II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 93/78/EEC

of 21 September 1993

setting out additional implementing provisions for lists of varieties of ornamental plant propagating material and ornamental plants, as kept by suppliers under Council Directive 91/682/EEC

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/682/EEC of 19 December 1991 on the marketing of ornamental plant propagating material and ornamental plants [1], as amended by Commission Decision 93/399/EEC [2], and in particular Article 9 (5) thereof,

Whereas a system of description of varieties already exists at an international level; whereas the International Union for the Protection of New Varieties of Plants (UPOV) has developed such a system;

Whereas it is desirable to base the Community system on the experience gained at international level;

Whereas suppliers whose activity is confined to the placing on the market of propagating material and ornamental plants should be subject to less onerous requirements;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Propagating Material and Ornamental Plants,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive establishes additional implementing provisions for lists of varieties of propagating material and ornamental plants, as kept by suppliers pursuant to the second indent of Article 9 (2) of Directive 91/682/EEC.

Article 2

1. The lists kept by suppliers shall include the following:

(i) the name of the variety, together with its commonly known synonyms, where appropriate;

(ii) indications as to the maintenance of the variety and propagation system applied;

(iii) description of the variety, at least on the basis of the characteristics and their expressions as specified in the Annex hereto;

(iv) if possible, indications as to how the variety differs from the other varieties most closely resembling it.

2. Subparagraphs (ii) and (iv) of paragraph 1 shall not apply to any supplier whose activity is confined to the placing on the market of propagating material and ornamental plants.

Article 3

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 30 June 1994. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law they adopt in the field covered by this Directive.

[1] OJ No L 376, 31. 12. 1991, p. 21.
[2] OJ No L 177, 21. 7. 1993, p. 26.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 21 September 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

CHARACTERISTICS OF THE VARIETIES AND STATES OF EXPRESSION

***Begonia* x *hiemalis* Fotsch**

Leaf blade: colour of upper side
- light green
- medium green
- dark green
- reddish green
- reddish brown

Leaf blade: colour of lower side
- light green
- medium green
- dark green
- reddish green
- reddish brown

Flower: type
- single
- double

Inner petal: colour of middle of upper side
- RHS colour chart (indicate reference number)
- *or*
- white
- yellow
- orange pink
- orange
- red
- blue pink
- blue red

***Dendranthema* x *grandiflorum* (Ramat.) Kitam.**

Flower head: type
- single
- semi-double
- double

Ray floret longitudinal axis of majority of ray florets
- reflexing
- straight
- incurving
- twisted
- broken

Varieties with short corolla tube only:

Ray floret: cross-section of ray
- concave
- flat
- convex

Varieties with long corolla tube only:

Ray floret: shape of end
- quilled
- spatulate
- incurved

Ray floret: colour of inner side of majority of ray florets
- RHS colour chart (indicate reference number)
- *or*
- white
- yellow
- pink
- salmon
- red
- purple
- bronze

Disc floret: type
- tubular
- funnel shapped
- petaloid

***Dianthus caryophyllus* L. and hybrids**

Flower: type
- single
- double

Petal: number of colours of blade
- one
- two
- three
- four
- more than four

Petal: colour distribution of blade (claw excluded)
- picotee
- edged
- striated
- speckled
- picotee-striated
- picotee-speckled
- edged-straited
- edged-speckled
- picotee-straited-speckled
- edged-straited-speckled
- striated-speckled
- shading off
- flushed

Flower colour groups
- RHS colour chart (indicate reference number)
- *or*
- white or near white
- yellow
- orange
- pink
- pink-purple
- red
- garnet
- violet
- violet-red

Cultural types
- One flower per stem
- Spray