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**COUNCIL DECISION**

**of 17 November 1997**

**on the equivalence of checks on practices for the maintenance of varieties carried out in third countries**

(97/788/EC)

(OJ L 322, 25.11.1997, p. 39)

Amended by:

|  | Official Journal |      |           |
|--|------------------|------|-----------|
|  | No               | page | date      |
| ► <u>M1</u> Council Decision 2002/580/EC of 18 June 2002 | L 184            | 26   | 13.7.2002 |

▼B**COUNCIL DECISION****of 17 November 1997****on the equivalence of checks on practices for the maintenance of varieties carried out in third countries**

(97/788/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species<sup>(1)</sup>, and in particular Article 21 (1) (b) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed<sup>(2)</sup>, and in particular Article 32 (1) (b) thereof,

Having regard to the proposal from the Commission,

Whereas, by Decision 92/420/EEC<sup>(3)</sup>, the Council noted that the official checks on practices for the maintenance of varieties carried out in certain third countries afforded the same guarantees as those carried out by the Member States; whereas the said Decision expired on 30 June 1997;

Whereas it appears that the abovementioned checks carried out in the third countries referred to in Decision 92/420/EEC, without prejudice to the fact that the former 'Czech and Slovak Federal Republic' was replaced by the 'Czech Republic' and the 'Slovak Republic', continue to afford the same guarantees as those carried out by the Member States;

Whereas, in the case of the Republic of Korea, covered by the abovementioned Decision, additional information has been requested; whereas additional information has also been requested from the Federal Republic of Yugoslavia;

Whereas it is therefore appropriate, in the case of these countries, to grant a shorter period of equivalence to allow time for this information to be supplied and assessed;

Whereas, in the case of certain countries, an examination of the conditions under which official checks on practices for the maintenance of varieties of additional species has shown that these checks afford the same guarantees as those carried out by the Member States;

Whereas the equivalence granted to such countries should be extended to these additional species;

Whereas it appears pointless to continue the equivalence granted in respect of the Republic of Bosnia-Herzegovina as no varieties of Community interest are maintained there;

Whereas this Decision in no way prevents Community findings on equivalence from being revoked or the extension of their period of validity being refused when the conditions on which they are based are not, or cease to be, satisfied; whereas, to this end, further practical information on seed of the varieties being maintained in the third country concerned should also be obtained when carrying out Community comparative tests;

Whereas certain of the technical and administrative provisions in the Annex may be subject to frequent adjustment; whereas, in order to simplify the procedure which at present governs amendments to the

<sup>(1)</sup> OJ L 225, 12. 10. 1970, p. 1. Directive as last amended by the 1994 Act of Accession.

<sup>(2)</sup> OJ L 225, 12. 10. 1970, p. 7. Directive as last amended by Directive 96/72/EC (OJ L 304, 27. 11. 1996, p. 10).

<sup>(3)</sup> OJ L 231, 13. 8. 1992, p. 22.

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Annex, recourse should be had to the procedure of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

*Article 1*

The official checks on practices for the maintenance of varieties carried out in the countries by the authorities listed in the Annex for the species covered by the Directives listed therein and concerning the said countries shall afford the same guarantees as those carried out by the Member States.

*Article 2*

The technical and administrative adjustments to be made to the Annex, with the exception of those concerning the first column of the table, shall be adopted in accordance with the procedure laid down in Article 23 of Directive 70/457/EEC and in Article 40 of Directive 70/458/EEC.

**▼M1***Article 3*

This Decision shall apply from 1 July 1997 to 30 June 1999 and from 18 June 2002 to 30 June 2005 in the case of the Republic of Korea and the Federal Republic of Yugoslavia and from 1 July 1997 to 30 June 2005 in the case of the other third countries listed in the Annex.

**▼B***Article 4*

This Decision is addressed to the Member States.



## ANNEX

| Country (1) | Authority responsible for carrying out checks  | EEC Directives                                 |
|-------------|--|--|
| AR          | Ministerio de Economía y Obras y Servicios Públicos<br>Secretaría de Agricultura, Ganadería y Pesca<br>Instituto Nacional de Semillas<br>Buenos Aires  | 66/400<br>66/401<br>66/402<br>69/208           |
| AU          | Commonwealth Department of Primary Industries and Energy<br>Canberra   | 66/401<br>69/208<br>70/458                     |
| BG          | Semena i Possadchen Material<br>Sofia  | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| CA          | Plant Products Division<br>Division des Produits végétaux<br>Nepean<br>Ontario   | 66/400<br>66/401<br>66/402<br>69/208           |
| CH          | Eidgenössische Forschungsanstalt für Landwirtschaftlichen Pflanzenbau<br>Reckenholz<br>Zürich<br>Station fédérale de recherches en production végétale de Changins (RAC)<br>Nyon             | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| CL          | Servicio Agrícola y Ganadero<br>Departamento de Semillas<br>Santiago   | 66/400<br>66/401<br>66/402<br>69/208           |
| CZ          | Ustřední kontrolní a zkusební ústav zemědělský v Brně<br>Odbor osiva a sadby<br>Praha<br>Central Institute for Supervising and Testing in Agriculture<br>Department of seed testing<br>Praha | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| HR          | Bc Institute for Breeding and Production of Field Crops<br>Zagreb  | 66/400<br>66/401<br>66/402<br>69/208           |
| HU          | Országos Mezőgazdasági Minőségellenőrzési Központ<br>National Institute for Agricultural Quality Control<br>1024 Budapest  | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| IL          | Ministry of Agriculture<br>Plant Protection Services and Inspection<br>PO Box 78<br>Bet-Dagan 50250<br>Israël  | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| JP          | Ministry of Agriculture, Forestry and Fisheries<br>1-2-1 Kasumigaseki<br>Chiyodaku<br>Tokyo  | 70/458   |
| KR          | Ministry of Agriculture, Forestry and Fisheries<br>Vegetables Division<br>Seoul  | 70/458   |

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| Country (1) | Authority responsible for carrying out checks  | EEC Directives                                 |
|-------------|--|--|
| MA          | Ministère de l'agriculture et de la mise en valeur agricole<br>Direction de la protection des végétaux des contrôles techniques et de la répression des fraudes<br>Rabat | 66/401<br>66/402<br>69/208<br>70/458           |
| NZ          | Ministry of Agriculture<br>Te Manatu Ahuwhenua Aotearoa<br>MAF Regulatory Authority<br>Wellington  | 66/401   |
| PL          | Inspekcja Nasienna<br>Centralny Inspektorat<br>Seed Inspection Service<br>General Inspectorate<br>Warszawa   | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| RO          | Ministry of Agriculture and Food<br>Control and Inspections Department<br>Bucharest  | 69/208   |
| SI          | Kmetijski Institut Slovenije<br>Agricultural Institute of Slovenia<br>Ljubljana  | 66/400<br>66/401<br>66/402<br>69/208           |
| SK          | Ustredny Kontrolny a Skusobny Ustav Polnohospodarsky<br>Bratislava   | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| TW          | Council of Agriculture, Food and Agriculture Department<br>Taipei  | 70/458   |
| US          | United States Department of Agriculture<br>Agricultural Research Service<br>Beltsville, Maryland   | 66/400<br>66/401<br>66/402<br>69/208<br>70/458 |
| UY          | Ministerio de Ganadería, Agricultura y Pesca<br>Dirección General de Servicios Agronómicos<br>Dirección Granos<br>Unidad Ejecutora de Semillas<br>Montevideo             | 66/400<br>66/401<br>66/402<br>69/208           |
| YU          | Savezno Ministarstvo za Poljoprivredu<br>Federal Ministry of Agriculture<br>Beograd  | 66/402   |
| ZA          | Department of Agriculture<br>Directorate of Plant and Quality Control<br>Pretoria  | 66/401<br>66/402<br>69/208                     |

- (1) AR = Argentina  
 AU = Australia  
 BG = Bulgaria  
 CA = Canada  
 CH = Switzerland  
 CL = Chile  
 CZ = Czech Republic  
 HR = Republic of Croatia  
 HU = Hungary  
 IL = Israel  
 JP = Japan  
 KR = Republic of Korea  
 MA = Morocco  
 NZ = New Zealand  
 PL = Poland  
 RO = Romania  
 SI = Republic of Slovenia  
 SK = Slovak Republic

**▼B**

TW = Taiwan  
US = United States of America  
UY = Uruguay  
YU = Federal Republic of Yugoslavia  
ZA = South Africa

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