
Status: Point in time view as at 01/12/2004.

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 1 December 2004 concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted (notified under document number C(2004) 4493) (Text with EEA relevance) (2004/842/EC), Introductory Text. (See end of Document for details)

Commission Decision of 1 December 2004 concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted (notified under document number C(2004) 4493) (Text with EEA relevance) (2004/842/EC)

COMMISSION DECISION

of 1 December 2004

concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted

(notified under document number C(2004) 4493)

(Text with EEA relevance)

(2004/842/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, and in particular Article 4a(2) thereof,

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

Having regard to Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed⁽³⁾, and in particular Article 6(2) thereof,

Having regard to Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed⁽⁴⁾, and in particular Article 23(2) thereof,

Having regard to Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes⁽⁵⁾, and in particular Article 6(2) thereof,

Having regard to Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants⁽⁶⁾, and in particular Article 6(2) thereof,

Whereas:

- (1) Pursuant to Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/56/EC and 2002/57/EC, Member States may authorise producers of agricultural seed to place on the market seed belonging to a variety for which an application for entry in the catalogue of the Member State in question, as provided for in Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species⁽⁷⁾, has been lodged.

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- (2) In addition, pursuant to Directive 2002/55/EC, Member States may authorise breeders or their representatives of vegetable seed to place on the market seed belonging to a variety for which an application for entry in a national catalogue of at least one Member State, as provided for in that Directive has been lodged.
- (3) To enable Member States to grant such authorisations it is necessary to lay down implementing rules for those Directives, covering in particular the purposes for and the conditions under which those authorisations may be granted, the labelling of the seed packages and in the case of agricultural seed, the quantities. It is also appropriate that in the case of a variety derived from a genetically modified organism, this genetically modified organism must be authorised for the placing on the market according to the Community legislation.
- (4) 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:

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- (1) [OJ L 114, 21.4.2004, p. 18](#). Directive as last amended by Commission Directive 2004/55/EC ([OJ L 114, 21.4.2004, p. 18](#)).
- (2) [OJ L 165, 3.7.2003, p. 23](#). Directive as last amended by Directive 2003/61/EC ([OJ L 165, 3.7.2003, p. 23](#)).
- (3) [OJ L 193, 20.7.2002, p. 12](#). Directive as amended by Directive 2003/61/EC.
- (4) [OJ L 268, 18.10.2003, p. 1](#). Directive as last amended by Regulation (EC) No 1829/2003 of the European Parliament and of the Council ([OJ L 268, 18.10.2003, p. 1](#)).
- (5) [OJ L 193, 20.7.2002, p. 60](#). Directive as last amended by Directive 2003/61/EC.
- (6) [OJ L 193, 20.7.2002, p. 74](#). Directive as last amended by Directive 2003/61/EC.
- (7) [OJ L 193, 20.7.2002, p. 1](#). Directive as last amended by Regulation (EC) No 1829/2003 of the European Parliament and of the Council.

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