COMMISSION DIRECTIVE

of 30 June 1989

amending Directive 86/109/EEC limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed'

(89/424/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Directive 66/401/EEC of the Council of 14 June 1966 on the marketing of fodder plant seed [1], as last amended by Directive 89/100/EEC [2], and in particular Article 3 (3) thereof,

Having regard to Directive 69/208/EEC of the Council of 30 June 1969 on the marketing of seed of oil and fibre plants [3], as last amended by Directive 88/380/EEC [4], and in particular Article 3 (3) thereof,

Whereas Directive 66/401/EEC allows the marketing of basic seed, certified seed and commercial seed of certain species of fodder plants;

Whereas Directive 69/208/EEC allows the marketing of basic seed, certified seed and commercial seed of certain species of oil and fibre plants;

Whereas Article 3 (3) of each of the aforementioned Directives authorizes the Commission to prohibit the marketing of seed unless it has been officially certified as 'basic seed' or 'certified seed';

Whereas, accordingly, Commission Directive 86/109/EEC [5] limits the marketing of seed of particular species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed';

Whereas for some of the species referred to in Directive 86/109/EEC this marketing restriction applies as from 1 July 1989; whereas it now appears that, for a number of these species, Member States will not be in a position, at that date, to produce sufficient basic seed and certified seed to satisfy the demand for seed within the Community;

Whereas it is therefore appropriate to postpone the application of this marketing restriction until 1 July 1990 for brown top, birdsfoot trefoil, black medick and alsike clover and until 1 July 1991 for the other species concerned;

Whereas it has also been established, on the basis of the information available at present, that, as from 1 July 1991, Member States will be in a position to produce sufficient basic seed and certified seed to satisfy within the Community the demand for seed of rescue grass, Alaska brome-grass, Egyptian clover and California bluebell;

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 DIRECTIVE:

Article 1

Directive 86/109/EEC is hereby amended as follows:

1. Article 2 is replaced by the following:

'*Article 2*

Member States shall provide that from 1 July 1989 it shall not be permitted to place on the market seed of:

— *Agrostis gigantea* Roth	— redtop
— *Agrostis stolonifera* L.	— creeping bent grass
— *Phleum bertolonii* DC	— timothy
— *Poa palustris* L.	— swamp meadowgrass
— *Poa trivialis* L.	— rough-stalked meadowgrass
— *Lupinus albus* L.	— white lupin, varieties other than bitter
— *Brassica juncea* (L.) Czernj. et Cosson	— brown mustard

unless it has been officially certified as "basic seed" or "certified seed".'

[1] OJ No 125, 11. 7. 1966, p. 2298/66.
[2] OJ No L 38, 10. 2. 1989, p. 36.
[3] OJ No L 169, 10. 7. 1969, p. 3.
[4] OJ No L 187, 16. 7. 1988, p. 31.
[5] OJ No L 93, 8. 4. 1986, p. 21.