

The Federal Plant Variety Office

The Bundessortenamt (Federal Plant Variety Office) is an independent senior federal authority under the supervision of the German Ministry of Food and Agriculture (BMEL).

The headquarters of the Bundessortenamt (BSA) is located in Hanover. Its 7 testing stations are distributed throughout Germany with about 447 ha of arable land in various climatic regions. Approximately 8.100 sqm are available for greenhouse cultivation.

President

Division 1	Division 2	Division 3
Administration → Biostatistic IT → Personnel → Budget, Controlling → Legal Affairs, Organisation → Variety Administration	VCU-testing, DUS-testing and Plant Genetic Resources → Testing for Value of Cultivation and Use for National Listing → Testing for Distinctness, Uniformity and Stability for Plant Breeders' Rights and National Listing → Descriptive Variety Lists → Gene Banks	Test Management → Laboratory → Testing Stations → Real Estate and Service Management → Operational Safety

Directly responsible to the President:

- Section P 1: National and International Variety and Seed Affairs, Coordination Centre for the Ministry of Food and Agriculture
- Section P 2: Communication, Biopatient-Monitoring, Quality Management



Duties

Admission to the National List

Admission to the National List (NL) is a pre-requisite for marketing of propagating material of agricultural crops, vegetable species and vines. The NL ensures that only high quality seed is available. Varieties which are listed in Germany as well as in other EU member states (Common Catalogue) can be marketed within the EU. National listing is regulated by the Seed Act. A pre-requisite is the successful testing for DUS carried out in field or greenhouse tests, in some cases supported by laboratory tests. Agricultural plant varieties must have a value for cultivation and use (VCU), i. e. superior in characteristics for cultivation, yield, resistance, quality, or for processing

Plant Breeders' Right

The Plant Breeders' Right (PBR) is an exclusive right comparable to patents for technical inventions. Plant Variety Protection ensures that the breeder's work can be protected by the concession of a private protection right, and therefore it promotes plant breeding. On the basis of the Plant Variety Protection Act, all plant varieties of the plant kingdom, with the exception of micro-organisms, can be applied for variety protection. PBR can be granted when the variety is new, distinct, uniform and stable (DUS) and when it is designated by a suitable variety denomination. Any breeder or discoverer of a new plant variety can apply for PBR. PBR provide that only the owner or his/her legal successor has the right to produce, market, export or import propagating material of a variety. The use of a protected variety in order to breed a new variety and to exploit this new variety does not require authorisation from the PBR titel holder (breeder's privilege). For a number of agricultural species farmers are authorised to use the product of their harvest as propagating material (farmers' privilege) provided that a fair compensation is paid to the breeder.



Control of Maintenance of varieties

The continued existence of National Listing or Plant Breeders' Rights is possible only under the condition that the variety remains uniform and stable. Therefore the breeder must carry out systematic maintenance breeding. BSA is responsible for supervision.

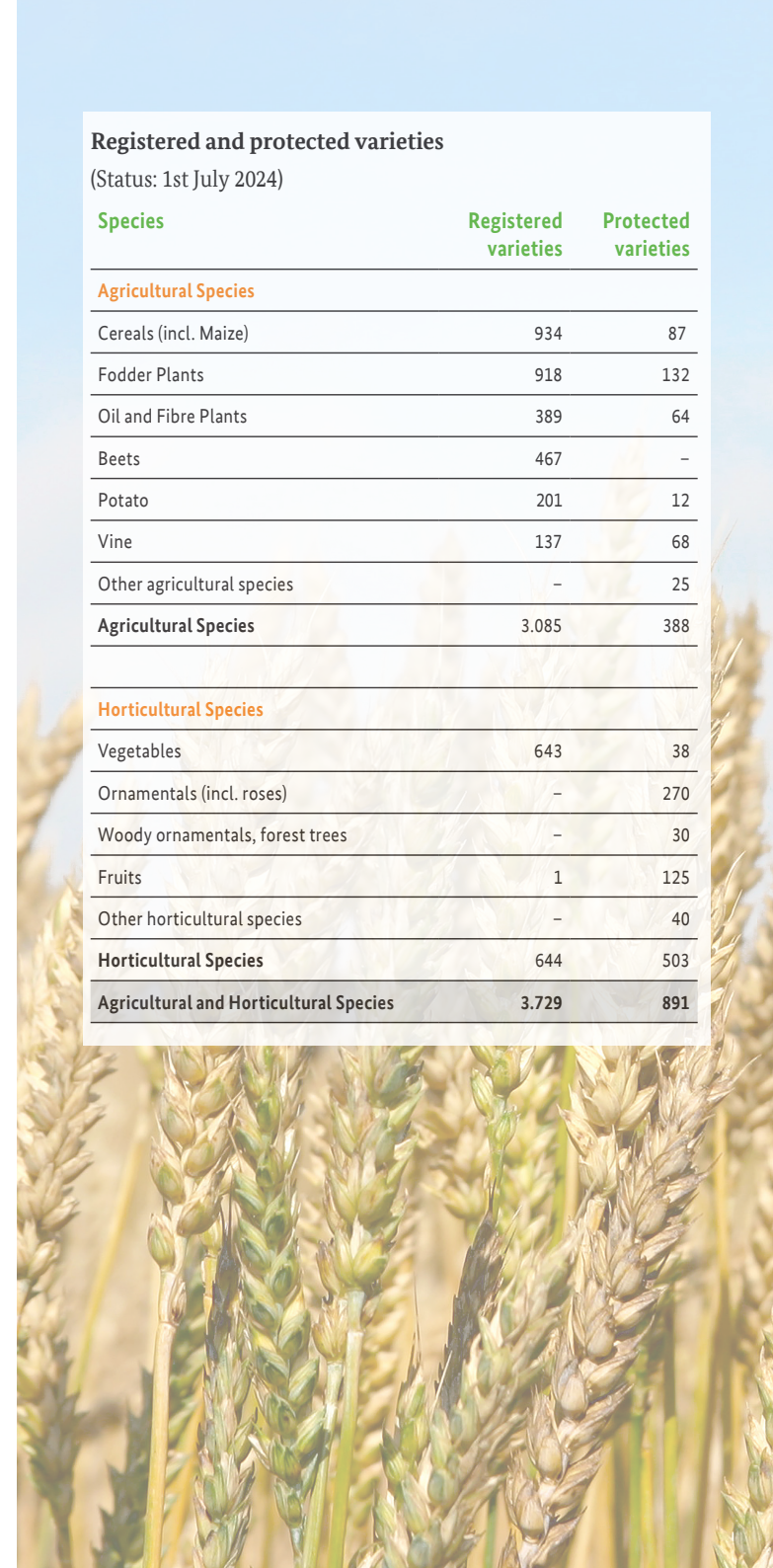
Procedure for National Listing and Plant Breeders' Rights:

National Listing		Plant Breeders' Rights
Application at BSA		
DUS-Testing	VCU-Testing	DUS-Testing
Distinctness Uniformity Stability Variety Denomination	Value for Cultivation and Use of crop, harvest or product quality from harvest of important agricultural crops	Distinctness Uniformity Stability Variety Denomination Novelty
Growing trials at BSA and other stations		
Report and Decision		
Admission to the National List and to the EU Common Catalogue of Varieties		Granting of Plant Breeders' Rights
Control of maintenance of listed varieties		Control of continuing existence of protected varieties

Registered and protected varieties

(Status: 1st July 2024)

Species	Registered varieties	Protected varieties
Agricultural Species		
Cereals (incl. Maize)	934	87
Fodder Plants	918	132
Oil and Fibre Plants	389	64
Beets	467	-
Potato	201	12
Vine	137	68
Other agricultural species	-	25
Agricultural Species	3.085	388
Horticultural Species		
Vegetables	643	38
Ornamentals (incl. roses)	-	270
Woody ornamentals, forest trees	-	30
Fruits	1	125
Other horticultural species	-	40
Horticultural Species	644	503
Agricultural and Horticultural Species	3.729	891



Conservation varieties

To promote conservation of plant genetic resources and their sustainable use, the Regulations for the Registration of Conservation Varieties has been enacted. The Regulation allows the registration of conservation varieties of agricultural species as well as conservation varieties and so-called amateur varieties of vegetable species. Landraces and other varieties that are traditionally grown in their region of origin and significant for the conservation of plant genetic resources can be accepted for inclusion in the national list as conservation varieties. Vegetable varieties with no intrinsic value for commercial crop production can be registered as amateur varieties. Less stringent testing requirements apply to such varieties. Only limited amounts of seed of these varieties can be marketed. The seed does not require certification but must meet the requirements for certified seed (agricultural varieties) or standard seed (vegetable varieties).

National Co-operation

In the field of variety and seed management, the BSA prepares draft laws and regulations for the BMEL from a technical and legal point of view. There is also close cooperation, in particular with the federal research institutes in the BMEL business area and at state level with various institutions and universities. BSA is the federal coordination point for the seed recognition and seed traffic control offices of the federal states. In addition, it participates in woody sightings of the Federation of German Nurseries (BdB), the General German Rose Novelty Test (ADR) and the perennial inspection.

International Co-operation

BSA supports the Ministry in negotiations to harmonise and develop the European Union seed legislation, OECD variety schemes and the EU plant variety legislation. The International Convention for the Protection of New

Varieties of Plants (UPOV) defines the scope of and the requirements for Plant Breeders' Rights. At present UPOV has 79 members (status: December 2021). UPOV is developing comprehensive guidance for internationally harmonised variety testing and plant variety legislation. Germany is represented in UPOV by BSA.

Community Plant Variety Rights

Since 1995 Community Plant Variety Rights can be granted which are valid throughout the EU. The Community Plant Variety Office (CPVO) located in Angers, France, is responsible for European Plant Variety Rights. On behalf of CPVO, BSA carries out variety tests for a wide range of plant species. Furthermore BSA represents Germany in the Administrative Council and technical working parties of the CPVO.

Descriptive Variety Lists

The descriptive variety lists describe varieties in the characteristics of cultivation and use and serve as a source for information for seed consumers, for official advisory services and for the food industry and its consumers. Descriptive variety lists are published by the BSA for agricultural species, including vines, amenity grasses and fruits. The lists can be ordered as print version with the BSA or can be downloaded from the BSA website.

Genbanks

One of the instruments for preserving biodiversity is the conservation of plant genetic resources outside of their actual living space (ex-situ) in plant collections. For this purpose, various gene banks were created set up. BSA coordinates the Deutsche Genbank ornamental plants and acts as a coordinator and partner in sub-networks that maintains the collection. It is also involved in the conservation of genetic resources in the context of gene bank networks for fruit and vines.

Testing stations of Bundessortenamt

Dachwig | Kirchstraße 28, 99100 Dachwig,
Phone: +49 36206 245-0, Fax: 245-99

Hannover | Osterfelddamm 80, 30627 Hannover,
Phone: +49 511 9566-50, Fax: 9566-9600

Haßloch | Böhler Straße 100, 67454 Haßloch/Pfalz,
Phone: +49 6324 9240-0, Fax: 9240-30

Magdeburg | Hohendodeleber Weg 65, 39110 Magdeburg,
Phone: +49 391 504545-0, Fax: 504545-111

Nossen | Waldheimer Straße 221, 01683 Nossen,
Phone: +49 35242 453-0, Fax: 453-20

Scharnhorst | In Scharnhorst Nr. 2, 31535 Neustadt,
Phone: +49 5032 961-0, Fax: 961-199

Wurzen | Torgauer Straße 100, 04808 Wurzen,
Phone: +49 3425 9040-0, Fax: 9040-20

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Federal Ministry
of Food
and Agriculture



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