
The author seeks to contribute a pragmatic economic perspective to issues on matters of access and use of genetic resources on mutually agreed terms to assist in implementing the objectives of the Convention on Biological Diversity (CBD). He attempts to apply economic thinking to the resolution of some of the more contentious points of the discussions. This book should be useful to scientists and administrators involved with developing policies concerning access to genetic resources and benefit sharing arising from the utilization of these genetic resources as well as to those involved with the acquisition and exchange of genetic resources.

The relevant use and sharing Articles of the Convention on Biological Diversity are listed in Chapter 1, including Article 8: In situ conservation; Article 9: Ex situ conservation; Article 15: Access to genetic resources; Article 16: Access to and transfer of technology; Article 18: Technical and scientific cooperation; and Article 19: Handling of biotechnology and distribution of its benefits. The author indicates that “The creation of operational exchange mechanisms involves shared understandings of value, legal structures defining the extent of ownership and use rights, as well as the institutional market systems in themselves.” His objective in this book is to explore each of these aspects.

Chapters 2 and 3 cover access issues under Article 15 and using access legislation to implement sovereign rights under Article 15. The author points out that the CBD establishes national sovereign rights over genetic resources of a country, but that domestic legislation is required to implement these sovereign rights. He traces the exchange of genetic resources over the centuries, the common heritage approach, and then points out that the CBD can be seen in part as a wide endorsement of the cessation of open access in exchange for a system providing some remuneration. Both Intellectual Property Rights and Farmers’ Rights are discussed, including Plant Breeders’ Rights, Material Transfer Agreements (MTAs), mutually agreed terms, and benefit sharing. An overview of existing access legislation in several countries is given as well as an assessment of this legislation.

Valuation and equity under Articles 8, 15, 16, and 19 are discussed in Chapter 4. Main sections include approaches to valuation of genetic resources, estimates of value of genetic resources, and perspectives on what constitutes ‘fair and equitable’.

Chapter 5 includes prior informed consent (PIC) under Articles 15 and 19. Examples from medicine are cited. It is pointed out that PIC applies to access to genetic resources and biosafety.

Ex situ storage issues under Article 9 and the Nairobi Final Act are covered in Chapter 8. Examples are cited from Germany, Switzerland, and the United Kingdom.

Chapter 9 covers roles of intellectual property rights in achieving technology transfer objectives under Article 16. The author indicates that the intent of this chapter is to provide the reader the opportunity to obtain an even broader background of information about access and benefit sharing issues.

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The editors have developed a comprehensive coverage of the seed industry. The focus is worldwide and covers seed production in general, including excellent coverage of a wide range of crops throughout the world divided into two sections: (i) Principles of production and (ii) Seed growing (production). I found the information in section one to be particularly interesting, and enjoyable. Furthermore, the information that, to my knowledge, is not available elsewhere.

Chapter 1 of section one covers the structure of the seed industry. The focus is worldwide and covers government sponsored programs in developing countries as well as contract seed production in developed countries. Finally, it covers the practice of seed saving. This fits into the seed industry. I found this chapter to be particularly informative.

Chapter 2 covers international agreements and legislation and is presented in two parts. The protection of varieties (germplasm) by the major trade organizations includes only the Federation Internationale des Organizations de Commerce des Semences (FIS) and the Asia Pacific Seed Association (APSA), with no mention of the American Seed Trade Association (ASTA) and domestic legislation. The author indicates that the intent of this chapter is to provide the reader the opportunity to obtain an even broader background of information about access and benefit sharing issues.