

▼B

**REGULATION (EEC) NO 1674/72 OF THE COUNCIL
of 2 August 1972**

laying down general rules for granting and financing aid for seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2358/71⁽¹⁾ of 26 October 1971 on the common organization of the market in seeds, and in particular Article 3 (4) thereof;

Having regard to Council Regulation No 729/70⁽²⁾ of 21 April 1970 on the financing of the common agricultural policy, and in particular Article 3 (2) thereof;

Having regard to the proposal from the Commission;

Whereas Article 3 of Regulation (EEC) No 2358/71 provides for the possibility of aid being granted for the production of certain seeds and whereas general rules should be laid down for implementing that provision;

Whereas the aid may be granted only for the production of basic seed or certified seed and whereas these products should be clearly defined;

Whereas, to make supervision possible, basic seed and certified seed must be produced under duly registered growing contracts and whereas seed establishments and breeders must be officially approved or registered;

Whereas, for administrative reasons, aid should in each Member State, be granted only in respect of products harvested on the territory of that State;

Whereas, if the system of aid is to function properly, a supervision system is needed to ensure that aid is granted only in respect of products qualifying for it;

Whereas such aid involves expenditure; whereas under Article 14 of Regulation (EEC) No 2358/71 the provisions governing the financing of the common agricultural policy apply to this aid; whereas it should therefore be specified that the financing of the aid in question is governed by Article 3 of Regulation (EEC) No 729/70;

HAS ADOPTED THIS REGULATION:

▼M4

Article 1

1. If aid is fixed pursuant to Article 3 of Regulation (EEC) No 2358/71, it shall be granted, subject to the conditions set out in the following Articles, for production of basic and certified seeds:

- as defined by Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽³⁾, by Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽⁴⁾ and by Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁵⁾, account being taken of the amendments made to these Directives,
- complying with the standards and conditions laid down within those Directives, and
- officially certified.

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽⁴⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽⁵⁾ OJ No L 169, 10. 7. 1969, p. 3.

▼M4

2. From 1 January 1981 to 31 December 1985, aid shall also be granted for basic and certified seed produced in Greece and in respect of which a decision is taken pursuant to Article 113 (3) of the 1979 Act of Accession.

▼M5

3. Throughout the duration of the derogations referred to in Article 344 (1) of the Act of Accession, aid shall also be granted for basic and certified seed produced in Portugal and in respect of which a decision is taken pursuant to Article 344 (3) of that Act.

▼B*Article 2*

The seed must be produced:

- (a) either under a growing contract concluded between a seed establishment or a breeder and a seed grower;
- (b) or directly by the seed establishment or the breeder; such production shall be attested by a growing declaration.

Article 3

The seed establishments and breeders referred to in Article 2 shall be approved or registered by Member States.

Approval or registration by a Member State shall be valid throughout the Community.

Article 4

Each Member State shall grant aid only in respect of seed harvested on its territory during the calendar year in which the marketing year for which the aid was fixed begins.

The aid shall be granted to all seed growers under conditions which ensure equal treatment for beneficiaries irrespective of the place of their establishment within the Community.

Article 5

Member States shall introduce a system of administrative supervision to ensure that the conditions required for the granting of aid are fulfilled; they shall in particular ensure that the growing contracts and declarations referred to in Article 2 are registered.

Article 6

1. The aid referred to in Article 3 of Regulation (EEC) No 2358/71 falls within the definition of intervention contained in Article 3 (1) of Regulation (EEC) No 729/70.

2. Expenditure resulting from the aid referred to in paragraph 1 shall be equal to the amounts paid in accordance with Article 3 of Regulation (EEC) No 2358/71 and with the provisions made pursuant to that Article.

Article 7

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

It shall apply from 1 July 1972.

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