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China, People's Republic of

Planting Seeds

New Plant Variety Protection

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Report Highlights:

China has released the most recent additions to its new plant variety protection list. This GAIN report details this list and previous varieties granted protection by China's State Forestry Administration and the Ministry of Agriculture.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Beijing [CH1], CH

New Plant Variety Protection

In March 1997, China agreed to the 1978 version of the legislation for the International Union for the Protection of New Varieties of Seeds (UPOV) (see CH7023 for reference). As a member of this union, China may apply for international recognition and seed variety protection for its plants. China is required to respect other member countries' protected planting seeds, also. China has not yet agreed to more recent versions of the UPOV.

The introduction of China's Seed Law (CH0031) and ensuing Seed Law Implementation Regulations (CH1018) have encouraged more applications for new plant variety protection. The Ministry of Agriculture, Department of Science and Education receives applications for new plant variety protection for crops and plants. The State Forestry Administration, Department of Science and Education receives applications for new plant variety protection for trees. Each office is responsible for issuing its own decrees on newly protected varieties.

The following table includes the most recent Chinese government decrees on new plant variety protection. Plant varieties that are included in these decrees are afforded "Plant Breeders' Rights" by the Chinese government.

New Plant Variety Protection Regulation Ministry of Agriculture Decree No. 3 4 January 2002	
<i>Ipo moea batatas</i> (L.) Lam.	Sweet Potato
<i>Setaria italica</i> (L.) Beauv.	Millet
<i>Prunus persica</i> (L.) Batsch.	Peach
<i>Litchi chinensis</i> Sonn.	Lychee
<i>Citrullus lanatus</i> (Thunb.) Matsume et Nakai	Watermelon
<i>Brassica oleracea</i> L. var. <i>capitata</i> (L.) Alef. Var. <i>alba</i> DC	Round Cabbage
<i>Raphanus sativus</i> L. var. <i>longipinnatus</i> Bailey & <i>Raphanus sativus</i> L. var. <i>radiculus</i> Pers.	Edible Radish
New Plant Variety Protection Regulation Ministry of Agriculture Decree No. 46 26 February 2001	
<i>Cymbidium</i> Sw.	Orchid
<i>Lilium</i> L.	Lily
<i>Strelitzia</i> Ait.	Bird-of-Paradise
<i>Limonium</i> Mill.	Sea Lavender
New Plant Variety Protection Regulation Ministry of Agriculture Decree No. 27 7 March 2000	

<i>Triticum aestivum</i> L.	General Wheat
<i>Glycine max</i> (L.) Merrill	Soybean
<i>Brassica napus</i> L.	Swede Rape
<i>Arachis hypogaea</i> L.	Peanut
<i>Lycopersicon esculentum</i> Mill.	General tomato
<i>Cucumis sativum</i> L.	Cucumber
<i>Capsicum</i> L.	Pepper
<i>Pyrus</i> L.	Pear
<i>Rumex</i> L.	Garden Sorrel
New Plant Variety Protection Regulation State Forestry Administration Decree No. 5 2 February 2000	
<i>Populus</i>	Poplar
<i>Salix</i>	Willow
<i>Eucalyptus</i>	Eucalyptus
<i>Castanea mollissima</i>	Chestnut
<i>Juglance</i>	Walnut
<i>Zizyphus jujuba</i>	Chinese Date
<i>Diospyros kaki</i>	Persimmon
<i>Prunus armeniaca</i>	Apricot
<i>Ginkgo biloba</i>	Ginkgo
<i>Vernicia</i>	Tungoil Tree
<i>Taxus</i>	Chinese Yew
<i>Rhododendron</i>	Azalea
<i>Prunus persica</i>	Peach blossom
<i>Lagerstroemia indica</i>	Common Crapemyrtle
<i>Prunus triloba</i>	Flowering Almond
<i>Chimonanthus praecox</i>	Wintersweet
<i>Osmanthus fragrans</i>	Sweet-scented osmanthus
New Plant Variety Protection Regulation Ministry of Agriculture Decree No. 14 16 June 1999	
<i>Oryza sativa</i> L.	Rice
<i>Zea mays</i> L.	Corn
<i>Brassica campestris</i> L. Ssp. <i>Pekineses</i> (Lour.) Olsson	Chinese Cabbage
<i>Solanum tuberosum</i> L.	Potato
<i>Cymbidium goeringii</i> Rchb. F	Goering Cymbidium
<i>Chrysanthemum</i> L.	Chrysanthemum

<i>Dianthus</i> L.	Pink Family Bamboo
<i>Gladiolus</i> L.	Gladiolus
<i>Medicago sativa</i> L.	Alfalfa
<i>Poa pratensis</i> L.	Kentucky Bluegrass
New Plant Variety Protection Regulation State Forestry Administration Decree No. 2 22 April 1999	
<i>Populus tomentosa</i>	Chinese White Poplar
<i>Paulownia</i>	Paulownia
<i>Cunninghamia lanceolata</i>	Chinese Fir
<i>Magnolia</i>	Lily Magnolia
<i>Paeonia suffruticosa</i>	Peony
<i>Prunus mume</i>	Plum
<i>Rosa</i>	Rose
<i>Camellia</i>	Camellia