II

(Acts whose publication is not obligatory

COMMISSION

COMMISSION DIRECTIVE 93/17/EEC

of 30 March 1993

determining Community grades of basic seed potatoes, together with the conditions and designations applicable to such grades

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes (1), as last amended by Commission Directive 93/3/EEC (2), and in particular Article 3 (3) thereof,

Whereas, in order to implement, in an area without internal frontiers in which the free movement of goods is ensured in accordance with the provisions of the Treaty, the provisions of Directive 66/403/EEC in respect of the marketing of seed potatoes in all or part of the territory of one or more Member States satisfying more stringent measures than those provided for in Annexes I and II to that Directive, it is appropriate to determine Community grades of basic seed potatoes, as well as the conditions and designations applicable to such grades;

Whereas the measures provided for in this Directive 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

1. Community grades of basic seed potatoes are hereby determined. Seed potatoes eligible for these grades are those which qualify for the official certification as 'basic seed potatoes' in accordance with the provisions of Article 2 (1) (a) of Directive 66/403/EEC, and which moreover satisfy the conditions specified in paragraph 2, and which have been found on official examination to satisfy those conditions.

2. The following are the conditions referred to in paragraph 1:

(a) the plant health conditions laid down in:

— Council Directive 69/464/EEC (3),

— Council Directive 69/465/EEC (4),

— Council Directive 77/93/EEC (5),

— Council Directive 80/665/EEC (6);

(b) the seed potatoes shall derive from material satisfying the conditions laid down in Annex I, and satisfy the additional or more stringent conditions laid down in Annex II.

Article 2

1. The designation of the Community grades of basic seed potatoes shall be:

(a) 'EEC grade 1' in cases where the conditions laid down in Annex I, other than point 3.3 (b) thereof, and Annex II (1) are met; or

(b) 'EEC grade 2' in cases where the conditions laid down in Annex I, other than point 3.3 (a) thereof, and Annex II (2) are met; or

(1) OJ No 125, 11. 7. 1966, p. 2320/66.
(2) OJ No L 54, 5. 3. 1993, p. 21.
(3) OJ No L 323, 24. 12. 1969, p. 1.
(4) OJ No L 323, 24. 12. 1969, p. 3.
(5) OJ No L 26, 31. 1. 1977, p. 20.
(6) OJ No L 180, 14. 7. 1980, p. 30.

(c) 'EEC grade 3' in cases where the conditions laid down in Annex I other than point 3.3 (a) thereof, and Annex II (3) are met.

The designation shall be indicated on the official label provided for in Annex III to Directive 66/403/EEC, under the heading 'grade'.

2. Member States shall inform the Commission of the extent to which they apply the respective Community grades in certifying their own production.

Article 3

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than the date provided for the implementation of Council Directive 91/683/EEC (1). They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or be accompanied by such reference on the occasion 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.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 376, 31. 12. 1991, p. 29.