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RULES ON THE LIST OF SPECIES OF AGRICULTURAL PLANTS INVOLVING EXCEPTIONS TO THE PLANT BREEDERS' RIGHTS AND ON THE ELEMENTS FOR DETERMINING SMALL AGRICULTURAL PRODUCERS

Introductory provision

Article 1

These Rules lay down the List of species of agricultural plants involving exceptions to the plant breeders' rights and elements for determining small agricultural producers.

List of species of agricultural plants involving exceptions to the plant breeders' rights

Article 2

List of species of agricultural plants involving exceptions to the plant breeder's rights includes varieties of plant species for which it is considered that breeder's rights shall not be infringed by a farmer who uses for propagating purposes, on his own holding, and for his own needs, "farmers saved seed" which he has obtained by planting on his own holding, in accordance with the law governing the protection of plant breeder's rights.

List of species referred to in paragraph 1 of this Article is given in Annex - List of species of agricultural plants involving exceptions to the plant breeders' rights, which is attached to this Regulation and is its integral part.

Elements for determining small agricultural producers

Article 3

Elements for determining small agricultural producers are:

- 1) that grows agricultural and vegetable crops on the land whose area does not exceed 10 ha;
- 2) that may use for propagating purposes, on there own holding, and for there's own needs, "farmers' saved seed" of the protected variety of plant species that is on the list of species of agricultural plants involving exceptions to the plant breeder's right, without paying any remuneration.

Final provision

Article 4

This Rulebook shall enter into force on the eight day following its publication in the “Official Gazette of the Republic of Serbia”.

Annex

LIST OF SPECIES OF AGRICULTURAL PLANTS INVOLVING EXCEPTIONS TO THE PLANT BREEDERS' RIGHTS

List of species of agricultural plants involving exceptions to the plant breeders' rights includes the following species:

1) Fodder plants:

- Lucerne (*Medicago sativa L.*),
- Field pea (*Pisum sativum L.*),
- Common vetch (*Vicia sativa L.*);

2) Cereals:

- Oats (*Avena sativa L.*),
- Barley (*Hordeum vulgare L.*),
- Rye (*Secale cereale L.*),
- Triticale (*X Triticosecale Wittm.*),
- Wheat (*Triticum aestivum L. Emend. Fiori et Paol.*),
- Durum wheat (*Triticum durum Desf.*),
- Spelt wheat (*Triticum spelta L.*);

3) Potatoes (*Solanum tuberosum L.*).

The List of species of agricultural plants involving exceptions to the plant breeders' rights does not include hybrid and synthetic varieties.