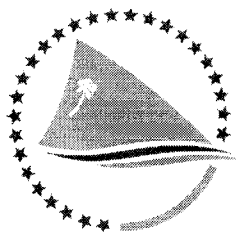


**SECRETARIAT OF THE PACIFIC
COMMUNITY**

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SPC-RGC GERmplasm RELEASE POLICY STATEMENT

The SPC-RGC maintains germplasm from Pacific Island countries and territories and from outside the region primarily for use in the Pacific for crop improvement and agricultural research. Following the entry into force of the United Nations Convention on Biological Diversity on 29 December 1993, the SPC-RGC recognizes the sovereign rights of the country supplying the germplasm (the Supplier) in any germplasm exchange. This Germplasm Release Policy Statement and its associated Material Transfer Agreement reflect this. They will apply to all germplasm maintained by the SPC-RGC unless a country prefers a different arrangement to govern distribution of material originally collected there.

Reflecting the concerns of Supplier countries and of their farmers, who have been improving their crops for generations, the SPC-RGC adopts the following policy:

1. In any transfer of germplasm, whether material is in the form in which it was maintained or whether it has been modified in any way through research carried out by the SPC-RGC, the SPC-RGC will notify the Recipient of the identity of the Supplier country or countries, but without making warranty as to the genetic make-up of the transferred material.
2. The SPC-RGC will require the Recipient: (a) to acknowledge the Supplier in any publications reporting on its use or descriptions of any marketed varieties derived thereof; and (b) to provide the SPC-RGC with a report on germplasm evaluation results.
3. Recognizing the sovereign rights of the Supplier of the germplasm, the SPC-RGC will inform the Supplier of any distribution of that germplasm. The Supplier will be advised of releases over a specified period. The SPC-RGC will track the destination of released germplasm to the Recipient, and will provide the Supplier with germplasm evaluation data obtained from the Recipient.
4. The SPC-RGC will not claim intellectual property rights over the germplasm received from the Supplier, either in the form received or any derivatives thereof.
5. The SPC-RGC will require that the Recipient does not claim intellectual property rights over the distributed material itself, and that any such claim on products or results derived from research using the material must be preceded by consultation with the Supplier and the SPC-RGC.
6. The SPC-RGC will advise the Recipient that, in the case of commercialization of the material or products or research derived from the material, the Recipient is obliged to provide an

equitable share of the benefits to the Supplier in a form to be agreed upon between the Recipient and the Supplier. The SPC-RGC will assist the Supplier in negotiations on benefit sharing as necessary.