



Department of
**Primary Industries and
Regional Development**

Expression of Interest

20 August 2020

Application for a licence to bulk up and market a new quinoa

The Western Australian Agriculture Authority (WAAA), through the Department of Primary Industries and Regional Development (the Department), in conjunction with its partner AgriFutures Australia invites your written Application for the grant of a licence for a new variety of quinoa under the terms and conditions specified herein. Application documents should be hand delivered or emailed to:

Damian Capp

Commercialisation Officer

Department of Primary Industries and Regional Development

3 Baron-Hay Court, South Perth WA 6151

Email: commercial@dpird.wa.gov.au

Posted documents should be addressed to:

Damian Capp

Commercialisation Officer

Department of Primary Industries and Regional Development

Locked Bag 3, Bentley Delivery Centre WA 6983

Completed EOI documents must be received by:

1700 hours Friday 18 September 2020 (AWST)

Important Information

Applications lodged after the stipulated closing date and time or Applications that do not provide all the information requested in this document may be excluded from consideration.

Emailed Applications must be transmitted in sufficient time to allow their complete receipt prior to the closing date and time.

Please note that the above physical address and above email address are the only points of lodgement for Applications. They cannot be delivered to or accepted at any other location or by any member of the Department who is not a member of the Intellectual Property and Commercialisation team.

The Department is not bound to accept any Application and may reject any or all Applications submitted.

The Department may at its absolute discretion reject any Application as invalid, which does not confirm with the terms of this Expression of Interest (EOI) document.

The acceptance of any Application by the Department shall be conditional upon the successful Applicant/s executing an appropriate licence.

The Department has the absolute right to terminate the EOI process at any time.

All Applicants will be advised in writing as to the outcome of this EOI process within 60 days of the stipulated closing date and time.

1. Requirements in brief

This document specifies the Department's requirement for the successful Applicant/s to bulk up and market a new quinoa variety in Australia.

2. Background

The Department seeks to licence multiple organisations to bulk up and market a new quinoa variety. The co-equity owners of the variety are WAAA and AgriFutures Australia. The variety is planned for commercial release for the first time in 2020. Licences are being offered for the bulk up and marketing of this variety in Australia.

3. Variety to be considered for this Application

| Crop | Line | Comments |
|-----------------------------------|--------------|---|
| Quinoa (Chenopodium quinoa Willd) | U12BOL-B-E-W | Please refer to data in agronomy package for details. |

4. Seed Parcel Allocation

It is anticipated that more than one non-exclusive licence will be granted to bulk up and market the new variety. The Department has approximately 1900kg of quality, cleaned and cold stored certified seed, available for immediate delivery. Applicants are asked to nominate the number of kilograms of seed they wish to purchase and the price per kilogram (plus GST). Quantities will be negotiated if there are multiple licenses offered and payment for this seed can be spread over two years on request.

5. Group or Individual Applications

Both group (i.e. seed production organisation, company or consortium of growers) and individual Applications will be accepted. If Applicants are intending to produce and/or market their seed through a group, association, company or other third party, they must declare this in the Application.

6. Evaluation Methodology

The following evaluation methodology will apply in respect of Applications:

6.1 Applications will be assessed against the selection criteria. If deemed necessary by the Department and AgriFutures Australia, Applicants may be contacted to clarify details of their Application. It is the responsibility of Applicants to ensure that they have adequately and clearly addressed the criteria.

6.2 Preference will be given to Applicants who are able to demonstrate that their selection will provide the greatest advantage to the variety owners and the Australian farm sector generally.

7. Selection Criteria for licence to produce and market within Australia

All Applicants are required to address the selection criteria under 7.1, 7.2 and 7.3. Group Applicants may submit an overarching case for criteria 7.1 to 7.3. All available details of confirmed grower details must be listed under 7.4.

The capacity for Applicants to deliver on seed propagation and distribution in Australia will be weighted more heavily than export territories.

7.1 Demonstrated ability to produce quality seed. Include the following details:

- a) Previous experience in producing, harvesting and processing seed;
- b) Any experience in growing and processing quinoa;
- c) Indicative production plan for the full five (5) year term of the licence, stating proposed annual targets;
- d) Risk management strategies to maximise seed production and minimise potential crop failure (e.g. access to irrigation or use of more than one multiplication site);
- e) Methodology for handling small seed quantities in the early bulk up stages; and
- f) Confirm the use of a Seed Quality Scheme or a similar quality assurance program.

7.2 Demonstrated ability or plans to market quality seed. Details should cover the following:

- a) Ability to cover the national market (WA and eastern Australia);
- b) Proposed marketing plan and sales targets for the seed, including an outline of promotional activities;
- c) Sales history of previous seed productions and ability to meet set targets; and

d) An understanding of the potential role of this variety in the Australian marketplace, and its position within your seed portfolio.

7.3 Appropriate levels of public liability, product indemnity and professional liability insurance.

7.4 Names and contact details of growers, if known, who will bulk up the seed.

8. Distribution of Seed

The seed will be made available to the successful Applicant/s on the following basis:

8.1 The successful Applicant/s will be required to sign a 'Seed Production and Marketing Licence'.

8.2 The Department will not pay the licensee for seed production. Remuneration will be received through the sale of seed.

9. Seed Selling Restrictions

The terms and conditions of the licence will permit the sale of only certified/registered seed under a limited generation certification system.

10. Special Condition of Contract

10.1 The variety offered for licence is protected under the *Plant Breeder's Rights Act 1994* (Cth). The licensee/s will be required to comply with the royalty collection process. All seed sales of this variety will attract a royalty, and the licensee/s will be required to collect the royalty on behalf of the Department and AgriFutures Australia. The royalty rate has been set at 10% of sale price per kilogram of seed sold, plus GST.

The license/s will be for a term of five (5) years with a further five (5) year renewal at the discretion of the co-equity owners, subject to satisfactory performance. Performance of licensees will be assessed annually and non-performing licences may be terminated or amended.

The licensee/s will be required to offer for sale a minimum of 25% of their certified seed production in year three of the licence, and 75% per year for the remainder of the licence.

10.2 The licensee/s will be requested to share with the Department's agronomists and other research staff new agronomic performance information regarding the variety, as it becomes available from seed bulk-up activities.

11. Agronomic data

A technical dossier (Appendix one) with the relevant agronomic data for U12BOL-B-E-W is included with this Expression of Interest document.

12. Territory

Licences offered through this Expression of Interest process will allow seed sales within Australia.

The licensee/s will be permitted to export seed, subject to seeking written permission from the Department and AgriFutures Australia (via the Department). The licensee seeking to export seed will be required to provide detailed information to the Department regarding the proposed export market and any plans to sub-licence the variety in that market.

The Department reserves the right to refuse to approve seed exports if the licensee's plans are considered not satisfactory.

13. Number of copies of Application documents required

If Applications are lodged at the above physical address, please include one additional hard copy of the Application.

14. Size of Application

Applications should not exceed twenty (20) pages.

15. Disclosure of information

Documents and other information relevant to this EOI process or licenses entered into may be disclosed when required by law under the *Freedom of Information Act 1992* (WA) or under a Court Order.

16. No legal rights or obligations

Applicants acknowledge and agree that no legal rights or obligations will arise between the Department/WAAA and AgriFutures Australia and an Applicant until a licence, if any, is entered into.

17. Further information

For further information, contact Damian Capp.

Tel: (08) 9368 3873

Email: commercial@dpird.wa.gov.au

Important disclaimer

The Chief Executive Officer of the Department of Primary Industries and Regional Development and the State of Western Australia accept no liability whatsoever by reason of negligence or otherwise arising from the use or release of this information or any part of it.