
SEED POLICY INTERVIEW RESULTS

By Sarah Martin

INTRODUCTION

Canada's present seed policy is eroding farmers' and communities' abilities to select, save and use seeds, while at the same time supporting transnational corporations' ownership and control of seeds. The Seed Policy Project's¹ aim is to gather a broad based network that can create and mobilise around a truly public seed policy for Canada that supports seeds and seed keepers. The Seed Policy Project's first step was to have conversations with people across Canada who have an interest in seed policy from both a practical hands-on perspective as well as those who have an interest in supporting growers and farmers. Although seed policy means different things to different people it is undisputed that seeds are fundamental to the food supply in Canada.

As one person stated, seeds are often forgotten and in order to address this gap I contacted over 50 people and was able to interview 34 people. All the respondents were engaged, informed and concerned about seed policy issues.² This report's purpose is to reflect the conversations while at the same time acknowledging that many perspectives are not represented. The aim of the interviews was to identify the opportunities for creating an effective voice for the public interest on seed policy issues. The questions focused on identifying common policy concerns and issues, as well as gathering ideas for how a working network might come together and operate. In order to foster further discussion this report makes a number of suggestions. The report gathers a set of common concerns, seed policy principles and initial organizational tasks. In addition, the report makes suggestions for the next steps to be taken, and lists organizations with which to work. Lastly, there is a partial list of those who were interviewed; however, the list is not to be considered an endorsement of this report.

COMMON CONCERNS

In spite of the wide variety of people I spoke to, certain themes arose and were repeated time and again. The responses have been organized into categories or themes based on an individual's membership in various communities such as academic or farmers. However, there are many individuals who could be placed in any number of categories. There were also different perspectives expressed within categories and agreement between categories.

¹ Brewster Kneen and Devlin Kuyek's mutual concern for seeds initiated this project.

² I would like to thank everybody who participated for their generous and wise counsel.

FARMERS

Ten farmers were interviewed from across the country, including some who produced seeds for sale. Farmers' concerns were primarily focused on their ability to control their own seed supplies and protection from GMO contamination. Corporate control was viewed as key to farmers' concerns because of the monopolization of seed supplies and promotion of GMO products. Corporate control also included undue influence on government policy-making. One example mentioned was corporate influence within the Canadian Seed Trade Association which has led to undemocratic decision-making and bad policies.

Concern was raised that new GMO products were being introduced with inadequate and/or inaccurate information that privileged innovation rather than taking into account the effect of these products on non-GMO growers and markets. For example, the introduction of GMO products was destroying the European market for some Canadian agricultural products.

A crucial policy issue identified by farmers was the restrictions placed on how seeds can be used that has led to the legal and illegal uses of seeds. Also, public programs such as crop insurance favour the use of certified seeds over non-certified seeds thus creating barriers to the kinds of seeds that can be used. Farmers have now become liable for how they use seeds, while corporations that sell seeds have (for the most part) been able to sidestep liability for damages such as the GMO contamination of non-GMO crops.

Farmers were concerned with the limited availability of commercial quantities of organic seed and non-GMO seeds. In addition, those involved in seed sales, as well as growers, are looking for support in developing new seeds. Five farmers suggested that Canada's public breeding programs should be re-focused on producing quality seeds for specific markets such as the organic sector and for particular Canadian regions. Alternatively, two farmers suggested that the best way to develop seeds was on the farm and independent of government support or public breeding programs.

Finally, there is no clear source for seed policy information. Centralised and accessible information is especially essential for small farming operations that do not have the resources or time to chart through the labyrinth of seed regulations.

COMMUNITIES

As noted above, many respondents were members of more than one community. Members of farming and academic communities were involved as were members of Indigenous, urban, and rural communities. The following section reflects only the responses of those interviewed and is not meant to represent the whole of any community.

Indigenous respondents linked seeds to cultural autonomy and as one respondent said, "I give you seeds and I give you a politic". Seeds mean little outside of a cultural context and cannot be separated from practices related to foods and medicines. Seeds are only one part of a way of life and the essential quality of seeds is reflected in the environment, plants, animals and the people who grow them. Seed practices were linked to healthy mental and physical well being for individuals and communities. Indigenous autonomy is

dependant on the control of seeds which leads to food security and food sovereignty. The connections that are created in turn strengthen and support local economies.

The autonomy of multicultural communities, primarily in urban areas, was also connected to their practice of food. Food practices are often important in defining and maintaining community and therefore access to appropriate seeds is necessary. Free access to seeds, other than Canadian, was cited as important in maintaining cultural and community ties. However, obtaining seeds from other countries is often illegal.

In order to protect Indigenous knowledge some food practices were kept secret or not shared beyond the members of specific communities. Alternatively, it was suggested that First Nations' knowledge can be shared but within a framework determined by those holding the knowledge. For example, a partnership where any benefits from that seed is shared along with an acknowledgement of the source of the seeds.

Seed policy affects social justice issues. The importance of ensuring the conditions to feed the future are best built through democratic access to food including local growing. Seeds belong to communities and government should not be a barrier to this. Those working in urban communities stated that free access to seeds was needed in order to support cultural autonomy, through democratic access to adequate and culturally appropriate food.

The connections interviewees made between seeds, communities, and social justice were not limited to their own communities. Rather, many respondents, farmers included, stressed the importance of working across borders with other groups. It was noted that international treaties and agreements often negatively affect Canada's seed policy. International negotiations primarily focus on facilitating and promoting trade rather than on issues such as food safety or cultural autonomy. As well, it was mentioned that it is important to look to other countries' and communities' seed policies as models to follow or to avoid.

ACADEMIC

Although a wide cross-section of disciplines was represented, academics' primary interest was the control of seeds. The control of seeds is "where it is at" because of the special qualities of seeds, such as their ability to be stored and reproduce. Seed policy affects the entire agricultural and food system and the seed policy project discussions should include how the Canadian government has facilitated corporate control of seeds.

Over the last thirty years federal seed policies and laws have increasingly favoured corporate ownership of seeds both through research support and court decisions favouring intellectual property protections. Policy shifts that determine how seeds are accessed have occurred with little fanfare, and the public is largely unaware of the effects of these changes on how food is grown and on the food they eat.

Policy changes have influenced how seed research is conducted in universities and governmental institutions. Academics described the research shift from a strictly public breeding program in which the 'client' was the Canadian farmer to collaboration with the private sector. Funding from the government now requires matching funds and this means that the research agenda has changed with new frameworks and clients. Public research clients now include private industry, not just farmers. These research partnerships

involve industries not usually associated with agriculture and food production, such as biofuels, leaving less funding for seed research outside of the industrial model. This research gap has primarily affected small and medium sized farmers who are practicing sustainable farming methods such as organic agriculture with little or no public research support. The research funding framework favours large economic players because of the requirement of matching funds for any research. This follows a federal agricultural policy that is focused on supporting the largest agriculture sectors which leads to less support for smaller sectors such as organic farming.

Although contested, it was suggested by one academic that the Seed Policy Project work within the present framework of the Canadian Food Inspection Agency (CFIA) seed policy consultations. It was suggested that the consultations as they stand now would benefit from a broader range of stakeholders. Alternatively, present CFIA consultations were seen to be difficult to access and undemocratic in operation.

The present seed policy is working well in some areas, such as the regulation that requires one variety under one name.³ However, in other areas common sense has been removed, as in the case of mutation breeding falling under the same novel trait rules as GMOs. Also, patenting and intellectual property rights are fostering secrecy and restricting information that limits both public and private breeding programs.

In general, policy makers and the legal profession are unaware of the detrimental affect that judicial decisions are having on seed access. One participant gave the example that in prosecutions brought against farmers by the seed industry the courts have failed to recognise the incompatibility between patent (and other intellectual property rights) and seeds. Also, legal representation for farmers has been limited to only one or two lawyers whereas the seed industry has been represented by the best lawyers in Canada. In order to address the incompatibility between seeds and intellectual property law the legal and policy communities' knowledge of seed issues needs to be broadened. In addition, by making a link between the environment and seed issues new sectors of the law community can be accessed such as environmental law clinics.

It was noted that seed policy is only a small part of a larger food system and food cultures in general. This larger context leads to questions such as how to create a food policy that supports growers and eaters in the context of supporting a good life. The role of seeds in food systems and cultures must be better understood, studied, and widely discussed. For example, public engagement could be strengthened by linking consumers' health and well-being to seed policy.

COMMON ISSUES

The following issues were identified most often by the respondents:

³ In the United States the same seed can be marketed under many names making it difficult for purchasers to make informed decisions.

SUSTAINABILITY

Sustainable and equitable agriculture should be part of any seed policy discussion. The present food system is not sustainable and is becoming more and more vulnerable due to its dependence on fewer and fewer crops. What one participant described the system as built on a “wobbly climate and scarce fuel” would benefit from increasing seed breeding and saving capacity across a diverse range of communities, both rural and urban.

BIODIVERSITY

Private ownership and patents limit the innovation and creativity needed to create a robust and resilient food system. Robust food systems are based on biodiversity. For example, the limited varieties of hybrid corn have contributed to a vulnerability to fusarium, whereas growing a wide variety of corn could limit this risk. The precarious nature of today’s food system can be addressed by a policy that discourages uniformity and encourages seed breeding and saving by a wide variety of people. For example, the British Columbia Seed Security Project encourages growers and seed producers within a regional framework. Policies supportive of this kind of farmer-led initiative would contribute to a more resilient and sustainable food system. In addition, it is important for policies to address the connections between an increased vulnerability to climate change and a decreased diversity of seeds.

ACCESS AND USE OF SEEDS

Corporate concentration limits market choices, for suppliers and buyers. Corporate monopolisation results in high costs for farmers, which contributes to reduced farm income and undermines farmers’ autonomy. Limiting the types of seeds available and their use not only affects farmers. Cultures and communities are underpinned by foods and limited access to seeds erodes a full expression of cultures. This is a community issue that affects cultural, community, and farmer autonomy.

A regulatory and public research environment is needed to counter today’s limited access to and use of diverse seeds. The primary beneficiary of Canada’s seed policy has been large scale economic interests such as agrifood corporations, leaving farmers, in particular small scale, organic or non-GMO growers, with limited options for seeds. Policies which direct support to research for organic seed suppliers and on-farm seed saving could improve access to commercial quantities of organic seed. Ultimately, seed use by any community or grower should not be limited by federal regulations.

OWNERSHIP

Corporate control of seeds is facilitated by government policy and international trade agreements. The concentration of seeds in a few hands makes the whole of society dependent on a few corporations for food needs and has the potential to hold society to ransom.

Intellectual property rights are presently guiding government policy and legal decisions in relation to seeds. While a large majority of respondents argued against the patenting of life forms, two people maintained that patent laws could be used in order to protect seeds.

In addition, plant breeders' research is now limited by the patenting of life forms such as germplasm. Thus, ownership of seeds (and parts thereof) is limiting innovation, creativity, and plant diversity.

PUBLIC BREEDING PROGRAMS

The need for public breeding programs to develop quality seeds for farmers was generally supported by those participating in these discussions. However, it was suggested that the kinds of research conducted should be refocused into other areas, such as organic farming. At present there is no support for seed research in the organic sector. Also, there was support for projects that included more on-farm collaborative and participatory research for seed development and saving. Two farmers pointed to community organized seed sharing and saving programs as a good alternative to federal programs.

FOOD SOVEREIGNTY AND SECURITY

Although different terms were used, including food sovereignty and food security, it was generally stated that it is important to ensure the proper conditions are in place to feed the future. Local or regional programs of seed saving and sharing should be supported, not only to counteract the present centralization of seed control but also to democratically strengthen food security and sovereignty. Seed policy must support robust regional food systems, while not limiting seed exchanges across borders and between farmers.

CONTAMINATION AND GENETICALLY MODIFIED ORGANISMS

The issue of GMO contamination was brought up over and over again. The majority of respondents thought it was important that seed policy prevent the introduction of any new GMOs as well as protect non-GMO farmers from GMO contamination. Farmers who have first-hand knowledge of the negative effects of GMO canola spoke with great concern about the introduction of new GMO crops. For example, GMO alfalfa is now being promoted in Canada and its introduction has the potential to devastate organic farmers that depend on alfalfa in crop rotation and in livestock feed. Farmers who have witnessed the business practices associated with the promotion and use of GMOs have developed a deep distrust of the corporations and their products. Seed policy should protect non-GMO farmers from GMO contamination rather than facilitate the prosecution of farmers whose crops have been contaminated.

SKILLS

The point was made by a number of people that it was important to have practical workshops and presentations that were linked to policy, such as seed saving. Since the present seed policy has taken most of the control of seeds out of the hands of the public, it has contributed to the erosion of skills both for growers and eaters. A return to skills like seed saving must be supported in order to create a secure food future.

Supporting this view, it was stated that an extension program for farmers on seed saving was needed. Those working in urban communities mentioned the importance of public education in growing and preparing food. In addition, it was stated that rather than forming a new policy group focus should be on gathering together to plant seeds and grow food.

SEED POLICY PROJECT APPROACH

It is important to note that none of the organizations spoken with do any significant work on seed policy and thus there is a need for a focused effort in the area of seed policy. Critical to the success of the Seed Policy Project is not only to engage new participants but also to create an effective working group. A number of suggestions of how to facilitate this were made including web pages, list serves and conference calls. Of particular note was that many farmers were not necessarily comfortable with computers. Therefore, as much as possible, it was recommended that conference calls and face-to-face meetings be used. In turn, it was suggested that a core working group be formed with a peripheral network of supportive organizations and individuals. The work of the Seed Policy Project would be borne by the core group but larger participation and support could be called on when necessary. Negotiating how the group will operate will partly determine who will participate.

There were various suggestions regarding how the group should operate. Suggestions included working with government and industry in a mediated setting rather than pursuing an adversarial approach, using the Canadian Food Inspection Agency public consulting process rather than reinventing the wheel with a new organization or group, and working with communities to foster seed saving capacity.

A number of people stated that a staff person would be critical to the success of the Seed Policy Project because most groups are already over-taxed with commitments. Although no one was explicitly asked, no one organisation offered to house such a person. Although the importance of the project was recognized, it was clear that there are few organizational resources available to call on. Whether or not a dedicated coordinator position can be created and supported will need to be addressed.

RECOMMENDATIONS

KEY PRINCIPLES FOR GOOD SEED POLICY

From the issues raised above several seed policy principles can be distilled. Good seed policies should:

- Support biodiversity;
- Encourage seed saving on-farm and by communities;
- Support public seed research in partnership with on-farm research that is regionally focused;

- Recognize that a sustainable and healthy food system is underpinned by socio-cultural factors that are as important as economic considerations;
- Defends seeds from GMO contamination; and,
- Recognize that the control of seeds is a public concern and defends society against those who would hold society to ransom through seed ownership.

CORE TASKS

An extensive array of seed issues and concerns emerged from the discussions but it is critical that the Seed Policy Project remains focused on seed policy. The tasks below are initial steps that have been identified that link clearly to seed policy. These tasks are not in a particular order, nor are they complete; rather, they are meant to be starting points for discussion and debate for our first meetings.

PUBLIC VOICE

Government seed policies should not be a barrier to the collective use of seeds. While the Seed Policy Project is national in scope, the nature of seeds transcends borders. The project's work should be focused on encouraging seed exchange locally, regionally and internationally in order to allow for cultural expression by way of cultivation of seeds.

SEED POLICY RESOURCE

The Seed Policy Project should act as a forum to discuss the meaning and effects of seed policy, and as a platform to propose and support new directions in seed policy. This would mean helping to interpret policy for those affected by it. For example, some of the farmers and seed breeders were not clear on the implications of Canadian seed policy and other members of the Seed Policy Project could help in this area. In addition, we should work to effect change such that policies encourage broad based seed saving and development through on-farm research and collaboration with universities. A seed policy that fosters collaborative research based on the seed policy principles outlined in the previous section of this report (and perhaps revised with further discussion) will support farmers' autonomy and sustainable farming models.

PUBLIC CONVERSATIONS

Public engagement is essential. Consumers would be horrified if they knew what was going on with the food supply. The story of seeds must be told in order to engage the public in our cultural histories and as an expression of our cultures today. A number of people mentioned how important celebrations were to reconnect the public to the cultural aspects of seeds and foods. It was noted by several people that democratic access to seeds and, in turn, the ability to grow food is essential to communities.

In addition, it was suggested that the Seed Policy Project work locally and personalize seed issues in order to connect producers and consumers by way of seed policy. Acting as a resource to consumers and

offering a policy framework that works to protect consumers as well as those who want to grow their own food will help to create network of support. Seed Policy Project members then, would be active in their own various communities as well as working together on regional, national, and international policy issues.

POLICY OBJECTIVES AND VISION

In order to support the Seed Policy Project a core task should be to develop clear policy objectives with the public and present them to the government.

NEXT STEPS

The Seed Policy Project's aim is to gather a broad based network that can create and mobilise around a truly public seed policy for Canada that supports seeds and seed keepers. The Seed Policy Project's first step was to start conversations with people across Canada on seed policy. The following steps, hopefully, will provide starting points to build the network and in turn the foundation for a longer-term project to develop a public seed policy for Canada. We all need to work together to do this.

The next steps were chosen as a way to continue the conversation and foster local and regional connections. Your help is needed to build the network and your suggestions are needed to further the project. Please consider committing to one or more of the following projects or in turn offering ideas for alternative steps.

Communications. A group email will be set up using seed.policy@gmail.com as an initial point of contact.

Collaborative writing and distribution of a discussion paper. A collaboratively written discussion paper in order to draw on the broad seed policy knowledge from across Canada will be undertaken. This will not only provide information on Canada's present seed policy but in addition also provide a set of aims and principles for the seed policy project to mobilise around. The paper's intended audience will be the Food Secure Canada meeting in Ottawa November 2008, and will be used as a way to strengthen the project's network.

Meetings. A series of regional and/or local forums to share information on seed policy will be organised. National meetings may lead to the 'usual suspects' rather than engaging new participants. Local gatherings could potentially attract new people and would require less travel. The aim of the meetings would be to share knowledge, prioritize concerns, and focus on strategies for to further the project.

Working with other organizations. Work with other initiatives already under way such as the Food Secure Canada meeting in November and the Organic conference in Guelph in January 2009. Other possible networking opportunities need to be identified.

Research. Identify areas for future research in seed policy as well as the resources available within existing research.