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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

Twenty-eighth Ordinary Session

Geneva, November 9, 1994

SECOND ADDENDUM TO DOCUMENT C/28/11

(REPORTS BY REPRESENTATIVES OF STATES AND ORGANIZATIONS
ON THE SITUATION IN THE LEGISLATIVE,
ADMINISTRATIVE AND TECHNICAL FIELDS)

Document prepared by the Office of the Union

The Annex to this document contains the report from Canada.

[Annex follows]

ANNEX

CANADA

Situation in the Legislative Field

There are regulations in place for 23 categories of plants; it is expected that regulations will be implemented for an additional 16 categories (Begonia, blueberry, Clematis, creeping red fescue, Impatiens, Kentucky bluegrass, lentil, maple, mustard, peach, Pelargonium, plum, raspberry, Spiraea, timothy, Viburnum) in late fall. Most priority species will then be covered. The Regulations could subsequently be amended to enable all species to be eligible for protection.

The current legislation will eventually be amended with the intent of ratifying the 1991 Act of the Convention. However, it is anticipated that it will take several years before the amendment process will start, in order to provide time for industries to become familiar with the existing system.

Cooperation in Examination

At the present time, Canada does not participate in agreements for international cooperation in DUS testing. We have purchased results of tests and trials from plant breeders' rights offices in UPOV member States. To date, no general agreements have been formulated. However, it is anticipated that such agreements will be made in the future, if our Office continues to receive requests for purchase of results.

Achievements

Canada has been receiving applications for plant breeders' rights since November 6, 1991. As of October 26, 1994, 444 applications have been received and 118 rights granted.

Applications by crop kind are as follows:

African violet	1	Chrysanthemum	129	Pea	30	Rose	38
Apple	19	Corn	14	Pear	1	Soybean	25
Barley	10	Flax	4	Poinsettia	10	Strawberry	15
Bean	1	Grape	3	Potato	92	Wheat	8
Canola	39	Oat	3	Potentilla	2		

Grants of rights by crop kind are as follows:

Canola	8	Flax	1	Potato	3	Soybean	4
Chrysanthemum	90	Pea	6	Rose	2	Wheat	3

Activities for the Promotion of Plant Variety Protection

In July 1994, Mr. Guillermo Sanguinetti, DIGRA - Unidad de Semillas, Uruguay, visited the seed certification and plant breeders' rights offices. While in Canada, he studied the Canadian system of plant breeders' rights and visited field trials of some canola varieties.