



CALL FOR AN AMBITIOUS REFORM OF THE EU SEED AND PLANT REPRODUCTIVE MATERIAL (PRM) MARKETING LAW

Dear President Juncker,

Dear First Vice-President Timmermans, and

Dear Commissioner Andriukaitis,

The European Commission has recently withdrawn the Barroso proposal on the EU Plant Reproductive Material (PRM) Marketing Law of 2013. Following this decision, the signatories of this letter would like to encourage the European Commission to grasp the historic opportunity to conduct **an ambitious reform of the EU PRM marketing law**, ensuring that it is effectively “fit for purpose” and responds to all connected cross-cutting issues.

It is unquestionable that the current seed law urgently needs fundamental change. **New challenges, such as the conservation and development of agro-biodiversity, as well as the need to mitigate emissions and to adapt to the consequences of climate change, need to be at the heart of the new legislation.** Therefore we call on you to continue this reform, to develop a new concept that will finally lead to an ambitious reform of the legislation on the marketing of plant reproductive material, with successful and sustainable results.

Our plea stems from the following considerations:

Seeds are currently governed by a complex and outdated system which is detrimental to diversity. Subject to twelve different Directives, rules on the marketing of seeds and plant propagating material are inherently complex to navigate, discriminate against certain actors of the sector, and have contributed to the loss of agricultural biodiversity. Today’s seed marketing law is outdated and needs simplification. It also needs to allow adaptation to the local agrarian system of each country.

Dismantle barriers to Innovation and Breeding for Peasant agriculture and Organic farming: The legislation in place constitutes a barrier to innovation in plant production, especially in the organic breeding sector. In terms of varieties, the current system leads to the provision of many varieties with very similar phenotypes and genotypes, instead of real choice with a broad genetic spectrum. This has great detrimental effects on seed users and consumers, and has arguably led to high corporate concentration on the seed market. A competitive, differentiated and demand-driven seed market can only emerge if the PRM marketing law undergoes a substantial reform.

Ensure Regulatory Cohesion – Mainstream Agro-biodiversity: Only a far reaching reform, developed in cooperation with the other relevant Directorates-General, can contribute to achieving the ambitious goals set out in several policy areas, including but not limited to rural development, biodiversity conservation, sustainable agriculture and climate change mitigation. Only an ambitious and multi-perspective reform will provide for opportunities to build linkages with other applicable policies, and ensure greater regulatory cohesion and impact. A legislation that advances sustainable agriculture and halts the loss of crop biodiversity must allow and support the mainstreaming of plants that are less, or not uniform.

Protect Farmers' Rights in Europe and Elsewhere: Only an ambitious reform will provide the opportunity to fully implement farmers' rights and the sustainable use of plant genetic resources, to which the European Union committed by ratifying the International Treaty on Plant Genetic Resources for Food and Agriculture. More specifically, we demand that the new EU PRM Marketing Law explicitly clarifies that farmers and gardeners who produce and make available PRM in direct sale do not fall under the definition of "professional operator". The rationales of today's EU PRM marketing legislations are currently also being "exported" to third countries, imposing rules to those rural communities that have been made for European agribusiness. One severe consequence for farmers is that the sale of seeds of local and not uniform varieties and populations – an important source of income and a booster for agro-biodiversity – becomes outlawed. This constitutes a clear threat to the human right to food. Moreover, traditional plants lose their guardians and become extinct.

Last but not least: Build a new regulation on solid grounds: The withdrawn proposal failed to take into account the expected effects of regulatory options on different actors in the sector. Furthermore, it ignored the dossier's linkages with the future orientation of the Common Agricultural Policy, the EU's Biodiversity Strategy and the Climate Change Mitigation and Adaptation policies. A new proposal must be based on solid and comprehensive grounds, without prejudice to possible new concepts on the seed market. It must be clear that the seed marketing law serves consumer protection and information, as well as the conservation and development of agro-biodiversity, and that it absolutely does not take on tasks that are already covered by the plant variety protection regime ([Council Regulation \(EC\) No 2100/94](#)), or the plant health legislation ([COM/2013/0267 final - 2013/0141 \(COD\)](#)).

The signatory organisations believe that there is an **urgent need to reform and simplify the PRM marketing laws**. The 2013 proposal to review the seed legislation was rejected not because the current situation is satisfying, but because the proposed legislation did not address the needs of the different stakeholders, did not recognise the crucial role of the informal farmers seed systems, seed savers and gardeners for biodiversity, and did not level the ground for the marketing of less homogeneous but resilient plant genetic resources for diversified markets.

Our organisations urge you to reform the seed legislation and to **present a new proposal that will really address the aforementioned and diverse range of challenges**. Without in depth clarification of the underlying questions, without a true stakeholder consultation, or without institutional cooperation, the chances of tackling current and future agricultural, environmental, economic and social challenges would be significantly undermined. It is now in the European Commission's hands to grasp this historic opportunity to come up with an ambitious reform and to build a sustainable, well-grounded and robust piece of PRM marketing legislation.

Thank you for your consideration.

Sincerely yours,

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BREAD FOR ALL

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