



GUIDELINES FOR THE INTRODUCTION OF UNLISTED VARIETIES

PLANT IMPROVEMENT ACT, 1976 (ACT NO. 53 OF 1976).

INTRODUCTION

The Plant Improvement Act stipulates in Section 13 that propagating material **may only be sold/distributed** if the denomination of the variety has been included in the national varietal list of the kinds of plants regulated by the Act. Provision has however been made in Section 13(2) that the Registrar may give written exemption subject to conditions determined by him/her.

Section 26 of the Plant Improvement Act stipulates that propagating material **may only be imported** if the denomination of the variety has been included in the national varietal list. Provision has however been made in Section 26(2) that the Registrar may allow the importation of propagating material of varieties that are not yet listed, upon application in the prescribed manner.

PURPOSE OF THIS DOCUMENT:

To provide guidelines and procedures within the existing legal framework for the introduction of propagating material of unlisted varieties into South Africa.

Unlisted varieties may result from:

- i) **imported** propagating material or
- ii) **locally produced** material resulting from local breeding/selection programmes or germplasm.

SCOPE OF THIS DOCUMENT

The requirements of the Plant Improvement Act are only applicable to the kinds of plants declared in terms of the Act as indicated in the Regulations relating to the Application of the Act. Therefore the scope of this document is limited to those kinds and more specific only to the kinds of plants that have closed varietal lists **[Annexure A]**. It means that if a kind of plant has not been declared in terms of the Act or it has an open varietal list (all varieties), apart from the applicable import permits, no authorisation is required to import or sell such propagating material.

EXEMPTION

The Plant Improvement Act does not regulate varieties of plants intended for ornamental, decorative or recreational purposes, therefore varieties exclusively intended for such use of the kinds of plants that have closed varietal lists, are exempted from varietal listing and therefore exempted from the requirement to obtain authorisation for the import or sale of such varieties; provided the use (e.g. ornamental) is indicated on the documentation of the consignment.

CROP TYPES:

Three crop types are distinguished based on the different propagation and production methods, namely:

- 1) Potatoes
- 2) Seed Crops
- 3) Fruit Crops

The requirements and limitations on the amount of propagating material differ for the different crop types and each will be covered separately. Note that the forms are specific for each crop type in order to avoid any confusion on the categories and information requested on the respective application forms.

DEFINITIONS AND ACRONYMS:

“authorisation” means the dispensation document for unlisted varieties issued in terms of the Plant Improvement Act, 1976 (Act No 53 of 1976)

“import permit” means the permit issued for the import of controlled goods in terms of the Agricultural Pests Act, 1983 (Act No. 36 of 1983);

“PBR” means Plant Breeder’s Right

“PIA” means Plant Improvement Act

“Registrar” means the Registrar of the Plant Improvement Act, 1976 (Act No 53 of 1976)

“Sell” includes agree to sell, or to offer, advertise, prepare, keep, expose, transmit, send, convey or deliver for sale, or to exchange or to dispose of in any manner for a consideration; and 'sold' and 'sale' have corresponding meanings.



REGISTRAR: PLANT IMPROVEMENT ACT

DATE: 2019-01-18

Created:	January 2018
Amended:	18 January 2019

ANNEXURE A

PLANT IMPROVEMENT ACT: KINDS OF PLANTS WITH CLOSED VARIETAL LISTS THAT REQUIRE AUTHORISATION FOR UNLISTED VARIETIES

1. Potatoes

Only the vegetative propagating material (conventional or field grown tubers, mini- or micro tubers, *in vitro* material) of varieties intended for cultivation is regulated.

True potato seed (TPS) is not regulated by the PIA.

2. Seed crops

Botanical name	Common name
<i>Allium cepa</i>	Onion/ Ui
<i>Antheophora pubescens</i>	Bottle Brush Grass/ Borseltjiegras
<i>Arachis hypogaea</i>	Groundnut/ Grondboon
<i>Avena nuda</i>	Naked Oats / Naakhawer
<i>Avena sativa</i>	Oats/ Hawer
<i>Beta vulgaris</i>	Garden Beet/ Tuinbeet
<i>Beta vulgaris</i>	Sugar Beet/ Suikerbeet
<i>Brassica napus</i>	Oilseed Rape/ Oliesaadraap
<i>Brassica oleracea</i>	Broccoli/ Brokkoli
<i>Brassica oleracea</i>	Cabbage/ Kopkool
<i>Brassica oleracea</i>	Cauliflower/ Blomkool
<i>Bromus catharticus</i>	Rescue Grass/ Reddingsgras
<i>Capsicum</i> spp.	Chilli, Hot pepper, Sweet pepper, Paprika/ Brandrissie, Soetrissie, Paprika
<i>Cenchrus ciliaris</i>	Blue Buffalo Grass/ Bloubuffelgras
<i>Chloris gayana</i>	Rhodes Grass/ Rhodesgras
<i>Citrullus lanatus</i>	Watermelon/ Waatlemoen
<i>Cucumis melo</i>	Sweet Melon/ Spanspek
<i>Cucumis sativus</i>	Cucumber/ Komkommer
<i>Cucurbita maxima</i>	Pumpkin/ Pampoen
<i>Cucurbita moschata</i>	Pumpkin, Squash/ Pampoen, Skorsie
<i>Cucurbita pepo</i>	Squash, Zucchini, Vegetable marrow/ Skorsie
<i>Cucurbita</i> spp.	Cucurbita rootstocks / onderstamme
<i>Dactylis glomerata</i>	Cocksfoot/ Kroopaargras
<i>Daucus carota</i>	Carrot/ Geelwortel
<i>Digitaria eriantha</i>	Smuts Finger grass, Digitaria/ Smutsvingergras
<i>Eragrostis curvula</i>	Weeping Lovegrass/ Oulandsgras
<i>Eragrostis tef</i>	Teff/ Tef
<i>Festuca arundinacea</i>	Tall Fescue/ Langswenkgras
<i>xFestulolium</i> spp.	Festulolium
<i>Glycine max</i>	Soya Bean/ Sojaboon
<i>Gossypium hirsutum</i>	Cotton/ Katoen
<i>Helianthus annuus</i>	Sunflower/ Sonneblom
<i>Hordeum vulgare</i>	Barley/ Gars
<i>Lolium multiflorum</i>	Italian & Westerwold Ryegrass/ Italiaanse & Westerwoldse Raaigras
<i>Lolium perenne</i>	Perennial Ryegrass/ Meerjarige raaigras
<i>Lolium xhybridum</i> (=L. <i>xboucheanum</i> .)	Hybrid Ryegrass/ Basterraaigras
<i>Lupinus albus</i>	White Lupin/ Witlupien
<i>Lupinus angustifolius</i>	Narrow Leaf Lupin/ Smalblaarlupien
<i>Lycopersicon</i> [See <i>Solanum lycopersicum</i>]	
<i>Medicago sativa</i>	Lucerne/ Lusern

Botanical name	Common name
<i>Nicotiana tabacum</i>	Tobacco/ Tabak
<i>Oryza sativa</i>	Rice/ Rys
<i>Panicum maximum</i>	White Buffalo Grass/ Witbuffelgras
<i>Paspalum notatum</i>	Bahia grass / Paspalum
<i>Phaseolus vulgaris</i>	Dry Bean/ Droëboon
<i>Phaseolus vulgaris</i>	Garden Bean – Dwarf & Runner/ Tuinboon – Stam & Rank
<i>Pisum sativum</i>	Dry Pea/ Droë Ert
<i>Pisum sativum</i>	Garden Pea/ Tuinert
<i>Raphanus sativus</i>	Fodder Radish/ Voerradys
<i>Ricinus communis</i>	Castor Oil/ Kasterolie
<i>Secale cereale</i>	Rye/ Rog
<i>Solanum lycopersicum (= Lycopersicon esculentum)</i>	Tomato/ Tamatie
<i>Solanum</i> spp.	<i>Solanum</i> rootstocks / onderstamme
<i>Sorghum bicolor</i>	Grain Sorghum, Industrial sorghum/ Graansorghum
<i>Sorghum</i> spp.	Forage Sorghum (perennial varieties)/ Voersorghum (meerjarige variëteite)
<i>Sporobolus fimbriatus</i>	Dropseed grass/ Fynveigras
<i>Trifolium pratense</i>	Red Clover/ Rooiklawer
<i>Trifolium repens</i>	White Clover/ Witklawer
<i>Triticum aestivum</i>	Wheat/ Koring
<i>Triticum durum</i>	Durum Wheat/ Durumkoring
x <i>Triticosecale</i>	Triticale/ Korog
<i>Zea mays</i>	White & Yellow Maize/ Wit- & Geelmielie
<i>Zea mays</i>	Sweet Corn/ Soetmielie

3. Fruit crops

Botanical name	Common name
<i>Cydonia</i> spp.	Quince rootstock/ Kweper onderstam
<i>Fragaria xananassa</i>	Strawberry / Aarbei
<i>Malus</i> spp.	Apple fruit / Appel vrug
<i>Malus</i> spp.	Apple Rootstocks / Appelonderstamme
<i>Prunus armeniaca</i>	Apricot/ Appelkoos
<i>Prunus avium</i>	Sweet cherry/ Soetkersie
<i>Prunus cerasus</i>	Sour cherry/ Suurkersie
<i>Prunus domestica</i>	European Plum, prune/ Pruim, pruimedant
<i>Prunus dulcis</i>	Almond/ Amandel
<i>Prunus persica</i>	Peach/ Perske
<i>Prunus persica</i> var. <i>nucipersica</i>	Nectarine/ Nektarien
<i>Prunus salicina</i>	Japanese plum/ Japanse pruim
<i>Prunus</i> hybrids	Interspecific hybrids / Interspesiekruisings
<i>Prunus</i> spp.	<i>Prunus</i> Rootstocks / Onderstamme
<i>Pyrus</i> spp.	Pear fruit / Peer vrug
<i>Pyrus</i> spp.	<i>Pyrus</i> Rootstocks / Onderstamme
<i>Vitis</i> spp.	Table & Wine Grape /Tafel- en Wyndruif
<i>Vitis</i> spp.	<i>Vitis</i> Rootstocks / Onderstokke