Signature of an Administrative Arrangement with Taiwan

26 April 2019Press Release

The Council of Agriculture of Taiwan and the Community Plant Variety Office sign an Administrative Arrangement on mutual Recognition of Examination Results for Plant Variety Protection of orchid varieties (Phalaenopsis and Doritaenopsis )

On 26 April 2019, Director General, Jong-i HU, Agriculture and Food Agency, Council of Agriculture of Taiwan and Martin Ekvad, President of the Community Plant Variety Office (CPVO) signed an Administrative Arrangement on the mutual recognition of examination results for plant variety protection for Phalaenopsis and Doritaenopsis varieties, more commonly known as butterfly orchids. Mrs Madeleine Majorenko, Head of the European Economic and Trade Office in Taipei participated during the signing ceremony and congratulated the two signing parties.

For many years the plant variety rights authorities of Taiwan, Naktuinbouw (EU entrusted examination office for the species concerned based in the Netherlands) and the CPVO have worked to harmonize the way of conducting technical examinations for these crops. As now similar standards were reached, the Arrangement could be signed.

Breeders will still have to apply for plant variety rights to both authorities if they wish to have their new varieties protected in both Taiwan and the EU. However, the technical examination of the variety has to be conducted only once. The technical examination – being the basis for the grant of the title of protection – will be carried out on the basis of the CPVO Technical Protocol which is in turn based upon the corresponding UPOV Test Guideline.

Martin Ekvad states that “in the EU we received 112 applications for these species in 2018 and in the past ten years 827 applications were received. EU applicants file many applications in Taiwan every year. Accepting the findings of a technical examination already carried out by the other authority will accelerate the granting process for the subsequent application. In addition, breeders will no longer have to pay two examination fees but only an administrative fee of EUR 320 or the equivalent in TWD in the second application procedure. There are two main aims for this project; to facilitate the processing of applications for breeders and to improve procedures when working together with authorities outside the EU. “

Breeders are nevertheless required to submit a reference sample of five plants to the testing station of the authority taking over the report. Details of the effects on applicants are found on cpvo.europa.eu

The Arrangement will enter into force on 1 June 2019 and has an initial duration of three years and it may be prolonged.