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Farm Save Seeds in France

Seminar APSA – PVP workshop session 2

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Importance of R&D in the French seed sector

- The seed industry is a very strong sector for France - a world leader in terms of production and exports with sales over 3 billions euros.
- It is hugely innovative : with 13% of total sales invested in research (comparable to the pharmaceutical industry) it delivers more than 600 new varieties every year in the country.
- Variety turnover is dynamic, with an average lifetime of two to six years for major crops.



Legislation

France has a breeders' rights legislation since 1970

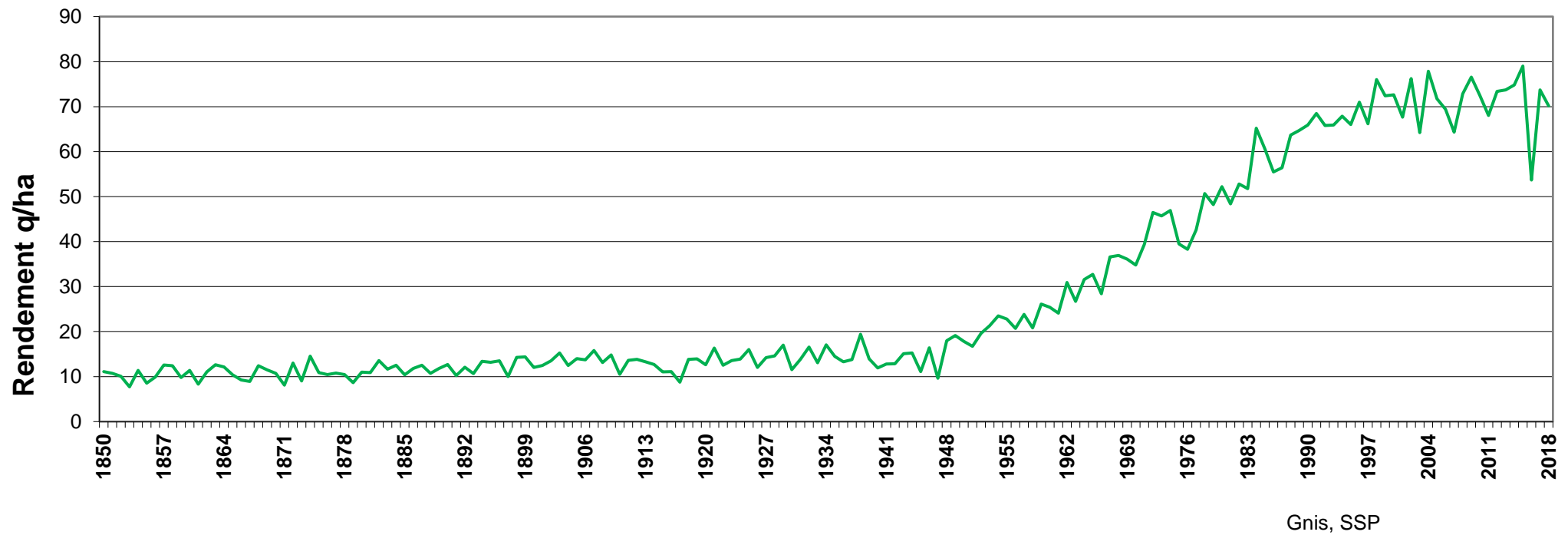
The breeding exemption is the corner stone of genetic progress : for example a study showed that the genealogy of the 8 most cultivated varieties of wheat includes 70 % of protected inbred lines of other breeders



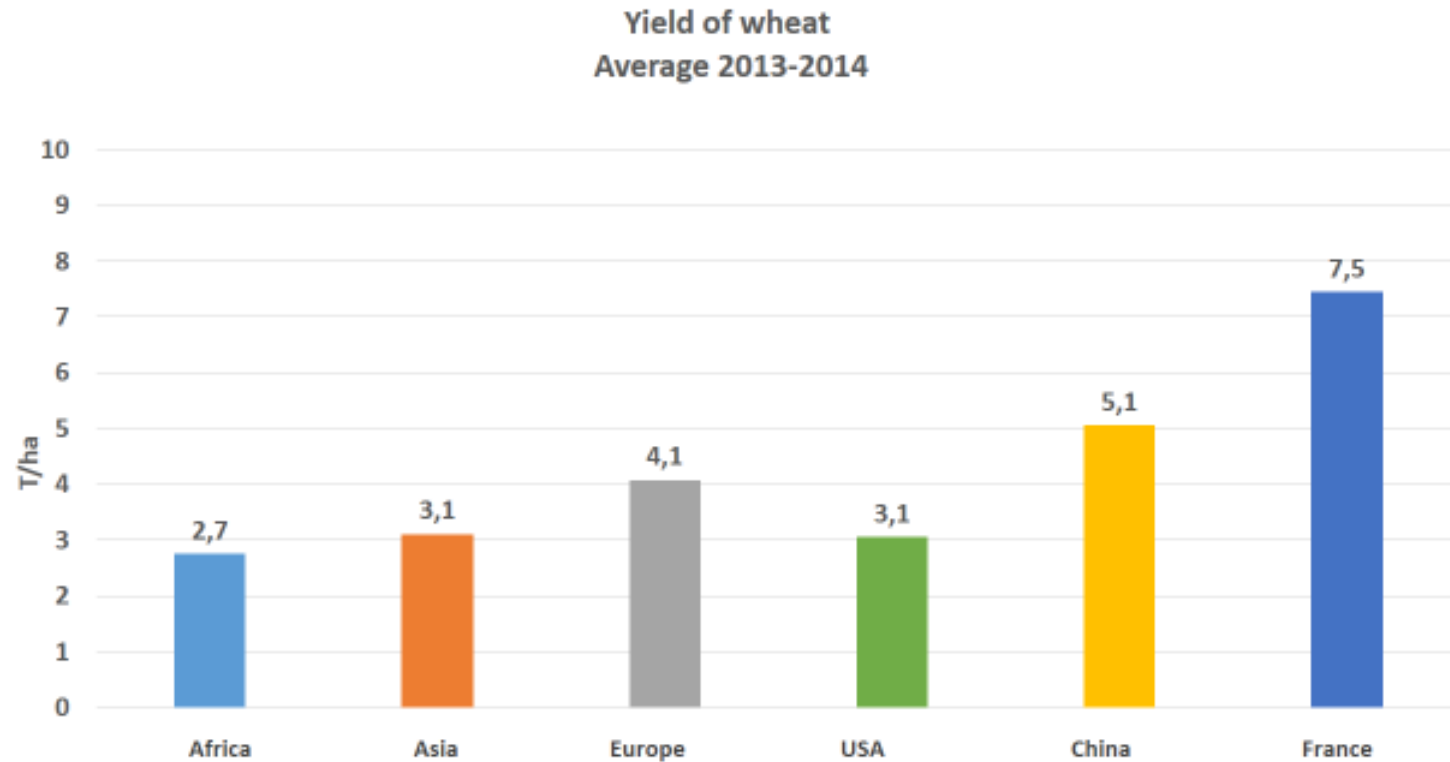
Wheat example

Results are clear :

FRANCE – YIELD EVOLUTION OF SOFT WHEAT SINCE 1850



Yield of wheat Average



09/2019 FB/EP



Research and innovation

- 131 research stations
- 71 breeders (53 % from France)
- 6 300 varieties – 150 species
- 1 250 licensees (60 % in France)
- 10 000 license agreements
- ± 100 million euros (royalties + FSS remuneration)
- Budget for research (2016) : 395 M€
13% of the companies turnover
more than 600 new varieties registered on the list of the Official Catalog each year



New varieties and available diversity for main species in 2018

	Number of varieties registered on the French catalog	Number of new varieties for 2018
Sugar beet	466	35
Cereals and Protein plants	888	149
Forage crops	904	58
Corn and Sorghum	1 040	90
Oil seeds	495	55
Potatoes	223	11
Vegetables	2 754	189



Farm saved seeds in European Union

Europe has to face up a challenge concerning breeders' rights :

⇒ How to implement the text on farm saved seeds with a sufficient remuneration to breeders ?

European Union has a text on farm saved seeds since 1994, and the beginning of european plant breeders' rights.

But this text, concerning 21 species for which farm saved seeds is a tradition, asks farmers to do a voluntary statement. Until now, few european countries, after 20 years, are implementing this clause. This is not France's choice.



Farm saved seeds before 2011 in France

- France had no farm saved seeds exemption
- Farm saved seeds were forbidden but use of farm saved seeds still existed
- The rate of farm saved seeds are the following :

Soft wheat	50 %
Rape seed	25 %
Barley	40 %
Potatoes plants	15%
- That's why a new law was passed



A new law in France in 2011

At the occasion of ratification of 1991 UPOV convention, France decided to introduce authorization for farm saved seeds.

The new law (8/12/2011) is saying :

- farmers may use farm save seeds of protected varieties on their own holdings for 34 species for which it is a tradition
- farmers have to pay remuneration to the breeders
- the remuneration is decided by contract, or general agreement. The minimum is 50 % of the royalty on certified seeds
- small farmers, who are not producing more than ninety tons, are exempted.



The farm saved seeds implementation

- Farmers may use on their own holdings seeds of protected varieties produced on their own holdings
- Possible for 34 species for which farm saved seed is traditional
- Possible if a payment is done on FSS to the breeder of the variety used
- This payment may be done through :
 - a direct contractual agreement between farmers and breeders
 - - a collective agreement between group of farmers and group of breeders or a single breeder
 - - a special general agreement through GNIS (with is actually the preferred choice of farmers'french trade-unions)



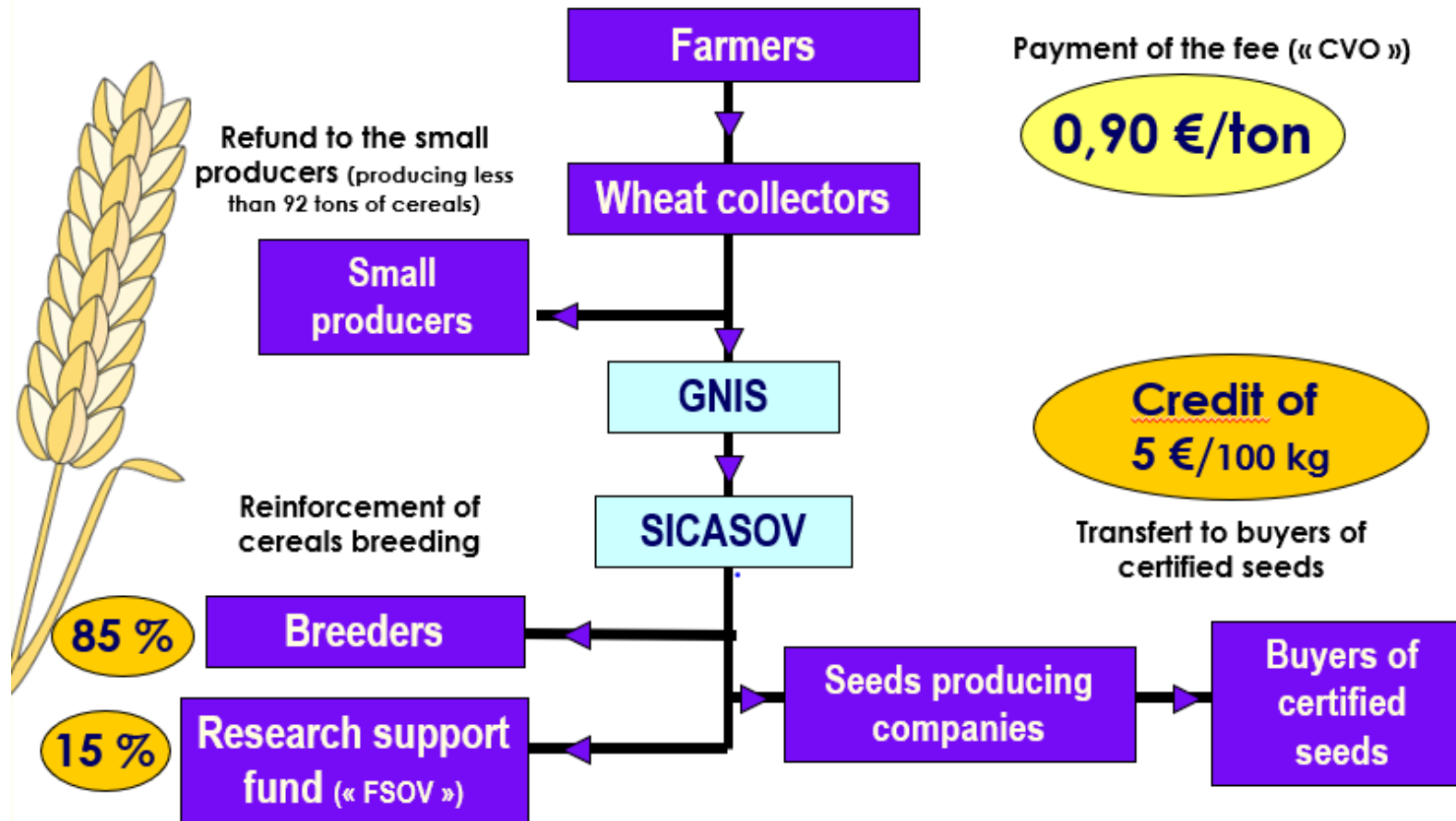
Farm saved seeds in France

In France, for 17 years for wheat, and for 6 years for the others cereals, potatoes plants and forage crops, we are implementing these clauses for farm saved seeds on a different way which those used in european legislation :

farmers have to pay remuneration to breeders after harvesting their crop or their sales



The French agreement on farm saved seeds for cereals



Financial statement in 2017-2018

- Total of cereals collected : **39 645 000 t**
- Total of fees collected in 2017-2018 : **27 748 000 €**
- Total refunded to breeders : **14 826 000 €**
- Total paid to FSOV : **2 626 000 €**



INFORMATIONS

For more information, you can go to www.semae.fr

If you have any questions, you can write to: francois.burgaud-ext@semae.fr

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Thank you