

Variety Registration and Protection in EGYPT



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Variety Registration

Registration

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Why ?

Legally

According to the Agricultural Law 53/1966, 2nd Chapter, Variety Registration of Agricultural Crop, (Articles 10 – 15)

- ☺ MALR 's Minister issues a Ministerial Decree to name a list include agricultural crops to be ruled by the provisions of this chapter.**
- ☺ MALR 's Minister issues a Ministerial Decree to form the Variety Registration Committee (VRC), set testing system, set application requirements, set variety seed quantity to be delivered, explain (test) evaluation steps and assign technical agencies to execute evaluation process.**

- ☺ **Seed of any variety shall not be handled or marketed unless this variety is registered.**
- ☺ **Variety testing duration shall not be less than three years.**
- ☺ **A variety shall be distinguished from the other varieties with one morphological and one agronomical or economical traits in order to be registered.**
- ☺ **By the end of testing a variety and approval of VRC, MALR 's Minister issue a Ministerial Decree to register this variety .**

Ministerial Decree No. 38 of 1997
Concerning
Conditions and Regulations of Agricultural
Crop Seed Certification, handling, Importing,
Exporting, Conditioning, Storage and Trade

Article 8

It is prohibited to certify the seeds of the agricultural crops in Annex 1 unless it was registered .

Other crop seeds may be traded after such seed quality is approved through seed testing or by any other method specified by the Designated Authority.

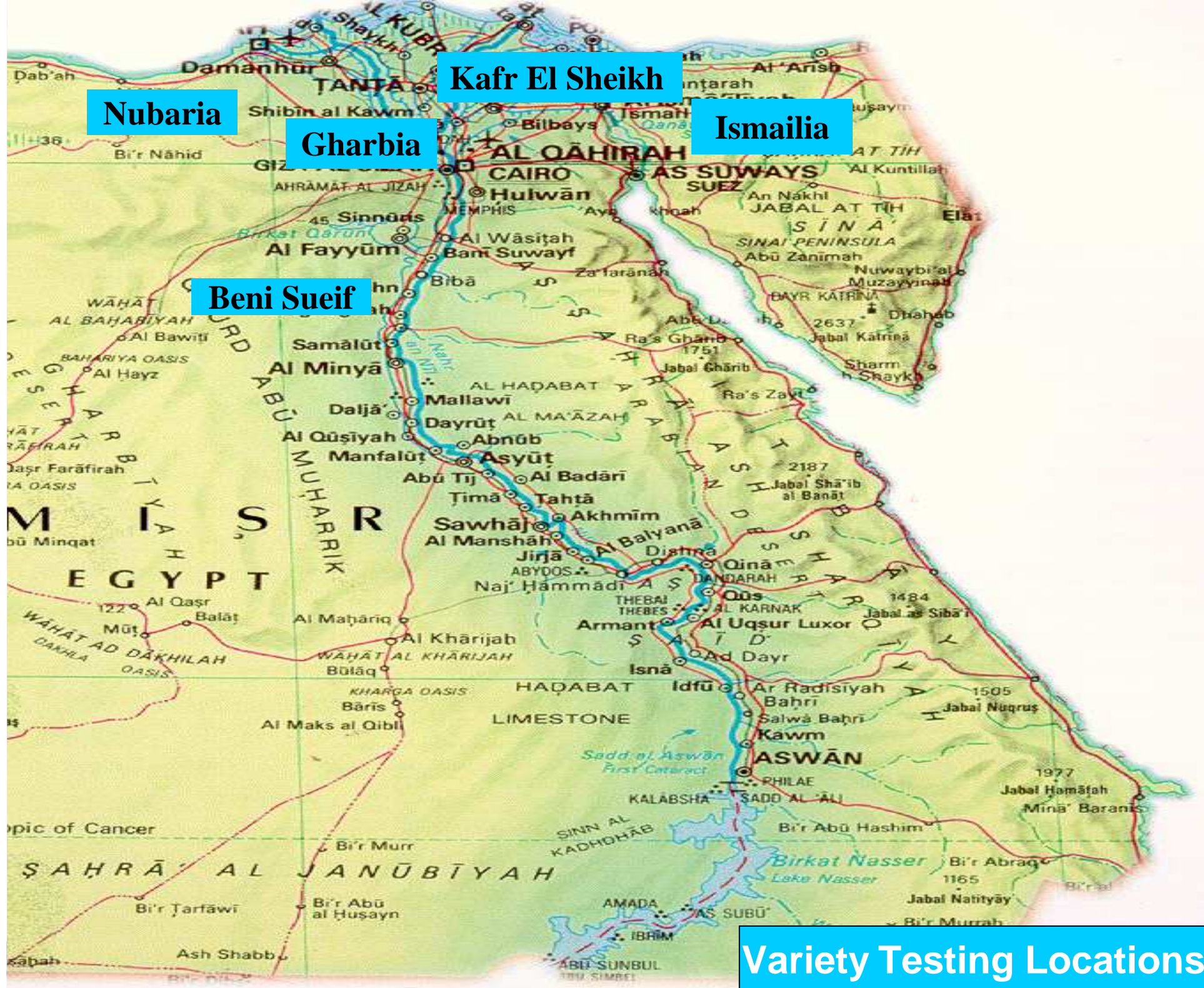
Technically

Having reliable descriptions (DUS) of varieties will enable the Designated Authority (Certification Agency) to :

- ☺ Follow-up activities during multiplication, certification and market control.**
- ☺ Grant breeder's rights.**

Why CASC conduct DUS tests :

- ☺ **Neutral body (no breeding or seed production activities), consequently unbiased results or decision.**
- ☺ **Infrastructure of DUS test available :**
- ☺ **5 locations = 45 feddans (Ismailia, Nubaria, Kafr El Sheikh, Gharbia, Beni Suief).**
- ☺ **Machines, instruments and tools.**
- ☺ **Well trained and qualified staff to execute DUS test.**



Kafir El Sheikh

Nubaria

Gharbia

Ismailia

Beni Sueif

Variety Testing Locations

Organizational Structure of Variety Registration

MALR

Variety Registration Committee (VRC)

Applicant

Secretariat of VRC

M. Decree
and N. List

Central
Administration for
Seed Certification
(CASC) to run DUS

ARC institutes to run VCU
Concerned Res. institute (crop)
Plant Pathology Res. Institute
Plant Protection Res. Institute
Agricultural Economic Inst.
AGERI

Legal

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- ☺ **This progress is reflected in the Ministerial Decree 82/98, which set testing system, set application requirements, set variety seed quantity to be delivered for evaluation, explain (test) evaluation steps.**
- ☺ **It is also considered the ‘opening’ of the Variety Registration Committee to the participation of the private sector and the universities and an internal regulation of the head of VRC, assigning the Secretariat of VRC to CASC.**
- ☺ **Until 1998 Agricultural Research Center (ARC) – the main breeder - was totally responsible for variety evaluation process.**

☺ **There was considerable progress made in the past years to establish a modern variety affairs system that goes in line with a liberalized seed market and with international standard procedures and practices in order to facilitate Egypt's participation in international organizations and trade schemes (OECD seed schemes, UPOV plant breeder's rights, WTO/TRIPS agreement).**

☺ **A MID TERM PLAN was applied in 1999, it is considered the actual progress that allowed CASC to be participated in variety testing system (since 1999 CASC already has conducted DUS tests for Field Crops only, while Field Crops Institute [ARC] has conducted VCU tests).**

☺ **For vegetables crops, MID TERM PLAN stated that by the end of 2002 CASC would be responsible or DUS tests.**

☺ **Ministerial Decree 1648/2000 stated that for OECD registered vegetable varieties, no new DUS will be done in Egypt. Instead, DUS-data from the respective original OECD-country must be submitted upon registration and only a one-season resistance to pests and adaptation tests are carried out.**

☺ **Ministerial Decree 1035/2002 stated that CASC – the Designated Authority - is the only responsible body for conducting DUS tests for all agricultural crops in EGYPT.**

- ☺ **Ministerial Decrees 1205/2006, 1399/2007 amend Ministerial Decree 82/1998 (fees).**
- ☺ **Ministerial Decrees 1298/2007 decreased test duration for corn varieties to be 2 years instead of 3 years.**
- ☺ **There are also well advanced preparations to amend the Agricultural Law 53/1966, but not it is approved yet.**

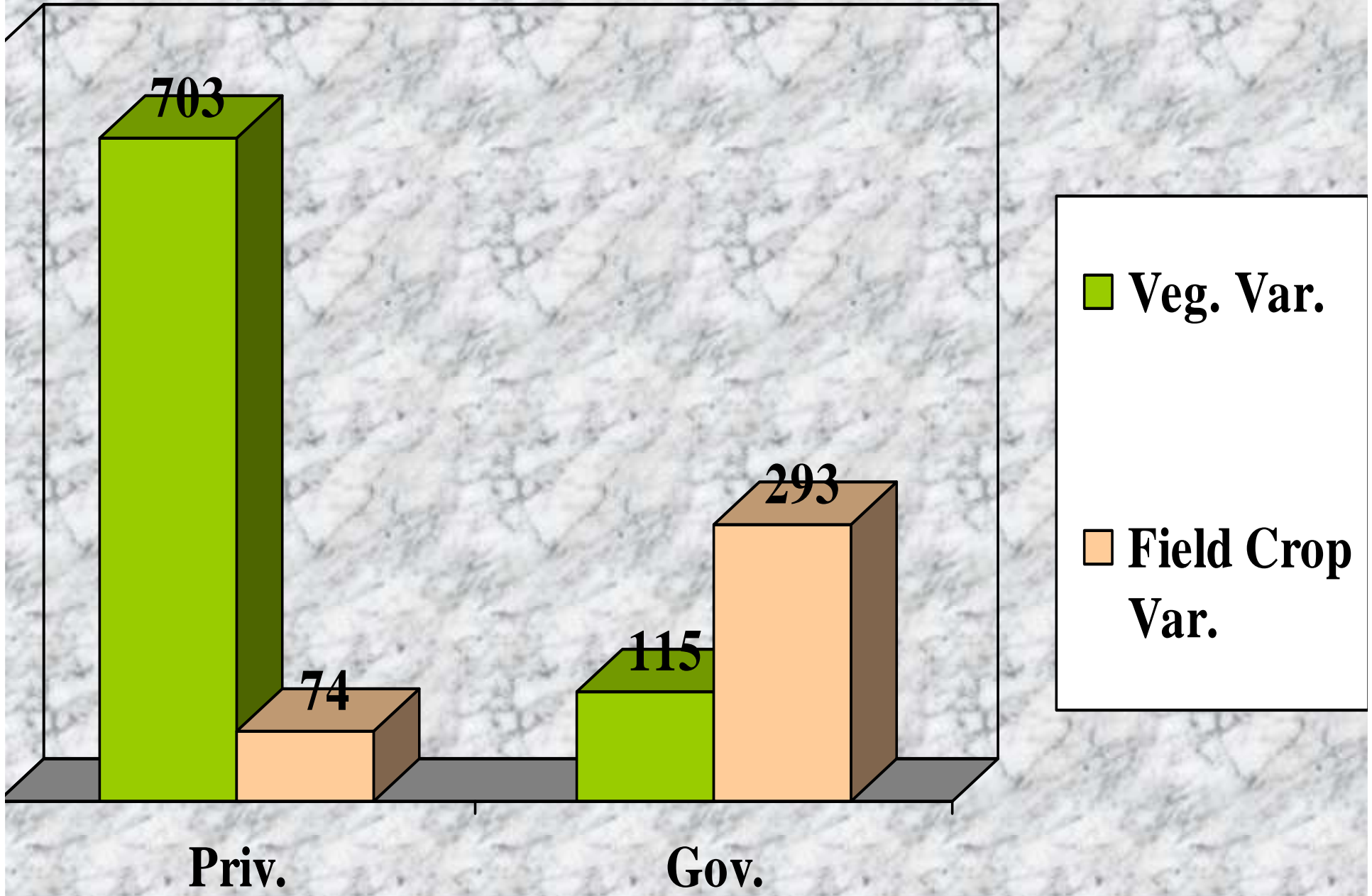
**According to M. D. 82 / 1998 and its
amendments (1205/2006, 1399/2007),
fees shall be :**

(For one season with out fingerprint fees)

☺ Field Crop Varieties: 6000 EGP

☺ Horticultural Crop Varieties: 3500 EGP

- **Important Figures:**
- **Total number of registered varieties : 1185.**
- **Total number of vegetables registered varieties : 818 (115 gov, 703 private).**
- **Total number of field crops registered varieties : 367 (293 gov , 74 private).**
- **Total number of potatoes varieties : 168**





Plant Variety Protection

Regulations

- 1) **Book four of Law no. 82 year 2002 for plant variety protection.**
- 2) **Prime Ministerial Decree no.1366 year 2003 (executive regulations).**
- 3) **Prime Ministerial Decree to establish the plant variety protection office within the Ministry of Agriculture and Land Reclamation (MALR).**

4) A series of ministerial decrees regarding:

a- Establishment of the plant variety protection office within the Central Administration for Seed Testing and Certification (CASC).



B. DUS Testing affairs.

C. A list of species whose varieties shall be protected.

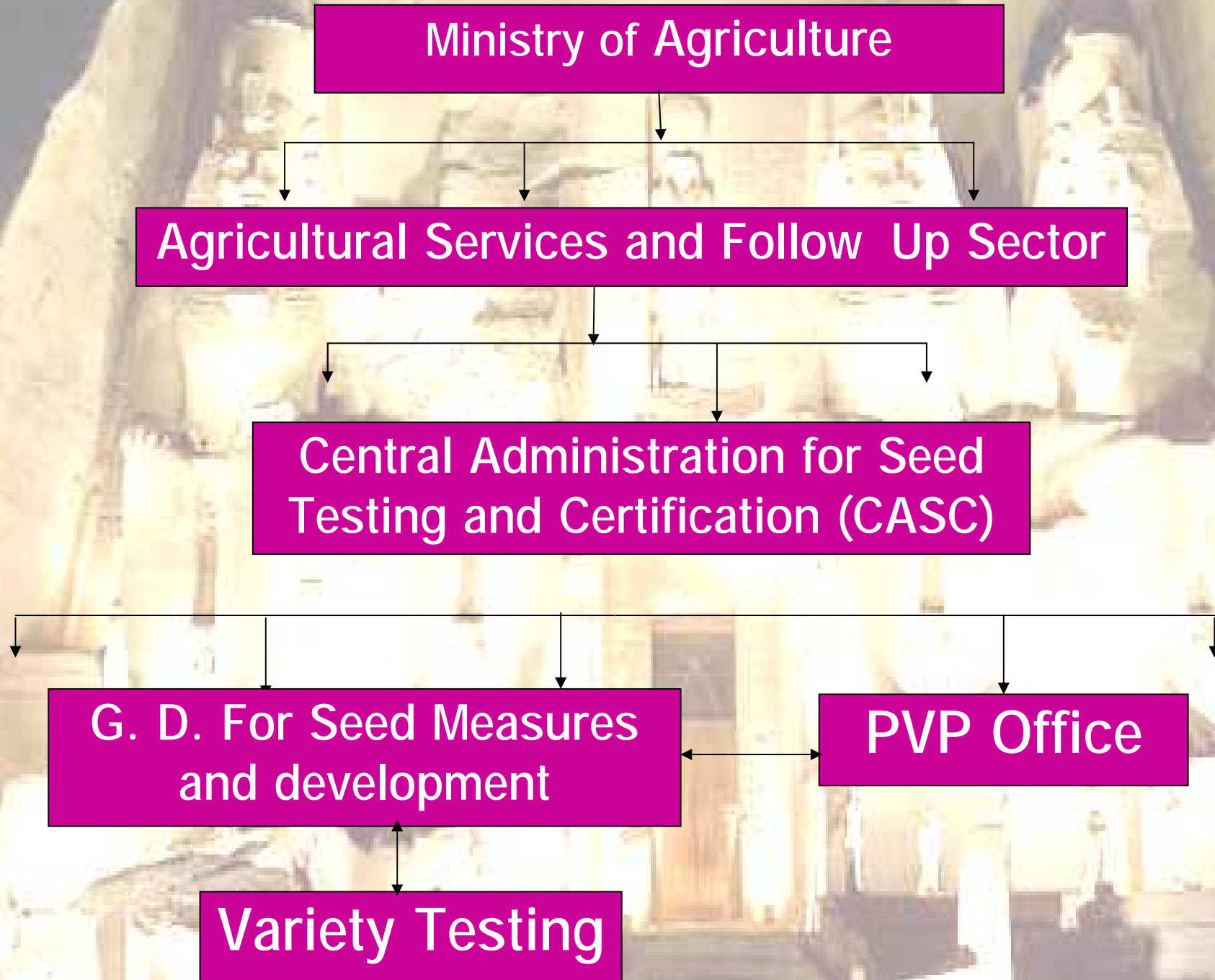
D. Forms and documents to be used for protection procedures.



PVP Office

1) The office was established within the organizational structure of the Central Administration for Seed Testing and Certification (CASC) as an independent authority (no Breeding / Production / Marketing).

organizational structure of PVP



- 2) The office started its activities in March 22, 2005.**
- 3) The office has already received a total number of 50 applications for granting protection (10 Egyptian applicants, 40 foreign applicants) .**
- 4) A number of 25 applications were rejected (documents were not in conformity with regulations requirements).**
- 5) A number of 20 applications are being processed, then after the submission of material for DUS tests.**

The background of the slide is a photograph of ancient Egyptian ruins, likely the Temple of Isis at Philae, situated on an island in the Nile River. The image shows large stone structures with hieroglyphs and statues, partially submerged in the water. The sky is clear and blue.

6) One variety is being tested for the second year of DUS tests.

7) The mentioned varieties represent the following species : orange, strawberry, corn, peach, and grapes.

8) In March 31, 2008 the office issued the first four certificates for granting royalty for four varieties of : one strawberry, one orange and two corn.

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إسم صاحب الحق : شركة الزراعة الحديثة بيكو (ش.م.م.)

وكيلا عن شركة Ekland Marketing بالولايات المتحدة الأمريكية

جنسيته : مصري عنوانه : ٣ شارع شجرة الدر – الزمالك – القاهرة – ج.م.ع

إسم المربي : FFSP جنسيته: أمريكي عنوانه : P.O.6147, Chico, California 95927,USA

إسم الصنف النباتي : **فستيفال Festival**

الإسم العلمى : **Fragaria Ananassa** الجنس : **Fragaria** النوع : (**Ananassa** فراولة)

يشهد مكتب حماية الأصناف النباتية بأن الشروط الموضحة فى الكتاب الرابع من قانون حماية الملكية الفكرية رقم ٨٢ لسنة ٢٠٠٢ ولائحته التنفيذية الخاصة بمنح الحماية للأصناف النباتية قد تم استيفائها للصنف المذكور بهذه الشهادة .
وبناء على الطلب المقدم من صاحب الحق ، تقرر الموافقة على منح شهادة حماية لهذا ل صنف لمدة "عشرون عاما "تبدأ من تاريخ اصدار الشهادة وتنتهى طبقا لأحكام المادة ١٩٣ من القانون ٨٢ لسنة ٢٠٠٢، على ان يلتزم صاحب الحق بموجب إصدار هذه الشهادة بأحكام القانون ٨٢ لسنة ٢٠٠٢ ولائحته التنفيذية .
رئيس المكتب

تم منح هذه الشهادة يوم الإثنين الموافق الحادى والثلاثون من شهر مارس عام الفان وثمانية ميلادية .
مهندس / جمال عيسى عطيه

UPOV and Egypt

1) Delegates of MALR attend annual UPOV meetings as an observer.

2) Egyptian authorities drafted a proposal of amendments of book four of law 82 year 2002 to be in conformity with UPOV convention of 1991 for a full membership of UPOV.



3) The said proposal is under discussion by respective parties in order to be approved by the Egyptian people's assembly.

4) UPOV office provides PVPO advice and assistance regarding legal and technical aspects

Thank you for

your

attention

