

The Seed Law of the People's Republic of China 2000

Order of the President of the People's Republic of China [No.34]

The Seed Law of the People's Republic of China adopted at the 16th Meeting of the Standing Committee of the Ninth National People's Congress on July 8, 2000 is now promulgated and shall go into effect as of December 1, 2000.

Jiang Zemin, President of the People's Republic of China
July 8, 2000

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Chapter 1 - General Provisions

Article 1 - The goals of enacting the law are to make reasonable use of seed resources; control the selection, production, business operation and use of seed; protect the legal rights of the producers, business operators and users of seed; promote seed quality; drive the industrialization process of seed; and accelerate the development of the planting and forestry industries.

Article 2 - This law applies to the breeding, selection, production, business operation, usage, management of seed and other activities in China.

The term "seed" in this Law means the materials of crops and forest trees used for planting or propagation, including seed grains, fruits, roots, stems, seedlings, buds, leaves, etc.

Article 3 - The Agriculture Department and Forestry Department under the State Council are respectively in charge of the work of crop seed and forest tree seed in China. The local crop administrative department and forestry administrative department above the county level should respectively take charge of the work of crop seed and forest tree seed within the administrative region.

Article 4 - The state supports the protection of seed resources, the breeding, production, rebirth and popularization of quality seeds. The state encourages the combination of seed breeding and seed production, and both encourages and rewards persons and entities that have good performance in the work of seed resource protection, quality seed selection,

breeding, popularization, etc.

Article 5 - The people's government above the county level should make development plans according to the guidelines of Making Use of Science and Education to Improve Agriculture and to the requirements for the development of the planting and forestry industries, and should adopt some methods of finance, credit and revenue to ensure the implementation of the plans.

Article 6 - Special funds shall be dispersed by the State Council and the people's governments of the provinces, autonomous regions, municipalities directly under the the State Council to support the selection, breeding and popularization of quality seed, should set up. The State Council shall provide detailed measures.

Article 7 - National The State should establish a reserve seed system to meet the demand of production in case of calamities and to ensure the safety of agricultural production. The reserve seed shall be checked and replaced on regular basis. The State Council shall provide detailed measures for the seed reserves.

Chapter 2 - The Protection of Seed Resources

Article 8 - The State by law protects seed resources. No individual or entity may usurp on or destroy the seed resources. Wild seed resources are also subject to the special protection of the State and shall be prohibited from collection or felling. In special cases such as scientific research where it is necessary to collect or fell, the collection or felling shall be subject to the approval of the administrative departments of agriculture and forestry of the State Council or the people's governments of the provinces, autonomous regions, municipalities directly under the State Council.

Article 9 - The State collects, sorts out, appraises, records, conserves, exchanges and uses seed resources in a planned way, and regularly releases the catalog of available seed resources. The administrative departments of agriculture and forestry under the State Council shall provide detailed measures for the above listed activities.

The administrative departments of agriculture and forestry under the State Council should establish a state seed resources database, and the administrative departments of agriculture and forestry under the people's governments of the provinces, municipalities and cities directly under the State Council may, where necessary, establish seed resources databases, protection zones or seed resources protection areas according to requirements.

Article 10 - The State has sovereignty over the seed resources. The supplying by any individual or entity of seed resources to foreign countries shall be subject to the approval of the administrative departments of agriculture and forestry under the State Council. The introduction of foreign seed resources into China should be handled according to the relevant stipulations of the administrative departments of agriculture and forestry under the State Council.

Chapter 3 - The Selection, Cultivation, Examination and Approval of Seed

Article 11 - The administrative departments of agriculture, forestry, science and technology, education, etc. under the State Council and the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall organize relevant units to carry out the research of seed selection and the techniques and

methods of seed selection.

The National People's Congress encourages and supports entities and individuals to breed and develop quality seed.

Article 12 - The State shall establish a new plant species protection system. The system will grant the rights of a new species to those cultured or to those species discovered in the wilderness that have not yet been cultivated or developed and that are characterized by novelty, specialty, consistency and stability. The new plant species protection system will protect the lawful rights and interests of the holder. All details shall be carried out in accordance with the relevant provisions of Chinese law. If the selected species is widely used through dissemination, the breeder shall be entitled to obtain corresponding economic profits according to law.

Article 13 - If the individual and/or entity's income because the administrative departments of forestry establish test forest tree, mensuration forest, excellent tree collection area, and gene base, the administrative department of forestry approved to set up should give economic compensate to them according to related stipulations. [I believe that the meaning of this article is that: If the government procures the land and/or seed of an individual and/or entity, then the income which said entity received due to the holdings that have been procured by the government (for whatever reason) shall be paid to the entity by the government as just compensation.]

Article 14 - A safety assessment should be carried out for the selection, breed, test, examination and popularization of gene-transfer plant species, and safety method should be adopted strictly. The State Council should determine the details.

Article 15 - Main crop or tree species should pass the safety examination and be approved at the national or provincial level before popularization. An applicant can directly apply for the examination and approval of either level. Those crop and tree species declared important as determined by the administrative departments of agriculture and forestry under the people's government of provinces, autonomous regions and municipalities directly under the Central Government should also be examined and approved by the corresponding province.

The methods used to examine and approve main crop species and tree species should embody the rule of equity, publicity, science and efficiency. The administrative departments of agriculture and forestry under the State Council should determine those methods.

The administrative departments of agriculture and forestry of the State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government should respectively establish a Committee for the Examination and Approval of Crop and Tree Species to take on the examination and approval of main crop and forestry species. The committee should be comprised of professional experts in these fields.

In regions with various ecologies, the administrative governments of agriculture and forestry for provinces, autonomous regions and municipalities directly under the Central Government may entrust a city and/or autonomous prefecture to administer examinations and approvals for the main crop and tree species that are adequate to popularize the specific ecological region within the pre-determined area.

Article 16 - A list of those crop and tree seeds that have passed the national examination and have received approval should be distributed by the administrative departments of

agriculture and forestry under the State Council. Seeds on the list may be popularized throughout the country. A list of those seeds that have passed provincial examinations and have received approvals should be distributed by the people's government's administrative departments of provinces, autonomous regions and municipalities directly under the Central Government. Seeds listed may be popularized in the specified ecological region. Similar ecological regions in nearby provinces, autonomous regions and municipalities directly under the Central Government may introduce seed approved in other regions into their own only after the approval of the people's government administrative departments of agriculture and forestry of the provinces, autonomous regions and municipalities directly under the Central Government.

Article 17 - The crop species that do not pass the examination and approval cannot be released, transferred nor popularized.

Tree species that fail the examination and/or fail to receive approval cannot be regarded as quality seeds to use and popularize. However, exceptions may be made in cases where a need is demonstrated except those cases that are needed by production. Such exceptions must be approved by the people's administrative department of forestry above province level and submitted to the Examination and Approval Committee of same level for verification.

Article 18 - If the applicant objects to the result of the examination and approval process for a particular crop variety, s/he can ask for original Examination and Approval Committee or that Committee of above level to examine that variety again.

Article 19 - Foreign entities that have no regular abode or business place from which to apply for the examination and approval of seeds should entrust the matter to Chinese institutions of scientific research, production and operation, and these institutions must have legal personality.

Chapter 4 - Seed Production

Article 20 - A permission-based system should be put into practice for commercial-seed production of crop and tree varieties.

The production licenses for main crop crossbreed seed, parent seed, original seed of original strains and main tree seed of improved variety should be issued by the people's government administrative departments of agriculture and forestry of provinces, autonomous regions and municipalities directly under the Central Government. They should be issued only after they have been examined and approved by the people's government administrative departments of agriculture and forestry of the local counties as well. The production licenses for other seeds should be issued by the people's administrative departments of agriculture and forestry and/or the department above the county level.

Article 21 - Entities applying for the seed-production license should possess following qualifications:

- (1) Must possess the isolation and cultivation conditions required for seed to propagate;
- (2) Must possess a site for seed-production free of quarantine plant diseases and insect pests or a seed-collection forest approved by forestry administrative department of the people's government above the county level;
- (3) Must possess enough capital and facilities to produce and test the seed;
- (4) Must have professional technicians to produce and test the seed;
- (5) Must be in accord with other conditions related to the law and legal regulations.

To apply for a production license for seed that has the rights of new plant variety, consent in written form must be obtained from the entity owning the seed rights.

Article 22 - The seed-production license must indicate seed species, production place, and valid period, and other details regarding the seed variety and production location.

It is forbidden to counterfeit, alter, buy or borrow a seed-production license. Any entity without a license or one who has a license but cannot comply with the stipulations of that license is forbidden for to produce seed.

Article 23 - Procedures for seed-production and seed-check-and-quarantine must be implemented for the production of commercial seeds.

Article 24 - The collection of seeds at the production site should be organized by the operator of the site, and it should be carried out according to related national standards.

It is forbidden to pick immature seed, damage the parent trees, and to collect seeds from low quality forests or trees.

Article 25 - The producer must record and file a record of the details of his/her commercial seed production. The record should indicate the production place, environmental conditions, original crop, parent seed resources, persons in charge of quality and technology, field-check record, the weather record of production place, and seed distribution etc.

Chapter 5 - Seed Operation

Article 26 - License systems should be carried out for seed operation. The seed operator must first obtain a seed-operation license before applying for the transaction or modification of an operating license to the administrative management office of industry and commerce.

The system of examination, approval and granting for the seed-operation license should be put into practice at every level. The administrative departments of agriculture and forestry of local people's government above county level issue and examine the seed-operation license. The local people's government administrative of agriculture and forestry of the county level should audit the seed-operation license of main crossbreed crop seeds, parent seeds, seeds of normal resources, and main the seeds of improved tree species. The people's government administrative departments of agriculture and forestry of provinces, autonomous regions and municipalities directly under the Central Government should check and grant the license. A seed or import/export company that carries out the combination of seed selection, cultivation, production and operation, and whose registration meets the requirements stipulated by the administrative department of agriculture and forestry under the State Council, its seed should be audited by the people's government of agriculture and forestry of provinces, autonomous regions and municipalities directly under the Central Government, and should be granted by the administrative department of agriculture and forestry under the State Council.

Article 27 - The residual routine seed bred and used by the peasant can be sold and exchanged on the market without any operating license, and the people's government of provinces, autonomous regions and municipalities directly under the Central Government should detail method to manage it.

Article 28 - The national encourages and supports scientific research unit, school and technician to legally research, develop, operate and popularize the crop new variety and

improved forest variety.

Article 29 - The entity of individual to apply for the seed-operation license should possess the following conditions:

- (1) Has the capital consistent with the species and quantity of the operating seeds, and can indolently assume the civil responsibilities;
- (2) Has persons that can correctly identify the operating seeds, check the seed quality, and master the technologies to store and protect seeds;
- (3) Has the operation place that is consistent with variety and quantity of operating seed, the facilities to process, pack and store the seed, and the device to check the quality of the seeds; and
- (4) Other conditions stipulated by laws and regulations.

To the seed operators who sell only those seed that not needed to divide and pack again, or to the distributors entrusted in written form by those seed operators who possess the seed-operation license, they need not to transact the seed-operation license.

Article 30 - The grant office, beyond its dominational, should determine the valid area of the seed-operation license. The seed operator can establish branches according to valid area stipulated by the seed-operation license, and the branches need not to get any license. But they must submit the case to local administrative departments of agriculture and forestry and the original license-grant office for file, within 15 days after they have transacted or modified the operation license.

Article 31 - The seed-operation license must indicate the business scope, operation method, valid area and valid period for the seed operating.

It is forbidden to counterfeit, change, buy or borrow the seed-operation license, and it is forbidden for any entity or individual, has no the license or cannot comply with the stipulations of the license, to operate seeds.

Article 32 - The seed operator should comply with related stipulations of laws and regulations to provide the seed users with seed characteristics, main planting technologies, use instructions and consultancy services, and should be responsible for the seed quality.

Any entity or individual is not allowed to interfere with the independent operation rights of the seed operator.

Article 33 - To the seeds produced in the forest production base establish by the administrative department of agriculture and forestry under the State Council, or by the people's administrative departments of agriculture and forestry of provinces, autonomous regions and municipalities directly under the Central Government, they should be bought and used uniformly by the entities appointed by the above departments of agriculture and forestry, and non-appointed entity is forbidden to buy the seeds in the production base.

Without the approval of above administrative departments of agriculture and forestry, any entity and/or individual are not permitted to purchase valuable tree seeds and forest seeds that are forbidden to buy by the people's government of same level.

Article 34 - The seeds to be sold should be processed, classified and packed, except for those that cannot be done so.

The big-packed seeds or the imported seeds may be divided into smaller package, but the

entity to carry this task must be marked clearly and it should be fully responsible for the seed quality.

Article 35 - The seeds to be sold should be attached with label indicating seed type, variety, name, production place, quality index, quarantine certificate No., license No. of seed production and operation, or document No. of import examination and approval etc. The contents of the label should be consistent with the seed.

To sell import seeds, Chinese label must be attached.

To sell gene-transfer plant seeds, it must be showed with obvious written language and safety control methods must also be provided too.

Article 36 - The seed operator must establish files for seed operating, indicating brief content of seed sources, process, storage, transportation, quality check, the director, and where will the seed.

The operation documents of annual crop seeds should be kept for two years after the sell of the seeds, while the administrative departments of agriculture and forestry under the State Council should stipulate the storage period of operation documents for perennial crop seeds.

Article 37 - The contents of seed advertisement should be consistent with this law and other laws and regulations related with advertisement, and the main description of characteristics should be in line with the examined and approved proclamation.

Article 38 - The seeds to be moved or mailed from corresponding county should be attached with quarantine certificate.

Chapter 6 - The Usage of Seed

Article 39 - The seed user has the right to buy seeds fully of his will, and any entity or individual is not allowed to interfere with it illegally.

Article 40 - The forestation project mainly or fully invested by the national or the forestation project carried out by state forestry entity should use the improved forest variety according to the plan stipulated by the administrative department of forestry.

The national should support the forestation of shelterbelt using improved forest variety, and other forestation project with special usage.

Article 41 - If the seed user undergoes loss because of the seed quality, the seed supplier should compensate for it, and the compensation includes the money number used to buy the seeds, related expense and the available profit loss.

After the operator compensates for the buyer's loss, the operator has the right, if the seed user's loss is the responsibility of the seed producer or other operators, to get claim for the compensation from the seed producer or other operators.

Article 42 - If civil dispute is caused by the seed usage, the parties can come to agreement by negotiation or intermediation. If one of the parties is reluctant to resolve the dispute by above methods or the dispute cannot come to agreement, the party can apply for arbitration to the arbitration organizer. The party can also directly go to the People's Court.

Chapter 7 - Seed Quality

Article 43 - The administrative departments of agriculture and forestry under the State Council should stipulate the industry standards and quality management methods of seed production, process, package, check and storage.

The administrative department should be in charge of the supervision of the seed quality.

Article 44 - The administrative department of agriculture and forestry can entrust quality test unit to check the seed quality.

The seed quality test institution should possess corresponding test conditions and abilities and pass the examination of the administrative department of the people's government above province level.

Article 45 - The test institution of seed quality should equip with qualified seed checkers who should have the following qualifications:

- (1) Education diploma of middle technology school graduate, major in related subject;
- (2) Has engaged in the test work of seed quality more than three years;
- (3) Passed the examination of the administrative departments of agriculture and forestry of the people's government above province level.

Article 46 - It is forbidden to produce, operate false or low quality seeds; false seed includes the following:

- (1) Use non-seed to imitate seed or use a kind of seed to imitate other kind of seed; and
- (2) The seed variety, type and production place are not consistent with the contents of label.

Followings are the low quality seeds:

- (1) The seed whose quality is lower than that of the national standards;
- (2) The quality is lower than what marked on the label;
- (3) The quality has changed and the seeds cannot be used as seeds;
- (4) The percentage of weed seeds is more than the stipulated value; and
- (5) With maleficent organism quarantined by the national.

Article 47 - In case that the crop seed must be used because of force majeure, and its quality is lower than that of the seed-usage standards of the national or local government, the seed usage must be approved by the people's government above local county level, while the forest seed must be approved by the people's government of local provinces, autonomous regions and municipalities directly under the Central Government.

Article 48 - The entity or individual engaged in the seed selection, cultivation, production, operation and management should comply with stipulations of related quarantine law and administrative regulations to avoid the promulgation and extension of plant dangerous diseases, insect pests and weeds.

It is forbidden for any entity or individual to carry out plant diseases and insect pests research in the seed production base.

Chapter 8 - Import, Export and Foreign Cooperation for Seed

Article 49 - The quarantine system must be put into practice for seed import and export to prevent plant dangerous diseases, insect pests and weeds from transfer into or out of China. The detail quarantine works should be carried out according to quarantine law of plant import and export.

Article 50 - The corporation or other organization engaged in the business of seed import and export must possess the seed-operation license, in addition, they must get the permission of seed trade of export and import according to foreign trade law and administrative regulations.

The State Council should stipulate the limits of power to examine and approve the introduction of crop seeds or forest seeds from foreign countries, stipulate the examination and approval methods to import and export crop seeds and forest seeds, and determine the management method to introduce gene-transfer plant species from foreign countries.

Article 51 - The seed quality of import and export should meet national standards or industry standards. If there is no national standards or industry standards for the seed quality, it should be carried out according to the standard of the contract.

Article 52 - Seed import to produce seed for foreign countries is not bonded by rule 1 of Article 50, provided that there is seed production contract, the imported seed must only be used to seed production and its product cannot be sold in China.

The crop test variety imported from foreign countries must be cultivated in isolation status, and the harvest cannot be sold as commercial seed in China.

Article 53 - It is forbidden to import and export false or low quality seeds, or the seeds that are not permitted to import and export by national stipulations.

Article 54 - According to respect laws and administrative regulations, the related departments under the State Council should determine the management methods and examination/approval procedure for the foreign enterprises or other economic organizations to invest the seed production and operation in China.

Chapter 9 - Administrative Management for Seed

Article 55 - The administrative departments of agriculture and forest are the law-enforce departments. Seed tipstaffs should show their certificate of law execution when they legally carry out the line of duty.

To implement this law, the administrative department of agriculture and forestry can check the locale.

Article 56 - The administrative department of agriculture and forestry and its missionaries may not take part in or undertake seed production, sell and purchase. The operation organizations of seed production may not take part in or undertake the administrative management works of seeds. The administrative department and operation organization of seed production should be isolated on the aspects of personnel and financial affairs.

Article 57 - The administrative department of agriculture and forest under the State Council and the people's governments, in whose region the seed is cultivated, of provinces, autonomous regions and municipalities directly under the Central Government should

strengthen the coordination and management on the issue of seed cultivation. The traffic and transportation departments should first guarantee the seed transportation.

Article 58 - When the administrative departments of agriculture and forestry implement the granting of related licenses, they cannot charge for any expenses except the production costs of certificates.

Chapter 10 - Law Responsibilities

Article 59 - For any entity or individual who violate the stipulations of this law to produce or operate false seeds or low quality seeds, the people's government administrative departments of agriculture and forestry or other administrative management organizations of industry and commerce should order them to stop production or operation, confiscate the seeds and illegal income, revoke the seed-production license, seed-operation license or business license, and impose a forfeit for the illegal actions. If there is illegal income, a fine of 5 times to 10 times as that of the illegal income should be imposed on them; if there is no illegal income, a fine of RMB 2000 Yuan to RMB 50000 Yuan should be imposed on them. For criminal case, criminal responsibility should be investigated and affixed according to related law.

Article 60 - For those who break the stipulations of this law and have done one of the following things, the people's government administrative departments of agriculture and forestry above county level should order them to correct, confiscate the seeds and illegal income, impose a fine of 1 time to 3 times as that of the illegal income, impose, if no illegal income, a fine of RMB 1000 Yuan to RMB 30000 Yuan on them, revoke the seed-production license or seed-operation license. For criminal case, criminal responsibility should be investigated and affixed according to related law:

- (1) Cannot get the seed-production license, counterfeit, change, buy or lease the seed-production license, or cannot produce according to the stipulations of the seed-production license.
- (2) Cannot get the seed-operation license, counterfeit, change, buy or lease the seed-operation license, or cannot operate according to the stipulations of the seed-production license.

Article 61 - For those who break the stipulations of this law and have done one of the following things, the people's government administrative departments of agriculture and forestry above county level should order them to correct, confiscate the seeds and illegal income, impose a fine of 1 time to 3 times as that of the illegal income, impose, if no illegal income, a fine of RMB 1000 Yuan to RMB 20000 Yuan on them, revoke the seed-production license or seed-operation license. For criminal case, criminal responsibility should be investigated and affixed according to related law:

- (1) The seeds produced for foreign countries are sold in China;
- (2) The harvest of the test-crop seeds introduce into China is sold in China; and
- (3) Privately collect of fell the natural variety resources mainly protected by the national.

Article 62 - For those who break the stipulations of this law and have done one of the following things, the people's government administrative departments of agriculture and forestry above county level should order them to correct, impose a fine of RMB 1000 Yuan to RMB 10000 Yuan on them:

- (1) The operated seeds are not packed, but it is necessary to do so;

- (2) There is no label for the operated seeds or the content or the label is not consistent with this law;
- (3) Counterfeit or alter the label or test/check data;
- (4) The files of seed production and operation are not prepared and stored; and
- (5) It is not submitted for file for the operators to establish branch in other places.

Article 63 - For those who break the stipulations of this law to supply or introduce seed resources to/from foreign countries, the administrative departments of agriculture and forestry under the State Council or the people's government administrative departments of agriculture and forestry of provinces, autonomous regions and municipalities directly under the Central Government should confiscate the seeds and illegal income, and impose a fine of RMB 10000 Yuan to RMB 30000 on them.

For those who take or transport variety resources out of China without the approval of the administrative department of agriculture and forestry, the custom should detain the variety resources and transfer it to the people's government administrative departments of agriculture and forestry of provinces, autonomous regions and municipalities directly under the Central Government.

Article 64 - For those who break the stipulations of this law to sell or popularize seeds that are necessary to subject to examination and approval and actually not so, the people's government administrative departments of agriculture and forestry above county level should order them to stop the sale and popularization, confiscate the seeds and illegal income, and impose a fine RMB 10000 Yuan to RMB 50000 Yuan on them.

Article 65 - For those who break the stipulations of this law to snatch the immature seeds, damage the parent trees, or to collect seeds from the low quality parent trees or forest, the people's government administrative department of agriculture and forestry above county level should order them to stop the seed collection, confiscate the collected seeds, and impose a fine of 1 time to three times on them. For criminal case, criminal responsibility should be investigated and affixed according to related law.

Article 66 - For those who break Article 33 of this law to buy forest seeds, the people's government administrative departments of forestry above county level should confiscate the purchased seeds and impose a fine not more than two times as the money number of the purchased seeds on them.

Article 67 - For those who break the stipulations of this law to carry out the test of plant diseases and insect pests in the seed-production base, the people's government administrative departments of agriculture and forestry above county level should order them to stop the test, and impose a fine of no more than RMB 50000 Yuan on them.

Article 68 - If the quality-test institutions of seeds provide falsehood certificates, these institutions and suppliers should take the related responsibilities. Responsibilities of related persons of the quality-test institution should be investigated according to relevant law. For criminal case, criminal responsibility should be investigated and affixed according to related law.

Article 69 - Those who force the seed user to reluctantly buy or use their seeds, and cause damage to the seed users, they should assume the responsibility to compensate.

Article 70 - For administrative departments of agriculture and forestry to grant the seed-production license or seed-operation license to those that are not qualified, administration punishment should be given to the direct governors or other persons related with the cases.

For criminal case, criminal responsibility should be investigated and affixed according to related law.

Article 71 - For the seed administrative managers who practise favoritism, misuse authority and scrimshank, or break the stipulations of this law to engage in seed production and operation, they should be given administrative punishment according related law. For criminal case, criminal responsibility should be investigated and affixed according to related law.

Article 72 - For those who think that the administrative actions of the administrative departments have infringed their legal rights, they can apply for administrative reconsideration according to related law, or lodge a complaint to the People's Court according to the law.

Article 73 - The administrative departments of agriculture and forestry should inform the management office of the industry and commerce to logout or change the misfeasors' business licenses after the departments have revoked the misfeasors' seed-operation license.

Chapter 11 - Supplementary Provisions

Article 74 - Definition of terms in this law

(1) *Seed resources* refer to the basic materials selected to cultivate new variety, including planting seeds of various floral, wildness seeds and the gene materials fabricated with above materials.

(2) *Variety* refers to the plant colony that has been selected, cultivated, found, and improved by human, whose shape and biological characteristics are uniform, and whose genetic characteristics are relatively stable.

(3) *Main crops* refer to rice, wheat, maize, cotton and soybean, and other one to two crops that are determined respectively by the administrative department of agriculture under the State Council, and the people's government administrative departments of agriculture of provinces, autonomous regions and municipalities directly under the Central Government.

(4) *Improved variety or high quality seed of forest* refers to those examined and approved forest seed whose output, adaptability and resistance are significantly better than that of the propagation materials and planting materials.

(5) *Label* refers to specific symbol and written descriptions fixed in the package or on its surface.

Article 75 - The main forest of this law should be determined and claimed by the administrative department of forestry under the State Council, and other following 8 forest trees should be determined by the people's government administrative department of forestry of provinces, autonomous regions and municipalities directly under the State Council.

Article 76 The selection, cultivation, production, operation, use and management of seed resources for weed seed and mushroom seed should be carried out according to this law.

Article 77 - If the international agreement that the People's Republic of China has entered is not consistent with this law, the terms in the international agreement is to be used, except those reserved terms announced by the People's Republic of China.

Article 78 - This Law shall go into effect as of December 1, 2000, and the Regulations of the

People's Republic of China on Seed Management promulgated by the State Council on March 13, 1989 shall be annulled at the same time.

**Promulgated by
The Standing Committee of the National People's Congress
on 2000-7-8**