

# Whose harvest?

## The politics of organic seed certification

Millions of farmers around the world practice organic agriculture, and more than a billion people get most of their food from these farms. Currently only a small proportion of this produce is labelled or certified “organic”, but the global market for such foods is growing. While some believe that certification is needed to create market opportunities for small farmers, others fear that existing systems are doing the reverse – setting the stage for agribusiness to take over. Now these tensions are coming to a head with seeds. Today, new regulations governing seeds in organic farming, more attuned to the needs of seed corporations than seed savers, are popping up everywhere, with potentially devastating consequences for farmers’ seed systems.

This *Briefing* provides the first global overview of regulations concerning seeds in organic farming and assesses what such regulations mean to the future of organic farming and the farmers who sustain it.

*“As a farmer, my main interest, which I believe I share with most farmers, is in getting seeds and varieties well adapted to organic farming. These may be older seeds or newly developed seeds. I must admit that whether this seed is certified organic or not comes further down on the list of my priorities, and also on the priorities of the consumers buying my food. I am not sure that the current development in standards and regulations is reflecting these priorities.”*  
Gunnar Rundgren, former president of IFOAM <sup>1</sup>

The vision behind organic agriculture is one in which care for the environment and health are central, and farmers get a fair deal for their efforts. But organic agriculture is also becoming serious business – with marketing tools, like certification, occupying more and more space and influence. More than 30 million hectares of certified organic farmland worldwide already produce goods for a global market worth €30 billion.<sup>2</sup> This market, moreover, is growing fast, much faster than the global market for conventional food products. The main markets for certified organic foods are still very much in the North, but organic production for export is steadily increasing in the South, as are new strategies at the grassroots to develop local organic food and farming systems – most of which reject the business approach to certification.

### What are certified organic products?<sup>3</sup>

Certified organic products are those which have been produced, stored, processed, handled and marketed in accordance with precise technical specifications (standards) and certified as “organic” by a certification body. Once a certification body has verified conformity with organic standards, the product can be labelled as such.

From the IFOAM website: <http://www.ifoam.org/sub/faq.html>

The big multinational corporations that dominate the food trade and retail markets have changed their view of organics as the markets for organic foods have grown over the last decade or so. They no longer see them as a threat to be destroyed but as a growing market to be conquered. Even the seed corporations have started to change their tune. In recent years, a growing chorus of voices from within the seed industry has been proposing a bargain that can be summed up as: “We’ll supply you with the organic seeds if you guarantee us a market by making it mandatory for organic farmers to use our seeds.” It is a controversial offer, fraught with potentially grave consequences, and yet some within the organic movement are convinced of its benefits. So too are many governments, with a growing number pushing forward on the seed industry’s proposal. Others, however, recognise the bargain as a trap that will push organics even further down the road of corporate control and away from the interests of small farmers and most consumers.

The rapprochement between the organic farming movement and the international seed industry became suddenly very visible in 2003, when news came of a conference on organic seeds to be hosted jointly by IFOAM and the International Seed Federation (ISF). It was hard to see what common ground there might possibly be between the umbrella organisation for the worldwide organic movement and the central lobbying agency of the gene giants. But the description of the purpose of the conference made it very clear:

*“The recent adoption of regulations, in both Europe and USA, related to the compulsory use of seed organically produced in certified organic agriculture, has different implications for small farmers used to saving and exchanging seed*

1 Gunnar Rundgren, “Seeds are Magic”, Presentation to the First World Conference on Organic Seed, International Federation of Organic Agriculture Movements (IFOAM), Rome, 5–7 July 2004.

2 IFOAM, “The world of organic agriculture”, 2007.  
<http://tinyurl.com/2uc5hr>

3 For a review of the importance and productivity of non-certified organic agriculture, see: FAO, “Organic agriculture, environment and food security”, Environment and Natural Resources Series No. 4. Rome, 2002.  
<http://tinyurl.com/3a689p>



*of local varieties and for commercial farmers used to buying seed of modern varieties adapted to the demands of supermarket channels. This new situation urges a better understanding and more cooperation in order to facilitate the development of organic agriculture.”<sup>4</sup>*

The meeting was clearly oriented towards discussing how to produce seeds to fit the new rules; the question of whether or not these rules benefit organic farming or not was hardly raised.

The table in the Annex to this Briefing shows clearly how legislation is forcing the marriage between seed corporations and organic farmers worldwide. To say simply that this development will have “differentiated implications” on small farmers using diverse local seeds and on big farmers growing organic monocultures is to understate the problem dramatically. The current push for certified organic seeds could easily block farmer-based seed systems from access to organic markets, and transfer the seed supply for organic farming into the hands of the few large corporations from the conventional and transgenic seed business looking at organic seeds as a new “high-value” market opportunity. Seed prices would be sure to rise just as genetic diversity would narrow, since these seed corporations focus on the development of hybrids and other uniform varieties. Overall it would take organic farming further down the road of industrialised export-oriented farming, making it even harder for small-scale farmers to participate.

Rather than buying into such organic seed certification schemes sponsored by the companies, the organic agriculture movement should proactively encourage the use of locally developed and biodiverse seeds that are in the hands of farmers. Most of the organic food in the world is produced by small-scale farmers and most of that food is not certified as organic.

## The long arm of the law

Europe is ahead of everybody else with the requirements for certified organic seeds. As it is the major importer of organic food, it is setting the standards for many others. The European Union’s original Council Regulation on organic production in 1991 made the use of organic seeds in organic production mandatory by the year 2001. A subsequent Council Regulation in 1999 put the requirement back to 2004, but in the meantime similar provisions on organic seeds were integrated into the organic standards of both the Codex Alimentarius Commission and IFOAM, ensuring that today the requirement to use organic seed in organic production is common to practically all national, regional and private certification standards (*see* Annex).

By and large, the wording related to organic seeds in these various standards is quite similar. All require certified organic seeds to be used, but most provide exemptions, also called derogations, in cases when farmers can show that such organic seeds are not available. Typically the legislation provides little precision as to what constitutes being “available”, leaving much to the discretion of the certification bodies, which are the ones that police the regulations. But with heavy lobbying from the seed industry, things are starting to tighten up, and Europe is once again taking the lead.

In 2003, by way of another regulation to extend the exemption on organic seeds, the European Commission made it mandatory for all of its member countries to establish computerised databases for the registration of commercially available organic seeds. These databases serve as the reference when farmers request a derogation. Today, to be allowed to use a non-certified variety in organically certified production, a farmer has to show that no variety similar to what she or he wants to plant is available on the database. Moreover, if an EU government decides that there are sufficient varieties and quantities of seeds for a particular species on the database to supply the organic farming in its country, it can close all derogations for that species – making it mandatory for organic farmers to use only the varieties

<sup>4</sup> For a report of that meeting, see: <http://tinyurl.com/3cd6gb>



listed in the database. The Netherlands, for example, closed derogations for wheat, ryegrass, oat, barley and potatoes in 2004. In 2005, Belgium closed derogations for 9 vegetable species. In France, the ministry of agriculture established a special monitoring system for 8 agricultural crops and 10 vegetables, for which organic farmers who consult the database are warned that if they use another variety they “could be especially controlled”.<sup>5</sup> In early 2007, the French government dropped all derogations for maize. The implementation rules get stricter year by year, and it is likely that organic farmers in the EU will soon be able to choose from only the limited number of organic varieties offered by seed companies.

In the USA, the legal situation is less far along than in Europe. According to some sources, only 8% of the organic acreage in the US is currently sown with certified organic seed, and national legislation on the matter is still in flux.<sup>6</sup> However, things are moving fast in the same direction as in Europe, with the organic seed certifiers and the multinational seed industry taking the lead. California Certified Organic Farmers (CCOF), a major organic certifier in the US, says that “according to the USDA’s National Organic Program, organic farmers must start their crops with organic seeds or organic planting stock, whenever available”,<sup>7</sup> and must be prepared for when their inspectors come: “If you use non-organic seed, then keep a journal of your organic seed research. Log your calls to seed suppliers (date, supplier, result), and log your searches of seed catalogs or web sites.”<sup>8</sup>

The Organic Materials Review Institute (OMRI), the organisation that decides what products are allowed in US organic agriculture, has developed a centralised database listing certified organic varieties that the seed companies have on offer. If the experience of Europe tells us anything, it won’t be long before the varieties on this database will become mandatory for organic farmers.

## Setting standards for the rest of the world

The EU and the US, as the largest markets for imports of organic produce, exert enormous influence over certification standards beyond their borders. Most certified organic products from the South travel north, and so must conform to the standards that govern these major markets. Generally, production standards are enforced by private third-party certifiers accredited by the importing country, and, with increasing frequency, governments and even big retailers send their own agents to make surprise visits to unsuspecting organic farms in the South. With seeds now front-and-centre on the EU’s organic standards, inevitably they’ve also moved up the agenda of the main certification bodies working in the South.

Ecocert, one of the world’s largest international private organic certifiers, carrying out inspections and certification in more than 80 countries outside the EU, has this to say to organic producers seeking access to the EU:

*“The [EU] regulations on seeds are meant to support the establishment of markets for organic seeds. During import authorisation the application of this rule in countries outside the EC will be monitored... Derogations for the above-mentioned regulation may be granted under certain conditions. If growers are unable to obtain organic seeds of the desired variety sufficient proof of the lack of availability must be provided to the certification body.”<sup>9</sup>*

In the USA, OCIA, the largest organic certifier and the principal certifier for Latin American and Chinese organic imports into the US, requires producers to fill out a plan detailing the variety name of the seeds used; where non-organic seed is used, farmers “must have records of [their] attempts to source organic seed from at least two sources”.<sup>10</sup> If you happen to be exporting from a country where GM crops are grown commercially, Switzerland’s main organic certification agency, BioSuisse, won’t provide you with certification unless you have used “certified organic reproductive material”, with no exceptions.

The pressure from the certifiers and the legislation in the major importing countries is already resulting in national legislation and standards in some of the exporting

5 ECO\_PB, Newsletter on organic seeds and plant breeding, January–February 2007.

6 Matthew Dillon, Organic Seed Alliance, personal communication, 15 October 2007.

7 From CCOF press release: <http://www.ccof.org/press071204.php>

8 Quote from CCOF website: [http://www.ccof.org/faq\\_detail.php?id=38](http://www.ccof.org/faq_detail.php?id=38)

9 ECOCERT, “Seeds and propagating material in Organic Farming according to the EC-Regulation 2092/91, undated.

10 <http://tinyurl.com/2syru5>



countries of the South. Often, these go far beyond what's required, narrowing down the options for farmers, no matter how absurd this might be within the local context. Tunisia's national standard allows farmers to use non-certified organic seed only when they can prove that a suitable variety was not available on the national and international seed markets. Plus, under the most recent version of the Tunisian standard, all derogations expire at the end of 2007! The Philippines' standard calls on certification bodies to set timelines for when the derogations will expire. Bolivia's 2002 national standard set a timeline for derogations to expire after 2003, in line with the 1999 EU Council regulation. China and Argentina haven't shut the door on derogations yet, but their standards demand that farmers prove the origin of their seeds.

### Creating alternative markets in the Basque country

Together with other civil society groups, the Basque small farmers organisation ENHE is involved in the development of a holistic participatory certification scheme that not only involves agreements on non-use of agrochemicals, but also includes socio-economic factors (such as a minimum income for the farmers involved) and proximity with the consumer. The two basic principles on which the initiative is based are food sovereignty and agro-ecology. With respect to seeds, the starting point is that "it favours maintenance, reproduction and recuperation of local crops and varieties and local knowledge related to it". Paul Nicholson, one of the farmers involved, explains the initiative and the issues it aims to address in the following way:<sup>11</sup>

*"For two or three years, we have been involved in an internal debate about certification of the food we produce. Amongst our members, there is an increasing rejection of the current certification systems, those that come from the regional government and those that come from IFOAM. The main problem is that these certification schemes defend and promote export- and market-oriented types of organic agriculture, and not necessarily the type of agriculture that we stand for. In our vision, environmental sustainability is just one element. Equally important are social factors, economic factors, and the element of proximity.*

*"So we are talking about alternative certification systems that involve farmers' and consumers' organisations and networks, and incorporate the aspects of production, distribution and consumption. They are based on common agreements on models of production, social conditions (labour, prices, salaries, etc.) and environmental conditions. The consumers also bring their commitments and acceptance of the parameters that we define together.*

*"It's difficult, a huge challenge, because we are basically creating alternative markets. Within IFOAM this is a big debate now. The small farmer simply cannot cope any more, so we need a different approach to markets and consumers. In IFOAM, the push towards the agro-export model is very strong, and increasing. But it is impossible to maintain this duality. The export model, on one hand, and farming based on proximity, on the other, are simply not compatible. They are antagonistic, and that is the internal problem and debate that IFOAM now faces."*

Vitoon Panyakul of GreenNet in Thailand says that the problem stems from the larger move to "legalise" organic standards. He says that this puts governments in control of defining "organic", meaning that, in practice, "the word 'organic' is then defined by the USDA, the EU commission, and the Japan Department of Agriculture, where agribusiness can much more easily lobby to change the standards the way it wants". Indeed, looking at how governments are dealing with organic seeds, it is hard not to see the commonality in what the seed industry is proposing and what organic certification standards require: a tightly regulated

11 Paul Nicholson, personal communication, October 2007.



system, with a small number of specialised seed providers from which all organic farmers have to buy their seeds. This is one reason, Panyakul says, why “the Thais will fight tooth and nail to keep the standards voluntary”.<sup>12</sup>

## Seed laws: the broader picture

The full consequences of these organic certification standards become apparent when seen in the context of the ever-expanding bundle of regulations and other mechanisms that restrict what farmers can do with seeds. In Europe, for example, it is illegal under current seed laws to trade or sell seeds from varieties that are not registered. Farmers’ seeds, therefore, have to go underground, to a precarious illegal existence. Although governments vary in how they implement the rules, and groups are trying to free up some room in the catalogues for farmers’ varieties, the law does not at this point allow for such seeds to go on to the national organic seed databases. To this can be added the problems European farmers have in accessing subsidies if they don’t use certified seeds, and the fact that many of the varieties available on the organic databases preclude farmer participation because they are either hybrids or handcuffed with plant breeders’ rights.

The European type of seed laws are now well on the way to becoming the norm among countries in the South. The situation is especially severe in Africa, where, often under regional initiatives financed by Northern donors, many governments are in the process of imposing EU-type seed laws, with little consideration of what it means for the farmers’ seeds that currently supply the vast majority of the continent’s seed needs. Tunisia has had an EU-style seed law on the books since 1999, which says that you can market only varieties registered in an official catalogue, which uses criteria entirely at odds with farmers’ seeds. In India, the new seed bill awaiting approval bars farmers from selling seeds that don’t meet uniformity and purity standards, and from selling them with a “brand” name. Bolivia’s new seed law prohibits the exchange or sale of seeds that are not registered in the official catalogue, in essence prohibiting the sale or exchange of farmers’ varieties.<sup>13</sup> These kinds of seed laws, combined with the organic standards being implemented, essentially shut the door on any legal possibility of certified organic production with farmer seeds.

## Organic Inc.

The picture becomes gloomier still when one considers this legal morass in the context of the increasing presence of corporations in the organic food chain. The annual global organic food and drinks market is worth around €30 billion, with international growth rates ranging between 15% and 22% a year, compared to the average overall food and drink growth of between 2% and 6% a year. Any big company engaged in food in one way or another has an eye on organics. Global supermarket powerhouse Wal-Mart, with its 4,000 US stores and over 2,200 in the rest of the world, recently launched into organics. The UK’s two leading supermarket chains, Tesco and Sainsbury’s, already have about 30% each of the organic market share in the country, and have created their own procurement and distribution networks, reaching down all the way to the farm and influencing organic production regardless of where it is located. And that location is very often in the South: a full 83% of organic fruit and vegetables sold in the UK are imported from developing countries.<sup>14</sup> In the words of the World Trade Organisation (WTO)/United Nations Conference on Trade and Development (UNCTAD) International Trade Centre, the “increasing stringency and rigor in their expectations of the products they handle and their purchasing power has enabled them to direct their supplies towards ... almost industrial methods of producing food.”<sup>15</sup>

Marching in lockstep with the big retail chains are their big suppliers. Food companies such as Pepsi, Danone, ConAgra and Tyson are taking over smaller organic food companies or developing their own lines of organic products to

12 Interview with GRAIN, September 2007.

13 For more information about the impact of seed laws across the world, see our July 2005 special issue of *Seedling*, devoted to seed laws: <http://www.grain.org/seedling/?id=344>

14 InterPress Service, “Incompatible standards may keep organics out”, Johannesburg, 21 September 2007. <http://allafrica.com/stories/200709210776.html>

15 ITC, quoted in: RAFI-USA, “Who owns organic?”, USA, 2003. <http://rafiusa.org/pubs/OrganicReport.pdf>



## Destroying diversity

One of the core principles of organic farming is using and maintaining agricultural biodiversity. Ironically, the push for organic seed standards is resulting in the elimination of that diversity. Squeezed between the increasing corporate control over organics, and legislation that forces the creation of an organic seed market, organic farmers that want to use their own seeds, or conventional seeds that fit their farming conditions, are finding themselves increasingly on the border of illegality.

Cristina Micheloni, of the Italian Association for Organic Agriculture (AIAB), sums up the choice that farmers have: “to use an adapted variety that fits local farming systems and is requested by the market but whose seeds are not available as certified organic, or to use certified organic seeds of a variety not particularly adapted to local conditions and not specifically requested by the market”. The choice is progressively eliminated by the legislative evolution, with disastrous consequences for agricultural biodiversity and sustainability. Micheloni and her colleagues have documented the fact that conventional farmers in Italy have access to 35 varieties of common wheat, 60 varieties of processing tomatoes and 56 varieties of corn. Their organic counterparts can choose from only 15, 7 and 6 varieties of these crops, respectively, which are not necessarily adapted to their farming systems.<sup>16</sup> In addition, most of the organic vegetable varieties are hybrids, making them unsuitable for on-farm multiplication. As a result, huge numbers of farmers ask for derogation, to be able to use their own varieties or any other variety that fits local farming systems but is not available as an organic, but this option becomes increasingly restricted as the companies and certifiers succeed in moving them into illegality. In this way, organic seed regulation hampers diversity rather than enhancing it.

Cristina Micheloni reports on the situation of farmers in Veneto producing radicchio, a typical product of that region. *“Farmers there have produced their own radicchio varieties for centuries, not certified as organic, nor officially registered. According to legislation now, they are not allowed to do so, but they do it anyway, as they have always done, and this is the key to the quality of what they produce. Each farmer specialises in a particular type of radicchio, and there are many: radicchio di Treviso, di Verona, Chioggia, di Lusia, di Castelfranco.... They exchange seeds among themselves, and experiment, all unofficially. Consumers like them, and pay a premium price. In this way farmers maintain diversity in the fields, and use the plants that best fit their farming conditions, their farming style and the demand from the market. But the situation becomes increasingly difficult. These varieties often do not qualify for registration in any catalogue as they are not uniform or stable enough. And if they are not registered, legally they don't exist.*

*“Within IFOAM, we have been debating so much about this. There are many different positions, but the logic of the inspection bodies, the certifiers, dominates. They want simple rules on exceptions and no space for interpretation. Besides, there is the plant breeders' lobby. All this results in tremendous pressure to use only certified organic seeds, without consideration of why farmers want flexibility and diversity. It's really too simplistic, I think. Small farmers shouldn't be forced to buy certified organic seeds.”<sup>17</sup>*

supply to supermarkets. Many of these companies source production from the South through contract growing schemes. MarBran, for instance, the largest supplier of frozen broccoli in the US, recently set up an organic contract growing scheme in Guatemala.

Often the big retailers insist that their suppliers enforce EurepGap standards on their producers, whether organic or not. EurepGap, which was recently renamed as GlobalGap, is a private-sector body that sets voluntary standards for the certification of agricultural products around the world. Of significance to the seeds issue with

16 Cristina Micheloni and Andrea Guibilato, AIAB, “On-farm seed production: integrity of organic farming and biodiversity safeguard”. Paper presented to the IFOAM/FAO/ISF Conference on organic seeds, Rome, 2004,

17 Cristina Micheloni, personal communication, October 2007.



organic production is that the latest EurepGap standard for seeds require certifiers to assess whether the farmer is using varieties that “meet the UPOV guidelines” and to verify that “there are written documents available on request that prove that the varieties grown have been obtained in accordance to local legislation and in compliance with intellectual property rights.” The EurepGap standard also requires that the farmer keep and make available “a document that guarantees seed quality and that states variety purity, variety name, batch number and seed vendor”.<sup>18</sup> EurepGap claims to serve as a practical manual for good agricultural practice anywhere in the world, but in the case of seed use it seems to function more as a lobby for the seed industry.

## Gene giants on the march

Organic seeds are clearly not immune to the corporate consolidation sweeping the organic industry and the larger food system. Indeed, some of the bigger seed corporations have already started developing and supplying organic seeds. Global “top 10” seed companies offering organic seeds on the European databases include: Dupont, which supplies organic maize seed through its subsidiary Pioneer; the French seed giant Limagrain, which offers a whole series of crops through its subsidiaries Advanta Seeds and Nickersons; and the German KWS, which offers organic maize and sugarbeet. Other corporations are buying into the sector by absorbing smaller organic seed companies, with Bayer purchasing the German organic seed company Hild, and M&M Mars taking over Seeds of Change, one of the original organic seed companies in the US. As the opportunities for profit in organic seeds grow, this trend will only intensify.

A lot of the organic seeds sold in Europe originate from a small number of major Dutch seed companies that have added organics to their product list. They have stations or subsidiaries in many countries and can thus produce seeds all year round. Enza, for example, is a major multinational seed company with subsidiaries in 14 countries, including China, Tanzania and Mexico. It works through its subsidiary Vitalis for the production of organic vegetable seeds. Bejo and Rijk Zwaan, two other major seed companies, each with operations across the world in dozens of countries, now also offer organic seeds.

**Table: Certified organic seeds on offer in the Netherlands, selected crops: a few companies dominate the market**

Crop (total # of varieties)	Top companies (# of varieties)	% of total
Cauliflower (11)	Vitalis (9)	82%
Cucumber (42)	Vitalis (13), Rijk Zwaan (10), Hild (8)	74%
Mais (12)	Ekova (4), Limagrain(3), Pioneer (2)	75%
Sweet pepper (32)	Vitalis (24)	75%
Lettuce (151)	Vitalis (66), Rijk Zwaan (39)	70%
White cabbage (49)	Bejo (21) Bingerheimer (13)	70%
Spinach (12)	Vitalis (4) Bejo (3) Bingerheimer (3)	83%
Tomato (71)	Vitalis (29) De Ruitter (14) Rijk Zwaan (6)	69%

Source: [www.biodatabase.nl](http://www.biodatabase.nl)

Although there are many small seed houses marketing organic seeds, certified organic seed production in Europe is already concentrated in the hands of a few major companies. Looking at the Dutch database for available organic varieties, for example, one comes across the same names again and again. Each crop is typically dominated by two or three companies (*see* Table).

The integration of seeds and organics happens in other parts of the world as well. In China, the country’s largest “Green Food” and organics company, China National Green Food Industrial Corporation, is a subsidiary of the China National Seed

18 EurepGep, “Control Points and compliance criteria for fruit and vegetables propagation material”, May 2006. <http://tinyurl.com/ytyyk9>





Company. This means that the country's largest seed company is responsible for monitoring compliance with China's standards on seeds for organic production. A similar situation is unfolding in India. One of the country's leading seed companies, Namdhari Seeds, is today one of its leading producers and retailers of organic foods. Another major Indian seed company, JK Agri Genetics – part of the JK Organisation, a large corporate conglomerate – launched its organic foods division in December 2006. The company is now building up a network of 200–300 contract organic growers.

## Back to basics

Most organic farmers would agree that it is preferable to use organic seeds, and would clearly support the development of seed systems to this effect. But certifying seeds as a way to maintain the integrity of organics is entirely different from certifying them as a way to create a market and make organic seeds profitable for seed companies.

German Velez of the “Grupo Semillas” in Colombia has been working with farmers on seed diversity for decades and has come to a clear conclusion:

*“We consider that any form of seed certification is perverse, be it for conventional or transgenic seed. It is often linked to systems of intellectual property rights, which permit a handful of seed companies to control not only the seed chain but also the technologies that those seeds come with. Certification of organic seed is equally unacceptable, as it is an instrument for the domination and exclusion of small farmers from organic agriculture through the control that the certifying and seed companies exercise.... In this context many initiatives have arisen that aim to disconnect from the official certification systems and to establish direct trust links between producers and consumers. Although many of these alternatives are not yet very visible, they are multiplying and getting stronger through seed celebrations, local exchange systems and markets where native seeds and knowledge are exchanged.”<sup>19</sup>*

Eva Carazo of the Costa Rican organic agriculture movement comes to a similar conclusion:

*“we understand organic agriculture as agro-ecology, and from that logic we have a sharp focus on defending indigenous and local seeds. Legislation in Costa Rica makes the use of certified organic seeds mandatory if they are available. The advantage we still have is that such seeds are not available yet, so organic production is by and large still based on local seeds.”*

In the Philippines, Chito Medina of Masipag is involved in the development of an alternative “Masipag farmers guarantee system”, a sort of group certification system where farmers implement internal quality control on the basis of their own standards, with a focus on addressing local food security. Masipag has decades of experience supporting and promoting local seed production, and is also involved in organic production. The Philippines government recently approved organic standards legislation, but Medina doubts whether this will support farmer-led approaches such as Masipag's: “The government cannot see the thousands or millions of farmers, they only see visible corporate players, big and vocal producers. In this case, the model of the government is really a corporate approach.”<sup>20</sup>

Even IFOAM, which – not without tension – embodies the dual interests of the big farmers and certifiers and the increasingly vocal group of its members who defend biodiversity and small farmers, has programmes to support local systems that function on relations of trust between farmers and consumers, instead of market-oriented certification schemes. In line with this, it has sponsored several meetings and established a special task force on “participatory guarantee systems” – an alternative to organic standards that many of its member organisations are actively pursuing.

19 German Velez, Grupo Semillas, personal communication, October 2007.

20 Chito Medina, personal communication, September 2007.



## Organic seeds must be in the hands of farmers

The way in which seeds are being forced into the fold of organic certification shows how wrong things can go when the business aspects of organics starts to override its more fundamental objectives. Certification is essentially now being used as a tool to force farmers to pay seed corporations to supply them with organic seeds – under the explicit assumption that seed companies will convert this cash into good organic varieties. But there are countless examples within the organic movement that show farmers to be highly capable of collectively looking after their own seed needs, without the private sector or formal certification. Take the example of UBINIG, a Bangladeshi NGO that promotes a “new agriculture movement” based on the principles of ecological farming. According to one of its founders, Farida Akhtar, it now involves some 100,000 farming families across the country.<sup>21</sup> To sustain this effort several “community seed wealth centres” were established, which serve the network with seeds of hundreds of different varieties of dozens of different crops. But these centres are just the tip of the iceberg of the seed network that they are part of. Hundreds of communities in many different parts of the country use the seeds every season, and keep them safe in their homesteads. Villagers operate a sophisticated exchange and monitoring network to ensure that at any point in time thousands of different seed varieties are being grown and kept alive somewhere. No need to certify.

Masipag’s network of some 500 grassroots community-based organisations pioneered a “Farmer–Scientist Partnership”, in which farmers started producing their own improved rice varieties with the help of a group of agronomists.<sup>22</sup> Oriented towards chemical-free agriculture and spread out across the country, they have created a broad spectrum of different Masipag varieties, many of them out-yielding the ones produced by the official plant-breeding institutes. The varieties are kept decentralised and exchanged at the local level. Farmers know which varieties suit them, and consumers know what Masipag stands for. No need for a breeding industry to supply Masipag farmers with certified organic rice varieties.

In north-east Brazil, ASPTA and other NGOs have helped farmers to establish a network of community seed banks to ensure availability of locally produced and adapted seeds, thus avoiding dependence on the varieties offered by the seed companies.<sup>23</sup> In East Africa, Ethiopia Organic Seed Action (EOSA) works with farmers to create local seed-exchange networks, to ensure diversity and availability of good quality seeds developed by farmers.<sup>24</sup> In France, Réseau Semences Paysannes is a network of peasant farmers and organisations concerned about biodiversity that maintains a vibrant seeds network and organises capacity building in local seed selection and improvement.<sup>25</sup> Similar networks exist in Spain, Italy and other parts of Europe.

The accumulated experience of such approaches, networks and systems that ensure availability of good and diverse seed at the farmer level is impressive. Seed companies could certainly join in – but it would be suicidal for farmers to sacrifice their own seed systems (or the potential for their own seed systems) to make investment in organic seeds profitable for the big seed corporations. Yet this is precisely what organic standards are demanding. It is not just that organic seed certification is a low priority for farmers’ seed systems, as the former president of IFOAM is quoted as saying at the outset of this Briefing, organic seed certification is actually a major threat to their very existence.

If organics is to survive as a meaningful concept for small-scale farmers and local food systems, it has to escape such market nooses. It is not too late for the organic movement to stop the imposition of organic seed certification standards, to turn away from the corporate seed system on offer, and unite with others in sustaining, improving and expanding the wealth of diverse, farmer-led seed systems sprouting up everywhere.

21 Interview with Farida Akhtar in Seedling, July 2002.  
[www.grain.org/seedling/index.cfm?id=201](http://www.grain.org/seedling/index.cfm?id=201)

22 See: [www.masipag.org](http://www.masipag.org)

23 See: <http://tinyurl.com/2hf5d9>

24 See: <http://tinyurl.com/2araqz>

25 [www.semencespaysannes.org](http://www.semencespaysannes.org)



## Going further:

- GRAIN *Briefing*: “The end of farm-saved seed? Industry’s wish list for the next revision of UPOV”, February 2007:  
<http://www.grain.org/briefings/?id=202>
- GRAIN, *Seedling*: Special issue on seed laws, July 2005:  
<http://www.grain.org/seedling/?id=344>
- Proceedings of the First World Conference on Organic Seeds, IFOAM/FAO/ISF, Rome, 2004:  
[http://www.ifoam.org/events/reports/seed\\_conference.html](http://www.ifoam.org/events/reports/seed_conference.html)
- The European Commission Council Regulation (EEC) No 2092/91 on organic seeds is available at  
[http://www.organic-europe.net/europe\\_eu/eu-regulation-2092-91-seeds.asp](http://www.organic-europe.net/europe_eu/eu-regulation-2092-91-seeds.asp).
- A list of all the organic seed databases of the EU is available:  
[http://ec.europa.eu/agriculture/qual/organic/seeds/links\\_en.htm](http://ec.europa.eu/agriculture/qual/organic/seeds/links_en.htm)
- Nadia El-Hage Scialabba and Caroline Hattam (eds), “Organic agriculture, environment and food security”, Environment and Natural Resources Service Sustainable Development Department, FAO, 2002:  
<http://www.fao.org/docrep/005/y4137e/y4137e00.htm>
- Juan José Soriano y Juan Manuel González, Red de Semillas (Spain), “Semillas y material de reproducción vegetal en la agricultura ecológica. Estado de la cuestión”, 2005:  
<http://tinyurl.com/33jnfu>
- Movimiento Agroecológico de América Latina y El Caribe and IFOAM, Report from the International Workshop on Alternative Certification, Porto Alegre, Rio Grande do Sul, 13–17 April 2004:  
<http://tinyurl.com/2lzmhd>



# Annex

## What some international, regional and national standards for organic production say about seeds

Standard & Source	What it says about seeds
CODEX International guideline	Seeds and vegetative reproductive material should be from plants grown in accordance with the provisions of these guidelines for at least one generation or, in the case of perennial crops, two growing seasons. Where an operator can demonstrate to the official or officially recognized certification body or authority that material satisfying the above requirements is not available, the certification body or authority may support: a) in the first instance, use of untreated seeds or vegetative reproductive material, or b) if (a) is not available, use of seeds and vegetative reproductive material treated with substances other than those included in Annex 2. The competent authority may establish criteria to limit the application of the derogation.
EU Government	<p>The organic production method implies that for seeds and vegetative reproductive material, the mother plant in the case of seeds and the parent plant(s) in the case of vegetative propagating material have been produced ... in accordance with [this standard] for at least one generation or, in the case of perennial crops, two growing seasons.... Authorisation to use seed or seed potatoes not obtained by the organic production method may only be granted in the following cases:</p> <p>a) if no variety of the species which the user wants to obtain is registered in the database provided for in Article 6;  b) if no supplier is able to deliver the seed or seed potatoes before sowing or planting in situations where the user has ordered the seed or seed potatoes in reasonable time;  c) if the variety which the user wants to obtain is not registered in the database, and the user is able to demonstrate that none of the registered alternatives of the same species are appropriate and that the authorisation therefore is significant for his production;  d) if it is justified for use in research, test in small-scale field trials or for variety conservation purposes agreed by the competent authority of the Member State.</p> <p>2. The authorisation shall be granted before the sowing of the crop.</p> <p>3. The authorisation shall be granted only to individual users for one season at a time and the authority or body responsible for the authorisations shall register the quantities of seed or seed potatoes authorised.</p> <p>Each Member State shall ensure that a computerised database is established for the listing of the varieties for which seed or seed potatoes obtained by the organic production method.... For registration, the supplier must be able to ... demonstrate that the seed or seed potatoes to be placed on the market comply with the general requirements applicable to seed and vegetative propagating material</p>
US Government	The producer must use organically grown seeds: Except, That, (1) Nonorganically produced, untreated seeds may be used to produce an organic crop when an equivalent organically produced variety is not commercially available, (2) Nonorganically produced seeds that have been treated with a substance included on the National List of synthetic substances allowed for use in organic crop production may be used to produce an organic crop when an equivalent organically produced or untreated variety is not commercially available.
Japan Government	Seeds shall comply with the criteria [for organic production]. In case of a difficulty to obtain [such] seeds, seeds without prohibited substances may be used. Furthermore in case of a difficulty to obtain these seeds without prohibited substances, any seeds for seed propagation plants without the use of chemical treatment may be used.
Canada Government	The operator shall use organic seed produced in accordance with this standard [, except]: If the operator can demonstrate that an organically produced variety is not available from its enterprise or other sources (i.e. not commercially available), the certification body may authorise the use of non-organic untreated seed and planting stock or seed only treated with substances in accordance with this standard.
China Government	Organic seeds or seedlings shall be selected. If no organic seeds or seedlings are available, conventional seeds or seedlings not treated with objectionable substances shall be selected, but plans for obtaining organic seeds and seedlings shall be made.
India Government	When organic seed and plant materials are available, they shall be used. The certification programme shall set time limits for the requirement of certified organic seed and other plant material. When certified organic seed and plant materials are not available, chemically untreated conventional materials shall be used.
Philippines Government	Seeds shall be from certified organic production, when available. When certified organic seeds are not available, chemically untreated conventional materials may be used provided that they have not been treated with pesticides not otherwise permitted by these standards. When untreated conventional seeds and planting materials are not available, chemically treated seeds and plant materials maybe used. The certification body shall established time limits and conditions for exemptions for acceptable use of any chemically treated seeds and plant materials.
Argentina Government	When seeds of organic origin cannot be obtained, the certifying company may authorise the use of conventional seeds.



Bolivia Government	<p>Seed must be used from organic production units (It is prohibited to use seed treated with unauthorized products in Annex II of this standard); If no organic quality seeds exist, the producer may use seed that meets standards of quality and purity in force in the country, from the previously authorized certification body. Exceptions to the use of treated and untreated seeds are subject to the following requirements:</p> <ul style="list-style-type: none"> <li>– Conventional crop seeds or propagation material; permitted only if not chemically treated.</li> <li>– Crop seeds or propagation material that has been chemically treated, must pass a transition period of at least one cycle, according to the species and area of production. Deadline for exceptions finishes in 2003, at which time the producers must produce their own organic seed or propagation material.</li> <li>– Those excluded from producing one's own seed; producers whose climatic conditions or local environment, are not suitable for the production of seed. In these cases they must use organic certified seeds from elsewhere.</li> </ul> <p>The availability of organic seeds must be monitored by the certification agency. In compliance with international standards, the use of non-organic seed can only be used until 31/12/2003.... When purchasing seeds, this must have an explicit statement that it is not genetically modified.</p>
Chile Government	<p>The seeds and propagating material of plants that should be used, must have been obtained through organic production. The seeds must have been treated exclusively with the products listed in Annex A, list 2a, of this standard. Exceptionally, and in order of priority, the following can be used:</p> <ol style="list-style-type: none"> <li>a) untreated conventional seeds or other propagating materials;</li> <li>b) conventional seeds or other propagating materials treated with the products listed in Annex A, list 2-A;</li> <li>c) conventional seeds and other propagating materials treated with other products, provided that they can demonstrate to the satisfaction of the certification body, the inability to obtain in the marketplace, seed and other propagating material of organic origin of the relevant species and variety.</li> </ol>
El Salvador Government	<p>Organic production may only be used with seeds, reproductive vegetative material and seedlings that have been produced using organic methods and that in their production, only authorised pesticides have been used. If the seeds, reproductive vegetative material or seedlings do not satisfy any of the requirements specified in paragraph above, the producer must obtain permission from the Certification Body prior to the start of production.</p>
Mexico Government	<p>The seeds used should come only from plants that are grown, in accordance with this standard, at least for a generation or, in the case of perennial crops, during two periods of vegetation, selecting the shorter option shorter.... When there is nothing commercial available, and for a transitional period between 1995-1999, seeds may be used which were obtained differently from the provisions of this Rule, provided that users of such seeds can demonstrate to the certification authority that untreated seeds appropriate range of the species in question do not exist in the market.</p>
East Africa Government	<p>Seeds from organic production shall be used. If organic seeds are not commercially available, then conventional, chemically untreated seed may be used. Only if these are not commercially available may chemically treated seeds, seedlings and planting materials be used. The operator shall demonstrate the apparent need for such use. All use of chemically treated seeds, seedlings and planting materials shall be documented.</p>
Tunisia Government	<p>It is authorised, during a transition period expiring on the 31 December 2007, to use seeds which have not been grown organically, as long as those using such reproductive material can prove, in a manner judged by the National Commission for Organic Agriculture or regulatory body, that they were unable to obtain reproductive material for an appropriate variety of the species in question, on national and international markets. The seeds and vegetative material must not be treated with pesticides not included in the annexes of the specific type of organic crop production.</p>
BioSuisse Private certifier	<p>Seed dressed with substances prohibited by Bio Suisse (hereinafter called 'dressed') must not be used. If evidence is furnished showing that [organic] seeds are unavailable in the quality and quantity that is usual in the trade, non-dressed seed and vegetative propagating material, produced by non-organic methods may be used during a transition period ending on 31 December 2003. The use of dressed seed is only permitted in exceptional cases. The [BioSuisse Committee] determines the rules regarding the furnishing of evidence and possible derogations for each crop on an annual basis during the transition period. [It] decides on derogations concerning the use of non-organic seed, planting material and vegetative propagating material after 31 December 2003 in accordance with the legislation in force.</p>
Ecocert Private certifier	<p>According to [EC regulations] seeds must originate from organic agriculture ... The regulations on seeds are meant to support the establishment of markets for organic seeds. During import authorisation the application of this rule in countries outside the EC will be monitored.... Derogations for the above-mentioned regulation may be granted under certain conditions. If growers are unable to obtain organic seeds of the desired variety sufficient proof of the lack of availability must be provided to the certification body (and/or during import permit procedures to the competent authorities of the member state of the EC). Conventional seeds may be used if a derogation was obtained ... Seed must be from non-GMO sources, with declarations from the supplier.</p>
Organic Farmers' Association of India Farmers' collective	<p>Seeds are to be sourced by preference from an organic farm in the same area, or from other areas where organic assurance is confirmed. In cases where this is absolutely not possible, local, open-pollinated seeds can be sourced if a written declaration by the seed producer is made available. A commitment to sourcing all organic seed within three years of first farm appraisal is required. No GM seeds are permitted under any circumstances and will be severely penalised by cancellation of label use and public disapproval. All seeds should preferably be open-pollinated or selected varieties rather than hybrids. High external input and response hybrids are discouraged. Any seed material sourced from conventional growers shall be limited for seed duplication and then only declared as organic seed after one growing cycle.</p>

