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E. De la Garza

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news release

COMMITTEE ON AGRICULTURE
U.S. HOUSE OF REPRESENTATIVES
Room 1301, Longworth House Office Building
Washington, D.C. 20515

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FOR IMMEDIATE RELEASE WEDNESDAY, JUNE 4, 1980

WASHINGTON -- The House Agriculture Committee today approved a bill (H.R. 999) which would extend the coverage of the 1970 Plant Variety Protection Act to six previously excluded vegetables, Chairman Thomas Foley, D-Wash., announced.

The bill was approved by a rollcall vote of 35 to 2.

Rep. Kika de la Garza, D-Tex., sponsor of the bill and Chairman of the Subcommittee on Department Investigations, Oversight and Research which approved it earlier, said the legislation would apply to new varieties of carrots, celery, cucumbers, okra, peppers and tomatoes.

The plant variety law, since its adoption in 1970, has granted developers of new plants produced from seeds the right to apply for patent-like protection for their breeding discoveries, similar to rights available to developers of asexually produced plants since 1930. When the 1970 law was passed, however, it specifically excluded protection rights for the six vegetables which would be brought within the scope of the Act under H.R. 999.

Other portions of the bill include a provision changing the period of protection for new varieties from the present 17 years to 18 years to assure that U.S. law will remain compatible with the International Union for the Protection of New Varieties.

De la Garza said the new bill, like the 1970 law of which it would become a part, is designed to encourage breeders to develop new and improved types of vegetables and other plants. The system is helpful to small breeders and companies because it enables them to compete more effectively with larger firms and marketing organizations, the Congressman said.

Use of the variety protection system is voluntary for breeders. Those who choose to seek protection for a new variety must file applications showing the pedigree of their discovery and describing its novel features. If a plant variety protection certificate is granted by the Agriculture Department, a research exemption allows the use of the protected variety as germ-plasm by researchers developing other plants, and a farmer exemption allows farmers who are not seedsmen to replant their own seed of a protected variety, de la Garza pointed out.