

**Policy on Allowing Certified to Certified Production
As Adopted by the University of Idaho
Foundation Seed Stocks Committee
December 2, 2004**

General Information

Current Guidelines for allowing an additional generation of the certified class;

“Recertification of the certified class may be permitted for in-state planting of older varieties for which foundation seed is not being maintained.” (Page General – 4, Idaho Rules of Certification.)

The rule further states;

“The production of an additional generation of the certified class may only be permitted on a one-year basis, when an emergency is declared prior to the planting season by the certifying agency stating that the foundation and registered seed supplies are not adequate to plant the needed certified acreage of the variety. The permission of the originating or sponsoring plant breeder, institution, firm or owner of the variety, if existent, must be obtained. The additional generation of certified seed to meet the emergency need is ineligible for recertification.” (Page General – 4, Idaho Rules of Certification.)

These statements are consistent with the provisions of the Federal Seed Act, Section 201.70. The Federal Seed Act is the overriding authoritative document for the handling of certified seed in the United States.

Concerns

Over the last several years, situations have arisen where growers and seed companies have requested the authorization to produce additional generations of the certified class of seed. Several of these requests have not been made on the basis of foundation seed not being maintained or on the basis of foundation and registered seed not being available to meet the planting needs of the industry. Instead the requests have centered on the failure of growers or seed companies to properly plan for the amount of seed needed for the planting season or on the basis of seed lots being rejected and thus not eligible for planting to produce certified seed.

In several instances, breeders at the University of Idaho have single handedly approved the production of additional generations of the certified class. These actions have generally been followed by letters to inform Idaho Crop Improvement Association (ICIA) of the action. However, it is the feeling of ICIA that the process for the authorization of certified to certified production has become subjective and does not meet with the intent of the Idaho Rules of Certification or the Federal Seed Act. Instead, pressure is brought

to bear on University breeders by those with production problems thus forcing the authorization of the additional generation production. Cases in point are, the way in which 377S wheat and Pacific Gold mustard have been handled.

Action Taken

The University of Idaho and the ICIA have jointly developed and intend to abide by the following policy for the authorization of production for additional generations of the certified class of seed for any variety to be planted under certification in Idaho.

Policy Adopted as of December 2, 2004

Prior to the authorization for the production of an additional generation of the certified class the following steps shall be taken;

1. Requests for the production must be received in writing from the party(s) requesting authorization. This request must contain the stated reasons for the request and those reasons must conform to the current rules as stated in the Idaho Rules of Certification and the Federal Seed Act.
2. Written requests must be sent to the Executive Vice President of Idaho Crop Improvement Association, Inc. (ICIA). ICIA will then forward the request to the Director of the AES University of Idaho, Manager of the Foundation Seed Program and appropriate breeders. The Idaho Research Foundation will also be notified, if appropriate.
3. The above parties will determine the current supply of seed available, not only in Idaho but in the surrounding states. This determination may be made with input from the seed industry if the above parties are unable to determine supply.
4. Once it has been determined that authorization should be granted, the party requesting the authorization will be notified in writing by ICIA. All parties involved in the determination will also receive written confirmation that the process has been completed. In addition, ICIA will notify Idaho Approved Conditioners which handle the particular crop and surrounding state certification agencies of the authorization of the request for certified to certified production.
5. When requests for certified to certified production are made by a seed company or private breeder for varieties to which they own the rights, ICIA may grant the additional generation of production provided the request is made in writing. Such requests will state the lot number and pounds of seed to be used in the production of the additional generation. Copies of the request and written authorization will be sent to the Director of the AES, Manager of the Foundation Seed Program and appropriate breeders. The Idaho Research Foundation will also be notified, if appropriate.
6. Numbered items 1-4 of this Policy apply to publicly released varieties and further it is the intent of this policy to pertain to any varieties released through the IRF.