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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL**Twenty-seventh Ordinary Session****Geneva, October 29, 1993****SECOND ADDENDUM TO DOCUMENT C/27/13**

(REPORT 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 Annexes to this document contain the reports from Canada and the United Kingdom.

[Two Annexes follow]

ANNEX I

CANADA

1. Situation in the legislative field

There are regulations in place for 23 categories of plants. They are African violets, alfalfa, apples, barley, beans, canola/ rape, cherries, chrysanthemum, corn, Dianthus, flax, grapevines, oats, pears, peas, poinsettias, potatoes, Potentilla, roses, soybeans, strawberries, wheat and yews. It is expected that regulations will be implemented for an additional 16 categories in 1994. Proposed categories are begonia, blueberry, clematis, creeping red fescue, impatiens, kentucky bluegrass, lentils, maple, mustard, peaches, Pelargonium, plums, raspberries, Spirea, timothy and Viburnum. These categories have yet to be finalized. It is anticipated that an additional 15-20 categories will be implemented in 1995-96. Following this, the possibility of opening up the legislation to cover all species will be discussed with the Advisory Committee.

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

2. Cooperation in examination

At the present time, Canada does not participate in agreements for international cooperation for DUS testing. There have been requests to use results from private foreign tests and trials, but to date we have not been requested to purchase results from Plant Breeders' Rights Offices in UPOV member countries. However, in the future, it is anticipated that such arrangements will be made.

3. Achievements

Canada has been receiving applications for Plant Breeders' Rights since November 6, 1991. To date, the Plant Breeders' Rights Office has received 235 applications for rights and granted 46 certificates of rights. Applications by crop kind are as follows : canola - 13, chrysanthemum - 76, flax - 1, grape - 1, pea - 8, potato - 88, rose - 29, soybean - 10, strawberry - 3 and wheat - 6. Grant of rights by crop kind are as follows : canola - 2, chrysanthemum - 43 and wheat - 1. The majority of applications and rights granted have been to foreign sources.

4. Activities for the promotion of plant variety protection

Mr. Grant Watson, Associate Director, Variety Section participated in a mission to China in September, 1993. The intent of the mission was to provide Chinese and Pacific Rim country officials with options to use in the development of a Plant Breeders' Rights system. Mr. Watson presented a breeder run testing system as it exists in Canada.

Continuous efforts are being made by media, industry members and our Department of Agriculture to educate and inform the various user groups of the benefits of plant breeders' rights. Both agriculture and horticulture industries have benefitted from PBR through

- i) increased introduction of foreign varieties;
- ii) prevention of unauthorized sales of reproductive material of their protected varieties; and
- iii) securing royalties of their varieties.

Crops prescribed by regulation:
(as of November 6, 1991)

Canola/rape
Chrysanthemum
Potatoes
Roses
Soybeans
Wheat

Crops recently prescribed by regulation:
(as of March 10, 1993)

African violets
Alfalfa
Apples
Barley
Beans
Dianthus
Cherries
Corn
Flax
Grapevines
Oats
Pears
Peas
Poinsettias
Potentillas
Strawberries
Yews

Crops to be covered by tertiary list
(estimated by late 1994)

Begonia
Blueberry
Clematis
Creeping Red Fescue
Impatiens
Kentucky Bluegrass
Lentils
Maple
Mustard
Peach
Pelargonium
Plum
Raspberry
Spirea
Timothy
Viburnum

ANNEX II

UNITED KINGDOM

List of protected taxa

Protection was extended to the genus *Lavatera* L. on August 1, 1993. It is being extended to the following genera and species by mid October 1993:

Ornamentals

Agapanthus L,
Astelia banksii
Astelia chathamica
Astelia fragrans
Astelia graminea
Astelia grandis
Astelia linearis
Astelia nervosa
Astelia nivicola
Astelia petriei
Astelia skottsbergii
Astelia solandri
Astelia subulata
Astelia trinervia
Astrantia L.
Brachyglottis Forst. et Forst. f.
Cheiranthus L.
Clianthus puniceus
Coprosma Forst.
Cordyline australis
Cordyline banksii
Cordyline indivisa
Cordyline kaspar
Cordyline pumilio
Corokia Cunn.
Corynocarpus laevigata
Erysimum L.
Festuca ovina glauca
Griselinia littoralis
Hibiscus L.
Hoheria A. Cunn.
Leptospermum ericoides
Leptospermum scoparium
Lophomyrtus Burret
Melicope simplex
Melicope ternata
Meryta sinclairii
Mestrosideros albiflora
Mestrosideros carminea
Mestrosideros colensoi
Mestrosideros diffusa

Mestrosideros excelsa
Mestrosideros kermadecensis
Mestrosideros parkinsonii
Mestrosideros perforata
Mestrosideros robusta
Mestrosideros scandens
Mestrosideros umbellata
Myrsine australis
Myrsine chathamica
Myrsine coxii
Myrsine divaricata
Myrsine kermadecensis
Myrsine montana
Myrsine nummularia
Myrsine oliveri
Myrsine salicina
Parahebe W.R.B. Oliv.
Petunia L.
Pseudopanax chathamicus
Pseudopanax crassifolius
Pseudopanax discolor
Pseudopanax edgerleyi
Pseudopanax ferox
Pseudopanax gilliesii
Pseudopanax lessonii
Pseudopanax lineare
Ruscus L.
Trifolium arvense
Weinmannia racemosa
Weinmannia silvocola

Vegetables

Lycopersicon lycopersicum - Tomato

Fruit

Cydonia L. (rootstocks only - Quince rootstocks)

Agricultural

Lotus corniculatus - Birdsfoot trefoil
Onobrychis viciifolia - Sainfoin

Cooperation in examination

No new agreements, nor extensions to existing agreements, have been signed during the last 12 months. The United Kingdom will shortly conclude an agreement with Ireland.