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**UPOV**

C/27/13 Add.

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**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**

GENEVA

**COUNCIL****Twenty-seventh Ordinary Session****Geneva, October 29, 1993****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 Italy and from the Organisation for Economic Co-operation and Development (OECD).

[Two Annexes follow]

## ANNEX I

## ITALY

**1. Situation in the Legislative Field****1.1 Amendment of the Law and the Implementing Regulations (Adaptation to the 1991 Act of the Convention)**

The text of the 1991 Act of the Convention is still being studied by the competent legal office of the Administrations involved with a view to making the necessary amendments to the national law. On the other hand, the "Ufficio del Contenzioso Diplomatico" of the Ministry for Foreign Affairs is still waiting for the certified true copy in original of the 1991 Act of the Convention, in order to proceed with its ratification.

**1.3 Extension of Protection to Further Genera and Species**

By Ministerial Decree of July 31, 1993, protection has been extended to 36 further genera and species.

**3. Situation in the Administrative Field (Changes in the Administrative Structure)**

As a result of the referendum of April 1993, the Ministry of Agriculture and Forestry has ceased to exist. The new Ministry which carries out its functions has been called "Ministry for the Coordination of the Agricultural, Food and Forestry Policies" (see Presidential Decree No. 393 of October 2, 1993, published in the Official Gazette No. 234 of October 5, 1993).

[Annex II follows]

## ANNEX II

## OECD

**New eligible species**

Fagopyrum esculentum and Lathyrus sativus were proposed respectively by The Netherlands and Hungary.

About 350 000 tonnes of seed were internationally traded (excluding intra-EC trade) and 15 000 plots controlled worldwide under the OECD Schemes.

**Amendments**

Since the previous session of the Council of UPOV, the Council of OECD has adopted a revision of the Maize Certification Scheme and its extension to sorghum (Sorghum sudanense, S. bicolor and their hybrids). It is now called the OECD Scheme for the Varietal Certification of Maize and Sorghum moving in International Trade.

A revised version of the draft amendment to the Herbage and Oil Seed Scheme is now before the Council of OECD. This would allow the certification of hybrids of Brassica napus and B. rapa bred either by the CMS or the SI method. Varietal purity levels for cultivars and parental material of both these species and Helianthus annuus have been proposed. Another draft amendment provides that maximum lot sizes as adopted by ISTA in 1992 should be entered in the Scheme.

The other agricultural Seed Schemes were left unchanged.

The OECD Scheme for the Control of Forest Reproductive Material moving in International Trade, left unchanged since 1974, is undergoing a major revision.

**Participation**

France notified its adherence to the Subterranean Clover Scheme. The Czech Republic and Slovakia formally renewed their participation and extended it to the Maize and Sorghum Scheme. Poland also wished to extend its participation to this Scheme. Uruguay applied to the Cereals Scheme. Albania lodged an application for admission to all Schemes; Iran did so for the Beet Scheme. South Africa plans to extend its participation to the OECD Schemes in the near future. The Costa-Rican application did not make any progress. India, Lithuania, Mexico, Russia, some Latin American and Southern African (SADCC) countries are revising their national law in a spirit of compatibility and possible adherence to the OECD Schemes.

Observer status was requested by IICA (Inter-American Institute for Cooperation on Agriculture of the Organization of the American States) and AOSCA (Association of Official Seed certifying Agencies).

## Financing

A major modification of the financing of the OECD Schemes is under way, which affects the OECD Member-countries only. Funding would come in some countries from more specialized official sources (Ministries of Agriculture or Seed Institutes), either directly or indirectly through levies on seed certified quantities.

## Other matters

The Annual Meeting held last June under the chairmanship of Germany also discussed a number of issues such as accreditation of field inspection, national attribution of cultivars in the Annual OECD List of Eligible Varieties, agreements for multiplication abroad, labelling not finally certified seed, use of the Vegetable Seed Scheme and the impact of biotechnological safety requirements and testing methods on seed certification (see below). The EC Commission invited the OECD countries to visit and discuss the EC comparative seed trials in the Netherlands and Germany. A joint EC/OECD mission took place in Australia and New Zealand.

## Commercialisation of Agricultural Products Derived through Modern Biotechnology

A joint project on the "Commercialisation of Agricultural Products Derived Through Modern Biotechnology" has just been launched by the Environmental Health and Safety Division, Environment Directorate, and the Agricultural Trade and Market Division (Seed Schemes), Agricultural Directorate. A comprehensive survey which covers various aspects of commercialising transgenic crop plants has been sent to OECD Member countries and other countries participating in the OECD Seed Certification Schemes. The focus of the project is on the national policies of participating countries with respect to oversight/regulation which will affect the movement of these products into the market place in order to harmonize international approaches. The survey is divided into five sections: General Approach to Oversight of Products of Modern Biotechnology; Environmental Biosafety; Food Safety; Varietal Registration and Seed Certification; and Case Studies. The four case studies are: herbicide resistant canola/oilseed rape; delayed ripening (antisense) tomato; insect resistant (Bt) maize/corn; and virus resistant (coat protein) sugar beet.

The responses to the survey are requested by 15 November 1993. These responses will be analysed and collated into a document for general distribution. The case studies will be the basis of a workshop next year in which participating countries will try to integrate the oversight/regulatory reviews associated with products of biotechnology.

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