

Position paper of organic breeders in Europe (ECO-PB) to the EU seed law revision process

Proposals to build more biodiversity within and between varieties for strengthening adaptability to climate change and to meet consumer demands

The proposals of ECO-PB focus on giving technical advice on how to create an appropriate legal framework for the work of professional organic breeders (recommendation 1).

Alongside the work of professional breeders, the work of seed savers and farmer breeders is also important for the maintenance and further development of agro-biodiversity (recommendations 2 and 3)

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Recommendation 1:

***Creation of a new group within the
“Varieties tested officially or under official supervision”
for rare and population varieties,
which mainly belong to special breeding programmes:***

- organic breeding,***
- breeding for low input systems,***
- on-farm breeding***
- breeding programmes for biodiversity***

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Recommendation 2:

*Simplification of the current
Conservation and Amateur directives
by eliminating the restrictions
on packet sizes, marketing lots
and region of origin.*

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Recommendation 3:

*Legalisation of the informal seed sector,
allowing the marketing of small quantities
and the exchange of seeds to proceed
without regulation.*

*This issue refers to the open letter
“Seed diversity in need for help”.*

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Objective:

*Enhance access to markets for population varieties
(with a broader genetic base than pure lines)
to give them the same chances of commercial use
as pure-line cultivars (hybrids or high performance
open-pollinated varieties).*

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Rationale 1: *Socio-economic aspects*

- 1.1 This will expand and safeguard freedom of choice for farmers, gardeners and consumers.
- 1.2 It will introduce a legal definition for all marketable varieties, whereby genetically diverse population varieties may also pass official tests and gain approval for commercialisation.

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Rationale 2: *Agro-economic aspects*

2.1 Marketing of population varieties without the restrictions currently imposed on Conservation or Amateur varieties.

2.2 Competition within the seed market due to increased availability of varieties, demands of farmers, gardeners and consumers will be better satisfied.

2.3 Genetically diversified varieties will become increasingly important as climate change advances, due to their capacity to buffer climatic fluctuations.

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Rationale 3:

Biodiversity aspects:

- 3.1 Enhanced options for the marketing of genetically diversified varieties for food production will preserve and build agro-biodiversity.
- 3.2 Diversified varieties for improving the resilience of agricultural production to climate change.
- 3.3 Sustainability and improvement of breeding systems for special markets and on-farm breeding, facilitating the preservation of the plant diversity *which is our cultural heritage.*

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Conclusion:

the proposed system will bring EU seed legislation into compliance with the

International Treaty on Plant Genetic Resources for Food and Agriculture,

which is ratified by the EU and all its members, in particular

Article 6, Sustainable Use of Plant Genetic Resources.

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Course of action for the implementation of a new group of officially tested varieties

1. Adapted DUS tests:

- **Organic testing conditions**
- **Assessment of uniformity:**
 - *Characters with economic relevance*
 - *Characters without economic relevance:* only description of gradual uniformity or frequencies.
- **Assessment of distinctiveness:**
 - *Characters with economic relevance*
 - *Characters without economic relevance*
- **Assessment of stability:** ten year period is maintained.

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2. Adapted VCU tests:

- **Optional** on request of the seed supplier / breeder.
- **Under organic farming conditions**
- **New definitions of “value”** additional to or replacing parameters like: organic, sustainable, enhancing biodiversity etc.

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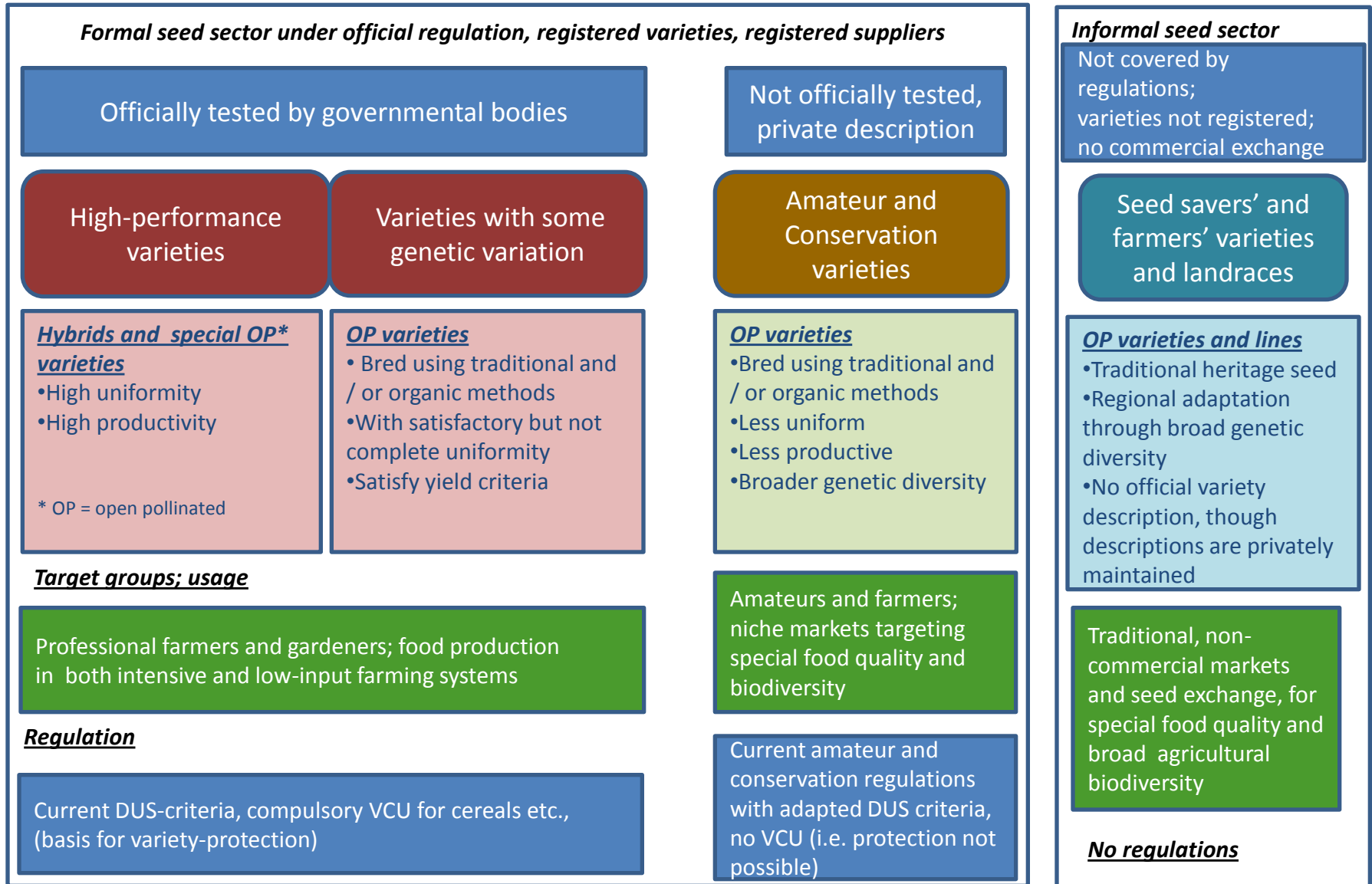
Course of action for the implementation of a new group of officially tested varieties

3. Further conditions for the new category

- Neither Variety protection (under CPVR legislation) nor any patent are possible.
- Population varieties do not block the development of new varieties within their genetic range.
- CPVR-protection of distinct varieties with uniform characteristics falling within the range of populations should be possible.
- Hybrids cannot be registered under this new group as well as varieties bred with techniques of genetic modification
- All standard conditions regarding germination rate, seed health and so on are also applicable to this new group.

Annex II

Four groups of varieties existing in Europe as per the **current** regulatory framework



Annex II

Four groups of varieties existing in Europe as per the **proposed** regulatory framework (a modified version of the EC's Scenario 4)

