



Written by [Alex Newman](#) on May 7, 2013

EU Targets Seeds and Gardeners; Critics Lash Out

As part of the seemingly never-ending drive to expand and centralize its own coercive power, the controversial European Union in Brussels is now targeting seeds and gardeners with a proposed new “[law](#)” aimed at regulating all “plant reproductive material” within the bloc. Despite strong backing by mega-corporations and genetic-engineering giants, however, the proposal has sparked a furious grassroots outcry around the world that transcends traditional political divides.



Critics are calling on the emerging EU super state to kill the scheme immediately. Over 200,000 people have already [signed a petition against the plan](#). Another 35,000 [signed a petition refusing to accept the scheme](#), and thousands more [signed a separate statement vowing non-compliance](#). The growing coalition fighting back against the program brings together unlikely allies, too: environmentalists, leftists concerned about corporate power over government, libertarians, farmers, conservatives, liberals, gardeners, small-scale seed producers, advocates for national sovereignty, and more.

However, while Brussels policymakers are reportedly scrambling to amend the proposal in response to the unexpected tsunami of outrage, powerful lobbyists and the European establishment appear determined to ram through the [nearly 150-page package of “reforms.”](#) There is major pressure behind the effort, which reportedly includes well-funded lobbying campaigns by companies such as Monsanto and other “Big Ag” interests seeking to consolidate their dominance over the seed market.

Top officials are onboard as well. “Smarter rules for safer food! This is how I can best summarize the important package of measures adopted today by the [European] Commission to reform Europe’s agri-food chain,” [claimed](#) European Commissioner for Health and Consumers Tonio Borg on May 6, when the proposal was tabled in the commission. Citing the recent horse-meat scandal in Europe and the existing byzantine regulatory regime, Borg claimed the scheme was urgent.

“We have to be proud of the system in place. It’s probably the safest in the world,” the health commissioner alleged before the commission, a bizarre hybrid body that includes both legislative and executive power. “But today’s proposed reform aims to modernize, simplify and strengthen the legal framework governing official controls, animal and plant health and plant reproductive material to ensure a safer food chain.”

For critics, however, the proposal must be shot down. Among the wide array of concerns expressed by opponents of the measure are the consequences on the freedom of small farmers, home gardeners, and independent seed producers. If approved, the EU assault would essentially outlaw any varieties that were not “registered” and “certified” by massive international agricultural firms working together with bureaucrats in Brussels. Seeds with “patented” genes and big money behind them, meanwhile, would see a major windfall as the propagators of traditional seed varieties deal with the wrath of out-of-control authorities.

“The Commission proposal sticks to a bureaucratic approach where all operators including farmers and



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gardeners who sell seed for non-commercial purposes would have to register,” [said](#) Vice President Andrea Ferrante with the International Federation of Organic Agriculture Movements (IFOAM) in the EU. “It is now time for farmers and citizens to mobilize and demand that their politicians put agro-biodiversity at the heart of the seed legislation.”

The U.K.-based non-profit Soil Association, meanwhile, released [a statement saying](#) that the proposed EU “regulation” would put the future of plant biodiversity at risk while having a “disastrous effect” on the availability of rare varieties and farmers’ varieties. It would also stop the exchange and sale of traditional seeds, the group said. By outlawing the exchange of seeds that are not currently commercially available, the scheme would have severe short-term and long-term consequences that, ironically, could ultimately even harm the massive companies pushing the proposal.

Ben Raskin, the head of horticulture for the group, [blasted](#) the regulation as well, saying that access to seed and plant propagating material from diverse varieties was “essential” for farmers to adapt as conditions require. “The proposed regulation goes even further than the current European seed law which favors the production of uniform varieties (protected by plant breeder’s rights) and discriminates against less homogenous open pollinated varieties and populations,” he said. “This has already resulted in a non-reversible loss of agro-biodiversity.”

On top of that, Raskin continued, the proposal would require every seed to be registered, and an annual “license” fee would have to be paid for each variety. “Under this law it won’t be possible to register old and new niche varieties and populations (e.g., conservation and amateur varieties, landraces and farmers’ selections) based only on an officially recognized description (ORD), without official registration and certification, as is currently practiced,” he said.

“If this regulation is passed, not only will we lose a huge number of plant varieties, we will lose the amazing diversity of appearance, taste, and potential benefits such as disease resistance and nutritional content,” Raskin concluded. “Furthermore, despite assurances that this law will only apply to farmers, the latest draft legislation suggests that every gardener will be subject to the regulation — the effects will be disastrous for farmers and growers.”

Other critics pointed to the benefits that will be reaped by mega-corporations at the expense of small farmers, gardeners, and, of course, consumers. Save Our Seeds (SOS), a non-profit based in Germany, [told](#) the *EU Observer* that the regulation was an “open door” for big companies like Monsanto and DuPont — a group of five companies controls more than half of the global seed market already — to effectively certify, test, and inspect the seeds themselves.

“For the first time, the certification of commercial seeds can be done by the enterprises themselves,” SOS’s Benedikt Haerlin was quoted as saying, adding that the proposal would reduce the work of “inspectors” to merely shuffling paperwork. “At the end of the day, the authorities just sit at their desk and go through the paperwork submitted by the applicant.”

The “benefits” of the controversial plot, of course, will largely be reaped by the largest seed companies, which will be able to track down the “intellectual property” behind the seeds, Haerlin explained. “The regulation forms a perfect basis for controlling seeds that are patented,” he said, adding that the system would force companies to keep records of their seeds, where they were planted, what was sold to whom, and much more. “It is not a concern today but it increases the control of the seed market substantially.”

Vegetable breeder Ben Gabel, who also serves as director of the Real Seed Catalogue, [expressed](#) grave



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concerns about the effect the law would have on small-time producers and amateur gardeners. “This law will immediately stop the professional development of vegetable varieties for home gardeners, organic growers, and small-scale market farmers,” he explained in a widely cited statement attacking the proposal.

“Home gardeners have really different needs — for example they grow by hand, not machine, and can’t or don’t want to use such powerful chemical sprays,” Gabel continued. “There’s no way to register the varieties suitable for home use as they don’t meet the strict criteria of the Plant Variety Agency, which is only concerned about approving the sort of seed used by industrial farmers.”

“This is an instance of bureaucracy out of control,” the vegetable breeder noted. “All this new law does is create a whole new raft of EU civil servants being paid to move mountains of papers round all day, while killing off the seed supply to home gardeners and interfering with the right of farmers to grow what they want. It also very worrying that they have given themselves the power to regulate and license any plant species of any sort at all in the future — not just agricultural plants, but grasses, mosses, flowers, anything at all — without having to bring it back to the Council for a vote.”

According to analysts who have reviewed the latest version of the proposal — reportedly still draconian and overbearing but less terrible than before the opposition got involved — the EU would be empowered to regulate virtually all plant life within the 27 formerly sovereign nations of Europe. It would also be against EU “law” to grow, reproduce, or trade any seed that has not been tested and approved by a new bureaucracy to be known as the “EU Plant Variety Agency.”

Some of the last-minute changes resulting from the public outcry did soften a few of the wildest schemes — home gardeners, for example, would apparently be allowed to save their own seeds without becoming criminals. Small companies with less than 10 employees and seed banks would be exempt from some of the more odious provisions as well. However, according to respected analysts, the proposal is [part of a concerted effort to force humanity into total dependence while criminalizing self-reliance](#). As such, critics say, the “regulation” and other schemes like it must be opposed and stopped.

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