



**“EXPERIENCE OF VEGETATIVE REPRODUCTION OR
PROPAGATION MATERIAL AND HARVEST PRODUCE IN
THE REPUBLIC OF ARGENTINA”**

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**Coordinating Body for
Intellectual Property and
Plant Genetic Resources**

**SEMINAR ON VEGETATIVE
REPRODUCTION OR PROPAGATION
MATERIAL AND HARVEST PRODUCE
UNDER THE UPOV CONVENTION**

Geneva, October 24, 2016



ADMINISTRATIVE SANCTIONS SYSTEM LAW No. 20.247 - CHAPTER VII

POLICING POWER TO:

- *request and inspect information;*
- *take samples;*
- *access areas where there are seeds;*
- *seize and immobilize seeds;*
- *conduct analyses and tests.*

➤ Warning

➤ Fine

➤ Seizure

➤ Disqualification

➤ Shutdown

DISCIPLINARY POWERS



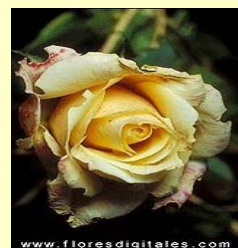
INFSE

SEED

INFSE


**Any plant structure
intended or used for
sowing or propagation**

- Botanical seeds
- Tubers
- Buds
- Cut flowers
- Fruits
- Cuttings
- Bulbs
- Nursery plants
- Any other structures




SEED


- **PHYSICAL MATERIAL** • **USE OR INTENDED USE**




Intended use = storage with intention to sow



&



Use = sowing



PRESUMPTIONS

- **STRONG**
- **CLEAR AND**
- **CONSISTENT**

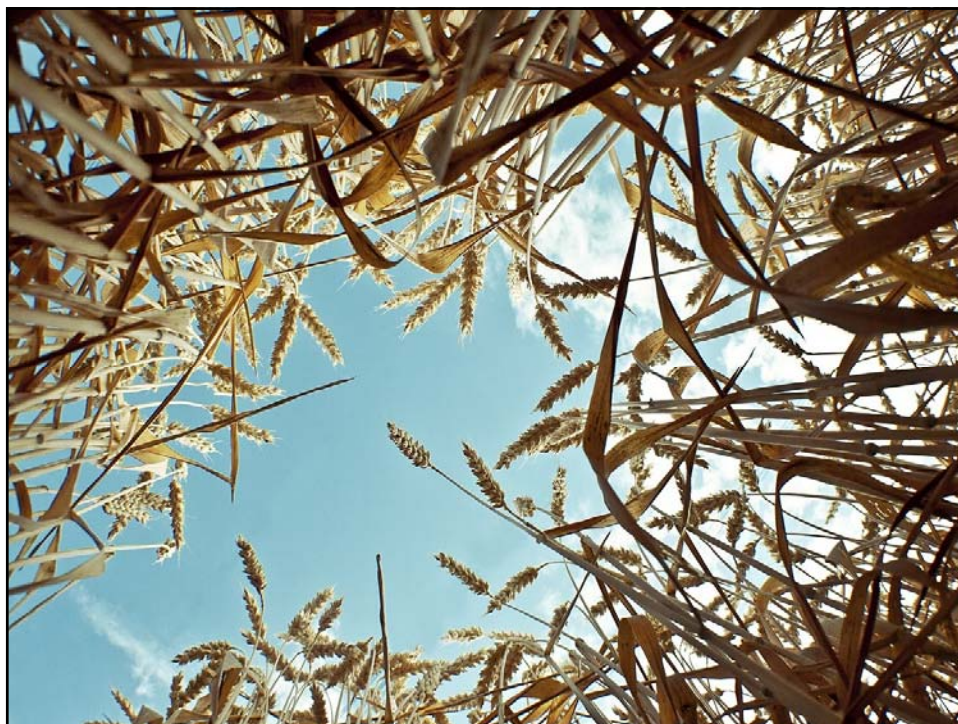




The material was sown or used as seed



ADMINISTRATIVE CASE LAW





Seed	versus	Grain
<ul style="list-style-type: none"> • Exchange plans • Intended for storage - agricultural producer = seed • Classified, cleaned, cured and packaged • Identification of variety • Price • Seed trader or producer • Deposited where seeds are exhibited, sold or delivered (warehouses, cooperatives, stores, etc.) 		<ul style="list-style-type: none"> • Mixture of varieties • Intended for industrial storage or export = grain • Price • Sales invoice data
		



SEED	VS	PRODUCT 
<ul style="list-style-type: none"> • Smaller • Cut into pieces in sowing season • Intended for cold storage if deposited or sowing areas • Three times as expensive • Sanitary quality: number of viruses and nematodes and performance of analyses • Deposited in cold storage • Cold storage temperature 2-4° C and humidity 85% • Kept in open bags • Production area: differentiated seed zones 		<ul style="list-style-type: none"> • Larger • Intended for consumer market • Three times cheaper • Sanitary quality: number of viruses and nematodes • May be deposited in refrigerators but not in all cases • Cold storage temperature 8°C • Kept in closed bags



*INASE RESOLUTION 192
of July 23, 2014*

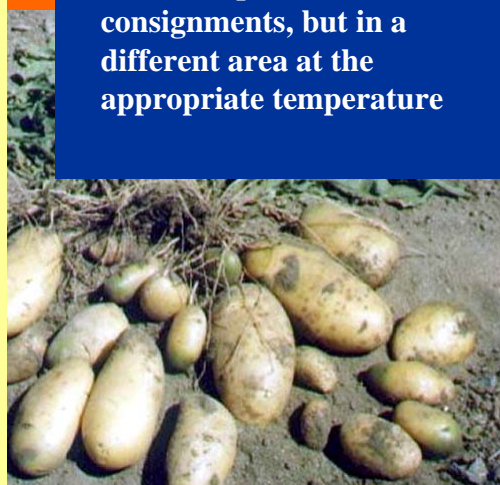


SEED POTATO

- Special labels and dispatch notes for transfer and delivery to user, with holograms provided by INASE
- Consumer cultivation seeds must bear a different label: variety, name and address of producer, place of production and a clear "Marketing prohibited" inscription

TABLE-STOCK POTATO

- Must not be stored together with seed potato consignments, but in a different area at the appropriate temperature



INASE RESOLUTION 192 of July 23, 2014

DEPOSITED SEED POTATO



DEPOSITARY

Must report to INASE the volume of deposited seed potato, consignment, place of deposit, date of arrival, name and address of the consignment owner, number of bags, kilograms per bag and name of seed producer, and provide evidence of legal origin.

DEPOSITOR

• Must state whether the goods are table-stock or seed potato and for commercial or private use

- RESPONSIBLE FOR KEEPING SEPARATE TABLE-STOCK POTATO AND SEED POTATO CONSIGNMENTS

INASE



SEED	VS	PRODUCT
<ul style="list-style-type: none">• Chemical delinting and curing signify seed• Flame delinting may signify seed• Material kept in bags perforated by sample probes and bearing the names of the producers		<ul style="list-style-type: none">• Presence of linter and absence of pest treatment• Not in optimal condition for sowing• Intended for direct animal consumption• Company has a large quantity of legal seed
