

COMMITTEE OF THE WHOLE

14-0630R

RESOLUTION SUPPORTING SEED SAVING WITHIN THE CITY OF
DULUTH AND REQUESTING CHANGES IN STATE SEED LAW TO ALLOW
SEED SHARING WITHOUT COST OR GERMINATION TESTING.

BY PRESIDENT LARSON AND COUNCILORS GARDNER AND SIPRESS:

WHEREAS, seed libraries are a nonprofit repository of seed for the benefit of the public where free seed is distributed to promote seed sharing, provide increased access to healthy food, strengthen local food security, improve the health of our community members, preserve and promote our local biodiversity, celebrate local varieties that are important to our community's cultural heritage and provide seed that is locally adapted to local soils and climate; and

WHEREAS, the Duluth public library began operating a seed library in 2013; and

WHEREAS, residents of Duluth and Minnesota have long engaged in interpersonal seed sharing; and

WHEREAS, the Duluth public library has been informed by the Minnesota department of agriculture that its seed library is in violation of the Minnesota Seed Law (2014 Minn. Stat. §§21.80 et. seq) the purpose of which is to protect consumers who purchase seed from inadequately or illegally labeled seed and to promote fair competition; and

WHEREAS, seed libraries do not "sell" seeds, as that term is commonly defined, nor are the members of seed libraries "customer"; and

WHEREAS, the sharing of seeds between individuals is a voluntary non-commercial activity; and

WHEREAS, strict compliance with the Minnesota Seed Law, as currently written could result in the closure of the Duluth seed library and prevent citizen gardeners, schools, and community organizations from engaging in interpersonal seed sharing.

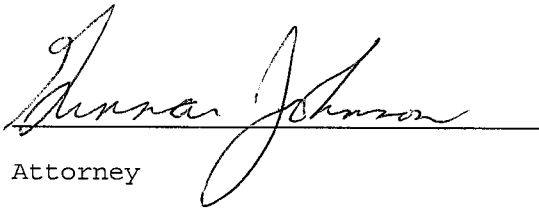
NOW, THEREFORE, BE IT RESOLVED, that the city council of Duluth supports and encourages seed sharing between community members without legal barriers of labeling fees and germination testing; and

FURTHER RESOLVED, that the city council of Duluth supports and encourages the Duluth seed library's efforts to facilitate sharing of locally grown and saved seed; and

FURTHER RESOLVED, that the city council of Duluth supports changes to the Minnesota Seed Law that support the sharing of seeds between individuals and through seed libraries by removing application of any labeling, testing, and permitting requirements to interpersonal or seed library seed sharing; and

FURTHER RESOLVED, that the city council of Duluth seeks to work in cooperation with our state legislative delegation to achieve such changes to Minnesota Seed Law, which currently designate our Duluth seed library and Duluth citizens to be in violation.

Approved as to form:



Anna Johnson

Attorney

CCREQ/ATTY EL:SG:JS:GBJ:sl 12/09/2014

STATEMENT OF PURPOSE: The purpose of this resolution is to (1) encourage sharing locally grown and saved seed within the city of Duluth and the state of Minnesota, and (2) support efforts to change the Minnesota Seed Law to recognize the value of seed libraries and expressly exempt seed libraries and interpersonal seed sharing from regulation.