

## Appropriate Seed Regulations

Seeds Canada has invested significant resources in the current Seed Regulatory Modernization (SRM) process as part of the Canadian Food Inspection Agency's (CFIA) Forward Regulatory Plan. Seed regulations were initially designed for a system that looks markedly different from the one we have today, with few significant changes since then. There are now new investors, emerging innovations, new commercial relationships, and new organizations advocating on behalf of the industry.

The seed regulation framework was established over 120 years ago. Canada's seed regulations need to be modernized.

A liability exists with a third-party organization acting with government authority without the accountability of government.

### How to enable seed regulations:

The SRM process provides an opportunity to re-imagine seed regulations in the context of Canada's modern seed landscape.

- Canada's seed regulations require modernization as well as a vehicle for continuous improvement.
- The seed sector needs access to the latest technologies and the ability to integrate them into its operations. Seed legislation must enable and encourage this.
- The seed sector needs to be able to be responsive to our customers' needs. Canadian farmers need access to competitive cost, cutting-edge genetic tools.
- When the framework was established, over 120 years ago, authority was given to the Canadian Seed Growers Association (CSGA) to set seed crop varietal purity standards for seed crop certification. Over time, CSGA has become the only service provider for seed crop certification, with sole authority to set standards and establish fees outside of government policy. Meanwhile, CSGA's membership remains limited to a single stakeholder (pedigreed seed growers) within the sector.

It is vital our regulatory framework allows input from all regulated and affected parties to ensure Canada's competitive advantage in the future.

- This is especially important now that we have learned the CFIA has no oversight over CSGA. **A liability exists** with a third-party organization acting with government authority without the accountability of government.
- The establishment of an inclusive advisory body is the clearest path to modernizing and future-proofing Canada's seed regulations within the SRM process. The advisory body would advise the CFIA on seed-related policy and advance standards for approval and implementation, allowing representation for all those under the framework.



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An inclusive industry advisory body (ISSB) would advise CFIA on seed-related policy and advance standards for approval and implementation.

A modern Canadian seed regulatory system is not modern without an inclusive industry advisory body (ISSB). The Advisory Body would:

- Represent the full spectrum of the seed sector without ties to any single stakeholder group. Be streamlined to avoid administrative burdens and ensure a transparent, competitive, and modern regulatory system.
- Ensure those who contribute to the seed sector from across the value chain have a voice on issues that affect their business.
- Contribute to an environment of continuous improvement in seed regulation.
- Eliminate government liabilities created by a third-party acting on behalf of government, without government oversight.

#### **The most effective way to complete the SRM process would be to:**

- ➡ incorporate by reference those parts of the regulations that are likely to require changes in the future (such as timetables)
- ➡ establish the ISSB to review the need for updates, review and recommend standards and advise on policy.
- ➡ shift the focus from operational details to large processes requiring extensive stakeholder input, such as variety registration

Visit us at [seeds-canada.ca](https://seeds-canada.ca) to learn more about Seeds Canada and our members or contact [lnewton@seeds-canada.ca](mailto:lnewton@seeds-canada.ca).



## Plant Breeding Capacity (including Gene Editing)

Innovations in plant breeding, including gene editing, provide an opportunity for developers to incorporate new and improved traits for use in agricultural systems.

Seeds Canada supports sensible, fit-for-purpose regulation of products of plant breeding capacity.

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- Traits can improve a crop's resistance to pests, including insects and diseases, or to abiotic stresses, and can improve agronomic performance, including yield increase, nutritional content, and end-use functionality.
- Genetic innovations are forms of intellectual property (IP).
- It is important to protect genetic intellectual property to recover investments, prevent others from using or copying varieties without permission, encourage continuous innovation and the development of new varieties.

Plant breeding is time-consuming and expensive, but royalty systems recover investment, encourage innovation, and encourage the development of new varieties.

Canadian agriculture is shifting from a model that relies primarily on publicly bred crop varieties towards one that requires both domestic and foreign private investment.

- Began with the 2015 amendment to Canada's Plant Breeder's Rights legislation, where Canada ratified the collection of royalties on farm-saved seed under UPOV '91.
- Plant breeding is time-consuming and expensive, but royalty systems recover investment, encourage innovation, and encourage the development of new varieties.
- In 2020, Seeds Canada launched the Variety Use Agreement (VUA) platform, which allows private developers to collect royalties on farm-saved seeds, ensuring continued investment in Canadian PBI.

The government is encouraged to support new breeding capacity in global forums.

- AAFC's refusal to include their western cereal varieties in the VUA program has allowed publicly funded varieties to outcompete those developed by the private sector.
- **Had a remunerative system been implemented upon ratification of UPOV'91 in 2015, it would have generated over \$31 million in royalty revenue for AAFC cereals varieties in the prairie provinces alone.**

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## Sustainability and Seed

Seeds Canada believes sustainable agriculture is critical to the future success of Canadian agriculture, the seed sector, and our members' operations.

Seed is the first step on the path to on-farm sustainability. It has significant potential to influence a crop's ability to adapt to and mitigate climate change.

- The genetic material contained in seeds can influence a crop's response to its environment and management.
- Plant breeding innovations are the best basis for sustainable crop production and delivering higher yields, better nutrient efficiency, better adaptability.

Seed-related technologies reduce the risk of poor yield and quality, limit seed-borne diseases and provide the best start to planting.

- These include seed treatment and seed testing, which ensures an optimized and accurate delivery of crop protection products.
- Seed testing provides farmers with information on seed health to inform efficient on-field management practices.
- Crop protection, nutritional, and biological products help minimize the environmental impact of seed and improve yield capacity.

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The seed regulatory environment limits the ability of seed innovations to contribute to Canada's sustainability goals.

- In April of 2023, Seeds Canada released the first draft of our Sustainability Action Plan. It established sustainability as a top strategic priority and identified four key actions, which include advocacy, facilitation, partnering, and developing resources.
- From this, we are developing the “Canadian Guide to Sustainable Seed” – which will promote the sector’s contributions to sustainability, foster a culture of continuous improvement, and provide insight into industry best practices.

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