



EU Seed Law

(“Revision of the EU Law on the Seed and Plant Propagating Material”)

FAQ – frequently asked questions and answers from a diversity perspective

>>> Summary

On 11 March 2014, the European Parliament rejected the proposed EU seed regulation. For the moment it can be called history – further steps will be decided by the EU Commission and the Council in the coming months. The EU seed regulation threatens rare varieties and farmers’ varieties of vegetables, grains and fruit. ARCHE NOAH (Noah’s Ark), a seed savers’ organisation from Austria, demands a fundamental revision of the EU seed law: seed diversity must not be limited to exceptions and bureaucratic niches. Seed diversity has to be legally recognized without any restrictions.

What is the EU seed regulation?

The EU Commission published the regulations' draft in May 2013. The new EU seed regulation is to replace the existing directives on seed and propagating material. ARCHE NOAH analysed the proposed regulation draft coming to the conclusion: the regulation is unacceptable. It threatens local varieties, ignores the costumers' freedom of choice and obeys the interests of the agribusiness. The new seed marketing regulation would have abrogated the existing national rulings, leading to extreme disadvantages for the EU’s Member States.

Why is there anything like a EU legislation on seed and plant propagating material?

As the EU has a common market, the commercial production and distribution of seeds and other propagating material is regulated at EU level. The requirements are specified in various EU directives. Right now, the directives are open to a wide range of interpretation. These can be used to enact laws that are appropriate to the national context. The new EU seed regulation is supposed to replace the current directives.

Did the EU seed regulation now finally fail?

On March 11, 2014 the EU Parliament rejected the new EU seed regulation. For now it can be called history – but just for now. After the EU parliamentary elections in May 2014, the EU seed regulation will be renegotiated. Further steps depend on the reaction of the EU Council and especially on that of the EU Commission. A new EU Commission, starting its term of office in November, may retouch the proposed regulation or present a totally new draft.

What are the aims of the EU seed regulation?

The primary direction of impact is the increase in productivity and the intensification of industrialized export oriented agriculture. In connection with this, the exceptions for “niche markets” and “old varieties” in the new regulation would have not been suitable to stop the loss of biological diversity.

Did the EU Commission intend to ban “old” and rare seeds?

Theoretically: no. But in practice the rules for providing seeds and plant propagating material would have been more complex, costly and bureaucratic. This leads to expect that old and rare varieties would not have been made available on the market for economic reasons anymore. Non industrial varieties of vegetables, fruit and grain are discriminated against: bureaucratic qualification processes and limitations for “niches”, acting as obstacles for old and rare varieties, had been proposed.

Would the exchange of seeds have gotten illegal?

In many cases: Yes. According to the Commission a farmer, for example, would have been able to pass seeds from her/his own production exclusively under bureaucratic conditions. Even giving away seeds for free would have been banned. If the farmer had not fulfilled the bureaucracy, an administration punishment would have threatened him. Individuals would still have been able to swap and give away non authorized varieties. But to give or get a donation for the seeds would already have been illegal. This is unreasonable: everyone has the right to organize a garage sale.

Would the consumers have been restricted in their product choice?

Yes. The availability of special seed and plant varieties for farmers and gardeners would have been decreased due to the bureaucratic obstacles. Special varieties (tomatoes, potatoes, pepper and other) would have disappeared from the stores' shelves and markets again. Already today, 95 percent of the vegetable seeds in Europe are produced by only five companies.

Why does the official registration of varieties harm agricultures' diversity?

The mandatory official registration is expensive and time-consuming. The admission criteria – distinctiveness, uniformity and stability – are aiming at high-yielding varieties in the first place. Varieties that are based on genetic diversity are not able to fit these uniformity criteria.

Is it up to date that authorities decide which kind of vegetable, fruit and grain is on the table?

No. The consumers, the gardeners and the farmers should decide which varieties they want to plant and eat. Quality can be guaranteed by innovation, by competition and by diversity of varieties and actors on the market. Information about the product would be guaranteed by labelling and safety for the seed users through the manufacturer's warranty. Therefore, the official registration and uniformity criteria should be optional, not mandatory.

Why do we need diversity at all?

Humans and nature need diversity. Especially in times of climate change, we need resilient plants that are able to adapt to extreme conditions. Seeds lose their germination capacity within a few years. Also in a seed bank, seeds can only be stored to some extent. Plants can only adapt to changing environmental conditions if used and cultivated. That's why laws that restrict diversity are a threat to food security.

What can I do to raise my voice in favour of diversity?

All over Europe about 900.000 people signed petitions. In Austria, ARCHE NOAH and GLOBAL 2000 launched the [petition „Freiheit für die Vielfalt“](#) (petition “Freedom for diversity”) in April 2013. Within a year, 500.000 people signed. Thousands of people send emails and self-produced seeds to members of the EU parliament in order to express their wish for the protection of diversity.

How can I stay informed?

We would be delighted if you [sign up](#) for our newsletter and [visit our website](#) on seed policies. Or write directly to saatgutpolitik@arche-noah.at