

COMMISSION DECISION

of 25 November 2005

amending Decision 2003/61/EC authorising certain Member States to provide for temporary derogations from certain provisions of Council Directive 2000/29/EC in respect of seed potatoes originating in certain provinces of Canada

(notified under document number C(2005) 4526)

(Only the Spanish, Greek, Italian, Maltese and Portuguese texts are authentic)

(2005/850/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Decision 2003/61/EC is amended as follows:

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular Article 15(1) thereof,

1. in Article 1(1), the words 'Greece, Italy, Portugal and Spain' are replaced by 'Greece, Spain, Italy, Cyprus, Malta and Portugal';

Whereas:

2. Article 1(2)(c) is replaced by the following:

(1) Pursuant to Directive 2000/29/EC, seeds potatoes originating in Canada may not be introduced into the Community. However, that Directive permits derogations from that rule, provided there is no risk of spreading harmful organisms.

'(c) for the potato-marketing seasons from 1 February 2003 to 31 March 2003, from 1 December 2003 to 31 March 2004, from 1 December 2004 to 31 March 2005, from 1 December 2005 to 31 March 2006, from 1 December 2006 to 31 March 2007 and from 1 December 2007 to 31 March 2008.;

(2) Commission Decision 2003/61/EC ⁽²⁾, provides for a derogation for the importation of seed potatoes originating in certain provinces of Canada into Greece, Italy, Portugal and Spain subject to specific conditions.

3. in Article 8 the following are added to the list of ports:

(3) Portugal has asked for an extension of that derogation.

'(k) Lemesos

(4) The situation justifying that derogation remains unchanged and the derogations should therefore continue to apply.

(l) Larnaca

(5) The derogation in Decision 2003/61/EC should be extended to new Member States with similar climatic conditions to those mentioned in the decision.

(m) Marsaxlokk

(6) Decision 2003/61/EC should therefore be amended accordingly.

(n) Valletta

(o) Sines';

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

4. in Article 10(3) the second sentence is replaced by the following:

'The responsible official bodies of a Member State making use of this derogation shall, by 15 April of each calendar year in which importation takes place, inform the Commission, with a view to organising that examination and the recording thereof.;

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2005/16/EC (OJ L 57, 3.3.2005, p. 19).

⁽²⁾ OJ L 23, 28.1.2003, p. 31.

5. in Article 14, the second and third paragraphs are replaced by the following:

The Member State of importation shall provide the Commission and the other Member States, before 1 June of each calendar year in which importation takes place, with information on the amounts (lots of seed potatoes/consignments) imported pursuant to this Decision and with a detailed technical report on the official examination referred to in Article 10.

In those cases where Member States have made official examinations on the samples referred to in Article 10, the detailed technical reports of such examinations shall be submitted to the other Member States and the Commission before 1 June of each calendar year.;

6. in Article 15 '31 March 2005' is replaced by '31 March 2008'.

Article 2

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the Republic of Cyprus, the Republic of Malta and the Portuguese Republic.

Done at Brussels, 25 November 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission
