



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.04.1996
COM(96) 127 final

96/0099 (CNS)

Proposal for a

COUNCIL DIRECTIVE

amending Council Directives 66/400/EEC, 66/401/EEC,

66/402/EEC, 66/403/EEC, 69/208/EEC and 70/458/EEC on the marketing of beet
seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre
plants and vegetable seed

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Council Directives 66/400/EEC¹, 66/401/EEC², 66/402/EEC³, 66/403/EEC⁴, 69/208/EEC⁵, 70/457/EEC⁶ and 70/458/EEC⁷ on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plants respectively are currently in the process of being officially consolidated. Commission proposals to this end have been made to the Council.
2. The said Directives are also currently the subject of a Commission proposal to the Council (COM(93)598 final)⁸. The proposal makes numerous amendments to the Directives in order, inter alia, to update them and bring them into line with the single market concept.
3. All the Directives, with the exception of Directive 70/457/EEC, contain references to the abbreviation "EEC" in certain provisions relating to packages and labelling.
4. The Treaty on European Union replaced the term "European Economic Community" by the term "European Community"; the same should now be done in the relevant provisions in the said Directives.
5. Even if this could be regarded as a purely formal amendment, Member States must nonetheless transpose it into national legislation if labels bearing "EC" rather than "EEC" are to be used. Moreover, there could be a financial impact if the new labels had to be used forthwith. A period should therefore be fixed, during which labels bearing the abbreviation may still be used.

¹ OJ No 125, 11.7.1966, p.2290/66
² OJ No 125, 11.7.1966, p.2290/66
³ OJ No 125, 11.7.1966, p.2309/66
⁴ OJ No 125, 11.7.1966, p.2320/66
⁵ OJ No L169, 10.7.1969, p.3
⁶ OJ No L225, 12.10.1970, p.1
⁷ OJ No L225, 12.10.1970, p.7
⁸ OJ No C 29, 31.01.1994, p. 1

For these reasons, and since a consolidating directive does not need to be transposed, the consolidated directives being presumed to have been transposed within the time limit allowed, it would not be possible to incorporate this amendment in the legislative consolidation proposal as a purely formal adjustment.

6. The present proposal therefore amends the said Directives, by replacing the abbreviation "EEC" by the abbreviation "EC" in the relevant provisions. It also allows a transitional period during which labels still bearing the abbreviation "EEC" may continue to be used.
7. It is intended that following the adoption of the proposal which is currently before the Council (COM(93)598 final) and the adoption of this proposal, all the amendments should be incorporated in the legislative consolidation proposals relating to the 7 directives mentioned in paragraph 1 above which the Commission has proposed to the Council.
8. There are no subsidiarity implications given that the proposal is based on Article 43 of the Treaty establishing the European Community and thus falls within the exclusive competence of the Community. Furthermore, the proposal is compatible with the principle of proportionality laid down in the third paragraph of Article 3b of the above mentioned Treaty, taking into account the fact that it only adapts the existing terminology to that which has been introduced by the Treaty on European Union.

Proposal for a

Council Directive amending Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC; 69/208/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission¹

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³

Whereas Article G of the Treaty on European Union replaced the term "European Economic Community" by the term "European Community"; whereas the abbreviation "EEC" should therefore be replaced by the abbreviation "EC";

Whereas the abbreviation "EEC" appears in certain provisions of Council Directives 66/400/EEC⁴, 66/401/EEC⁵, 66/402/EEC⁶, 66/403/EEC⁷, 69/208/EEC⁸ and 70/458/EEC⁹ on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and in particular in relation to packages and the labelling of seeds; whereas it is therefore appropriate to replace the abbreviation "EEC" by the abbreviation "EC" in the said provisions;

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OJ No 125, 11.07.1977, p. 2290/66, directive as last amended by the Treaty of Accession of Austria, Finland and Sweden

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OJ No 125, 11.07.1977, p. 2298/66, directive as last amended by the Treaty of Accession of Austria, Finland and Sweden

6

OJ No 125, 11.07.1966, p. 2309/66, directive as last amended by Directive 95/6/EC (OJ No L 67, 25.03.1995, p. 30)

7

OJ No 125, 11.07.1966, p. 2320/66, directive as last amended by Decision 96/16/EC (OJ No L 6, 09.01.1996, p. 19)

8

OJ No L 169, 10.07.1969, p. 3, directive as last amended by the Treaty of Accession of Austria, Finland and Sweden

9

OJ No L 225, 12.10.1970, p. 7, directive as last amended by the Treaty of Accession of Austria, Finland and Sweden

Whereas, however, large stocks of labels are usually ordered in advance and those still bearing the abbreviation "EEC" should, for a phasing in period, continue to be allowed to be used;

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC and 70/458/EEC are amended as follows:

1. In Directive 66/400/EEC the abbreviation "EEC" in Articles 2.1.G; 10(1); 10(2); 10(3); 11(1); 11a(1); 11a(2); 11b; 14(1) second indent; Annex III A, 1.1 and Annex III B, title and point 1, is replaced by the abbreviation "EC".
2. In Directive 66/401/EEC, the abbreviation "EEC" in Articles 2.1 F; 2.1 G; 9(1); 9(2); 9(3); 10(1); 10a(1) and (2); 10b, 13(3); 14(1) third indent; Annex IV A, 1(a)1; Annex IV, A, 1(b)1; Annex IV B, title; Annex IV B(a)1; Annex IV B(b)1, and Annex B(c), 1, 3, 4, 5, 6 and 7, is replaced by the abbreviation "EC".
3. In Directive 66/402/EEC, the abbreviation "EEC" in Annex IV A, (a)1 is replaced by the abbreviation "EC".
4. In Directive 66/403/EEC, the abbreviation "EEC" in Annex III, A, 1, is replaced by the abbreviation "EC".
5. In Directive 69/208/EEC, the abbreviation "EEC" in Annex IV, A, (a) 1 and Annex IV, A, (b) 1 is replaced by the abbreviation "EC".
6. In Directive 70/458/EEC the abbreviation "EEC" in Article 25(1); Annex IV, A, (a), 1 and Annex IV, B, (a) 1, is replaced by the abbreviation "EC".

Article 2

Remaining stocks of labels bearing the abbreviation "EEC" may continue to be used until 31 December 1996.

Article 3

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 1 July 1996. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall immediately communicate to the Commission all provisions of national law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

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