

Verein zur Erhaltung und Rekultivierung von Nutzpflanzen in Brandenburg e.V. (**VERN e.V.**)
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Reform of EU Plant Reproductive Material (PRM) marketing legislation

Answers to the questions of the European Commission

The German Verein zur Erhaltung und Rekultivierung von Nutzpflanzen in Brandenburg (VERN) e.V. (in English: The Association for the Preservation and Recultivation of Crops) is a registered non-profit NGO that safeguards seeds of old varieties, reproduces seeds of old, underutilized, neglected and non-registered varieties, exchanges seeds and gives them away on a non-commercial basis. VERN e. V. maintains a collection of old varieties which originates from gene bank accessions (IPK Gatersleben) and other sources to make seeds available to home and hobby gardeners as well as subsistence farmers. Further, VERN e. V. supports local small scale gardeners and farmers in their on-farm conservation activities. VERN e. V. is also involved in the regional “Kulturlandschaftsprogramm” (KULAP, derived from EC-reg. ELER, agroenvironmental measures) of the Federal State Government of Brandenburg, a programme that aims to promote agrobiodiversity and to boost the cultivation and use of old varieties in the region of the Federal State of Brandenburg, Germany. VERN e.V. work is conducted within the political framework of the ITPGRFA of the FAO and the Convention on Biological Diversity (CBD) of the UN. It works in close cooperation with governmental bodies, under the aspect of improve the availability and access to plant genetic resources, mainly for farmers and gardeners.

Thus, VERN e. V. is an important national and regional player, maintaining plant genetic resources of old varieties in Germany, seeking to maintain plant genetic resources (PGR) as a biological as well as a cultural heritage.

1) Scope of the proposal and exceptions.

The framework of the EU Plant Reproductive Material (PRM) marketing legislation concerns the commercial interests of breeders, seed suppliers, farmers, horticulturalists, etc. However, the non-commercial seed saving activities in this sector, in the field of *in-situ* and *on-farm* conservation of plant genetic resources (e.g. heirloom varieties, old varieties, etc.) as well as related use of neglected and underutilized varieties, including efforts to bring them back to the supply chain, have to be clearly excluded from the formal seed market. This is essential in order to harmonize the EU Plant Reproductive Material marketing legislation with the requirements of the Convention on Biological Diversity (CBD) and other multilateral agreements, i.e. under the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) of the FAO.

The framework of the EU PRM marketing legislation needs a clear definition. The aim is to regulate the formal seed market, focusing on the interests and safety of modern, large scale and specialized farmers and horticulturalists. However, the non-commercial activities of NGOs, of seed initiatives within civil society, users of collections and seed-exchanging-markets have to be excluded from the intended seed legislation.

Vorstand: Herbert Lohner

Vereinsregister:

Amtsgericht Neuruppin VR 4589

Vom Finanzamt Angermünde als gemeinnützig anerkannt gemäß § 59 ff AO wegen Förderung der Pflanzenzucht

Steuernummer :062/140/04281

DE 06170560603631001168 BIC WELADED1UMP

Sparkasse Uckermark

Konto 3631001168

BLZ 17056060

Förderung der Pflanzenzucht

DE-ÖKO 034

Heirloom, conservation varieties and old (non registered varieties) without actual economic potential or with limited value reserved for informal and niche markets have to be excluded from official and technical bureaucratic regulation as DUS-criteria (Distinctness, Uniformity and Stability) of the PVP-system for conventional commercial breeding do not apply to them. Therefore we demand allowances for heritage varieties and equal market access for seeds of old varieties, as well as for reproduced seeds of old, underutilized, neglected and non-registered varieties.

This is mandatory, in order to promote agrobiodiversity in the sense of the CBD and other multilateral agreements, for instance under the FAO. The economic value of the *niche seed market* of heirloom and old varieties in Europe is marginal as compared to the formal seed market of large scale commercial breeders and seed suppliers. In most cases, the conservation of old varieties is a non-profit activity of seed initiatives, NGOs and volunteers for the benefit of society, for future research and breeding, and for biodiversity. If producing and selling seeds of old and non-registered varieties in small amounts has to obey the strict regulations of the intended EU Plant Reproductive Material (PRM) marketing legislation, than most of the actual *in-situ/on-farm* activities have to be given up. Neither do seed initiatives, NGOs and other volunteers have the financial or staff capacities to meet the standards of the regulation, nor do old and heritage varieties comply with commercial DUS-categories. Consequently, this requirement would be a setback for the promotion of agrobiodiversity as well as endanger future breeding options, i.e. in view of climate change. Moreover it would deeply disregard the requirements of the CBD and the International Seed Treaty under FAO.

As VERN e.V. we support peasants and their organizations as well as initiatives that produce and reproduce seeds, and demand equal market access to seeds with different quality standards (not DUS, heterogeneous, organic).

2) Registration of varieties (VCU).

In view of the foregoing, we demand that the registration is voluntary.

3) Certification: materiel to be subject to obligatory certification or to excepted from certification.

Non-commercial seed saving activities, *in-situ* and *on-farm* conservation of plant genetic resources (e.g. heirloom varieties, old varieties, etc.) and the use of neglected and underutilized varieties have to be exempted from certification.

4) Niche market materiel and material for amateurs.

See point 1)

5) Traditional varieties and heterogeneous material.

Heirloom, conservation varieties and old (non registered varieties) without economic potential or with restricted value reserved for informal and niche markets have to be excluded from official and technical bureaucratic regulation.

And see point 1)

Greiffenberg, 15.09.2014

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