory amounts and will thereby determine the common price level;

Whereas the value of the ECU does not correspond to the value of the unit of account (u.a.) used hitherto; whereas, in order to maintain the common level of prices, the amounts fixed in units of account must be multiplied by the coefficient indicating for the currencies of the countries party to the joint float agreement,

the relationship between the ratio of their central rates to the European monetary unit of account, and the ratio of their central rates to the ECU on the date of entry into force of the European monetary system; whereas, in order to prevent changes in the level of the prices and other amounts in national currencies, the representative rates must then be adjusted by using the same coefficient as that to be applied to the amount expressed in units of account; whereas the representative rates at present applicable in agriculture were fixed by Regulation (EEC) No 878/77⁽⁸⁾, as last amended by Regulation (EEC) No 643/79⁽⁹⁾;

Whereas Article 2 of Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽¹⁰⁾, as last amended by Regulation (EEC) No 557/76⁽¹¹⁾, provides that the monetary compensatory amounts for Member States with floating currencies shall be calculated on the basis of a difference between the representative rate and the actual rate minus 1.50 points if the currency has depreciated; whereas, in order to ensure continuity in calculating the monetary compensatory amounts, this rule should also be applied where a Member State with a depreciated currency which had been floating joins the Member States, the currencies of which are maintained within 2.25 % of one another at any given moment; whereas, however, this must not lead to excessive franchises in trade; whereas it further appears appropriate also to introduce the idea of a franchise for Member States with an appreciated currency; whereas it is however necessary to avoid too great a difference developing between the prices of the Member States, which is not covered by monetary compensatory amounts;

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽³⁾ OJ No C 294, 8. 12. 1978, p. 2.

⁽⁴⁾ OJ No C 6, 8. 1. 1979, p. 64.

⁽⁵⁾ Opinion delivered on 19 and 20 December 1978 (not yet published in the Official Journal).

⁽⁶⁾ OJ No L 379, 30. 12. 1978, p. 1.

⁽⁷⁾ OJ No L 379, 30. 12. 1978, p. 2.

⁽⁸⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁹⁾ OJ No L 83, 3. 4. 1979, p. 1.

⁽¹⁰⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹¹⁾ OJ No L 67, 15. 3. 1976, p. 1.

Whereas the changeover to the new system could present unforeseen difficulties which would require immediate action; whereas therefore the Commission should be authorized to adopt the necessary measures in accordance with the management committee procedure and, where appropriate, by way of derogation from the existing provisions;

Whereas the Council has decided to postpone fixing the prices for the 1979/80 marketing year to 30 June 1979; whereas, in connection with this decision, introduction of the ECU into the common agricultural policy should be limited as a first step to this same period,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts fixed in units of account for the purposes of the common agricultural policy or special trade arrangements for goods resulting from the processing of agricultural products shall be expressed in ECU by means of a coefficient of 1.208953.

Article 2

Regulation (EEC) No 878/77 is hereby amended as follows:

- (a) In Articles 1 and 2a the words 'unit(s) of account' shall be replaced by 'ECU'.
- (b) In Article 2a, the exchange values of the currencies indicated therein shall be replaced by the amounts produced by applying the coefficient referred to in Article 1 of this Regulation to the amounts applicable at present.

Article 3

Regulation (EEC) No 974/71 is hereby amended as follows:

- (a) The last sentence of Article 2 (1) (b) shall be deleted.
- (b) The following paragraph shall be added to Article 2:

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 March 1979.

'1a. The percentage referred to in paragraph 1 (a) shall be reduced by:

- 1.50 points in the case of Member States whose currency has depreciated,
- one point in the case of other Member States whose currency is revalued after the entry into force of Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽¹⁾.

The average of the percentages referred to in paragraph 1 (b) shall be reduced by 1.50 points.

However, for the Member States referred to in paragraph 1 (a), 1 % shall be applied as long as the percentage obtained after deducting one or 1.50 points, as the case may be, is less than 1.1 and more than 0.

⁽¹⁾ OJ No L 84, 4. 4. 1979, p. 1.

Article 4

The necessary rules for the application of this Regulation, in particular the transitional provisions to facilitate the changeover to the new monetary system, shall be adopted in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1254/78⁽²⁾, or, where appropriate, in the corresponding Articles of the other agricultural Regulations establishing similar procedures, if necessary by way of derogation from the existing rules, where and for so long as strictly necessary to take account of this Regulation.

Article 5

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 9 April to 30 June 1979.

For the Council

The President

P. MEHAIGNERIE

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

COMMISSION REGULATION (EEC) No 653/79**of 3 April 1979****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2724/78⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2724/78 to today's

offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April
1979.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 3 April 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 3 April 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	88.99
10.01 B	Durum wheat	134.78 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	88.99 ⁽⁶⁾
10.03	Barley	91.86
10.04	Oats	87.94
10.05 B	Maize, other than hybrid maize for sowing	79.29 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	3.25
10.07 B	Millet	81.88 ⁽⁴⁾
10.07 C	Grain sorghum	87.96 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	136.51
11.01 B	Rye flour	136.50
11.02 A I a)	Durum wheat groats and meal	220.02
11.02 A I b)	Common wheat groats and meal	146.01

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 654/79

of 3 April 1979

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2725/78 ⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall
be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April
1979.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 3 April 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 3 April 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
10.01 A	Common wheat, and meslin	0	3.19	3.19	4.72
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0.30	0.30	0.30
10.03	Barley	0	0.18	0.18	0.18
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0.38
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	4.48	4.48	6.61

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	5.68	5.68	8.40	8.40
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	4.24	4.24	6.28	6.28
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0.32	0.32	0.32	0.32
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.24	0.24	0.24	0.24
11.07 B	Roasted malt	0	0.28	0.28	0.28	0.28

COMMISSION REGULATION (EEC) No 655/79

of 3 April 1979

introducing a countervailing charge on cucumbers originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 325/79⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 213/79 of 5 February 1979 fixing the reference price for cucumbers for February to April 1979⁽³⁾ fixed the reference price for products of Class I for March 1979 at 64.16 units of account per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 45, 22. 2. 1979, p. 1.

⁽³⁾ OJ No L 30, 6. 2. 1979, p. 5.

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 668/78⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficients fixed in Article 1 (2) of Regulation (EEC) No 213/79;

Whereas, for Romanian cucumbers, the entry price calculated in this way has remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers;

Whereas if the system is to operate normally the entry price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent,

HAS ADOPTED THIS REGULATION:

A countervailing charge of 3.73 units of account per 100 kilograms net is applied to cucumbers (subheading 07.01 P I of the Common Customs Tariff) originating in Romania.

Article 2

This Regulation shall enter into force on 5 April 1979.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 April 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 656/79

of 3 April 1979

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1396/78 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1550/78 ⁽³⁾, as last amended by Regulation (EEC) No 650/79 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1550/78 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April 1979.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 April 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 83, 3. 4. 1979, p. 14.

ANNEX

to the Commission Regulation of 3 April 1979 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (u.d. / 100 kg)
17.01	Beet sugar and cane sugar in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	26.92 22.12 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 March 1979

authorizing the Federal Republic of Germany to restrict the marketing of seed
of certain varieties of agricultural plant species

(Only the German text is authentic)

(79/347/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⁽²⁾, and in particular Article 15
(2), (3) and (7) thereof,

Having regard to the application lodged by the
Federal Republic of Germany,

Whereas, under Article 15 (1) of the said Directive,
seeds or propagating material of varieties of agricul-
tural plant species which have been officially accepted
during 1976 in one or more Member States and which
also meet the conditions laid down in the said Direc-
tive are, with effect from 31 December 1978, 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 Federal Republic of Germany has
applied for such authorization for a certain number of
varieties of different species;

Whereas Commission Decision 79/92/EEC⁽³⁾
extended the period provided for in the said Article

15 (1) for some of these varieties for the Federal Re-
public of Germany from 31 December 1978 to 28
February 1979;

Whereas the Commission completed its examination
of the German application in respect of these varieties
before the expiry of the said period;

Whereas the varieties listed in this Decision have
been the subject of official growing trials in the
Federal Republic of Germany; whereas the results of
these trials have led the Federal Republic of Germany
to decide that these varieties are not distinct there;

Whereas, for the variety Carmen (creeping bent grass),
the results of the trials show that in the Federal Re-
public of Germany, under national rules governing
the acceptance of varieties there, which apply within
the framework of current Community provisions, it is
not distinct from other varieties accepted there
(Article 15 (3) (a), first case, of the said Directive);

Whereas, therefore, the application by the Federal
Republic of Germany in respect of this variety should
be granted in full;

Whereas in respect of the varieties Pippin (perennial
ryegrass) and Sverre (lucerne), new Community provi-
sions are being drawn up which, without prejudice to
the justification of the German application, may be
such as to induce the Federal Republic of Germany to
reconsider this request;

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

⁽³⁾ OJ No L 22, 31. 1. 1979, p. 14.

Whereas it therefore seems desirable to extend for the Federal Republic of Germany the period in question by an appropriate period for these varieties (Article 15 (7) of the said Directive);

Whereas other varieties are no longer included in the German application;

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 Federal Republic of Germany is hereby authorized to prohibit the marketing throughout its territory of the following variety listed in the 1979 common catalogue of varieties of agricultural plant species:

Fodder plants

Agrostis stolonifera L.
Carmen

Article 2

The authorization given under Article 1 shall be withdrawn as soon as it is established that the conditions under which it was granted are no longer met.

Article 3

The Federal Republic of Germany shall notify the Commission of the date from which it makes use of

the authorization under Article 1 and of the procedures it follows. The Commission shall inform the other Member States thereof.

Article 4

The period provided for in Article 15 (1) of Directive 70/457/EEC and already extended by Decision 79/92/EEC shall be extended for the Federal Republic of Germany beyond 28 February 1979 until 31 December 1980 in respect of the following varieties:

Fodder plants

1. *Lolium perenne* L.
Pippin
2. *Medicago sativa* L.
Sverre

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION**of 14 March 1979****authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species****(Only the French text is authentic)****(79/348/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⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the French Republic,

Whereas, under Article 15 (1) of the said Directive, seeds or propagating material of varieties of agricultural plant species which have been officially accepted during 1976 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1978, 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 French Republic has applied for such authorization for a certain number of varieties of different species;

Whereas Commission Decision 79/94/EEC⁽³⁾ extended the period provided for in the said Article 15 (1) for some of these varieties for the French Republic from 31 December 1978 to 28 February 1979;

Whereas the Commission completed its examination of the French application in respect of these varieties before the expiry of the said period;

Whereas the varieties listed in this Decision have been the subject of official growing trials in the French Republic; whereas the results of these trials

have led the French Republic to decide that the value for cultivation or use of these varieties is inferior to other comparable varieties accepted in the French Republic;

Whereas, for the varieties Dolcea (cocksfoot), Mocca and Tur (Italian ryegrass), the other Member States have accepted these conclusions; whereas it is therefore clear that these varieties do not produce results in the French Republic which, with respect to their qualities taken as a whole as regards their value for cultivation or use, correspond to those obtained from a comparable variety accepted there (Article 15 (3) (c), first case, of the said Directive);

Whereas, for the variety Rozelle (tall fescue), the results of the trials show that they do not produce results in the French Republic which, with respect to their resistance to harmful organisms without compensation by other superior characteristics (Article 5 (4), second sentence, of the said Directive) correspond to those obtained from a comparable variety accepted there (Article 15 (3) (c), first case, of the said Directive).

Whereas, for the varieties Asla Roskilde, Bopa Pajbjerg and Hera Daehnfeldt (cocksfoot), the results of the trials show that they do not produce results in the French Republic which, with respect to their resistance to harmful organisms, correspond to those obtained from a comparable variety accepted there (Article 15 (3) (c), first case, of the said Directive), although in certain circumstances this is compensated by other superior characteristics (Article 5 (4), second sentence, of the said Directive);

Whereas, therefore, the application by the French Republic in respect of seeds of all these varieties should be granted; whereas, however, the authorization for the three abovementioned cocksfoot varieties may not be applied in all cases; whereas account should also be taken of the fact that some of the varieties of ryegrass in question are acceptable in the French Republic provided their seed is not intended for the production of fodder plants;

Whereas other varieties are no longer included in the French application;

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

⁽³⁾ OJ No L 22, 31. 1. 1979, p. 19.

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

1. The French Republic is hereby authorized to prohibit the marketing throughout its territory of seed of the following varieties listed in the 1979 common catalogue of varieties of agricultural plant species :

Fodder plants

1. *Dactylis glomerata* L.
Asla Roskilde
Bopa Pajbjerg
Dolcea
Hera Daehnfeldt
2. *Festuca arundinacea* L.
Rozelle
3. *Lolium multiflorum* Lam.
Mocca
Tur

2. The authorization given in paragraph 1 shall not affect the introduction of seeds of the varieties Asla Roskilde, Bopa Pajbjerg, or Hera Daehnfeldt (*Dactylis glomerata* L.) into the French Republic where it is ensured by clearly legible indications, on the official label, relating to susceptibility to diseases, as well as

by other appropriate means, that the varieties are not cultivated in areas of the French Republic which periodically suffer from diseases to which the varieties are susceptible.

3. For the varieties Mocca and Tur (*Lolium multiflorum*) the authorization given in paragraph 1 is valid only where the seeds are intended for the production of fodder plants.

Article 2

The authorization given under Article 1 shall be withdrawn as soon as it is established that the conditions under which it was granted are no longer met.

Article 3

The French Republic shall notify the Commission of the date from which it makes use of the authorization under Article 1 and of the procedures it follows. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 14 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 19 March 1979

authorizing the French Republic not to apply Community treatment to women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A, of wool, cotton or man-made textile fibres, falling within subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.02-31, 32, 33, 35, 36, 37, 39, 40) (category 15 B), originating in South Korea and in free circulation in the other Member States

(Only the French text is authentic)

(79/349/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 9 March 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A, of wool, cotton or man-made textile fibres, falling within ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.02-31, 32, 33, 35, 36, 37, 39, 40) (category 15 B), originating in South Korea and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in South Korea is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement South Korea has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment;

Whereas further indirect imports, in addition to those already made or proposed, would be likely to aggravate these difficulties;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

Whereas, however, the application for a licence which gave rise to the application in question does not need to be covered by such an authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in South Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 6 March 1979:

CCT heading No	Description
ex 61.02 B (NIMEXE codes 61.02-31, 32, 33, 35, 36, 37, 39, 40) (category 15 B)	Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A, of wool, cotton or man-made textile fibres

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

Done at Brussels, 19 March 1979.

This Decision shall apply until 30 September 1979.

For the Commission

Article 3

Wilhelm HAFERKAMP

This Decision is addressed to the French Republic.

Vice-President

COMMISSION DECISION**of 19 March 1979****on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland****(79/350/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States⁽¹⁾, as last amended by Regulation (EEC) No 2993/78⁽²⁾, and in particular Article 3 thereof,

Having regard to Commission Regulation (EEC) No 3006/78 of 20 December 1978 laying down detailed rules for the application of Regulation (EEC) No 3328/75⁽³⁾, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 3328/75 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 March 1979, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 3006/78, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested and to fix the remaining quantities in respect of which it will be possible to apply for licences from 1 April 1979,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 March 1979 import licences concerning beef and veal

products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. United Kingdom:

- (a) 2 802.8 tonnes originating in Botswana;
- (b) 34.7 tonnes originating in Swaziland.

2. Federal Republic of Germany:

- (a) 260.0 tonnes originating in Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 3006/78 during the first 10 days of April 1979, in respect of the following quantities of boned beef and veal:

- Botswana: 11 636.5 tonnes,
- Kenya: 130.0 tonnes,
- Madagascar: 6 304.7 tonnes,
- Swaziland: 2 176.8 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 329, 23. 12. 1975, p. 4.

⁽²⁾ OJ No L 357, 21. 12. 1978, p. 5.

⁽³⁾ OJ No L 357, 21. 12. 1978, p. 44.

COMMISSION DECISION**of 19 March 1979****fixing the maximum amount of special aid for skimmed-milk powder for the
19th individual invitation to tender issued under Regulation (EEC) No 1844/77****(79/351/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 10 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC)
No 1844/77 of 10 August 1977 on the granting by
tender of special aid for skimmed-milk powder
intended as feed for animals other than young
calves⁽³⁾, as amended by Regulation (EEC) No
1055/78⁽⁴⁾, the intervention agencies have opened a
standing invitation to tender for the amount of this
special aid;

Whereas, according to Article 6 of the said Regula-
tion, for each individual invitation to tender a
maximum amount of aid shall be fixed or a decision
shall be taken not to proceed with the tender;

Whereas, account being taken of the minimum price
valid pursuant to Regulation (EEC) No 368/77 for the
individual invitation to tender of the month
concerned, of the situation on the skimmed milk and
soya markets and of the quantities offered, a
maximum amount of special aid for the 19th indi-

vidual invitation to tender shall be fixed at the level
specified below;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

For the 19th individual invitation to tender under
Regulation (EEC) No 1844/77, in respect of which the
time limit for the submission of tenders was 12 March
1979, the maximum amount of special aid shall be
fixed at 77.50 units of account per 100 kilograms of
skimmed-milk powder.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 205, 11. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 134, 22. 5. 1978, p. 44.

COMMISSION DECISION**of 19 March 1979****fixing the minimum selling price for skimmed-milk powder for the 25th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 368/77****(79/352/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed-milk powder for use in feed for pigs and poultry⁽³⁾, as last amended by Regulation (EEC) No 419/89⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them;

Whereas, according to Article 11 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award; whereas the amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum price fixed;

Whereas, in the light of the tenders received in response to the 25th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

For the 25th individual invitation to tender under Regulation (EEC) No 368/77, in respect of which the time limit for the submission of tenders was 12 March 1979:

- the minimum selling price shall be fixed at 15.25 units of account per 100 kilograms,
- the processing security shall be fixed at 85.00 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 204, 28. 7. 1978, p. 6.

(3) OJ No L 52, 24. 2. 1977, p. 19.

(4) OJ No L 50, 1. 3. 1979, p. 46.

COMMISSION DECISION

of 19 March 1979

fixing the minimum selling prices for butter for the first individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(79/353/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2714/72⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁵⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to the fat content of the butter; whereas

alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the first individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

For the first individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders was 13 March 1979, the minimum selling prices and the processing securities shall be as follows:

Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price (in u.a./100 kg butter)	Processing security (in u.a./100 kg butter)
Formula A and/or C	82 % or more	88.00	167.00
	Less than 82 %	85.85	163.00
Formula B	82 % or more	130.00	125.00
	Less than 82 %	126.83	122.00

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 20 March 1979

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, cotton or man-made textile fibres, falling within subheadings ex 60.05 A II and ex 61.02 B of the Common Customs Tariff (NIMEXE codes 60.05-41, 42, 43, 44 ; 61.02-48, 52, 53, 54) (category 26), originating in Poland and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/354/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 13 March 1979 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, cotton or man-made textile fibres, falling within subheadings ex 60.05 A II and ex 61.02 B of the Common Customs Tariff (NIMEXE codes 60.05-41, 42, 43, 44 ; 61.02-48, 52, 53, 54) (category 26), originating in Poland and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Poland is covered by an Agreement negotiated between the Community and that country ;

Whereas under that Agreement Poland has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States ;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets ; whereas there are therefore disparities existing between the import conditions in the various Member States ; whereas uniformity can only be achieved progressively ;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment ;

Whereas further indirect imports, in addition to those already made or proposed, would be likely to aggravate these difficulties ;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof ;

Whereas, however, the application for licences which gave rise to the application in question do not need to be covered by such an authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, where they originate in Poland and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 9 March 1979 :

CCT heading No	Description
ex 60.05 A II and ex 61.02 B (NIMEXE codes 60.05-41, 42, 43, 44 ; 61.02-48, 52, 53, 54) (category 26)	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, cotton or man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

these products from Poland or until 31 December 1979, whichever is the earlier.

Done at Brussels, 20 March 1979.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

For the Commission

Wilhelm HAERKAMP

Vice-President

COMMISSION DECISION

of 20 March 1979

exempting the Kingdom of Denmark from applying to certain species Council Directive 70/458/EEC on the marketing of vegetable seed

(Only the Danish text is authentic)

(79/355/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 70/458/EEC of 29
September 1970 on the marketing of vegetable
seed⁽¹⁾, as last amended by Directive 78/692/EEC⁽²⁾,
and in particular Article 42 (a) and (b) thereof,

Having regard to the request made by the Kingdom
of Denmark,

Whereas sprouting broccoli, chicory, water melon and
fennel have no significance for Denmark although
they are produced or at least marketed there in insig-
nificant quantities; whereas the Directive makes it
possible to grant exemption for the species concerned,
and at the same time does not lay down any particular
requirements;

Whereas corn salad is not normally cultivated in
Denmark; whereas the seeds of this species are not
propagated or marketed there;

Whereas these conditions have held for some time;
whereas it is appropriate to exempt Denmark from
applying the provisions of the Directive to this latter
species also;

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 Kingdom of Denmark is exempted from
applying Directive 70/458/EEC, with the exception of
the provisions of Article 16 (1) and Article 30 (1)
thereof, to the species listed below:

- (a) *Brassica oleracea* L. convar *botrytis* (L.) Alef. var.
italica Plenck (sprouting broccoli or calabrese);
- (b) *Cichorium intybus* L. var. *foliosum* Bisch.
(chicory);
- (c) *Citrullus vulgaris* L. (water melon);
- (d) *Foeniculum vulgare* P. Mill. (fennel);
- (e) *Valerianella locusta* (L.) Betcke (v. *olitoria* Polt.)
(corn salad or lamb's lettuce).

Article 2

This Decision is addressed to the Kingdom of
Denmark.

Done at Brussels, 20 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 7.

⁽²⁾ OJ No L 236, 26. 8. 1978, p. 13.

COMMISSION DECISION

of 20 March 1979

authorizing the French Republic to permit temporarily the marketing of seed
not complying with the requirements of Council Directive 69/208/EEC

(79/356/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 69/208/EEC of 30
June 1969 on the marketing of seed of oil and fibre
plants⁽¹⁾, as last amended by Directive
78/1020/EEC⁽²⁾, and in particular Article 16 thereof,

Having regard to the request made by the French
Republic,

Whereas in the French Republic the production of
sunflower seed complying with the requirements of
the said Directive has been insufficient in 1978 and
therefore will not be adequate to meet that country's
needs ;

Whereas it is not possible sufficiently to cover this
demand with seed from other Member States, or from
third countries, meeting all the requirements laid
down in the said Directive ;

Whereas the French Republic should therefore be
authorized to permit, for a period expiring on 31 July
1979, the marketing of seed of the abovementioned
species of varieties not included either in the common
catalogue of varieties of agricultural plant species or in
the French national catalogues of varieties ;

Whereas, moreover, other Member States, which are
able to supply the French Republic with seed not
complying with the requirements of the Directive,
should be authorized to permit the marketing of such
seed provided that it is intended for France ;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seed and Propagating Material for Agri-
culture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is hereby authorized to permit
for a period expiring on 31 July 1979 the marketing
in its territory of a maximum of 45 tonnes of
sunflower seed (*Helianthus annuus* L.) of the category
'certified seed' of hybrid varieties resistant to mildew
included neither in the common catalogue of varieties
of agricultural plant species nor in its national cata-
logues of varieties.

The official label shall state 'Intended exclusively for
France'.

Article 2

The other Member States are hereby authorized to
permit, subject to the conditions laid down in Article
1, the marketing in their territory of a maximum of
45 tonnes of sunflower seed, provided that it is
intended exclusively for France. The official label
shall state : 'Intended exclusively for France'.

Article 3

Member States shall notify the Commission before 30
November 1979 of the quantities of seed marketed in
their territory pursuant to this Decision. The Commis-
sion shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 350, 14. 12. 1978, p. 27.

COMMISSION DECISION

of 20 March 1979

authorizing the Federal Republic of Germany to permit temporarily the marketing of seed not complying with the requirements of Council Directive 66/401/EEC

(79/357/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 Directive 78/1020/EEC⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the Federal Republic of Germany,

Whereas in Germany the production of field bean seed and white and yellow lupin seed, complying with requirements of the said Directive, has been insufficient in 1978 and is not adequate to supply the needs of that country;

Whereas it has not been possible to cover these needs sufficiently by 'certified seed' from other Member States or even from third countries, meeting all the requirements laid down in the said Directive;

Whereas the Federal Republic of Germany should therefore be authorized to permit, for a period expiring on 30 September 1979, the marketing of seed of the abovementioned species of a category subject to less stringent requirements;

Whereas it appears also desirable to authorize other Member States which are able to supply the Federal Republic of Germany with this seed not complying with requirements of the Directive to permit the marketing of such seed provided that it is intended exclusively for Germany;

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 Federal Republic of Germany is hereby authorized to permit for the period expiring on 30 September 1979 the marketing on its territory of a

maximum of 4 500 tonnes of field bean seed (*Vicia faba* L. var. *minor* (Peterm.) Bull) of the category 'certified seed of the first generation' and 400 tonnes of white and yellow lupin seed (*Lupinus albus* L., *Lupinus luteus* L.) of the category 'commercial seed' which do not satisfy the requirements with regard to minimum germination capacity laid down in Annex II to Directive 66/401/EEC, provided that the following requirements are satisfied:

- (a) the germination capacity is at least 75 % of pure seed;
- (b) the official label shall bear the following endorsements:
 - 'Minimum germination capacity 75 %',
 - 'Intended exclusively for Germany'.

Article 2

The other Member States are authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territories of a maximum of 4 500 tonnes of field bean seed and a maximum of 400 tonnes of white and yellow lupin seed, provided that such seed is intended exclusively for Germany. The official label shall state: 'Intended exclusively for Germany'.

Article 3

The Member States shall notify the Commission before 1 December 1979 of the quantities of seed marketed in their territories pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 350, 14. 12. 1978, p. 27.

COMMISSION DECISION

of 20 March 1979

authorizing the Kingdom of Belgium to permit temporarily the marketing of seed not complying with the requirements of Council Directive 66/402/EEC

(79/358/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Directive 78/1020/EEC⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the Kingdom of Belgium,

Whereas unfavourable weather conditions during the winter of 1978/79 have destroyed the majority of sowing in winter wheat; whereas, therefore, Belgium will be forced to substitute part of its winter wheat harvest with spring wheat; whereas, therefore, the demand for spring wheat seed will increase substantially; whereas, therefore, the production in Belgium of certified spring wheat seed fulfilling the requirements of Directive 66/402/EEC is insufficient to meet the increased demand;

Whereas it has not been possible to cover this demand entirely by seed of spring wheat coming from other Member States;

Whereas it seems expedient to authorize Belgium to permit, for a period which expires on 15 April 1979, the marketing of 1 000 tonnes of certified seed of spring wheat which have a germination of at least 75 % of the seeds;

Whereas, however, there will still remain an unfilled demand for 2 500 tonnes of spring wheat seed;

Whereas it seems expedient therefore to authorize Belgium to permit, for a period which expires on 15 April 1979, the marketing of seed of some varieties of spring wheat satisfying less stringent requirements;

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,

1. The Kingdom of Belgium is authorized to permit, for a period which expires on 15 April 1979, the marketing in its territory of a maximum of 1 000 tonnes of spring wheat seed belonging to the categories 'certified seed of the first generation' and 'certified seed of the second generation' which do not satisfy the requirements with regard to germination capacity laid down in Annex II to Directive 66/402/EEC, provided that the following requirements are satisfied:

- (a) the germination capacity is at least 75 % of the pure seeds;
- (b) the official label shall state:
 - 'Germination capacity ... %',
 - 'Intended exclusively for Belgium'.

2. The Kingdom of Belgium is authorized to permit, for a period which expires on 15 April 1979, the marketing in its territory of 2 500 tonnes of spring wheat seed which has not been officially certified, of the varieties included in the common catalogue of varieties of agricultural plant species or in a national catalogue of varieties in the Community under the following conditions:

- (a) the seed shall comply with the requirements laid down for certified seed in Annex II to Directive 66/402/EEC on the marketing of cereal seed, with the exception of the provisions of items 1 and 3 concerning varietal identity and purity and of the requirements concerning the germination capacity, on the condition that the germination capacity is at least 75 % of the pure seeds;
- (b) the packages of this seed shall be labelled with an official brown label, bearing at least the following specifications:
 - a statement that this seed has not been subject to official certification,
 - the words 'Germination capacity ... %',
 - the inspection service,

⁽¹⁾ OJ No 125, 11. 7. 1976, p. 2309/66.

⁽²⁾ OJ No L 350, 14. 12. 1978, p. 27.

- the species,
 - reference number permitting identification of the origin of the seed,
 - declared net or gross weight,
 - the words 'Intended exclusively for Belgium';
- (c) the packages of this seed shall be labelled with a special supplier's label indicating the variety of the seed;
- (d) official post-control tests on random check may be carried out to check whether the indication of variety was correct.

Article 2

The other Member States are hereby authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territory of a maximum of 3 500 tonnes of seed, provided that it is intended exclusively for Belgium. The official label shall state: 'Intended exclusively for Belgium'.

Article 3

Member States shall notify the Commission before 15 June 1979 of the quantities of seed marketed in their territory pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

Information on the date of entry into force of the Financial Protocol between the European Economic Community and Turkey, signed in Brussels on 12 May 1977 ⁽¹⁾

The Contracting Parties having notified one another on 28 March 1979 that the procedures necessary for the ratification, acceptance or approval of the Financial Protocol had been completed, the Protocol will enter into force, in accordance with Article 16 (2), on 1 May 1979.

⁽¹⁾ OJ No L 67, 17. 3. 1979, p. 14.