

From: [Williams, Karen -ARS](#)
To: [Spinks, Merrelyn - ARS](#)
Subject: RE: PI 606264 - IPR Foreign patent or license
Date: Wednesday, June 22, 2016 3:46:59 PM
Attachments: [PS-1997-037-USA \(2\).pdf](#)

Hi Merrelyn,

I contacted Dave and the mystery is solved. Attached is the document that came from CIP with the germplasm. The last page is the Interim MTA that covers this accession. We can distribute the accession because the terms are in line with NPGS policy. We do not need to use the SMTA because the accession came to us before the SMTA came into force. I think that you should delete the IPR designation of "Foreign patent or license" and its comment about the Interim MTA and replace it with the "MTA-CIP Disclaimer." The "Additional Availability Information" comment should also be deleted.

The list of germplasm that came in this same shipment has other accessions that could be treated the same in GRIN.

Perhaps you could add this document to the internal documentation in GRIN associated with these accessions in case questions ever come up again.

It is a good day when more NPGS accessions become available! Thanks for that.

Let me know if there are other questions.

Karen

From: Spinks, Merrelyn - ARS
Sent: Monday, June 20, 2016 2:44 PM
To: Williams, Karen -ARS
Subject: RE: PI 606264 - IPR Foreign patent or license

Karen,

Thanks for the info. If you don't mind contacting Dave, we would appreciate it.

Merrelyn

From: Williams, Karen -ARS
Sent: Monday, June 20, 2016 2:32 PM
To: Spinks, Merrelyn - ARS <Merrelyn.Spinks@ARS.USDA.GOV>
Subject: RE: PI 606264 - IPR Foreign patent or license

Hi Merrelyn,

I am sorry I was away for a couple of weeks and couldn't respond earlier. I missed you at the curator meeting last week.

I suspect that that "Interim MTA" came at a time when the SMTA and its use for material in the CGIAR genebanks was being worked out. I found the CIP accession number on GENESYS <https://www.genesys-pgr.org/acn/id/2841675> and it says that that material is (or was) in the Multilateral System, which means that the SMTA would cover its distribution. So I am thinking that we probably could distribute that material with the SMTA, and could change that IPR description in GRIN accordingly. Since I am not sure, I think that we should contact Dave Ellis, the head of the CIP genebank, to clarify. Would you want me to contact him?

Thanks,
Karen

From: Spinks, Merrelyn - ARS
Sent: Thursday, June 09, 2016 8:58 AM
To: Williams, Karen -ARS
Subject: PI 606264 - IPR Foreign patent or license

Karen,

I was asked about PI 606264 and the fact that Foreign patent or license displays under IPR. There isn't much other information in IPR (no dates, etc.). It notes "Interim Material Transfer Agreement" in the IPR Number field, and the donor is Oscar Hidalgo, International Potato Center. Do you have any additional information which clarifies the foreign patent designation and the interim material transfer agreement? I thought perhaps this is because it is from CIP.

Hope you are doing well and thanks.

Merrelyn

Merrelyn Spinks
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DESCRIPTION OF THE CONSIGNMENT

EXPORTER'S NAME AND ADDRESS Noel E. Pallais C.I.P Lima-PERU		CONSIGNEE'S NAME AND ADDRESS Dr. Allan K. Stoner National Germplasm Resources Lab USDA, ARS, Beltsville, Maryland, U.S.A.	
NUMBER AND DESCRIPTION OF PACKAGES 1 box with sweetpotato plantlets		PHYTOSANITARY STATEMENT No. PERU PHYTOSANITARY CERTIFICATE No. LOCAL IMPORT PERMIT No. STANDARD ORDER FORM RECEIVED (date)	037-97 17027 02/18/97
ORIGIN Tiss.Cul.Lab	MEANS OF TRANSPORT DHL courier		POINT OF ENTRY
QUANTITY AND NAME OF PRODUCT Sweetpotato in vitro plantlets for research, as per attached list. cc.: Seed Unit files			
NO COMMERCIAL VALUE - FOR RESEARCH USE SIN VALOR COMERCIAL - PARA INVESTIGACION			
To the best of our knowledge this plant material was free of disease and pests at point of dispatch. No liability shall attach to the International Potato Center, or any of its officers or representatives with respect to this statement.			
DATE April 4, 1997	PLACE La Molina		SIGNATURE 



INTERNATIONAL POTATO CENTER (CIP)

Address: Apartado 1558 - Lima, Perú. Telex: 25672 PE. Cable: CIPAPA, Lima
Phones (51-1) 436-6920; 435-4354 FAX: (51-1) 435-1570. E-Mail: cip@cgnet.com or cip@cipa.org.pe

PHYTOSANITARY STATEMENT

This is to certify that the tubers, true seed, in vitro cultures or cuttings, or representative samples of them, were thoroughly examined on (date of dispatch): April 4, 1997
by (name) Noel E. Pallada
a Senior Scientist of the International Potato Center; and that the consignment is believed to conform to the declaration below.

ADDITIONAL DECLARATION

CHECK APPLICABLE STATEMENT(S) / CROSS OUT NON-APPLICABLE STATEMENTS

- The mother plants were tested and found negative to sweetpotato feathery mottle virus (SPFMV), sweetpotato mild mottle virus (SPMMV), sweetpotato latent virus (SPLV), and sweetpotato chlorotic fleck virus (SPCFV=C-2) by serology and to potato spindle tuber viroid (PSTVd) by nucleic acid spot hybridization test (NASH). The mother plants also tested negative to the above viruses and other agents infecting the indicator hosts *I. nil* and *I. setosa*. They were also found free of sweetpotato viruses disease (SPVD) by challenge inoculation onto SPFMV-infected "TIB-8" clone.
- True seed harvested from pathogen tested mother plants and grown under controlled conditions.
- True seed from non tested mother plants.
- Other

DESINFECTION TREATMENTS

DATE

TREATMENT

CHEMICAL AND CONCENTRATION

INTERNATIONAL POTATO CENTER

CIP NUMBER	CULTIVAR NAME	FAO DES	FEMALE PARENT	MALE PARENT	MAT. SENT	NUMBER SENT
1 187001.1	ST87.006	-	RCB IN-57 CHALA QUITO	PC	IP	2
400005	CEMSA 78-326	D	-	-	IP	2
420008	MARIA ANGOLA	D	-	-	IP	2
440023	W-228	D	-	-	IP	2
440024	YAN SHU 1	D	NANCY HALL	OKINAWA 100	IP	2
440025	XUSHU 18	D	-	-	IP	2
440030	NONG DA HONG	D	HABEI 315	OP	IP	2
440058	TIS 1145	D	-	-	IP	2
440068	TIS 5081	D	-	-	IP	2
440069	TIS 5125	D	-	-	IP	2
440070	TIS 8266	D	-	-	IP	2
440072	TIS 8409	D	-	-	IP	2
440074	TIS 8524	D	-	-	IP	2
440075	TIS 9265	D	-	-	IP	2
440076	TIS 9291	D	-	-	IP	2
440077	TIS 9465	D	-	-	IP	2
440081	TIS 82/395	D	-	-	IP	2
440082	TIS 83/176	D	-	-	IP	2
440083	TIS 1499	D	-	-	IP	2
440085	TIS 8504	D	-	-	IP	2
440099	TIS 9101	D	-	-	IP	2



REPUBLICA DEL PERU
MINISTERIO DE AGRICULTURA

SERVICIO NACIONAL DE SANIDAD AGRARIA - SENASA
DIRECCION GENERAL DE SANIDAD VEGETAL

CERTIFICADO FITOSANITARIO
PHYTOSANITARY CERTIFICATE

Nº 17027

ORGANIZACION DE PROTECCION FITOSANITARIA
PLANT PROTECTION ORGANIZATION
PERU

A : ORGANIZACION (s) DE PROTECCION FITOSANITARIA
TO : PLANT PROTECTION ORGANIZATION (s)
DE (OF) :

DESCRIPCION DEL ENVIO - DESCRIPTION OF CONSIGNMENT		
Nombre y Dirección del Exportador - Name and address of Exporter CENTRO INTERNACIONAL DE LA PAPA Av La Universidad s/n, La Molina		
Nombre y Dirección declarados del Destinatario - Declared name and address of consignees DR ALLAN K. STONER, USDA, ARS, National Germplasm Resources Lab., Beltsville, Maryland, U.S.A.		
Número y Descripción de los bultos - Number and description of package 01 Caja de cartón		Marcas Distintivas - Distinguishing marks
Lugar de origen - Place of origin PERU	Medios de Transporte declarados - Declared Means of conveyance AEREO	Punto de entrada declarado - Declared point of entry MARYLAND
Cantidad declarada y nombre del producto - Name of product and quantity declared 250 gs PLANTULAS IN VITRO DICAMOTE		Nombre botánico de las plantas - Botanical name of plants <u>Ipomea batatas</u>

Por la presente se certifica que las plantas o productos vegetales descritos más arriba se han inspeccionado de acuerdo con los procedimientos adecuados y se consideran exentos de plagas de cuarentena, prácticamente exentos de otras plagas nocivas, y que se considera se ajustan a las disposiciones fitosanitarias vigentes en el país importador.

This is to certify that the plants or plant products described above have been inspected according to appropriate procedures and are considered to be free from quarantine pests, and practically free from other injurious pests, and that are considered to conform with the effective phytosanitary regulations of the importing country.

TRATAMIENTO DE DESINFESTACION O DESINFECCION - DESINFESTATION AND/OR DISINFECTION TREATMENT	
Fecha - Date XXXXXXXXXXXXXXXXXXXX	Tratamiento - Treatment XXXXXXXXXXXXXXXXXXXX
Producto químico (ingrediente activo) - Chemical (active ingredient) XXXXXXXXXXXXXXXXXXXX	
Duración y temperatura - Duration and temperature XXXXXXXXXXXX	Concentración - Concentration XXXXXXXXXXXX
Información adicional - Additional information XXXXXXXXXXXXXXXXXXXX	

Declaración Suplementaria - Additional declaration	
Lugar de expedición - Place of issue: <u>Lima-Perú</u>	(Sello de la organización) (Stamp of organization)
Nombre del funcionario autorizado: <u>Ing. Gerard D. Blair Arze</u>	
Fecha: <u>13 de Marzo de 1997.</u>	 Firma - Signature



El SENASA, sus funcionarios y representantes declinan toda responsabilidad financiera resultante de este certificado.
Este certificado ha sido adoptado por el Perú por Decreto Ley No. 21175, concordante a la Convención Internacional de Protección Fitosanitaria del FAO.



INTERNATIONAL POTATO CENTER (CIP)

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INTERIM MATERIAL TRANSFER AGREEMENT

SHIPMENT NOTICE

(CIP Phytosanitary Statement No.: PS-037-97)

In response to your request signed and dated February 18, 1997, you are receiving with this notice the germplasm samples as indicated on the attached list.

The International Potato Center does not warrant the safety, quality, viability or purity (genetic or mechanical) of the germplasm nor the accuracy of passport or other data provided with it. Its phytosanitary condition is only warranted as described in the attached Peruvian Phytosanitary Certificate and CIP's Phytosanitary Statement.

It is the recipient's responsibility to comply with the recipient's country's biosafety and import regulations and any of the recipient's country's rules governing the release of genetic material.

Please note that samples indicated as "Designated Germplasm" on the list and on the containers are subject to the Agreement between the International Potato Center and the Food and Agriculture Organization of the United Nations (FAO) placing collections of plant germplasm under the auspices of FAO, dated 26 October 1994, and are thus subject to the following conditions:

- a) The recipient agrees not to claim ownership over the material received, nor to seek intellectual property rights over that germplasm or related information.
- b) The recipient agrees to ensure that any subsequent person or institution to whom the recipient makes samples of the germplasm available, is bound by the same provision.

Name of recipient: Dr. Allan K. Stoner
Institution: National Germplasm Resources Lab., USDA, ARS
Address: Beltsville, MD, U. S. A.

Date: April 4, 1997

For International Potato Center

(WS-MTA6)