

Variety registration

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Inclusion of a variety in the list of varieties of fruit trees and berries

To enter the variety in the List of varieties of fruit trees and berries:

Application must be submitted

There are two types of application forms, one for new varieties or varieties that have undergone varietal distinctness, uniformity and stability (AVS) testing, and one for varieties that were on the market before 30 September 2012 and have not undergone AVS testing.

[Application for inclusion of a variety in the List of varieties of fruit trees and berries \(with AVS test or new variety\)](#)(in Latvian)

[Application for inclusion of a variety in the list of varieties of fruit trees and berries \(marketed until 30.09.2012, without AVS\)](#)(in Latvian)

Application can be subited by:

the breeder, for a new variety, if it is subject to or undergoing variety examination;

or

the holder of the breeder's right in respect of a variety protected by the breeder's right;

or

a person who produces and wishes to market propagating material of a variety in respect of a variety which is not included in the Register, is not protected by plant variety rights in the European Union or for which no application has been made for the grant of a breeder's right in Latvia or in the European Union

The following documents must be attached to the application:

- **1** In the case of an application for a new variety or a variety which has undergone an AVS examination:
 - ● technical form for variety testing (according to the testing protocol for the species or the guidelines under the laws and regulations on testing the distinctness, uniformity and stability of the variety);
 - ● the official description of the variety;
 - ● the final report of the variety examination issued by the examination body which carried out the variety examination.
- **2** In the case of an application for a variety which has not been subject to an AVS examination and which was on the market before 30 September 2012:
 - ● a description of the variety, including the characteristics and manifestations of the variety listed in Annex 3 to Cabinet of Ministers Regulation No 16 of 3 January 2017 ["Rules for the establishment of the list of varieties of fruit trees and berries"](#), as well as information on the person who prepared the description;
 - ● a copy of the publication of the description of the variety, giving the bibliographical details of the publication;
 - ● information demonstrating that the variety has been marketed before 30 September 2012 (e.g. a copy of publicly available information on the marketing of the variety or any other evidence of marketing of the variety).

If the variety is genetically modified, also the authorisation issued for the distribution on the market of the genetically modified variety in accordance with the regulatory enactments on the circulation of genetically modified organisms

If the description of the variety for a variety which has not undergone a variety testing and which was marketed before 30 September 2012 is submitted by a person who produces and wishes to market propagating material of the variety the description must be reviewed by a scientific institution specialising in horticulture. The review should include the information provided for in paragraph 23 of Annex 3 to Cabinet of Ministers Regulation No 16 of 3 January 2017 '[Rules for establishing the list of varieties of fruit trees and fruit berries](#)'.

In this case, the scientific institution in question is the public entity [Institute of Horticulture](#)' (Graudu iela 1, Ceriņi, Krimūnu pag., Dobeles nov., LV-3701).

For a variety entered in the State Register of Protected Plant Varieties of Latvia or which has been entered in the Register, only an application needs to be submitted.

Information on the decision taken

If, within one month of receipt of the application and all the necessary documents, the State plant protection service has not informed the applicant of the inclusion of the variety in the list of varieties or of the refusal to include the variety in the list of varieties, it can be deemed that the State plant protection service has included the variety in the list of varieties by default under the Freedom to Provide Services Law

Inclusion of a variety in the list of varieties of fruit trees and berry species or removal from the list

<https://www.vaad.gov.lv/en/variety-registration>