Legality of the Legacy: Cultivating Seed Lending Programs at Iowa Public Libraries

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Seed Libraries
- **WHAT?** Non-profit, governmental, or cooperative organization that donates and receives donations of seeds— to promote seed saving, educate the public about seeds, & provide access to free seeds (Revised Statutes of Nebraska).
- **WHERE?** Public, academic, and tribal libraries; food banks and food shelves in the US.

Importance of Seed Saving
- 2015: "Big Four" (Monsanto, DuPont/Pioneer, Syngenta, Dow AgroSciences) own more than 50% of planet’s seed supply.
- 1984: 5,000 non-hybrid varieties of seeds – available in seed catalogs.
- 1996: 88% of seeds – no longer commercially available.
- Saving seeds → seed security; genetic diversity; seeds in the hands of growers and consumers.

Types of Seeds
- **Open pollinated** plants – pollinated by animals or wind. Genetically diverse; variation can occur season to season.
- **Heirloom seeds** – open pollinated seeds – "naturally emergent, historically cultivated, and developed in specific regions." (Encyclopedia of Organic, Sustainable, and Local Food)
- **Genetically modified** (GM) seeds – bred with specific changes engineered into plant's DNA; patented & protected by copyright law.
- **Hybrid plants** – bred with genetic material from two different plants → Hybrid seeds will not reproduce plants with hybrid traits.

Selected State’s Responses
- **Minnesota** Dept. of Agriculture: Duluth Public Library violates Seed Law. The Duluth City Council passes Resolution 14-0630R: Resolution Supporting Seed Saving Within the City of Duluth.
- **Nebraska** Senator B. Harr (D-8) introduces Legislative Bill 544 – revise Seed Law to exempts seed libraries from germination testing requirement.
- **Iowa** Rep. J. Klein (R-78) introduces House File 389 – to exempt noncommercial seed libraries and seed swaps from Dept. of Agriculture’s regulatory responsibilities.

Seed Law Compliancy
- State Seed Law follows Federal Seed Act.
- Public libraries in several states – contacted by local Departments of Agriculture for violations of:
  1. Labelling
     Each packet of seeds must contain information about seed origin; variety; lot number; germination; & labeler.
  2. Germination Testing
     400 seeds from same cultivar – grown to see how many will sprout/germinate.
  3. Permitting Fee
     Registration fees: around $50.

How Can Iowa Libraries Launch Seed Collections?
- Partner with community organizations to assess patrons’ prior knowledge and skills.
- Pair collection with related resources: print material and seed saving/gardening workshops.
- Educate patrons on importance of correctly labelling returned seeds.
- Seed companies (legally barred from selling seeds 12 months or older) can donate seeds to begin collection.
- Set guidelines to distinguish seed library from commercial seed ventures, ie: library must dispose of any commercially donated seed at the end of the season, refuse seeds treated with pesticides.

Seed Library Timeline
- 2000: First US Seed Library launches in California
- 2012: Ely Public Library – first Seed Library in Iowa
- 2014: First legal challenge to seed collection
- 2015: First International Seed Library Forum
- 2015: Roughly 400 Seed Libraries in 46 states