

**Submission to
Senate Standing Committee on Agriculture and Forestry
Bill C-18 – Agricultural Growth Act
Speaking Notes**

Thank you Mr. Chairman and members of the Committee. I am pleased to be here on behalf of Partners in Innovation to speak with you today about amendments to Plant Breeders' Rights legislation as proposed in Bill C-18, the Agricultural Growth Act.

My name is David Jones. I work with the Canadian Potato Council and the Canadian Horticultural Council. Plant Breeders' Rights have been tremendously important to our sectors. Both of our organizations are part of the Partners in Innovation Coalition.

Partners in Innovation is an informal coalition of 20 provincial, regional and national organizations from all across Canada. The organizations that are part of the coalition represent the vast majority of farmers in Canada, and almost all of the crop production across the country. We have come together as Partners in Innovation for two purposes:

1. To clearly demonstrate to policy and decision makers, that the majority of farmers and value chain groups support and need updated Plant Breeders' Rights legislation in Canada; and
2. To ensure that farmers, policy and decision makers, and the public have access to clear and correct information on the proposed amendments.

While each of the participants in the Partners in Innovation Coalition has individual views on some of the other provisions of Bill C-18, we are all united in our support for the proposed amendments to Canada's Plant Breeders' Rights legislation to bring it into compliance with the most recent international convention: UPOV 1991.

All of the participants in the coalition couldn't be here for this presentation, but from coast-to-coast and from crop-to-crop, they have provided clear reasons for supporting PBR amendments. Just a few examples:

- From The BC Grain Producers Association President: "Modernization of Plant Breeders' Rights will help stimulate research in the grain sector as well as foster investment and competitiveness with new varieties."
- From the Canadian Canola Growers Association President: "Enhancing our research environment to better attract investment in new plant varieties is essential to keep our farms sustainable; agronomically, environmentally and economically; today and into the future."
- From the Chair of Mustard 21: "Plant Breeders' Rights legislation that conforms with UPOV 91 will provide the Canadian mustard industry with the ability to support innovative plant breeding. This will continue to keep Canada on the map as the world's Number One supplier of quality mustard."

- From the Chair of the Atlantic Grains Council: “With up-to-date Plant Breeders’ Rights legislation in Canada, we are hopeful that suitable international seed varieties will become available to our region, helping Atlantic farmers with our unique agronomic challenges.”
- And from the Chairman of the Canadian Horticultural Council: “As farms work to match production with the growing global population, it becomes increasingly important that they have the tools needed to continue to increase production. New varieties are an important part of this growth. Ensuring that our Plant Breeders’ Rights legislation is aligned with our global trading partners is imperative.”

I hope that this has made it clear that the crop sector strongly supports and needs amendments to Plant Breeders’ Rights to ensure that our farmers have access to new and improved varieties developed in Canada, and internationally.

We just have to look at the exciting new developments since the government announced its proposed changes to understand how important these amendments are.

Recently sod was turned on a new cereal research and breeding centre in Saskatoon, and new partnerships between Canadian seed companies and international plant breeders have been formed to bring improved varieties to Canadian farmers. More partnerships are in the works now. In every case, it has been made clear that these decisions would not have been made without the promise of legislation that complies with UPOV 1991.

I want to spend a little time addressing the four most common misconceptions of the proposed amendments.

- **First:** Plant Breeders’ Rights are not patents. Unlike patents, Plant Breeders’ Rights make it mandatory for breeders to make their protected varieties available for use by other breeders for research and to develop new varieties. Also unlike patents, Canada’s proposed Plant Breeders’ Rights legislation will ensure that farmers can save the grain they produce to use as seed on their own farms
- **Second:** the proposed amendments will not implement end point royalties, or allow for royalties to be collected anywhere but on the seed. The legislation is very clear that the only time the breeder can be compensated on harvested material is if the breeder can prove that the seed was acquired illegally.
- **Third:** No matter what you call it, the amendments contained in Bill C-18 entrench the ability of farmers to save the grain they produce on their farms; clean it; condition it; and store it to use as seed on their own farms. While it is called the farmer’s privilege in the margins, the exceptions to the plant breeders’ right for farmers is clearly spelled out in legislation, and cannot be taken away without a legislative change.
- **Fourth:** large seed companies and developers will not be the only ones to benefit from updated Plant Breeders’ Rights. In fact 50% of all of the agricultural varieties protected by PBR were developed at public institutions.

I hope that these points have helped to clear up any misconceptions that you might have about the amendments, and that they go some way to answering any of the questions you might have.

In conclusion, on behalf of the 20 organizations those are part of the Partners in Innovation coalition, thank you for the opportunity to meet with you today. I will be pleased to answer questions.

Partners in Innovation

- | | | | |
|---|--|--|---|
|  | Alberta Barley Commission |  | Canadian Potato Council |
|  | Alberta Pulse Growers Commission |  | Canadian Seed Trade Association |
|  | Alberta Wheat Commission |  | Cereals Canada |
|  | Atlantic Grains Council |  | Fédération des producteurs de cultures commerciales du Québec |
|  | Barley Council of Canada |  | Grain Farmers of Ontario |
|  | British Columbia Grain Producers Association |  | Grain Growers of Canada |
|  | Canadian Canola Growers Association |  | Manitoba Pulse Growers Association |
|  | Canadian Federation of Agriculture |  | Mustard 21 |
|  | Canadian Horticultural Council |  | The Prairie Oat Growers Association |
|  | Canadian Ornamental Horticulture Alliance |  | Western Canadian Wheat Growers Association |

www.partnersininnovation.ca @CdnAgInnovation