

MONSANTO
imagine



MONSANTO HOLDINGS PRIVATE LIMITED
BRANCH OFFICE :
F BLOCK, 2ND FLOOR
INTERNATIONAL TRADE TOWER
NEHRU PLACE
NEW DELHI 110 019, INDIA
PHONE 91 11 2623 6409-12
FAX 91 11 2623 6408

NATIONAL BIODIVERSITY AUTHORITY
CHENNAI,

Dated: 27th June 2011

To

DIARY No. 840
RECEIVED ON 29/6/11

DP/10/2011

Mr. C. A. Reddy
Member Secretary
National Biodiversity Authority
5th Floor, TICEL Bio Park,
Taramani Road, Taramani,
Chennai - 600 113

**Subject: Application regarding information to NBA for germplasm license
from IIHR, Bangalore.**

Dear Sir,


Please refer to our submitted application ref. no. DP/05/2011 dated 11th May 2011; we are hereby enclosing the signed declaration in form-1, for our previously submitted copy of application for reference and kind consideration. We regret the omission in our earlier submission and request you to kindly consider the signed form-1 for consideration during the meeting.

We would like to have NBA's concurrence to access certain onion germplasm lines to be used in our breeding program with access fee and benefit sharing related provisions in the form of ongoing royalties, as per the MTA (copy enclosed) by IIHR, and to ensure that it satisfies NBA's expectations on access and benefit sharing provisions.

In the event, the authority determines that we need to apply to NBA for access of referred onion germplasm lines, we are enclosing the signed copy of Form -I, the fees for which has already been submitted vide DD No. 879114 dated 5th May 2011 along with our application Ref. No. DP/05/2011 and would request earliest disposition of same after due formalities to help us initiate planting in the current season.

Thanking You

Yours Sincerely,


(Dhiraj Pant)
Lead, Regulatory Affairs

Received by hand
Re 28/6/11

Secretary ca
28/6/11

28/6/11
TA (B) ph

23)

FORM I
(see rule 14)

Application form for access to Biological resources and associated traditional knowledge

Part A

1. Full particulars of the applicant

I. Name:

Monsanto Holdings Pvt. Ltd.

II. Permanent address:

Ahura Centre 5th Floor
96, Mahakali Caves Road
Andheri (East)
Mumbai – 400 093
Maharashtra State
Tel: (022) 282 46450
Fax: (022) 282 42890 / (022) 26902150

III. Address of the contact person / agent, if any, in India:

Dhiraj Pant, Lead Regulatory Affairs,
Monsanto Holdings Pvt. Ltd, India
Ahura Centre 5th Floor
96, Mahakali Caves Road
Andheri (East)
Mumbai – 400 093

IV. Profile of the organization (personal profile in case the applicant is an individual). Please attach relevant documents of authentication):

Monsanto Holdings Private Limited (MHPL) is a wholly owned subsidiary of Monsanto Company US. It is leading global provider of technology-based solutions and agricultural products that improve farm productivity and food quality. The research focus of MHPL is biotech cotton and vegetable seeds. Monsanto Vegetables has research and development activities using marker assisted breeding and dihaploids techniques. Crops being focused are Tomato, Hot Pepper (Chili), Eggplant (Brinjal), Watermelon, Cucumber, Tropical Cauliflower and Short Day Onion. MHPL has three R&D in-house units recognized by

22k

Department of Scientific and Industrial Research (DSIR). (Relevant documents already submitted to NBA in our previous applications).

Nature of business:

Support Activities for crop production

- V. Turnover of the organization in US\$: 53 million US\$
- VI. 2. Details and specific information about nature of access sought and biological material and associated knowledge to be accessed

- a. Identification (scientific name) of biological resources and its traditional use:
- 1) We aim to license 2 pairs of CMS lines MS 48 and MS 65, male sterile lines (lines A) and fertile maintainer lines (Lines B) of onions; developed by IIHR, Bangalore.
- b. Geographical location of proposed collection: IIHR, Bangalore ✓
- c. Description / nature of traditional knowledge (oral / documented):

Not Known.

- d. Any identified individual / community holding the traditional knowledge:

Indian Institute of Horticultural Research, an institute, Under Indian Council of Agricultural Research, New Delhi, registered under the Societies Registration Act and having its office at Hessaraghatta lake Post, Bangalore-560089, Karnataka (hereinafter referred to as "IIHR")

IIHR was established in 1967 with the primary purpose of conducting research on various aspects of horticultural crops viz. fruits, vegetables, ornamentals and medicinal plants in order to improve their productivity, quality and utility.

- e. Quantity of biological resources to be collected (give the schedule):

The IIHR shall furnish 25g each of Male sterile (A line) and Maintainer (B Line) of MS 48 & MS 65 to MHPL.

- f. Time span in which the biological resources is proposed to be collected:

One time in 2011

- g. Name and number of person authorized by the company for making the selection:

Dr. Alok Thapiyal

- h. The purpose for which the access is requested including the type and extent of research, commercial use being derived and expected to be derived from it:

We intend to use the male sterile lines to make hybrid combinations with our pollinators to develop new hybrids. The hybrids would be tested for suitability and may be commercialized if found fit. We will use the fertile maintainer lines in Manufacturing to produce more seed of the male sterile lines.

- i. Whether any collection of the resource endangers any component of biological diversity and the risks which may arise from the access:

No, the collection is being made on the consent of the licensee.

3. Details of any national institution which will participate in the Research and Development activities.

Not Applicable

4. Primary destination of accessed resource and identity of the location where the R&D will be carried out.

Monsanto Holdings Private Limited,
24, Chitegaon, Paithan Road, Aurangabad 431105 Maharashtra

5. The economic and other benefits including those arriving out of any IPR, patent obtained out of accessed biological resources and knowledge that are intended, or may accrue to the applicant or to the country that he/she belongs

Not applicable as IIHR holds the patent rights for the parental lines being licensed.

2016

6. The biotechnological, scientific, social or any other benefits obtained out of accessed biological resources and knowledge that are intended, or may accrue to the applicant or to the country that he/she belongs

The benefits are subject to successful breeding of these lines with our in-house germplasm (pollinator lines).

7. Estimation of benefits, that would flow to India/ communities arising out of the use of accessed bioresources and traditional knowledge.

Royalties to IIHR as agreed in the license agreement for material transfer (Enclosed).

8. Proposed mechanism and arrangements for benefit sharing.

- a) MHPL shall pay to the IIHR on the execution of this Agreement a sum of Rs. 5,00,000/- (Rupees Five lakh only) for A-Male sterile, B-Maintainer of MS 48 and 5,00,000/- (Rupees Five lakh only) for A-Male sterile, B-Maintainer of MS 65 as a onetime license fees plus service tax @ 10.3%.
- b) In the event of MHPL commercializing the hybrid seeds developed using any one of the parental lines; MHPL must pay royalties of 2.5% on the net sale.
- c) All payments accruing under clause b) shall be referred to in this Agreement as Royalty.
- d) Royalty payments shall be made on a yearly basis and accounts shall be settled before the 30th of April of the subsequent financial year.

9. Any other information considered relevant. None

19/c

**Part B
Declaration**

I/ we declare that:

- Collection of proposed biological resources shall not adversely affect the sustainability of the resources;
- Collection of proposed biological resources shall not entail any environmental impact;
- Collection of proposed biological resources shall not pose any risk to ecosystems;
- Collection of proposed biological resources shall not adversely affect the local communities;

I/we further declare the Information provided in the application form is true and correct and I /We shall be responsible for any incorrect / wrong information.

Place NEW DELHI

Date 27/06/11

Signed

Name

Title

Signature
DHIRAJ PANT
LEAD, REGULATORY AFFAIRS

Monsanto Holdings Pvt. Ltd.
F-Block 11nd Floor,
International Trade Tower
Nehru Place, New Delhi-15
Ph.: 28236411-12 Fax: 26238