



PVP SYSTEM AND APPLICATION PROCESS IN CHINA

DAN Fang

Senior Agronomist

U.S.—China Agriculture and Food Partnership

www.agfoodpartnership.com

Brief introduction of PVP System in China



Agricultural part:

PVP office of Ministry of Agriculture and Rural Affairs (MARA)

Agricultural plants

11 batches of lists

191 agricultural genera and species

Forestry part:

PVP office of State Forestry and Grassland Administration(SFGA)

Forestry plants

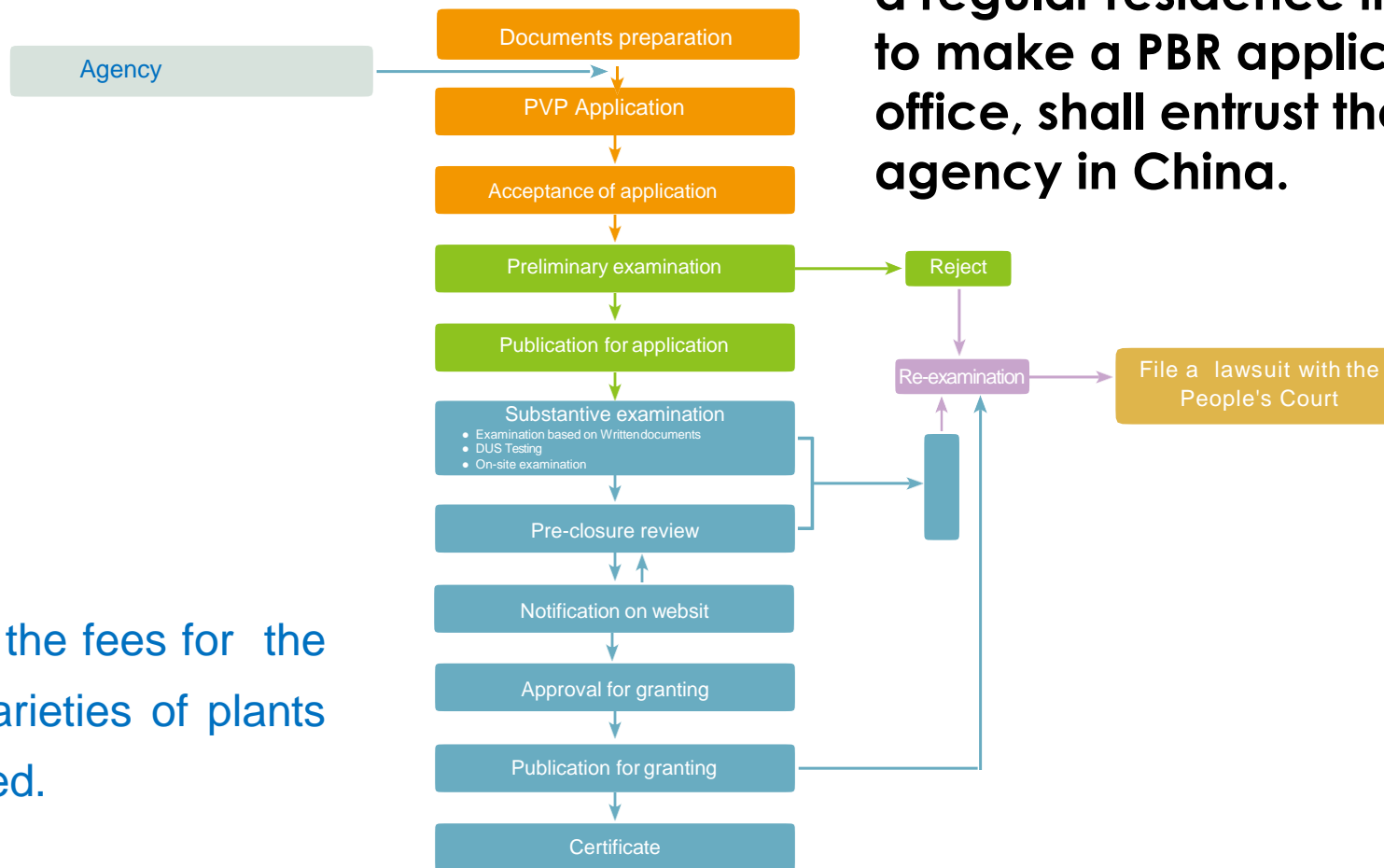
7 batches of lists

284 agricultural genera and species



FLOW CHART

- Acceptance stage
- Preliminary examination stage
- Substantive examination stage
- Re-examination stage



A foreigner, foreign enterprise or other foreign organization who does not have a regular residence in China, if wishing to make a PBR application to the PVP office, shall entrust the application to an agency in China.

Since April 1, 2017, the fees for the protection of new varieties of plants have been suspended.

AGENCY CONTRACT

- **Agency contract**

- All in Chinese is required officially by MARA, some agents can use bilingual special format per your request
- SFGA requires original copy in both Chinese and English, you can download the tables on PVPO SFGA website.
- An agency contract signed is the first step for a foreign PVP application.

DOCUMENTS PREPARATION AGRICULTURAL PART

All documents should be in Chinese

- **Filing application**
 - Detailed information of the applicant (legal person or individual)
 - Breeder (natural person)
 - First sale status
 - Variety certification or registration and DUS testing status;
- **Specifications**
 - The variety breeding process
 - The selection of similar variety
- **Photos:** 2 photos, standard photos and specific comparison photos (compared with similar variety).

DOCUMENTS PREPARATION FORESTRY PART

All documents should be in Chinese

- **Filing application**
 - Detailed information of the applicant (legal person or individual)
 - Breeder (natural person)
 - First sale status
 - Whether applying plant available for examination
- **Specifications**
 - The variety breeding process
 - The selection of similar variety
- **Photos:** 2 photos, standard photos and specific comparison photos (compared with similar variety).

PRELIMINARY EXAMINATION

- Preliminary examination is passed at the time of application acceptance.
- If it fails to pass the preliminary examination, you can revise and re-submit, you will have to wait for about another month before being accepted.
- After passing the preliminary examination, publication for application will be shared on PVPO website. The legal temporary protection is from the date of the publication for application to the authorization date.

SAMPLE SEEDS SUBMISSION

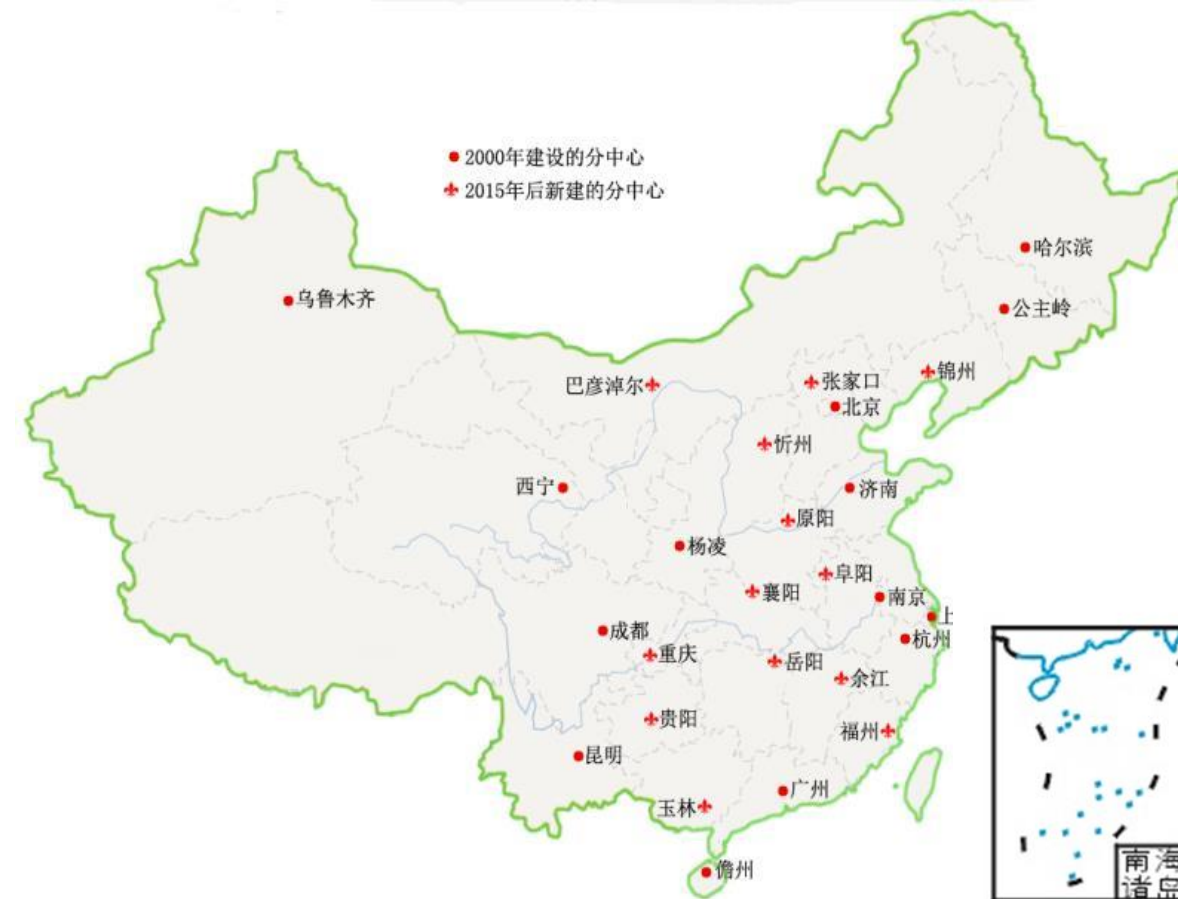
- **SAMPLE seeds submission for agricultural part**

- SAMPLE seeds must be sent to New Variety Reservation Center within 3 months from the date of publication for application.
- Seeds must meet quality requirements.
- You can find sample seeds amount and quality requirements here below, it is different for different species.

http://www.nybkjfzzx.cn/p_duscs/sub_fz.aspx?N=29

SUBSTANTIVE EXAMINATION

- **DUS testing choices for agricultural part**
 - Official testing free of charge
 - Independent commissioned test (green Channel + Consortium) --- (5000-6000 yuan)
 - You can also register and commission the test yourself!
- **DUS testing for sexually propagated varieties --2 growth cycles**



1 headquarter+29 sub-centers+28 stations

SUBSTANTIVE EXAMINATION

• DUS testing for forestry plants

- Official testing: free of charge, arranged by PVPO SFGA.
- Arranged by the applicants of his own accord.
 - Similar variety need to be planted side by side with the applying variety.
 - Apply for on site inspection by experts and DUS examiner: organized and funded by PVPO
- Vegetative propagated ornamental plants --1 cycle in greenhouse or open field
- Fruit trees and other woody plants--2 cycles usually by the breeder.
- Used to Accept DUS testing results bought from CPVO and other countries.
---Suspended since 2020.

PRE-CLOSURE REVIEW

- **DUS testing results**

- If no Distinctness --- directly rejected
- If the uniformity (integrated with stability) requirement cannot be met---submit an application withdrawal and resubmit the application later.
- If proves to be **Distinct, Uniform and Stable**, congratulations, you will be granted PVP certificate in China.



Thanks for your attention!

Contact information: **dfdangfang@foxmail.com**