

# UPOV '91...Again

## - Seeding Saving Under Attack

Terry Boehm spoke about the restrictions being placed on seed saving: how these tools transfer wealth from farmers to corporations, and how legal instruments are being used to take away farmer autonomy. He described the way that the ground is being prepared to adopt the UPOV '91 Plant Breeders Rights regime.

He outlined how biological controls, variety registration regulations and gene patenting prevent farmers from saving and re-using seed. Regulations and the courts, originally meant to protect the public interest, are now used to control farmers, for example by deregistering non-GMO varieties and instilling fear of litigation for inadvertent patent infringement.



*Photo: Terry Boehm addresses attendees at the NFU National Convention on UPOV '91.*

*(photo by Naomi Friesen)*

The government's focus on "innovation" must be understood as part of the push to adopt UPOV '91, which is being led by big seed corporations and supported by universities. Both are looking for the resulting increase in revenue from license fees – revenue that will come off the farmer's bottom line. Farmers' huge debt loads shows that "innovation" has not yet provided better income for farmers. Instead, the major benefactors are those who control the innovations.

The UPOV '78 regime currently in force is silent about seed saving, but UPOV '91 allows seed saving as "farmer's privilege". This turns an age-old practice into a right to be conferred. In practice, UPOV '91 makes this privilege impossible to realize because the PBR holder controls stocking (storing) and conditioning (cleaning) of seed.

UPOV '91 would transfer wealth from farmers to seed companies by allowing for "end-point" royalties – paying royalties to the seed company on every bushel of grain sold, and on every acre of hay cut. The regime also incorporates information hoarding and secrecy instead of open sharing.

Boehm outlined key recommendations for a seed system that serves the public interest and farmers.

He closed by saying, "Those who control the seed, control the food system. Those who control the food system control people. Do we want to entrust Monsanto and their like with this power?"

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