# MOROGLU ARSEVEN

## Turkey Launches Rules for Local Seed Varieties

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Turkey has introduced new rules for producing, marketing, on-site maintenance and sustainably using seeds. The new regime aims to prevent genetic erosion for local varieties of field crops, vineyard/garden plants and other plant varieties. The new rules outline procedures and principles for registering local seed varieties, as well as rules for trading, production, launching seeds on the market and audits.

The Regulation on Registration, Production and Marketing of Local Varieties ('**Regulation**") was published in Official Gazette number 30570 on 19 October 2018, effective on the same date.

In this context, "local plant varieties" means all clones and population groups of plant varieties that are under the threat of genetic erosion and have either:

- Traditionally grown in a specific geographical region, or
- Adapted to the geographical conditions of the region where they grow.

The Ministry of Agriculture and Forestry ("**Ministry**") will establish the Local Variety Registration Committee (" **Committee**"), which will record local plant varieties in Turkey. Only seeds registered on the Local Variety Register List can be reproduced and traded.

#### **Registration process**

- The following entities can apply to register local plant varieties to the Ministry of Forestry and Agriculture's provincial directorate in the local variety's place of origin:
  - Professional organizations.
  - Non-governmental organizations.
  - Public research institutions.
  - Local administrations.
  - Universities.
- Registration applications cannot be made for:
  - Varieties included in the registers published as per the Regulation on Registration of Plant Varieties, or removed from this list within the three years before the application date.
  - $\circ\,$  Varieties whose plant breeders' rights are protected, or an application has been made for protection under the Law on Protection of Breeders Rights for New Plant Varieties.
- Registration applications which are rejected during the preliminary examination will be notified, including the reasons for the refusal.
- The provincial directorate will send registration applications which pass the preliminary examination stage to the Directorate of Seed Registration and Certification, which will then forward them to the

Committee.

- The Local Variety Register List includes the:
  - Region of origin.
  - Applicant name.
  - $\circ\,$  Who will maintain the variety.
- Third parties can oppose new registrations within 30 days of them being announced in the Local Variety Register List.

### Seed production

- Seeds of local varieties registered for a particular region of origin can only be produced in that region. When this is not possible due to negative production conditions or other environmental problems, seeds can be produced outside the region of origin with the Committee's consent.
- The Ministry sets caps for the annual total amount of seeds produced for each variety, considering the variety's certified production amount.

### Labelling and marketing

- Packaging of packaged seeds or the labels of non-packaged bundles of production materials must:
  - $\circ\,$  State "This is a local variety", and/or
  - $\circ\,$  Include a logo designed by the Ministry.
- Labels must state, among other things:
  - The producer's name, address or identifier logo
  - Seed type
  - $\circ\,$  Region of origin.
  - Seed type name.
  - Net or gross weight or number of seeds.
  - Structure of additives.
  - $\circ\,$  Ratio of net seed weight to total weight.
  - $\circ\,$  For species subject to plant passport rules, labels must contain the passport's mandatory information.

#### Audit

- Seed Inspectors will check compliance of seeds which are produced and marketed in accordance with the Regulation.
- Breaches of the Regulation will be punished with administrative fines of between 3,000 and 25,000 Turkish Liras.

The full text of the Regulation is available at this <u>link</u> (only available in Turkish).

#### Related Attorneys

- EZGİ BAKLACI GÜLKOKAR, LL.M.
- MERVE ALTINAY ÖZTEKİN

Moroglu Arseven | www.morogluarseven.com