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national farmers union
In Union Is Strength

FOR IMMEDIATE RELEASE

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**GOVERNMENT IGNORES CONCERNS WITH VARIETY REGISTRATION
CHANGE AND PLOWS AHEAD ANYWAY**

The federal government has changed the variety registration system regulations in spite of widespread opposition and concerns. The variety registration system is a system where new plant varieties are independently tested and judged on their performance and merit by recommending committees before they can be grown as commercial crops in Canada.

The variety registration system was created to protect farmers and Canadians from plant varieties that are harmful or misrepresented.

“The new system is designed to address seed industry sales agendas rather than farmers’ needs,” said Terry Boehm, Vice-President of the National Farmers Union (NFU). He added that “until yesterday (July 8, 2009) new varieties had to be better than or equivalent to existing varieties. This will no longer necessarily be the case.”

The new regulations, publicized in the Canada Gazette, will now create a system which offers three possibilities for plant variety registration. Part One will be the status quo but will allow merit to be watered down. Part Two will eliminate merit and allow for some testing. Part Three will allow simple listing of varieties without any independent pre-registration testing or merit assessments.

“Eventually the seed industry will argue that their crop kinds all need to be moved to Part Three because the claim will be made that independent testing and committee structures are too slow and expensive,” continued Boehm. “The CFIA administers the variety registration system and in spite of widespread concern and opposition to these changes expressed to them at meetings and through their online consultation process, they have chosen to advance these changes.”

“These changes will accelerate registration of seed varieties that companies want to get onto the market quickly,” explained Boehm. Of particular concern is the possibility that Genetically Modified (GM) varieties will become much easier and faster to register. “The consequences for market loss are huge, and the threat to organic agriculture is also enormous,” he noted.

The NFU repeatedly called for a public appeal process to address issues including unwanted GM variety registration, but that request has fallen on deaf ears. “We are very disturbed that participating in consultations processes resulted in nothing, even when arguments were well-reasoned and broadly-advanced,” he concluded.

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Backgrounder on changes to the Variety Registration System:

The following document outlining the NFU's concerns with changes to the variety registration system was originally submitted to the CFIA in September, 2008.

**National Farmers Union
Comments on changes to Regulations amending the Seeds Regulations
[Part III and Schedule III]
to the Seed Section, Plant Production Division
Canadian Food Inspection Agency**

September 9, 2008

The National Farmers Union welcomes this opportunity to address a number of concerns regarding the proposed changes to the regulations amending the Seeds Regulations.

The general justification for making changes to the Variety Registration system is to allow greater flexibility and speed in registering new varieties in Canada. It seeks to do this by creating two new categories of registration and allowing the modification of the existing system.

The existing registration system has proved to be very effective in its original intent to protect farmers and Canadians from plant varieties that are harmful or misrepresented. Farmers rely on the independent registration resting regime to protect them and to assist them in making decisions on what varieties to purchase. Varieties must be better than, or equivalent to, existing varieties at present.

Part I of Schedule III, referred to as the status quo, would retain merit assessment and pre-registration testing supervised by Recommending Committees. The amendments propose the ability to change the merit criteria that could see the assessments of agronomic, quality and disease criteria watered down to as little as one criterion per crop kind. This would fundamentally alter the “status quo” and leave farmers and others without adequate, reliable information, thereby undermining the trust they currently have in the system as it exists.

The example of a Part I registration where, for example, “quality” would be the only characteristic tested for, would shift the system from one that emphasizes farmer protection to one that caters to industry specification. Disease and agronomic issues would have to be addressed entirely in the farmers’ field at their own expense and peril, even under the “status quo.” We feel that a watering-down of merit is harmful and ill-advised.

Further to this, the addition of Part II registration, where testing would take place but allow registration to take place without merit requirements, would add varieties that show no improvement over existing varieties. It would even lead to the registration of varieties that are worse than existing varieties. The likely scenario would be one where GM (genetically-modified) traits could be added to inferior varieties so that a package could be sold to farmers to compensate for the inadequacies in merit that the varieties display. This again shifts the system away from farmer protection to seed industry sales agendas. Even without the GM package, the external amendments to compensate for crop varietal deficiencies could be expensive for farmers. Market losses could also result from inferior varieties being registered and co-mingled with other varieties that meet market requirements.

Part III or listing of varieties for registration would see varieties registered without pre-registration testing or merit assessments. The NFU sees no reason for this category. It would facilitate the rapid registration of varieties, potentially placing farmers and markets in jeopardy. We could see GM varieties of many crop kinds find a rapid appearance in Canada if those crop kinds are placed in Part III registration. The market consequences would be severe, with farmers suffering grave economic harm, as most markets are not open to GM crops, or discount them substantially.

It is understood that this is the first stage of a comprehensive package that will redefine the roles of Recommending Committees and establish protocols for moving crop kinds from one “Part” to another “Part” of the registration system. We know that over time, an increasingly privatized seed breeding industry will find the “status quo” of Part I expensive, slow and cumbersome, and will lobby to move to less-onerous “Parts.” This will allow for more rapid introduction of varieties and place farmers on a variety purchasing treadmill, buying new varieties only because old ones are not being propagated or because GM traits demand that seed be purchased on an annual basis. This system will be expensive for farmers and the tradeoffs made for rapid introductions will imperil them.

Our members in eastern Canada who produce potatoes are shocked that potatoes have been arbitrarily placed in Part III. They feel that pre-registration testing and merit assessment are particularly important in potatoes.

The corporate dominance of the seed industry is well-documented in our previous submission, dated December, 2006, to the CFIA’s consultations. We have attached that document to these comments. Although there are differences in the titles of Parts in that document, most of what was said also applies to the current proposed changes.

We are dismayed that the CFIA discounted our concerns regarding corporate control and seed costs, as well as restrictions on seed-saving, seed using and seed exchanging that these changes will ultimately help facilitate. The CFIA stated that these concerns are outside the purview of these changes. However, the results of these changes will have much broader consequences, and cannot be viewed within such a narrow definition.

The lack of an appeal mechanism for the public and farmers in regard to what is registered is a glaring omission in this system. We are also very concerned about the reference to the responsibilities of Recommending Committees and the limiting of consultations for further changes. Consultations are to be limited to individual crop sectors, but it is not clear who the representative of those crop sectors will be or how they are chosen.

*Respectfully submitted by
The National Farmers Union*