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Farmers called to give two cents on seed rules

SEED | Farmers can have their say on future seed regulations; survey closes May 1

SEE STORY PG 6

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SURVEY SAYS: Farmers have opportunity to guide seed sector

SEED | Online survey next step in debate over who should control what under seed regulations, and how that will affect farmers



The future of Canada's seed industry regulations are on the table. Farmers still have a chance to weigh in.
PHOTO: PHOTOATTRACTIVE CREATIVE/GETTY IMAGES

By Allan Dawson
CO-OPERATOR CONTRIBUTOR

As farmers enter one of their busiest times, they're being asked to help shape Canada's future seed regulations via online survey.

The survey (found at <https://tinyurl.com/yyc5fdwf>) closes May 1 and is part of the regulatory modernization (SRM) process launched in September 2020 by the Canadian Food Inspection Agency (CFIA), which administers the Seeds Act and its regulations.

Essentially, Canada's pedigreed seed system, which evolved over the last 119 years, is under the microscope.

Canada's seed sector — seed companies, seed growers, farmers, plant breeders, and commodity and value chain associations — is participating. But exactly what changes may come from this process, described as a once-in-a-generation opportunity to revise the rules, is not yet clear and there are some clear fault lines within industry itself that may play into the seed sector's various stances.

■ WHY IT MATTERS

Growing food, fibre, biofuel and livestock feed starts with seeds. The survey gives farmers a say in rules affecting a fundamental input.

Acrimony

Like with most Canadian agricultural policy discussions, there's an undercurrent of tension over differing commercial and ideological views.

One major fault line involves the two major seed sector players: the Canadian Seed Growers' Association (CSGA) and Seeds Canada. It's not just their differing positions, but also the lingering acrimony following the 2020 vote in which CSGA members forewent merging with other seed trade groups, including the Canadian Seed Trade Association (which represents seed companies), to form Seeds Canada.

The plan was to put Canada's seed industry, including CSGA, under one roof with one voice.

Even though the CSGA and Canadian Seed Trade Association had long co-operated and even shared some members, there was unease about merging from some growers.

The vote, which was rejected by 55 per cent of CSGA's members and required two-thirds support to pass, was preceded by 18 months of negotiations and five years of 'Seed Synergy,' an industry-wide effort to develop consensus for an improved seed system.

The Canadian Seed Trade Association and the other three organizations voted to merge. In 2021, they formed Seeds Canada without the CSGA.

Seed certification

Through its authority under federal seed regulations, the CSGA says it is one of the world's biggest crop certification administrators. It annually certifies more than 1.2 million acres of seed from more than 60 different crop types.

There are five categories of seed with Canadian pedigreed status: breeder, select, foundation, registered and certified — the latter being what farmers buy to plant if they aren't sowing saved or common seed. CSGA certifies breeder and select seed.

The CSGA, with input from the entire seed sector through its crop-specific working groups, sets the standards for pedigreed seed and crop production.

After passing inspection by a CFIA-authorized inspector, CSGA also certifies standing seed crops in the foundation, registered and certified categories. After harvest, that seed is sampled, tested and graded by authorized

samplers, analysts and graders, all overseen by the CFIA. If the seed meets quality standards, it gets a CFIA tag (coloured blue in the case of certified seed).

CSGA wants to expand its current role to be the "main administrator through a digital single window managing all seed certification function on behalf of the government," it states on its website.

Michael Scheffel, CSGA's managing director of policy and standards, says it makes sense, given CSGA's more than 100 years of experience in pedigreed seed crop standards-setting and seed certification.

However, CSGA also wants its work to continue to be overseen and regulated by the CFIA.

CSGA wants "a sector-led, government-enabled" pedigreed seed system, Scheffel said in an recent interview.

CSGA is also touting its 'SeedCert' digital platform for collecting more information regarding seed declarations, seed grading reports and quantity of certified seed.

CSGA has used the system for more than 10 years, providing a digital end-to-end seed crop certification framework.

Expanding SeedCert to provide a digital single window for all seed certification services would expedite data access, provide value-added traceability opportunities for the seed sector and its customers and improve monitoring and regulatory oversight of the sector, CSGA says.

Due diligence

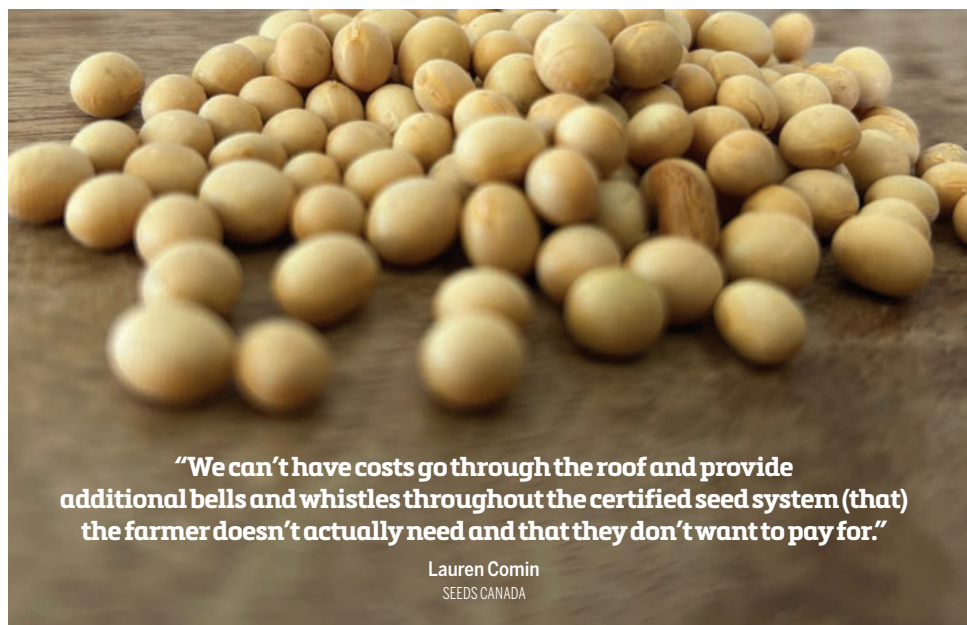
Seeds Canada was still consulting its members on recommendations to the CFIA as of press time.

Recommendations could be out by the second week of April, Lauren Comin, Seeds Canada's director of policy, said March 25.

The agency's survey questions don't leave a lot of room for nuance, she said. "What's good for the cereals and what's good for canola is not always good for forage and turf and for a garden seed," Comin said.

Initially, Seeds Canada proposed opening up CSGA's role in crop certification to competition but, when asked if that's the current policy, Comin was circumspect.

See **SEED SECTOR** on page 7 ►



"We can't have costs go through the roof and provide additional bells and whistles throughout the certified seed system (that) the farmer doesn't actually need and that they don't want to pay for."

Lauren Comin
SEEDS CANADA

PHOTO: ALEXIS STOCKFORD

> SEED SECTOR from page 6

Since Seeds Canada doesn't have access to CFIA's internal process for assessing alternative service providers, Seeds Canada doesn't know if expanding CSGA's role would be good for the sector or not. "So while we're not saying 'absolutely not,' that CSGA can't take on anything more, we're saying we need to do our due diligence here and we need to make sure that anything that we are contracting out through an alternative service delivery arrangement is done with the best interest of the entire seed sector in mind," Comin said.

However, she added that "competition is always a good thing," because "it tends to keep costs low and people responsible."

Seeds Canada is also skeptical of expanding CSGA's digital SeedCert program.

"We can't have costs go through the roof and provide additional bells and whistles throughout the certified seed system (that) the farmer doesn't actually need and that they don't want to pay for," Comin said.

In particular, she noted that data collection is an area that deserves further scrutiny. There's a lot of data that could be collected, but does it make sense to collect it? "We are opposed to collecting extra data and going through extra steps that are of no value to the farmer and that are only going to add cost to the system."

CSGA is proposing a cost-effective seed certification system, Scheffel said via email. He noted that during the Seed Synergy process, all seed sector partners endorsed the single-window concept and there was a projected cost and time savings of between \$15-\$25 million annually.

"Our commitment to this digital single window remains," he said.

Advisory committee

Seeds Canada and the CSGA agree that to continually improve seed regulations, an advisory committee to the CFIA made up of members representing the seed sector should be created.

Seeds Canada wants to model it after the Plant Breeders' Rights advisory committee to the CFIA, with formal governing powers, fiduciary responsibilities and the ability to set pedigreed seed standards.

CSGA, which currently sets seed standards through its crop-specific working crops (which represent the entire seed sector) wants to keep doing it. "CSGA and its standard-set-

ting process is a 100-year-old example of how effective delegation of (government) authority and incorporation by reference can be," it says.

CSGA wants a multi-stakeholder advisory committee with no governing power, no standard-setting authority, no fiduciary responsibility and no organization budget or personnel.

"The key word is advisory," Scheffel said. "The SRM process has been successful because lobby organizations have not been able to take control and seize power. An advisory committee should... advise government."

Seeds Canada wants seed standards set by an "independent body" rather than CSGA, Comin said.

"We really do need to have something that's independent that everyone can sort of see themselves and see their operations in," she said.

Cancelling varieties

Should registrants be able to cancel varieties at their own request when there are no safety concerns with the variety? Seeds Canada says yes. CSGA says no.

"I think we need to let some varieties go," Comin said. "Every year we're getting better varieties and everyone's goal across the agriculture community should be for farmers to adopt the latest and greatest varieties."

She said that policy would benefit farmers agronomically and strengthen markets for Canadian grain through reputational enhancement, increased environmental gains and will help with climate change adaptation.

Cancelling varieties gives farmers less choice and it directly affects farmers' use of common seed, because it's illegal to sell seed from an unregistered variety, Scheffel said. It is also unlikely the CFIA has the resources to police it, he said.

"Producer and commodity groups have let us know through the SRM process that they want choice," he said. "Being able to cancel a variety because it is not of interest to the company anymore is not giving choice to farmers."

According to Comin, it's unlikely a seed company would cancel a variety if it were still popular with farmers. "That variety is their intellectual property and they should be able to decide if they want it on the market or not," she said.

Farmers would have more say in preventing publicly owned varieties from being cancelled, Comin added.



Mike Scheffel, CSGA's managing director of policy and standards. PHOTO: CANADIAN SEED GROWERS' ASSOCIATION

Common seed

Canadian farmers can save seed from crops they harvest to plant in the future, so long as they haven't signed a contract with the seed seller prohibiting it. Common seed, unlike certified seed, is produced without any officially recognized third-party inspections to confirm varietal purity, identity or quality.

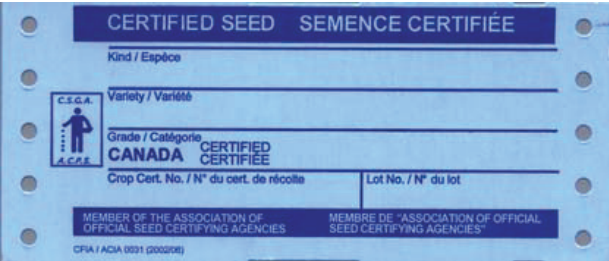
Farmers are allowed to sell common seed to other farmers unimpeded, as long as they don't advertise it for sale or give it a grade name. Should the buyer ask for a seed test report, the seller must provide one. If they advertise, it must be tested and labelled when sold with a grade name.

CFIA is asking the industry if only accredited graders should be allowed to assign a grade to common seed moving forward. Scheffel said that a farmer selling seed could hire an accredited grader or become one, but the change would impede selling common seed.

"We're advocating that farmer-to-farmer sales can still happen without a grade name," he said. "We're also suggesting that, instead of putting a grade name on that common seed and therefore having to become an accredited grader, a commercial common seed seller could instead provide their customer with a seed test report for that seed."

“Being able to cancel a variety because it is not of interest to the company anymore is not giving choice to farmers.”

Mike Scheffel
CANADIAN SEED GROWERS' ASSOCIATION



The blue tag is a farmer's guarantee of the quality of seed being sown. PHOTO: CANADIAN FOOD INSPECTION AGENCY



PHOTO: UNDEFINED UNDEFINED/ISTOCK/GETTY IMAGES