

Statement at conference: seeds for a sustainable future May 31st 2011

Introduction

My name is Maaïke Raaijmakers, I work for a policy and promotion organisation for organic food and farming in the Netherlands; Bionext (formerly Biologica). I'm here on behalf of the IFOAM EU group and I would like to make a statement about 1) the importance of diversity for the organic sector and 2) the changes that are needed in the European seed legislation to preserve this diversity and to stop the decrease in agro-biodiversity currently going on.

Since we also have an organic farmer and an organic breeder in this panel, I will focus on the importance of diversity for the organic sector as a whole.

Why is agro-biodiversity so important?

Organic agriculture is based on biodiversity. We need diversity at every possible level of the farming system. Diversity makes farming systems more robust, more sustainable, less sensitive to diseases or climate change, gives farmers a more secure yield and provides a diversity of products.

We need (genetic) diversity within varieties to make them adaptable to local conditions and changing circumstances like climate change.

We need diversity between varieties, for instance in seed mixtures, to enhance the yield and increase the quality of products.

We need diversity on our fields by applying crop rotation to keep the soil healthy.

We need a variety in farming systems to produce for local markets and for the international market.

And of course, consumers as end users need diversity to fulfil their diversity in taste, food preferences and nutritional needs. Consumers don't need the same product in ten different outfits; they want to be able to choose between rice and sorghum, between spinach and giant white radish, between local and exotic, and between seasonal and year round products.

To fulfil all this demands for diversity we need

1) a diversity of seeds: seeds from open pollinated varieties (o.p) and hybrids, landraces and amateur varieties, old and new varieties and in the organic sector; organic seed (propagated under organic conditions) and organic varieties (varieties adapted to organic growing conditions; varieties that can deal with low input and have a broad resistance; resilient varieties.)

2) a diversity of breeders; breeders in seed companies and farmer breeders, breeders with knowledge of genetics and breeders that know how to do selections in the field. In fact we need as many breeders as possible since this increases the amount of new varieties that are being developed.

In reality the opposite is taking place: we are facing a decrease in the amount of seed companies, a decrease in the amount of farmers involved in breeding and selection and inevitably a decrease in the amount of crops, varieties and genetic diversity on our fields and on our plates.

This brings me to the next point:

What changes are needed in the current European seed legislation system?

To explain what changes are needed in the current legislation I first have to say something about what is wrong with it

The current seed legislation gives preference to;

- Uniformity to diversity
- Hybrids to open pollinated varieties
- Protected varieties (by IPR) to non-protected varieties; varieties or selections in the public domain.
- Big companies to small companies and farmer breeders;

It is more attractive for a breeding company to sell a few varieties with a large market share that can be grown worldwide, than it is to sell many varieties with a small specialized and local market.

Indirectly the current seed legislation supports a certain type of agriculture; large scale high input agriculture producing for international markets.

What changes are needed?

1) We need **more flexibility in the system** to protect the different kind of varieties and the different kind of breeders and therewith biodiversity.

Now, all varieties submitted to be registered in the common catalogue (=necessary for market access) need to be tested for DUS (distinctiveness, uniformity and stability) and some crops also for VCU (value for cultivation and use) over a minimum two-year period. This puts a huge administrative and financial burden on breeders.

a) It should be possible (and easy) to bring varieties on the market that do not comply with the DUS and/or VCU criteria. The DUS criteria match with varieties bred for use under standardised (uniform) conditions, but they prevent the marketing of S&PM of many varieties that are of potential additional benefit for organic and low input farming: open pollinating varieties, local adapted varieties; varieties with intra-varietal diversity. The VCU criteria now focus on high yield. They should be open for other traits like adaptation to low input, a broad resistance to diseases etc.

c) The rules for conservation varieties offer some possibilities to market less uniform varieties but the restrictions in the amounts and distribution area, together with the costs and bureaucracy are far too limiting. Moreover, for cereals and potatoes, **new** farmer's varieties and new breeders' varieties with high intra-varietal diversity cannot be registered under these rules.

d) To a large extend the seed companies decide now what is on the market. Once they remove a variety from the market (=common catalogue), farmers have no possibility to grow this variety, unless it is an unprotected, open pollinated vegetable variety. In that case, they can become a "maintainer" of this variety.

2) The right to use farm saved seed is more and more restricted. Rules for this differ between member states. This should be harmonized and the use of farm saved seed should (under certain conditions if it concerns protected varieties) be allowed for all crops.

3) A lot of attention is paid to securing the production of healthy seeds. Of course farmers need healthy seeds with a high germination rate. Of course governments have an obligation to prevent risks for human health or the environment. But why should this

always be controlled by *a priori* certification and testing? Why not allow an open source system based on trust and neighbourhood, on experience and local knowledge? Where farmers can exchange seeds and sell them locally without "putting them on the market?" Now the rules for testing a local variety with a small market share are the same as for a variety that is sold all over the world. Now even exchange of seeds and direct sale of small amounts of S&PM is considered "marketing".

4) In the organic sector we want to use organic seed, meaning seed which is propagated under organic conditions, and in the long term organic varieties. Since seed companies will (at the best) only propagate a selection of their varieties organically, it is very important that more seed companies get involved in the production of organic seed.

5) Farmers and gardeners as users of S&PM, as well as the final consumer of a food product, want the freedom of choice:

- for GMO free products and seeds; not only now but also in the future.
- for open pollinating, local and traditional varieties besides hybrids.
- for varieties adapted to specific ways of farming (organic and low input farming, High Nature Value farm systems, etc.) or to specific local conditions.

Breeders, farmers and consumers need transparency with regard to the (GM) breeding techniques that are used to produce a variety. Some novel breeding techniques are excluded from the GM regulation (cell fusion techniques) or still under investigation (reverse breeding, tilling, gene silencing) and therefore they are not labelled (as GM). To protect consumer's choice it is necessary that the variety description and every seed package at the point of sale indicate the breeding methods by which a variety and his parent lines have been produced.

6.) Finally, revision of the seed legislation alone is not enough to stop the decrease in agro biodiversity. We urgently need a revision of biotech directive (98/44/EG) which allows patents on genes and natural traits in conventional (besides GM) varieties. This is not only a threat to biodiversity but also a big threat to food security. This not only affects breeders (by limiting the open innovation in breeding), but also (organic) vegetable growers (they already receive infringement claims from patent holders), traders, retailers and consumers.

This problem has been discussed in the Dutch parliament recently and there was a big majority in favour of revision of the biotech-directive in order to install a breeders exemption in patent right. The same discussion is going on in Germany, France and Denmark and our minister of agriculture (mr. Bleker) promised to start negotiations with those countries to see how this problem can be tackled. We really need the support of the European parliament in this.

Thank you for your attention.