

## Open Source Seed — the past meets the future

---

Open-source seeds offer farmers an alternative to other types of seeds.

By Jonathan Spero

For the Capital Press

Published on January 8, 2016 11:31AM



Jonathan Spero

Not long ago, all seed was in the public domain. If you bought seeds, you owned them outright. No longer.

While there have been steady improvements in yields and shipping qualities in many crops since those “good old days,” there have been losses, too. The biggest loss may be in the package of rights farmers purchase along with the seed. In recent decades the balance between the power of seed companies and the rights of those who grow out the seeds has shifted sharply against the grower.

In 1970 the Plant Variety Protection Act (PVPA) was passed. This law gave protection to those who bred or selected improved varieties. At the same time, it protected farmers in that it permitted brown-bagging (saving seed for on farm use) and kept the wheels of crop improvement turning by allowing use of PVP’d varieties for further breeding.

In the 1980s it became legal to patent seeds as inventions. With a patent, saving the seeds becomes a crime. Breeders are stopped from making continued improvements. Patents, intended to reward and thus foster innovation, instead become an impediment to farmers and plant breeders alike. Together with seed industry consolidation, intellectual property restrictions have led to less choices for growers. A company can buy, and remove from production, a line that might compete with its profitable line. The control farmers once had has declined rapidly. The farmer, once the heart of an independent society, is now at risk of becoming only a cog in someone else’s food system.

### Open source alternative

As new varieties are developed, the breeders, be they public or private, professional or amateur, have a new choice. Many want their new introductions to be widely shared. They want the varieties they have created to improve lives for both farmers and consumers. If the breeder does nothing to protect their cultivar, the fruits of their labor are at risk of being restricted by someone else. Lock it up or leave it vulnerable.

An alternative is emerging — pledge the new cultivar to open source. The concept of open source software says that if you create coding, you can “free” its use and commit it to be open source. If you use a sequence of open source coding in creating something new, you owe no one, but you commit that new software to likewise be available. The “free” carries forward.

Applied to seed, if you use an open source-pledged seed variety to create something new, the new variety must also be open to being freely used, shared or improved by others.

The Open Source Seed Initiative — OSSI — was formed to document varieties pledged to open source and to create a database where growers can find open source seed. Seed company patents are unaffected. Farmers maintain the option of buying patented or otherwise restricted seeds. But as an alternative, a body of protected-commons genetics, good quality seeds freed of restrictions, is being created.

In less than 2 years, more than 250 varieties from more than 20 breeders have been pledged to open source. That number is growing and is creating a new choice for farmers, a choice where the farmer once again is in control.

## **Open source pledge**

You have the freedom to use these OSSI-pledged seeds in any way you choose. In return, you pledge not to restrict others' use of these seeds or their derivatives by patents or other means, and to include this pledge with any transfer of these seeds or their derivatives.

There are now more than 20 seed companies that carry and promote varieties pledged to open source. The OSSI database links seed buyers to these varieties and the companies that offer them for sale. OSSI invites other seed companies to partner in promoting these unrestricted seeds.

OSSI also partners with businesses from other areas of the food industry. Food producers, retailers, processors, restaurants and others who wish to join in growing and promoting open source seeds and foods are invited to partner with OSSI.

This is the OSSI alternative — seed owned by the grower and cannot be restricted. To learn more, visit the Open Source Seed Initiative on the web at [www.osseeds.org](http://www.osseeds.org).

*Jonathan Spero is a vegetable seed breeder and a member of the board of directors of the Open Source Seed Initiative.*

## **Marketplace**