



10 May 2021

(21-3947)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>BRAZIL</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Ministry of Agriculture, Livestock and Food Supply – MAPA Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Institute of Metrology, Quality and Technology-INMETRO Telephone: (+55) 21 2145 3817 Email: barreirastecnicas@inmetro.gov.br Website: http://www.inmetro.gov.br/barreirastecnicas
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL OR MEDICINAL PLANTS; STRAW AND FODDER (HS 12)
5. Title, number of pages and language(s) of the notified document: Ordinance MAPA No. 93, 26 April 2021 (2 page(s), in Portuguese)
6. Description of content: This Resolution applies within the MERCOSUR scope for the registration of varieties in the Plant Variety Protection Registry and in the National Plant Variety Registry (RNC), establishing the criteria for the approval of the variety denomination, with the purpose of facilitating trade between the States Parties.
7. Objective and rationale, including the nature of urgent problems where applicable: This Resolution applies within the MERCOSUR scope for the registration of varieties in the Plant Variety Protection Registry and in the National Plant Variety Registry (RNC), establishing the criteria for the approval of the variety denomination, with the purpose of facilitating trade between the States Parties.; Harmonization
8. Relevant documents: (1) Brazilian Official Gazette No. 78, 28 April 2021, section 1, page 9; MERCOSUR Resolution/GMC/RES No. 05/20; Seed and Plant Breeder Law 20.247/1973 and its Regulatory Decree No. 2183/1991 (Argentina); Resolution 669-E/2017 (Argentina); Plant Variety Protection Law 9.456, 25 April 1997 and its Decree 2.366, 5 November 1997 (Brazil); Seed Law 10.711, 5 August 2003 and its Decree 5.153, 23 July 2004 (Brazil); Seed and Plant Variety Protection Law 385/94 and its Regulatory Decree 7797/2000 (Paraguay); Seed Law No. 16.811/1997, Law 18.467/2009 and its Regulatory Decree 438/004 and the Decrees 140/008 and 219/010 (Uruguay); International Union for the Protection of New Varieties of Plants (UPOV) Explanatory Notes about Variety Denomination (UPOV INF/12/5)

<https://www.in.gov.br/web/dou/-/portaria-mapa-n-93-de-26-de-abril-de-2021-316257390>

<https://www.mercosur.int/pt-br/documentos-e-normativa/normativa/>

<http://servicios.infoleg.gob.ar/infolegInternet/anexos/30000-34999/34822/texact.htm>

<http://servicios.infoleg.gob.ar/infolegInternet/anexos/5000-9999/7439/norma.htm>

<https://www.argentina.gob.ar/normativa/nacional/resoluci%C3%B3n-669-2017-279850/texto>

http://www.planalto.gov.br/ccivil_03/leis/l9456.htm#:~:text=LEI%20N%C2%BA%209.456%2C%20DE%2025%20DE%20ABRIL%20DE%201997.&text=Institui%20a%20Lei%20de%20Prote%C3%A7%C3%A3o%20de%20Cultivares%20e%20d%C3%A1%20outras%20provid%C3%A7%C3%A7%C3%A3o%20de%20estabelecido%20nesta%20Lei.

http://www.planalto.gov.br/ccivil_03/decreto/1997/d2366.htm

http://www.planalto.gov.br/ccivil_03/leis/2003/l10.711.htm#:~:text=LEI%20No%2010.711%2C%20DE%2025%20DE%20AGOSTO%20DE%202003.&text=Disp%C3%B5e%20sobre%20o%20Sistema%20Nacional,Mudas%20e%20d%C3%A1%20outras%20provid%C3%A7%C3%A7%C3%A3o%20de%20estabelecido%20nesta%20Lei.

http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2004/decreto/d5153.htm#:~:text=DECRETO%20N%C2%BA%205.153%2C%20DE%2023%20DE%20JULHO%20DE%202004.&text=Aprova%20o%20Regulamento%20da%20Lei,SNSM%2C%20e%20d%C3%A1%20outras%20provid%C3%A7%C3%A7%C3%A3o%20de%20estabelecido%20nesta%20Lei.

http://www.aprosem.org.py/uploads/LEY_385_DE_SEMILLAS_Y_PROTECCION_DE_CULTIVARES.pdf

https://pflanzenegesundheit.julius-kuehn.de/dokumente/upload/a334c_py3-decr2000-7797.pdf

<https://www.impo.com.uy/bases/leyes/16811-1997>

<https://www.impo.com.uy/bases/leyes/18467-2009>

<https://www.impo.com.uy/bases/decretos/438-2004>

<https://www.impo.com.uy/bases/decretos/140-2008>

<https://www.impo.com.uy/bases/decretos/219-2010>

9. Proposed date of adoption: 1 June 2021

Proposed date of entry into force: 1 June 2021

10. Final date for comments: Not applicable

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

Ministry Agriculture, Livestock and Food Supply (MAPA)

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