



AUSTRALIAN SEEDS AUTHORITY LTD.

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CONDITIONS FOR ACCEPTANCE OF PLANT VARIETIES INTO SEED CERTIFICATION SCHEMES CONDUCTED IN AUSTRALIA

Countries participating in the OECD Seed Schemes are required to publish and revise annually an official national list of varieties that have been accepted as eligible for OECD certification. The Australian list also covers varieties eligible for inclusion in the Australian Seed Certification Scheme. Only listed varieties, which includes parental constituents of hybrids, are eligible for certification in the relevant certification schemes.

Applications

All applications for listing are to be made on the form “Application for Acceptance of Plant Variety into Seed Certification Schemes in Australia” available from the Chief Executive Officer of the Australian Seeds Authority Ltd. (ASA) and on the ASA website [http://aseeds.net.au/](http://aseeds.net.au) Applications for new varieties to be commercialised should be lodged not later than 30 days from the expected date of inspection of crops eligible to produce the first Basic Seed of the variety.

Additional information on the variety must accompany the application. A statement detailing the origin and breeding history of the variety, a morphological description of the variety, a statement of authorisation from the breeder (if the applicant is not the breeder) to apply for certification and to multiply the variety in Australia, a brief statement of the expected agronomic value of the variety in Australia, and a maintenance plan indicating the number of generations and the number of harvests allowed for each generation, are required. This information can be provided on the application form, or as an attachment to the application form.

Preferably this information should be provided electronically, but it may be provided in hard copy.

For varieties covered by Plant Breeder’s Rights (PBR), the information required by the PBR Office will generally be adequate to meet ASA requirements for origin, uniformity, stability and morphological description, although the morphological description in the PBR application may need to be supplemented by additional comparative information.

Information to Accompany Application

1. Origin

Provide details of the origin and breeding history of the variety.

2. Uniformity and Stability

Evidence must be provided on the uniformity and stability of the variety having regard to the species concerned and the breeding system used. Indicate the period over which the generations of seed multiplication have been observed as being uniform and stable. If off-types have been observed, state their frequency and supply a description of them.

3. Variety Description

A detailed morphological description of the variety is required, and the descriptive characters used should be consistent with those given in a Part 2 Application for Plant Breeders Rights. (PBR).

For varieties for which PBR is not sought, the description must be based on the descriptors established by UPOV / OECD for that species. In this case the description should be accompanied by a statement by the Applicant or Breeder, that the morphological description was developed in a comparative grow-out trial, and data from the trial should be provided to support the description. The name of the person who developed the description must be included.

The descriptors are available on the OECD website <https://www.oecd.org/agriculture/seeds/> and have been developed from UPOV guidelines on the development of harmonized, internationally recognised descriptions of protected varieties. Guidelines for many species are available on the UPOV website at <https://www.upov.int/en/publications/tg-rom/index.html>

The exception to this required level of morphological description is for Lucerne varieties which have been registered in the USA under the AOSCA Seed Certification Scheme. The description registered by AOSCA for that variety will be accepted by ASA.

In the case of hybrid varieties the parental components must be registered with a description as outline above. The registration of a hybrid variety is understood to include the parental constituents, so the same level of information must be provided for the parental lines, as for the hybrid. Inbred lines or crosses intended as potential parental constituents of a number of hybrids, can be listed at any time.

If a non-morphological parameter is included in the variety description (e.g. molecular marker(s), oil content or composition, etc.) a detailed description of how that parameter can be determined or measured, must be provided and accompanied by photographs wherever possible.

For annual legumes a photograph, or photographs, of the morphological features of the new variety should accompany the Application. Photographs should demonstrate how the new variety differs from existing registered varieties of that species.

4. Name of Variety

The name of the variety must be consistent with the International Code of Nomenclature for Cultivated Plants. Real words or code words or combinations of letters and numbers are acceptable.

ASA has a policy, supported by the seed industry of not allowing synonyms for varieties marketed in Australia, but synonyms will be registered with the OECD for seed to be marketed overseas. Any such synonyms must only be applied to OECD certified seed labels for seed destined for export. ASA-authorized seed certification agencies will normally require a written commitment from seed owners that all seed labelled with a synonym registered for overseas will be exported.

ASA initially had a policy of not allowing trademarks to be used as variety names, and vice versa, as this is consistent with the requirements of the Australian PBR Office and the International Code of Nomenclature for Cultivated Plants. However the OECD allows the use of trademarks for variety names, or part of a variety name, and ASA has reviewed its policy and will now allow the use of trademarks as a variety name or part of a variety name.

5. Agronomic Value in Australia

There are no standards for agronomic value, but applicants must indicate the anticipated agronomic value of the variety in Australian agriculture, relative to other commonly grown varieties.

6. Variety Maintenance (For Varieties maintained in Australia).

The applicant must provide details of the maintenance plan adopted for the production of Pre-Basic, Basic and Certified Seed.

The Variety Maintainer, usually the breeder or an agent, is responsible for ensuring that multiplication of Breeders and Pre-Basic Seed is carried out in a satisfactory manner so that only authentic, uncontaminated seed of the variety is released for further multiplication under the certification schemes. The variety maintainer may also nominate one or more Basic Seed maintainers to be responsible, in close consultation with the variety maintainer, for the production of Basic Seed and, in some cases, one or more generations of Pre-Basic Seed.

The Variety Maintainer needs to decide how Breeders Seed or parental material is multiplied through a specified number of Pre-Basic generations to produce Basic Seed. The system used must ensure that varietal characters are preserved and that sufficient supplies of Pre-Basic Seed are retained to meet the demand for Basic Seed for the anticipated life of the variety. ASA must have access to all records of maintenance of varieties in the certification schemes.

A maintenance plan for a variety of a perennial species must at least specify:

- the lot reference number of the Breeders Seed;
- the number of generations of Pre-Basic Seed between Breeders and Basic Seed; and
- the maximum number of harvests for each Pre-Basic generation and the maximum number of harvests of the Basic and Certified seed generations.

The Maintenance Plan should also indicate whether or not a certification agency will be overseeing and assisting with the production of Pre-Basic Seed. This collaboration is strongly encouraged as it can often result in the identification and correction of any varietal purity issues prior to larger scale production of Certified Seed.

If the Maintenance Plan does not specify the maximum number of generations of Certified Seed permitted and, for perennial species, the maximum stand life of each generation of seed to be produced in Australia, the default standard specified in the next paragraph will apply. In the case of the OECD Schemes, if the maximum number of generations of Certified Seed permitted is not stated, the default position of permitting only 1st Generation (Blue Label) Certified Seed will be applied by certification agencies.

In the case of varieties of perennial species, the maximum permitted stand life shall be six (6) years for grasses and lucerne and four (4) years for other species, with the exception that an irrigated stand of phalaris may have a maximum stand life of ten (10) years, provided it meets all other requirements for seedling establishment and plant density. It should be noted that this restriction applies to the time since the crop was established and does not refer to the number of harvests taken. Allowance can be made for seed crops established too late in the season to allow a harvest in their first year of establishment.

The information required is specified in the form “Application for Acceptance of Plant Variety into Seed Certification Schemes in Australia”.

7. Field and Seed Standards

The applicant has to indicate whether any special field or laboratory seed standards are required. If no special seed standards are specified, the default seed standards in the ASA Technical Standards will be applied by the certification agency.

For varieties of perennial ryegrass breeders may specify a maximum permitted level of seedling root fluorescence in Basic and Certified Seed. If no level is specified there will be no standard for the level of seedling root fluorescence and, unless specifically requested, it will not be determined.

8. Standard Samples

A standard sample of seed of the variety must be made available to each certification agency involved in certifying the variety and will be held by those agencies for at least 10 years. The standard sample should be Pre-Basic Seed. Each year a portion of the standard sample may be used in pre-control or post control plot tests conducted under the supervision of the certification agency. Replacement seed of the standard sample must be provided on request by the certification agency when samples are depleted or the germination falls below acceptable levels.

The minimum size of standard samples is as follows:

- 1 kg for cereals, cotton, pulses and sunflower;
- 600 g for snail medic;
- 500 g for subterranean clover;
- 300 g for gama medic;
- 200 g for Brassicas, crimson clover, dehulled serradella seed and grasses other than phalaris and cocksfoot;
- 150 g for other medics; and
- 100g for other clovers, lucerne, phalaris and cocksfoot.

9. Responsibility for Post Control Tests

Post-control tests are conducted to ascertain that the Certification Scheme is operating satisfactorily. In particular, these field tests are intended to determine that the characters of varieties have remained unchanged in the process of multiplication and to enable the varietal identity and purity of individual seed lots to be verified.

The OECD Rules specify that post control tests are expected to be conducted by the maintainer (or agent of the maintainer) under the supervision of a designated certification agency. An alternative is that the certification agency will arrange to conduct the tests on a fee for service basis. Applicants are requested to discuss these options with the certification agency they will be dealing with and to nominate on the Application Form the person or entity responsible for conducting the tests. Note that the ASA Technical Standard for both the OECD and the Australian Seed Certification Schemes require that all Basic Seed lots and a minimum of one (1) lot, or 5% of Certified Seed lots, whichever is greater, for each variety certified in the previous year must be post-control tested. However there are some exceptions for the Australian Seed Certification Scheme and these should be noted.

10. Overseas Varieties

Varieties which are registered for OECD certification in another country will be accepted for registration for certification under either the OECD Seed Schemes, and/or the Australian Seed Certification Scheme, provided that:

1. written approval is obtained from the breeder or owner of the variety;
2. an acceptable morphological description, in English, is provided;
3. a satisfactory Maintenance Plan is provided, which specifies the generations to be produced in Australia and the number of harvests which can be taken from each generation, and a commitment from the breeder/owner to provide seed of the earliest generation required to be sown in Australia;
4. a written commitment is made to provide a standard sample to the Certification Agency(ies) which will certify the variety;
5. the approval of the National Designated Authority (NDA) in the country of registration of the variety is obtained, when requested by the CEO of ASA. Approval will normally be required, unless ASA has an agreement with the NDA of the country of registration that such approval is not required, or unless the CEO of ASA otherwise determines;
6. if the variety is to be certified under the OECD Seed Schemes, the National Designated Authority in the country of registration of the variety must authenticate the identity of the seed to be multiplied and supply the official description and standard sample of the variety; and
7. containers of seed to be multiplied must be identified with official labels issued by the Certification Agency in the country of origin.

Varieties of Lucerne which have been registered for Certification in the USA or Canada under the AOSCA scheme will be accepted for certification in Australia under the Australian Seed Certification Scheme, subject to the above conditions, except that the morphological description accepted by AOSCA in the USA or Canada, will be accepted by ASA.

Note: All information for both categories of overseas varieties above must be lodged prior to the closing date specified by the Certification Agency for certification of the species concerned.

Listing of Varieties Eligible for Certification

With the exception of overseas varieties to be certified solely for multiplication and re-export, varieties accepted for certification in Australia will be placed on the ASA National List of Plant Varieties Eligible for Seed Certification in Australia, which is available on the ASA website <https://aseeds.com.au/>. ASA will liaise regularly with maintainers to monitor the maintenance status of all listed varieties. When a variety is no longer being maintained, it will be removed from the list.

Application Fee

An application fee applies for Australian and OECD listing of varieties eligible for certification and for OECD listing of additional synonyms for varieties which are already listed. The fee is payable on lodgement of the application and varieties or synonyms will not be registered until the fee has been paid.