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THE LAW OF THE REPUBLIC OF UZBEKISTAN

On seed breeding

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With amendments according to the Law dated 25.04.97,
chapter XV of the Law №772-I dated 15.04.99.

Article 1. Basic definitions

The following definitions shall be used in this Law:

"Seeds" - botanical seed or other parts of vegetative crop used for preservation, reproduction of varieties and hybrids;

"Certificated Seeds (reproductive)" - seeds, obtained by crossing of fund and subsequent reproductions of seeds;

"Hybrid Seeds" - seeds, obtained by crossing of parental forms;

"Genetic (varietal) quality" - composite parameters describing genetic (varietal) purity of seeds of a certain variety;

"Sowing characteristics" - composite parameters describing their suitability for sowing;

"Party of seeds" - specially completed homogeneous amount of seeds (of certain crop, variety, reproduction, category, genetic (varietal) purity, year of yield, same origin), proved by a document;

"Approbation" - field inspection with the purpose of defining genetic (varietal) purity of plants, resistance to diseases, pests and general condition of seed crops;

"Patentee (licensor)" - owner of a selection variety, hybrid, which has received the ownership right according to the legislation.

Article 2. Basic tasks of seed breeding

Basic tasks of seed breeding shall be:

Creation of own base of agricultural plants seed breeding;

Preservation of biological and valuable attributes of varieties and hybrids of seeds in variety renewal and replacement processes;

Preservation and effective utilization of valuable domestic and global genetic resources; (Edited by item 1) of chapter XV of the Law №772-I dated 15.04.99)

Deriving and reproduction of new precocious, high-yield, intensive varieties adapted to various climatic areas of the republic; (Edited by item 1) of chapter XV of the Law № 772-I dated 15.04.99)

Providing agricultural sector by high-yield and high-quality seeds;

Realization of the state control over seed quality;

Implementation of world experience in seed breeding.

Article 3. Legislation on seed breeding

The legislation on seed breeding consists of this Law and other regulations.

Affairs in the field of seed breeding in the Republic of Karakalpakstan shall be governed also by the legislation of the Republic of Karakalpakstan.

Article 4. Right for seed production and use

Production and use of seed related to varieties and hybrids, protected by patent, may be carried out by patentees and legal entities and natural persons being a licensee.

Seeds of varieties and hybrids not protected by the patent or the certificate, may be produced and used any legal entity and natural persons according to the legislation.

Patentees, their authorized representatives, and contracts between them shall be registered in the order established by the legislation.

Article 5. Duties of the persons, engaged in seed breeding

Legal entities and natural persons engaged in seed breeding, innovating hybrids and new varieties, shall:

- develop and introduce an effective system of primary seed breeding and seed production technology;

- submit the author's descriptions on hybrids and varieties;
- produce seeds with high varietal and sowing characteristics on contractual basis with consumers of seeds;
- periodically to develop and publish seed catalogues;
- conduct complete accounting of each party of seeds in accordance with their varietal and sowing characteristics.

Article 6. Seed quality evaluation

Genetic (varietal) quality of seeds shall be evaluated by results of field and laboratory tests.

Varietal sowings of agricultural crops intended for production of seed grains, shall be approved in an order established by the Ministry of Agriculture and Water Management of the Republic of Uzbekistan. *(Edited by Amendment Law №421-I dated 25.04.97)*

Article 7. Certification of seeds

Seeds used for sowing shall be subject for certification in an order established by the legislation.

Certification of seeds shall be carried out based on current standards by the State Center of Agricultural Plants Certification and Seed Quality Control of the Ministry of Agriculture and Water Management of the Republic of Uzbekistan and its divisions in regions. *(Edited by Amendment Laws №421-I dated 25.04.97, №772-I dated 15.04.99)*

Quality certificates shall be issued for standard seeds, and quality coupon shall be issued for non-standard seeds. *(Edited by item 2) of chapter XV of the Law №772-I dated 15.04.99)*

Article 8. Selling of seeds

Selling of seeds shall be allowed at presence of the quality certificate indicating varietal and sowing characteristics of seeds. *(Edited by item 3) of chapter XV of the Law №772-I dated 15.04.99)*

Seeds, chemically or biologically processed, shall be delivered to consumer or trading network only in a packed way.

Each package shall be labeled referring to type of processing and security instructions. *(Edited by item 3) of chapter XV of the Law №772-I dated 15.04.99)*

Seeds of varieties and hybrids not included into the State register of protected varieties and the State register of agricultural crops, recommended for sowing in the Republic of Uzbekistan, may not be sold (or distributed).

Seeds, put into circulation shall be marked and packed in accordance with requirements of state standards.

Selling of seeds, imported from other countries where quarantine and other dangerous pests, plant diseases and weeds are widespread, shall be forbidden in the territory of the Republic.

Article 9. Import and export of seeds

Importing of seeds shall be allowed under the following conditions:

- if seeds relate to a variety that passed the state test and included into the State register agricultural crops recommended for sowing in the territory of the Republic of Uzbekistan;

- if there is a permission of the state plant quarantine body for importation of seeds;

- if there is a certificate of conformance and adequacy mark; *Edited by item 4) of chapter XV of the Law №772-I dated 15.04.99)*

- if there is a phytosanitary certificate the exporting country;

- if seeds imported for selection and scientific purposes, exhibition.

Seeds, imported and exported for scientific purposes and for variety testing, shall not be subject to customs duties, quoting and licensing.

Export of seeds shall be allowed after conclusion (approval) of the Ministry of Agriculture and Water

Management of the Republic of Uzbekistan or another body, authorized by the Ministry. (*Edited by Amendment Law №421-I dated 25.04.97*)

Exported seeds shall be accompanied by phytosanitary certificate issued by the state plant quarantine body of the Republic of Uzbekistan.

Article 10. Guarantees on distributed seeds

Legal entities and natural persons engaged in production and selling of seeds, shall guarantee the conformity of varietal and sowing characteristics of seeds, specified in appropriate documents, and bear responsibility in an order established by the legislation.

If legal entities and natural persons engaged in production and selling of seeds, will prove, that the absence of parameters of seed quality, specified in paragraph one of this article is a consequence of circumstances, not dependent on them, the consumer may not claim for indemnification.

Guarantees for seeds acquired shall be effective within a term, specified in a document on seed quality.

Article 11. Seed safety fund

Seed safety fund shall be established for distribution of varietal seeds to regions having limited opportunities, in accordance with international agreements, in cases of natural disasters and for other purposes.

An order of establishing Seed safety fund and its use shall be defined by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 12. Scientific maintenance of seed breeding

Scientific maintenance of seed breeding shall be carried out by the Academy of Sciences of the Republic of Uzbekistan, Uzbek Scientific Research Center of Agriculture under the Ministry of Agriculture and Water Management of the Republic of Uzbekistan, appropriate sectoral research establishments, higher educational institutions and other

scientific organizations, which develop: (*Edited by the Amendment Laws №421-I dated 25.04.97, № 772-I dated 15.04.99*)

- scientific and technical programs on selection and seed breeding;

- scientifically sound systems of seed breeding, seed and variety management;

- recommendations for introduction of new and perspective varieties;

- methods and ways of increasing efficiency high-quality seeds production;

- information maintenance system in seed breeding.

Article 13. State stimulation of seed production

The measure stimulating seed production may be stipulated by the legislation.

Article 14. Powers of the Ministry of Agriculture and Water Management of the Republic of Uzbekistan in the field of seed breeding

Edited by the Amendment Law № 421-I dated 25.04.97)

The Ministry of Agriculture and Water Management of the Republic of Uzbekistan shall: *Edited by the Amendment Law № 421-I dated 25.04.97)*

- carry out state policy in seed breeding;

- conduct the State register of agricultural crops recommended for sowing in the territory of the Republic of Uzbekistan;

- supervise work on varietal testing of agricultural crops' seeds;

- develop recommendations for locating zoned and perspective varieties of agricultural crops in cooperation with interested ministries and departments, regional local authorities;

- carry out other powers according to legislation.

The Regulation on the State register of agricultural crops recommended for sowing in the territory of the Republic of Uzbekistan, shall be approved by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 15. State bodies on certification and seed quality control

The state bodies on certification and seed quality control shall be the State Center of Agricultural Plants Certification and Seed Quality Control of the Ministry of Agriculture and Water Management of the Republic of Uzbekistan and its regional/district divisions. The state bodies on certification and seed quality control shall be financed at the expense of the state budget and(or) means gained from testing and certification services. *(Edited by the Amendment Law №421-I dated 25.04.97)*

The Regulation on the State Center of Agricultural Plants Certification and Seed Quality Control shall be approved by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 16. The powers of the State Center of Agricultural Plants Certification and Seed Quality Control

The State Center of Agricultural Plants Certification and Seed Quality Control shall:

- realize the state programs on development of seed breeding; (Edition of item 6 of chapter XV Law №772-I dated 15.04.99)
- organize examination of seed production; (Edition of item 6 of chapter XV Law №772-I dated 15.04.99)
- administering work of regional and district divisions on organization of seed quality control for all agricultural crops;
- define varietal and sowing characteristics of seeds and planting stock in farms, corporations, other enterprises and establishments;
- develop, improve and approve methods of defining seed quality;

- carry out other functions according to legislation.

Article 17. State inspectors for certification and seed quality control

Chief of the State Center of Agricultural Plants Certification and Seed Quality Control shall be the principal state inspector of the Republic of Uzbekistan on agricultural plants certification and seed quality control.

Chiefs of the regional centers on agricultural plants certification and seed quality control accordingly shall be the state inspectors of the regions on agricultural plants certification and seed quality control.

Chief state inspector of the Republic of Uzbekistan on agricultural plants certification and seed quality control, inspectors of the State center of agricultural plants certification and seed quality control, regional state inspectors, district inspectors on agricultural plants certification and seed quality control within their powers may:

- select sample seeds for realization of necessary analyses with the purpose of checking reliability of quality and state standard parameters;

- forbid illegal use of protected seed varieties;

- access on territory of any producer, supplier of seeds and trade organization;

- obtain necessary information, documents and samples on seed breeding fields and parties;

- stop or forbid production, storage, sale of seeds, undertaken in violation with legislation;

- forbid transportation of parties of seeds in absence of certificate of conformance, phytosanitary and quarantine certificate; (*Edited by item 7) of chapter XV of the Law №772-I dated 15.04.99*)

- prevent importation of seeds without certificate of conformance, phytosanitary and quarantine certificate; (*Edited by item 7) of chapter XV of the Law №772-I dated 15.04.99*)

- impose penalties on heads of farms and other responsible persons for infringement of agricultural crops

variety renewal and development. (Edited by item 7) of chapter XV of the Law №772-I dated 15.04.99)

Article 18. Responsibility for violation of seed breeding legislation

Persons guilty of violation of seed breeding legislation shall bear responsibility when due hereunder.

Article 19. International agreements

If the International agreement of the Republic of Uzbekistan stipulates other rules, than that, which are stipulated in this Law, the rules of the international agreement shall be applied.

The President of the Republic of Uzbekistan

I.Karimov

Tashkent

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