



# Malting Seed Propagation And Production In USA

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# Quality Barley Starts With Quality Seed



# Seed Propagation And Production In USA

- ▶ Research
  - ▶ Selection
  - ▶ Testing
  - ▶ PVP
- ▶ Seed increase
  - ▶ ND State Seed Department ([www.ndseed.com](http://www.ndseed.com))
  - ▶ County Crop Improvement
- ▶ Distribution
  - ▶ ND State Seed Department ([www.ndseed.com](http://www.ndseed.com))
  - ▶ Approved Seed Facilities



# Plant Variety Protection

- ▶ The Plant Variety Protection Act is a federal law that gives owners and developers of new varieties the exclusive right to control the production and marketing of those varieties for planting purposes. It was established to promote development of new varieties and allow breeders the ability to generate funds to use for future research and variety development



# Types of protection

- ▶ **Plant Variety Protected (PVP)**

The owner of the variety has the exclusive right to control the production and marketing of their varieties. Seed of these varieties can only be sold with authorization from the owner. Producers who acquire seed of these varieties legally through authorization from the owner, have the right to save seed for use on their own farm indefinitely, but cannot sell their production for planting purposes.

- ▶ **Plant Variety Protected Title V option**

If the owner elects the Title V option, seed of these varieties must be sold as a class of certified seed. Certification permits a person in possession of the variety to sell it as a seed product. There can be no common or “brown bag” seed sales of these varieties.

- ▶ **Utility Patents**

A patent is a type of property right that gives the patent holder the right to exclude others from making, using, offering to sell, selling, or importing into the United States the subject matter that is in the scope of protection granted by the patent. The owner of the variety has the exclusive right to control the production and marketing of their varieties. Unlike PVP varieties, grain produced from legally acquired seed with a utility patent cannot be saved for planting on your own farm.



# Basic requirements of PVP Title V varieties

- ▶ Final certification must be completed before seed can be advertised or offered for sale.
- ▶ Any seed sold must be accompanied by a proper certified seed label.
- ▶ Protection extends to crops produced from illegally acquired seed.
- ▶ Conditioners can be held liable for conditioning seed that is intended to be sold illegally.
- ▶ Producers who initially acquire seed of protected varieties with authorization from the owner, have the right to save seed for use on their own farm for an indefinite period of time, but cannot sell any of this production as seed for planting purposes.



# Seed Classifications

- ▶ Breeder Seed
- ▶ Foundation Seed
- ▶ Registered Seed
- ▶ Certified Seed
- ▶ Common Seed





# Questions