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EU Agriculture Ministers Restrict Farmers' Rights

ARCHE NOAH warns: Council position hands more power to seed industry

Brussels, Vienna, Schiltern – An effective ban on the work of small cereal breeders, prohibitions on farmer seed exchange, and a bureaucratic nightmare for local seed producers. Today's General Approach on the proposed new EU Seed Law adopted by the Council of Agriculture Ministers threatens agrobiodiversity and plays into the hands of the agrochemical lobby. "The position of the agriculture ministers endangers those who keep crop diversity alive. We call for reason to foster resilience in agriculture and protect the diversity and flavour on our plates," comments ARCHE NOAH seed law expert Magdalena Prieler. The trilogue negotiations between the European Parliament, the Council and the Commission on the new "Regulation on the Production and Marketing of Plant Reproductive Material" will begin in the new year.

Instead of protecting farmers and local seed producers, the Council's position imposes the same bureaucratic requirements on small companies as on global corporations. The new record-keeping, reporting and traceability rules would hit small producers the hardest. However, small producers make an invaluable contribution to the preservation and marketing of old, open-pollinated varieties. Despite their small size, they also often offer a wider range of crops than the largest players on the market. "If these small businesses are pushed out of the market owing to new administrative burdens, our markets would lose much of their crop diversity – an outcome that harms us all" says Prieler.

The Council of Agriculture Ministers also wants to prevent the marketing of newly developed diverse cereal or oilseed varieties. The Council restricts the possibility for new varieties to deviate from strict uniformity requirements to only fruits and vegetables. "This restriction amounts to a ban on the work of diversity breeders. Regional operators that offer adaptable seed of niche crop species or develop varieties for innovative, environmentally friendly cultivation systems such as market gardening would be excluded from the market. Farmers would become completely dependent on the seed industry under this rule" , Prieler explains.

Agriculture Ministers restrict farmer seed exchange

In addition, the Council's position forbids farmers from exchanging their seed with farmers outside their region, even in small quantities. The exchange of other types of propagating material, such as fruit-tree scions, is completely prohibited. Yet access to crops and varieties from other regions is often essential for farmers facing the climate crisis. "Seed exchange is not only a human right for peasants recognised in international law. It t

enables farmers to experiment, innovate and support each other in difficult times," Prieler explains. "By restricting these exchanges so drastically, the Council of Agriculture Ministers is hollowing out farmers' seed rights until they are barely worth the paper they are written on."

Some improvements made, but major issues remain

After over two years of continuous advocacy, ARCHE NOAH succeeded in securing some important improvements to the proposal ahead of today's decision. The Council has now introduced adapted rules for the production of propagating material of old fruit varieties, instead of applying the same standards used for large-scale orchard production. Our work also contributed to the removal of several unworkable requirements for "standard seed," such as the separation of seed and food production on small farms and the demand for expensive germination tests in external laboratories.

Look ahead to the trilogue negotiations in 2026

ARCHE NOAH demands that the transfer of plant reproductive material for the purpose of preserving agrobiodiversity remains exempt from seed legislation, as is currently the case in several member states including Austria. Farmers' freedom to exchange seed among themselves must be guaranteed, and the administrative burden for very small farms must remain proportionate. All of these points are missing from the Council's position.

The trilogue negotiations between the Council, the Parliament, and the Commission on the final legal text will begin in the new year. ARCHE NOAH — together with numerous seed initiatives from across Europe — will continue to work to ensure that the new seed legislation strengthens crop diversity and farmers' seed rights, rather than restricting these principles even further. *"The Council's position is unacceptable. Agriculture Minister Norbert Totschnig and his colleagues must finally take decisive action so that the important work of conservation initiatives and small seed enterprises can continue in the future—to save the diversity in our fields and on our plates and to strengthen the resilience of our agriculture in times of climate crisis",* Prieler demands.

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