



Australian Seed Federation
SOWING SEEDS

<i>Smart from the Start checklist</i>	<input checked="" type="checkbox"/>
Is it the species you want? Choosing a species	<input type="checkbox"/>
Is it a true variety? Choosing a variety	<input type="checkbox"/>
Is it the variety you want? Varietal purity	<input type="checkbox"/>
Is a current Statement of Seed Analysis available? Code of Practice	<input type="checkbox"/>
Is the seed lot number on the statement the same as the one on the bag or label?	<input type="checkbox"/>
Is the seed provided by a member of the ASF? ASF Members	<input type="checkbox"/>
Is infringing PBR worth losing the farm? Plant Breeders Rights	

Know Before You Sow™

- Why take a risk when buying seed?

You cannot accurately assess seed quality just by looking at it. Seed may appear clean and healthy, but could contain weed seeds and have low germination. Most seed of the same species looks identical, so you cannot be sure of the variety you are purchasing – unless it is certified or quality assured seed. Always ask for the Statement of Seed Analysis for any seed before you buy.

The importance of good quality seed

Seed is the most important input into any crop or pasture that you sow. The quality of the seed you buy must be assessed carefully to ensure that you are getting value for money, and not introducing any weeds with the seed. To minimise the risk associated with buying seed, The Australian Seed Federation (ASF) has produced a Smart from the Start checklist that suggests some questions to ask your seed supplier.

Choosing a species

Reputable consultants and advisors can provide advice on species most suitable to your requirements.

Choosing a variety

Having selected the species you want to sow for a particular situation, you are faced with a bewildering array of choices. Fortunately, several tools are available to assist with this choice. For example, the ASF has recently released the Pasture Seed Products Database. The database lists all commercially available pasture seed products by species and the intellectual property, marketing and varietal status of the various seeds nominated by their Australian marketer.

One of the major benefits of the data base is that it identifies which pasture products are “varieties” and which are not varieties (branded seed products). Implicit in the definition of “variety” is a substantiated capacity to consistently deliver the described genetic characteristics of the pasture seed product. Anybody can brand a bag of seed and make a claim about its performance but to have confidence in those claims consumers need to know it is a “variety”. To qualify as a variety internationally agreed scientific procedures must be followed in order to demonstrate that the new variety has the genetic stability and uniformity to deliver the benefits claimed and can do so over successive generations. <http://www.asf.asn.au>

Similarly, the National Variety Trial's NVT Online website lists the range of available cereal varieties with details about the breeder, marketers and PBR status. In addition, it provides access to independent results on the performance of recently released grain and field crop varieties from trials conducted across Australia. <http://www.nvtonline.com.au/>

However, choosing a variety is only part of the process to ensuring you get the variety you think you are getting and that it will germinate satisfactorily and not introduce weeds.

What makes good quality seed?

Varietal purity

Is the seed a true variety and the variety you want? After carefully deciding what to grow, you want to be certain that the seed you buy is that variety. Buy Certified Seed, or seed produced under a reputable quality assurance scheme, to ensure varietal purity. For details on certification refer <http://aseeds.net.au/>

Physical purity

Does it contain any undesirable weed seeds? Seed may have been produced in another district or State. It may also contain weeds not present on your farm. Weeds prohibited in one State may not be prohibited in another. Weed details are usually not displayed on the label, but weed seeds found in the sample are listed in the Statement of Seed Analysis. A Statement of Seed Analysis is often referred to as a Purity and Germination or P and G statement.

Reputable seed suppliers will give you a copy of the Statement of Seed Analysis if you ask. But, seed analysis statements are only as reliable as the sample provided. Samples of certified seed, and seed from reputable quality assurance programmes, are representative of the seed lot on sale. Be certain that the seed lot, or seed line number, quoted on the statement matches the one on the bag or label.

Germination

Will this seed establish a healthy crop? The germination percentage is the percentage of seeds that germinates to produce normal seedlings. Determining normal seedlings requires skill and a controlled environment. A laboratory test is essential. Depending upon the storage conditions, the germination test results should remain valid for up to 12 months from the date of testing.

Disease

Does the seed carry any disease? Seed of some species, particularly pulses, may carry diseases into the resulting crop. Results of disease tests may also be found on the Statement of Seed Analysis.

Seed testing services

Sowing farm saved seed without knowing its quality, especially germination percentage, can be highly risky particularly for some crop types such as pulses and canola. Cereals can also quickly deteriorate in germination if harvested and stored at moisture levels above 13%. Relative to the costs of establishing a crop it makes good sense to test your saved seed before sowing. Several seed testing laboratories provide a comprehensive range of seed analytical services to farmer and seed industry clients including testing for:

- germination %
- physical purity %

- moisture %
- weed seed identification

Reputable testing laboratories that are members of the Australian Seed Federation (ASF) include;

- AgEtal www.agetal.com.au
- Agwest Plant Laboratories www.agric.wa.gov.au
- AsureQuality www.asurequality.com.au
- Seed Services Australia www.ruralsolutions.sa.gov.au/seeds

The Australian Seed Authority (ASA) has authorised these organisations to undertake seed certification activities in Australia. These organisations can certify seed under both the OECD Seed Schemes and the Australian Seed Certification Scheme.

National Code of Practice

The National Code of Practice for Labelling and Marketing of Seed for Sowing aims to ensure you are provided with consistent and accurate information so you can make informed decisions about the suitability of seed for sowing. This Code applies throughout Australia. The Code was developed by the seed industry and sets out the:

- information required on the label, and
- acceptable conduct for marketing and dealing with performance claims about a variety.

All members of the Australian Seed Federation (ASF) abide by the Code of Practice. At a minimum, this will ensure that the label contains essential information about the species, chemical/additive/biological treatments and the availability of statement of seed analysis. In addition the code sets out acceptable conduct for marketing and dealing with performance claims about a variety. A list of ASF members and a copy of the Code can be found at www.asf.asn.au

Plant Breeder's Rights?

Plant Breeder's Rights are exclusive commercial rights to a registered variety. The rights are a form of intellectual property, like patents and copyright, and are administered under the Plant Breeder's Rights Act 1994 (the Act) Plant Breeder's Rights are one means of conferring seed variety status.

In relation to propagating material of the registered variety, successful applicants have exclusive rights to:

- i. produce or reproduce the material;
- ii. condition the material for the purpose of propagation (conditioning includes cleaning, coating, sorting, packaging and grading);
- iii. offer the material for sale;
- iv. sell the material;
- v. import the material;
- vi. export the material; and
- vii. stock the material for any of the purposes described in (i) to (vii).

If you purchase PBR protected seed, there are no restrictions on the use of that particular batch of seed on your farm except you are not permitted to produce propagating seed to re-sell unless you are licenced to do so.

Generally, the use of plant material produced by that seed is also free provided that it is not sold or conditioned as propagating material or contains propagating material exported to countries where PBR protection is not available. This means producers cannot sell/trade/barter/gift seed between themselves. If in doubt, you should approach the PBR grantee and determine whether their authorisation is required. Varieties covered by PBR and the PBR grantee are available on the IP Australia website above.

The PBR grantee may initiate legal action against you seeking damages or an account of profits. The PBR Act provides for penalties for infringement of the breeder's right of up to over \$90,000 for individuals and over \$460,000 for companies. There are penalties for other unlawful acts in relation to the legislation. Put another way, companies could now be 'risking the farm' with a catch me if you can attitude to PBR.

The ASF has actively participated in the review of the enforcement of PBR that was commenced in 2005. The review concluded in 2010, with several recommendations being accepted by government that are currently are in the process of being legislated. Two of the recommendations outlined below will make it easier to enforce rights and make the potential cost to infringers greater.

- i. Including PBR matters within the jurisdiction of the second tier of the Federal Court to provide PBR owners with an appropriate forum for enforcing their rights
- ii. introducing exemplary damage provisions into the Plant Breeder's Rights Act 1994 (the PBR Act)

If you are in doubt about your actions, you should approach the PBR grantee and determine whether their authorisation is required. Please be aware that ignorance of the law is not a defence against legal action. Refer www.ipaustralia.gov.au/pbr/about.shtml

If you purchase PBR protected seed, there are no restrictions on the use of that particular batch of seed on your farm except you are not permitted to produce propagating seed to re-sell unless you are licenced to do so.