

**Voluntary Report** – Voluntary - Public Distribution

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Subject Report

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**Report Highlights:**

On December 24, 2021, the Standing Committee of the National People's Congress of the People's Republic of China published an amended Seed Law of the People's Republic of China. The amendment strengthens the protection of legal rights and interests of owners of new plant varieties and establishes a system of essentially derived varieties (EDV). The changes in the amended law appear welcome by most segments of the industry as they have sought these changes for several years. The amended law will come into effect on March 1, 2022.

## Summary

On December 24, 2021, the National People's Congress of the People's Republic of China published an amended Seed Law of the People's Republic of China. The new Seed Law will come into effect on March 1, 2022. The full text of the amended law can be found on the [National People's Congress website](#). The amendments to the Seed Law strengthen provisions for the protection of intellectual property rights in the seed industry in the following aspects:

- 1) Expands the protection scope and protections through the production chain to the right to new plant varieties, extends the protection scope from the propagation materials of authorized varieties to harvested materials. And expands protections and enforcement from production, reproduction, and sales to now include every aspect of the marketing channel from production, reproduction, processing for reproduction, contracts, sales, imports, exports, and storage for the implementation of the above actions.
- 2) Improves the EDV system- establishes a benefit sharing mechanism between the owner of the original variety and the owner of the derived variety, and further encourages original innovation of plant breeding. The Law requires that the State Council shall stipulate the relevant implementation steps and methods regarding an EDV system.
- 3) Improves the compensation system for infringement on new plant variety rights, increases the compensation standard, and increases the protection for the owner of the variety rights.

The draft version of the amended Seed Law was released for public comment on August 20, 2021. Please refer to [GAIN CH2021-1000](#) for the translation of the full text of the draft for comment version. Compared with the draft for comment version, this final version includes the following updates:

- 1) Strengthens the scientific and technological research of the seed industry and the protection of germplasm resources (Article 9, 11, and 91);
- 2) Further strengthens the protection of legal rights and interest of owners of new plant varieties. The final version adds one provision that “the owner of the new plant variety right can license the new plant variety right to others, and collect the license fee in accordance with the contract; the license fee can be collected at a fixed price, a commission from the promotion income, etc.” (Article 28)
- 3) Increases the penalties for the production and operation of fake and inferior seeds. (Article 72, 74, and 75)

The new Seed Law will come into effect on March 1, 2022.

This report provides an unofficial translation of the amendment and a comparison with the current version.

Note: New updates from the previous version of the law are *in italicized blue font below*.

**BEGIN TRANSLATION**

Amended Seed Law (2021)	Current Seed Law (2015)
<p>Article 1 This Law is enacted for the purpose of protecting and making rational use of germ plasm resources, standardizing the variety selection and the production and management of seeds, <i>strengthening seed industry scientific and technological research, encouraging breeding innovation</i>, protecting the right of new plant varieties, safeguarding the lawful rights and interests of seed producers, traders and seed users, improving the quality of seeds, developing a modern seed industry, safeguarding national food security, and promoting the development of agriculture and the forestry industry.</p>	<p>Article 1 This Law is enacted for the purpose of protecting and making rational use of germ plasm resources, standardizing the variety selection and the production and management of seeds, protecting the right of new plant variety, safeguarding the lawful rights and interests of seed producers, traders and seed users, improving the quality of seeds, pushing forward the industrial management of seeds, developing modern seed industry, safeguarding national food security, and promoting the development of agriculture and the forestry industry.</p>
<p><b>Article 9</b> The State, surveys, collects, sorts, verifies, registers, conserves, exchanges and utilizes germ plasm resources in a planned way, <i>with focus on the collection of rare, endangered, unique resources and characteristic local varieties</i>, and regularly issues the catalog of available germ plasm resources. Specific measures in this respect shall be formulated by the administrative departments for agriculture and for forestry under the State Council.</p>	<p><b>Article 9</b> The State, surveys, collects, sorts out, verifies, registers, conserves, exchanges and utilizes germ plasm resources in a planned way, and regularly issues the catalog of available germ plasm resources. Specific measures in this respect shall be formulated by the administrative departments for agriculture and for forestry under the State Council.</p>
<p><b>Article 11</b> The State has sovereignty over germ plasm resources. Any entity or individuals that wishes to provide germ plasm resources abroad or carry out joint research on utilizing germ plasm resources with any overseas enterprises or individuals shall apply for approvals to <i>the administrative department for agriculture and rural affairs or for forestry and grass under the State Council and provide the plan on sharing benefits with the state simultaneously. The competent departments of agriculture and rural affairs, and forestry and grassland under the State Council may entrust the competent departments of agriculture and</i></p>	<p><b>Article 11</b> The State has the sovereignty over germ plasm resources. Any entities or individuals that wish to provide germ plasm resources to abroad or carry out joint research on utilizing germ plasm resources with any overseas enterprises or individuals shall apply for approval to the administrative department for agriculture or for forestry under the people's governments of provinces, autonomous regions or municipalities directly under the Central Government, and provide the plan on sharing benefits with the state. The administrative department for agriculture or for forestry receiving the application shall review and report to the administrative</p>

<p><i>rural affairs, and forestry and grassland of the people's governments of provinces, autonomous regions, and municipalities to receive application materials. The competent department of agriculture and rural affairs, forestry and grassland under the State Council shall notify the competent department of ecological environment under the State Council of the approval status.</i></p>	<p>department for agriculture or for forestry under the State Council for approval. The introduction of germ plasm resources from abroad shall be handled in accordance with the relevant regulations laid down by the administrative department for agriculture or for forestry under the State Council.</p>
<p><b>Article 12</b> The State supports the public research institutes, colleges, and universities to focus on conducting fundamental, advanced, applicable, and technical research on breeding of seeds, <i>and biological breeding technology research</i>; supports breeding of conventional crop seeds, selection and breeding of asexual propagation materials and other research for the public welfare.</p> <p>The State encourages seed enterprises to make full use of the results from public welfare research and cultivate quality varieties with independent intellectual property rights. Encourages seed enterprises, research institutes, colleges and universities to build technology research and development platforms <i>and carry out research on the breeding of major food crops and important cash crops</i> to establish a market-oriented, benefit-sharing and risk-sharing technology innovation system for the seed industry with the combination of production, academic and researching resources.</p>	<p>Article 12 The State supports the public research institutes, colleges, and universities to focus on conducting fundamental, advanced, applicable, and technical research on breeding of seeds, breeding of conventional crop seeds, selection and breeding of asexual propagation materials and other research for the public welfare.</p> <p>The State encourages the seed enterprises to make full use of the results from public welfare research and cultivate quality varieties with independent intellectual property rights. Encourage seed enterprises, research institutes, colleges and universities to build technology research and development platforms, to establish a market-oriented, capital-linked, benefit-sharing and risk-sharing technology innovation system for the seed industry with the combination of production, academic and researching resources.</p> <p>The State strengthens the scientific and technical innovation capacity building in seed industry, promotes technology results transformation, and safeguards the legal rights of scientific and technical staffs in seed industry.</p>
<p><b>Article 28</b> <i>The owner of the new plant variety right has the exclusive right to its authorized variety. The owner of the new plant variety right can license the new plant variety right to others, and collect the license fee in accordance with the contract; the license fee can be collected by a fixed price, a commission from the promotion income, etc.</i></p> <p>No other entity or individual shall, without</p>	<p><b>Article 28</b> The entity which or the person who is granted with variety right has an exclusive right to its authorized variety. No other entity or individual shall, without permission from the owner of the variety rights, produce, reproduce or sell the propagation material of the protected variety, or repeatedly use the propagation material of the protected variety for commercial purposes</p>

<p>permission from the owner of the variety rights, produce, reproduce, <i>and process for reproduction, promise to sell</i>, sell, <i>import, export and store</i> the propagation material of the protected variety <i>for the implementation of above behaviors</i>, or repeatedly use the propagation material of the protected variety for commercial purposes in the production of the propagation material of another variety. Except as otherwise provided in this Law, related laws, and regulations.</p> <p><i>The implementation of the acts specified in the preceding paragraph involving harvested materials obtained from unauthorized use of the propagation material of the authorized variety shall be approved by the owner of the new plant variety right; except when the owner of the new plant variety right has reasonable opportunities to exercise their rights.</i></p> <p><i>Where the actions specified in paragraphs 2 and 3 are implemented on essentially derived varieties (EDVs), the consent of the owner of the new plant variety rights of the original variety shall be obtained.</i></p> <p><i>The implementation steps and methods of the EDV system shall be prescribed by the State Council.</i></p>	<p>in the production of the propagation material of another variety. Except as otherwise provided in this Law, related laws and regulations.</p>
<p><b>Article 31</b> The seed production and business license for seed import and export shall be issued by the competent departments of agriculture and rural affairs, forestry, and grassland under the State Council. <i>The competent departments of agriculture and rural areas, and forestry and grassland under the State Council may entrust the competent departments of agriculture and rural areas, and forestry and grassland of the people's governments of provinces, autonomous regions, and municipalities to receive application materials.</i></p> <p>The production and operation licenses for enterprises engaged in businesses including <i>propagating materials</i> of major crop hybrid seeds and parent seeds, tree seeds of</p>	<p><b>Article 31</b> The seed production and business license for seed import and export shall be subject to examination by administrative departments of agriculture and forestry of the people's governments of the provinces, autonomous regions, municipalities directly under the State Council, and be issued by the administrative departments of agriculture and forestry under the State Council.</p> <p>The production and operation licenses for enterprises engaged in businesses including major crop hybrid seeds and parent seeds, tree seeds of improved variety, as well as the enterprises with integrated business in breeding, production and marketing, eligible for requirements of the administrative departments for agriculture and forestry under</p>

<p>improved variety, as well as the enterprises with integrated business in <i>crop seed</i> breeding, production and marketing, eligible for requirements of the administrative departments for agriculture and rural affairs under the State Council shall be issued by the administrative departments of agriculture and rural affairs, forestry and grassland of the people's governments of the provinces, autonomous regions, municipalities directly under the State Council.</p>	<p>the State Council shall be subject to examination by the people's government administrative departments of agriculture and forestry at county level, and be issued by the administrative departments of agriculture and forestry of the people's governments of the provinces, autonomous regions, municipalities directly under the State Council.</p>
<p><b>Article 34</b> Seed production shall implement seed production technical regulations and seed inspection and quarantine procedures <i>to ensure that the seeds meet the quality requirements and quarantine requirements such as clarity, purity, and germination rate.</i></p> <p><i>The competent departments of agriculture and rural affairs and forestry and grasslands of the people's governments at or above the county level shall guide and support seed producers and operators to adopt advanced seed production technologies, improve production techniques, and improve seed quality.</i></p>	<p><b>Article 34</b> Seeds shall be produced in compliance with technical regulations for seed production, inspection and quarantine.</p>
<p><i>Removed</i></p>	<p><b>Article 39</b> Without the approval of the administrative departments for forestry under the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government, no person may purchase valuable tree seeds, or forest seeds that are restricted from purchase by the people's government of same level.</p>
<p><b>Article 52</b> Where, due to force majeure, it is necessary to use the crop seeds that are lower than the standards of seeds for use set by the State or by the local authorities, the matter shall be subject to approval by the local people's government at or above the county level where the seeds are to be used.</p>	<p><b>Article 53</b> Where, due to force majeure, it is necessary to use the crop seeds that are lower than the standards of seeds for use set by the State or by the local authorities, the matter shall be subject to approval by the local people's government at or above the county level where the seeds are to be used; where forest tree seeds are concerned, the matter shall be subject to approval by the people's</p>

	<p>government of the province, autonomous region or municipality directly under the Central Government where the seeds are to be used.</p>
<p><b>Article 57</b> Those engaged in seed imports or exports shall obtain seed production and operation license; <i>among them, those in the business of crop seeds imports and exports, shall also obtain</i> the seed import and export permit in accordance with related laws and regulations of the state.</p> <p>The State Council shall set the limits of authority for examining and approving the introduction of the seeds of crops and forest trees from abroad and formulate measures for validation of the import and export of such seeds and administrative measures for the introduction of transgenic plant varieties.</p>	<p><b>Article 58</b> Those engaged in seed imports or exports shall obtain the seed import and export permit in accordance with related laws and regulations of the state in addition to the seed production and business license,.</p> <p>The State Council shall set the limits of authority for examining and approving the introduction of the seeds of crops and forest trees from abroad, and formulate measures for validation of the import and export of such seeds and administrative measures for the introduction of transgenic plant varieties.</p>
<p><b>Article 63</b> The State shall strengthen construction of public infrastructures for the seed industry <i>and ensure reasonable land demand for breeding scientific research facilities.</i></p> <p>The arable lands in the advantageous seed breeding bases shall be assigned to <b>permanent</b> basic farmland. The advantageous seed breeding bases shall be determined by the competent departments for agriculture and rural affairs under the State Council after consultation with the local people's governments of provinces, autonomous regions and municipalities directly under the Central Government.</p>	<p><b>Article 64</b> The State shall strengthen construction of public infrastructures for the seed industry.</p> <p>The arable lands in the advantageous seed breeding bases shall be protected perpetually as the basic farmland preservation area. The advantageous seed breeding bases shall be determined by the administrative departments for agriculture under the State Council after consultation with the local people's governments of provinces, autonomous regions and municipalities directly under the Central Government.</p>
<p><b>Article 72</b> The indemnity of infringing new plant variety right shall be determined in accordance with the right holder's actual losses resulted from infringement; in case actual losses are difficult to determine, the indemnity can be determined in accordance with the infringer's benefits gained from infringement; in case both right holder's losses and infringer's benefits are difficult to</p>	<p><b>Article 73</b> The indemnity of infringing new plant variety right shall be determined in accordance with the right holder's actual losses resulted from infringement; in case actual losses are difficult to determine, the indemnity can be determined in accordance with the infringer's benefits gained from infringement; in case both right holder's losses and infringer's benefits are difficult to</p>

<p>determine, the indemnity can be appropriately determined with reference to the times of the new plant variety right license fee. In case new plant variety right is <i>intentionally</i> and seriously infringed, the indemnity can be between one time and <i>five</i> times of the value determined by above-mentioned method.</p> <p>Where the right holder's losses, infringer's benefits, and new plant variety right license fee are all difficult to determine, the people's court can determine an indemnity under RMB <i>5 million</i> in accordance with such factors as the type of new plant variety right, infringement nature and circumstances.</p> <p><i>The indemnity shall include right holder's reasonable expenses to cease infringement.</i></p>	<p>determine, the indemnity can be appropriately determined with reference to the times of the new plant variety right license fee. The indemnity shall include right holder's reasonable expenses to cease infringement. In case new plant variety right is seriously infringed, the indemnity can be between one time and three times of the value determined by above-mentioned method.</p> <p>Where the right holder's losses, infringer's benefits, and new plant variety right license fee are all difficult to determine, the people's court can determine an indemnity under RMB 3 million in accordance with such factors as the type of new plant variety right, infringement nature and circumstances.</p>
<p><b>Article 74</b> If anyone violates the provisions of article 49 hereof to produce and trade false seeds, the administrative departments of agriculture and forestry under the people's government at or above county level shall order it to cease the production and trade, confiscate the illegal gains and the seed, and the seed production and trade license will be revoked. If the amount gained from the illegal production and trade is less than <i>RMB 20,000</i>, a fine between <i>RMB 20,000</i> and <i>RMB 200,000</i> will be imposed; if such amount is more than <i>RMB 20,000</i>, a fine of 10 times to 20 times as that of the amount will be imposed.</p> <p>Where a fixed-term imprisonment or above penalty is sentenced due to crime from false seed production and trade, the legal representative and executive with direct responsibility of the seed enterprise or other entity are not allowed to hold the position of legal representative or high-level manager in seed enterprises within five years counting from the date when the penalty is completed.</p>	<p><b>Article 75</b> If anyone violates the provisions of article 49 hereof to produce and trade false seeds, the administrative departments of agriculture and forestry under the people's government at or above county level shall order it to cease the production and trade, confiscate the illegal gains and the seed, and the seed production and trade license will be revoked. If the amount gained from the illegal production and trade is less than RMB 10,000, a fine between RMB 10,000 and RMB 100,000 will be imposed; if such amount is more than RMB 10,000, a fine of 10 times to 20 times as that of the amount will be imposed.</p> <p>Where a fixed-term imprisonment or above penalty is sentenced due to crime from false seed production and trade, the legal representative and executive with direct responsibility of the seed enterprise or other entity are not allowed to hold the position of legal representative or high-level manager in seed enterprises within five years counting from the date when the penalty is completed.</p>
<p><b>Article 75</b> If anyone violates provisions of article 49 hereof to produce and trade low-quality seeds, the administrative departments</p>	<p><b>Article 76</b> If anyone violates provisions of article 49 hereof to produce and trade low-quality seeds, the administrative departments</p>



of agriculture and forestry under the people's government at or above county level shall order it to cease the production and trade, confiscate the illegal gains and the seeds. If the amount gained from the illegal production and trade is less than RMB 20,000, a fine between RMB 10,000 and RMB 100,000 will be imposed; if such amount is more than RMB 20,000, a fine of 5 times to 10 times as that of the amount will be imposed; in case of gross violation, the seed production and trade license will be revoked.

Where a fixed-term imprisonment or above penalty is sentenced due to crime from low-quality seed production and trade, the legal representative and executive with direct responsibility of the seed enterprise or other entity are not allowed to hold the position of legal representative or high-level manager in seed enterprises within five years counting from the date when the penalty is completed.

**Article 76** If anyone violates provisions of article 32, article 33 and [article 34](#) hereof to conduct any of the following behaviors, the administrative departments of agriculture and forestry under the people's government at or above county level shall order it to correct such behavior and confiscate the illegal gains and the seeds. If the amount gained from the illegal production and trade is less than RMB 10,000, a fine between RMB 3,000 and RMB 30,000 will be imposed; if such amount is more than RMB 10,000, a fine of 3 times to 5 times as that of the amount will be imposed; the seed production and trade license may be revoked.

- (I) Producing and selling seeds without the seed production and trade license;
- (II) Obtaining the seed production and trade license through fraud, bribery or other improper means;
- (III) Failing to produce and sell seeds according to stipulations of the seed production and trade license;

of agriculture and forestry under the people's government at or above county level shall order it to cease the production and trade, confiscate the illegal gains and the seeds. If the amount gained from the illegal production and trade is less than RMB 10,000, a fine between RMB 5,000 and RMB 50,000 will be imposed; if such amount is more than RMB 10,000, a fine of 5 times to 10 times as that of the amount will be imposed; in case of gross violation, the seed production and trade license will be revoked.

Where a fixed-term imprisonment or above penalty is sentenced due to crime from low-quality seed production and trade, the legal representative and executive with direct responsibility of the seed enterprise or other entity are not allowed to hold the position of legal representative or high-level manager in seed enterprises within five years counting from the date when the penalty is completed.

**Article 77** If anyone violates provisions of article 32 and article 33 hereof to conduct any of the following behaviors, the administrative departments of agriculture and forestry under the people's government at or above county level shall order it to correct such behavior and confiscate the illegal gains and the seeds. If the amount gained from the illegal production and trade is less than RMB 10,000, a fine between RMB 3,000 and RMB 30,000 will be imposed; if such amount is more than RMB 10,000, a fine of 3 times to 5 times as that of the amount will be imposed; the seed production and trade license may be revoked.

- (I) Producing and selling seeds without the seed production and trade license;
- (II) Obtaining the seed production and trade license through fraud, bribery or other improper means;
- (III) Failing to produce and sell seeds according to stipulations of the seed production and trade license;

<p>(IV) Forging, altering, transferring or lending the seed production and operation license. For the entity with the seed production and trade license revoked, its legal representative and the executive with direct responsibility are not allowed to hold the position of legal representative or high-level manager in seed enterprises within five years counting from the date when the penalty decision is made.</p> <p><i>(V) Those engaging in seed production while do not have the isolation and cultivation conditions for breeding seeds, do not have seed production sites that are free of quarantine pests, or seed collection forests determined by the forestry and grassland authorities of the people's governments at or above the county level.</i></p> <p><i>(VI) Producing seeds without implementing seed inspection and quarantine procedures.</i></p>	<p>(IV) Forging, altering, transferring or lending the seed production and operation license. For the entity with the seed production and trade license revoked, its legal representative and the executive with direct responsibility are not allowed to hold the position of legal representative or high-level manager in seed enterprises within five years counting from the date when the penalty decision is made.</p>
<p><i>Deleted</i></p>	<p><b>Article 84</b> If anyone violates provisions of article 39 hereof to purchase valuable tree seeds, or forest seeds that are restricted from purchase, the administrative departments of agriculture and forestry under people's government at or above county level shall confiscate the seeds purchased and impose a fine of 2 time to 5 times as the amount of the forest seeds purchased.</p>
<p><b>Article 90</b> The following terms used in this Law shall mean:</p> <p>(1) Germplasm resources refer to the basic materials for breeding new varieties, including the propagating materials for the cultigens and wild varieties of various plants as well as the hereditary materials of the various plants artificially created with the above-mentioned propagating materials.</p> <p>(2) Varieties mean the flora artificially bred or discovered and improved, and their morphological characteristics are in conformity with their biological characteristics and their hereditary properties are relatively stable.</p>	<p><b>Article 92</b> The following terms used in this Law shall mean:</p> <p>(1) Germplasm resources refer to the basic materials for breeding new varieties, including the propagating materials for the cultigens and wild varieties of various plants as well as the hereditary materials of the various plants artificially created with the above-mentioned propagating materials.</p> <p>(2) Varieties mean the flora artificially bred or discovered and improved, and their morphological characteristics are in conformity with their biological characteristics and their hereditary properties are relatively stable.</p>

(3) The major crops refer to rice, wheat, maize, cotton and soybean.

(4) The major forest trees are determined and announced by the administrative department for forestry under the State Council; the administrative department for forestry under the people's government of a province, autonomous region or municipality directly under the Central Government may determine no more than eight other trees in addition to the ones determined by the said department under the State Council.

(5) Improved varieties of forest trees refer to the verified tree seeds which, in a given area, are obviously better than those of the propagating and planting materials mainly planted at the time in terms of output, adaptability and resistance.

(6) Novelty in respect of a variety, in case of applying for a New Variety Title, refers to the circumstances under which the seeds of such variety has been offered for sale or popularized, by the applicant or through its permit, for less than a year within China till the date when the application is submitted; if out of China, less than six years for woody or vine plant; less than four years for other plants.

In respect of any plant variety which has been added to the List of Protected Plant Varieties as a genera or varieties, if the application for New Variety Right has been submitted within one year of the List being published, and the seeds of such variety has been offered for sale or popularized less than four years, then the novelty shall be deemed still available.

In addition to the losses of novelty in sales and promotion, following circumstances shall be deemed to have lost their novelty:

1. The variety is actually spread as confirmed by the administrative departments of agriculture and forestry of the provinces, autonomous regions and municipalities directly under the Central Government based on the sown area.

(3) The major crops refer to rice, wheat, maize, cotton and soybean.

(4) The major forest trees are determined and announced by the administrative department for forestry under the State Council; the administrative department for forestry under the people's government of a province, autonomous region or municipality directly under the Central Government may determine no more than eight other trees in addition to the ones determined by the said department under the State Council.

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In addition to the losses of novelty in sales and promotion, following circumstances shall be deemed to have lost their novelty:

1. The variety is actually spread as confirmed by the administrative departments of agriculture and forestry of the provinces, autonomous regions and municipalities directly under the Central Government based on the sown area.

<p>2. The variety has not applied for new plant variety right after it has been registered or recorded for more than two years.</p> <p>(7) Distinctiveness means that the new plant variety shall have one and above traits which are clearly distinguishable from varieties of plants known.</p> <p>(8) Uniformity means that the relevant special characteristics or properties of a new plant variety, with the exception of foreseeable variation, remain consistent within the flora and among the individuals.</p> <p>(9) Stability means that the main traits of a new plant variety, after repeated propagation or at the end of a particular cycle of reproduction, remain unchanged.</p> <p><i>(10) An essentially derived variety (EDV) refers to a variety that is essentially derived from the original variety or derived from an EDV of the original variety. It is obviously different from the original variety. Except for the difference in traits caused by derivation, it is the same as the original variety in terms of expressing the basic characters produced by the genotype or combination of genotypes of the original variety.</i></p> <p>(11) Known varieties shall mean the plant varieties that have been accepted, or passed the variety registration, variety record, new variety protection, or have been sold and popularized.</p> <p>(12) Label refers to the specific patterns and text descriptions which are printed, pasted, fixed or attached to the seed or its packaging surface.</p>	<p>2. The variety has not applied for new plant variety right after it has been registered or recorded for more than two years.</p> <p>(7) Distinctiveness means that the new plant variety shall have one and above traits which are clearly distinguishable from varieties of plants known.</p> <p>(8) Uniformity means that the relevant special characteristics or properties of a new plant variety, with the exception of foreseeable variation, remain consistent within the flora and among the individuals.</p> <p>(9) Stability means that the main traits of a new plant variety, after repeated propagation or at the end of a particular cycle of reproduction, remain unchanged.</p> <p>(10) Known varieties shall mean the plant varieties that have been accepted, or passed the variety registration, variety record, new variety protection, or have been sold and popularized.</p> <p>(11) Label refers to the specific patterns and text descriptions which are printed, pasted, fixed or attached to the seed or its packaging surface.</p>
<p><b>Article 91</b> <i>The state strengthens the protection of the germplasm resources of Chinese herbal medicine and supports the development of scientific and technological research on the breeding of Chinese herbal medicine.</i> The germplasm management and selection, production and trade, and management of grass seed, tobacco seed, herbs seed and edible fungus strains shall be carried out in accordance with this law.</p>	<p><b>Article 93</b> The germplasm management and selection, production and trade, and management of grass seed, tobacco seed, herbs seed and edible fungus strains shall be carried out in accordance with this law.</p>

**Article 92** The Law will be enforced from  
*March 1, 2022.*

**Article 94** The Law will be enforced from  
January 1, 2016.

**END TRANSLATION**

**Attachments:**

No Attachments.