COUNCIL DIRECTIVE

of 26 September 1978

amending Directive 66/403/EEC on the marketing of seed potatoes

(78/816/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas it results from Article 15 of Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes (3), as last amended by Directive 78/692/EEC (4), that after 1 July 1975 Member States may no longer establish under their own responsibility the equivalence of inspections and checks carried out in third countries ; whereas, however, the work intended to enable such equivalence to be determined at Community level has not yet been completed ;

Whereas, therefore, in order to prevent the Member States' traditional trade patterns being disturbed, the Member States should be granted the possibility of extending the validity of decisions on equivalence already taken by them ;

Whereas, however, the use of this possibility is subject to the Community phytosanitary rules applicable from 23 December 1978 ; whereas, as a result, seed potatoes may not be introduced into the Community after that date except in so far as permitted by the abovementioned phytosanitary rules ; whereas, however, seed potatoes introduced before that date may in any case, as regards marketing within the Member State concerned, benefit from the equivalence until the date laid down in this Directive,

HAS ADOPTED THIS DIRECTIVE :

Article 1

Without prejudice to the provisions of Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into Member States of harmful organisms of plant or plant products (5) the date '30 June 1978' set out in Article 15 (2) (a) of Directive 66/403/EEC shall be replaced by '30 June 1979'.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 1 July 1978.

They shall fprtjwotj inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 26 September 1978.

For the Council

The President

J. ERTL

(1) Opinion delivered on 15 September 1978 (not yet published in the Official Journal).
(2) Opinion delivered on 12 and 13 July 1978 (not yet published in the Official Journal).
(3) OJ No 125, 11. 7. 1966, p. 2320/66.
(4) OJ No L 236, 26. 8. 1978, p. 13.
(5) OJ No L 26, 31. 1. 1977, p. 20.