



Understanding the Basics of Federal & State Seed Laws Resources

Federal Resources:

- Federal Seed Act (7 U.S.C. §§ 1551–1611)
<https://www.law.cornell.edu/uscode/text/7/chapter-37>
- USDA Agricultural Marketing Service, Federal Seed Act Overview
<https://www.ams.usda.gov/rules-regulations/fsa>
- Plant Variety Protection Act (7 U.S.C. §§ 2321–2583)
<https://www.law.cornell.edu/uscode/text/7/chapter-57>
- Plant Variety Protection Regulations (7 CFR Part 97)
<https://www.ecfr.gov/current/title-7/part-97>
- Plant Variety Protection Office
<https://www.ams.usda.gov/services/plant-variety-protection>

U.S. Patent Law

- Plant Patents (35 U.S.C. § 161) (2021)
<https://uscode.house.gov/view.xhtml?path=/prelim@title35/part2/chapter15&edition=prelim>
- U.S. Patent and Trademark Office, General Information About 35 U.S.C. 161
<https://www.uspto.gov/patents/basics/apply/plant-patent#heading-2>
- Utility Patents (35 U.S.C. § 101)
<https://law.justia.com/codes/us/2021/title-35/part-ii/chapter-10/sec-101/>
- U.S. Patent and Trademark Office, Applying for Patents
<https://www.uspto.gov/patents/basics/apply>

State Resources:

- Pennsylvania Seed Act (PSA)
<https://www.legis.state.pa.us/cfdocs/legis/LI/uconsCheck.cfm?txtType=HTM&yr=2004&sessInd=0&smthLwI nd=0&act=0164>.
- Pennsylvania Department of Agriculture Seed Program
https://www.agriculture.pa.gov/Plants_Land_Water/PlantIndustry/agronomic-products/Seed/Pages/default.aspx#:~:text=The%20seed%20program%20administers%20the,Pennsylvania%20Consolidated%20Statutes%2C%20Chapter%2071.

Seed Certification:

- The Association of Official Seed Certifying Agencies
<https://www.aosca.org/>
- Pennsylvania Department of Agriculture Certification
https://www.agriculture.pa.gov/Plants_Land_Water/PlantIndustry/agronomic-products/Seed/Pages/default.aspx



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Pennsylvania Department of Agriculture Seed Library Resources

- Protocol
https://www.agriculture.pa.gov/Plants_Land_Water/PlantIndustry/agronomic-products/Seed/Documents/Seed%20Library%20Protocol%2007-17-14.pdf
- Policy
https://www.agriculture.pa.gov/Plants_Land_Water/PlantIndustry/agronomic-products/Seed/Documents/Seed%20Library%20policy%20for%20seed%20webpage%2010-2018.pdf

Academic Articles:

- Pifer, R. and M. High, [Agricultural Law in the Spotlight: Understanding Legal Protections and Potential Liabilities Associated with Seed Use in Pennsylvania](#), Penn State Center for Agricultural and Shale Law (March 28, 2017)
- Keith Fuglie and James M. MacDonald, [Expanded Intellectual Property Protections for Crop Seeds Increase Innovation and Market Power for Companies](#) (August 28, 2023)
- Rollins, Brigit, [EPA Faces Treated Seeds Lawsuit](#), National Agricultural Law Center (July 6, 2023)
- [More and Better Choices for Farmers: Promoting Fair Competition and Innovation in Seeds and Other Agricultural Inputs](#), USDA Agricultural Marketing Service (March 2023)

Relevant Case Law:

- *Diamond v. Chakrabarty*, 447 U.S. 303 (1980)
<https://supreme.justia.com/cases/federal/us/447/303/>
- *Asgrow Seed v. Winterboer*, 513 U.S. 179 (1995)
<https://supreme.justia.com/cases/federal/us/513/179/>
- *Corteva Agriscience LLC, et al. v. Inari Agriculture* (D. Del., No. [1:23-cv-01059](#)) (filed Sept. 27, 2023)
<https://nationalaglawcenter.org/wp-content/uploads/2023/10/Corteva-v-Inari-complaint-filed-9.27.23.pdf>