

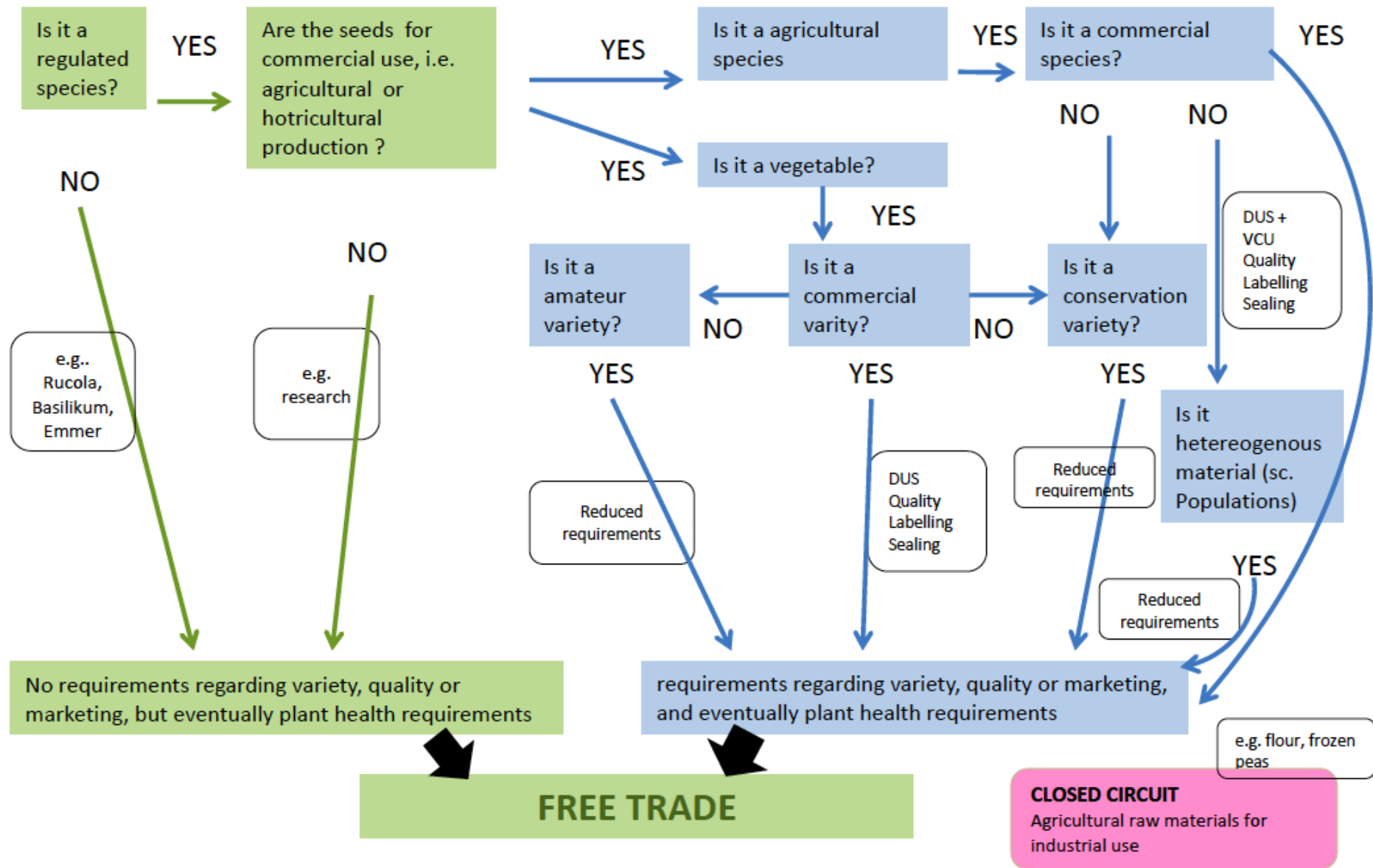
Practical aspects of Danish seed legislation

In Denmark, the seed trade practice among seed savers was tolerated for a long time but the actual changes in legislation to legalise seed trade and exchange among the seed savers occurred in 2015. Seed trade and seed exchange of unregistered varieties is permitted as long as the seeds are not for commercial use. Commercial use is understood as marketing of seeds for agricultural and horticultural production. The rules also apply both to sales with and without payment. The only thing that matters is if the person or company who receives the seeds will use them commercially. This also means that companies (e.g. professional farmers, gardeners or seed companies) legally can sell unregistered varieties to private people but not to other farmers or gardeners. It applies to any seed that is not intended for commercial exploitation. There is no limitation on the amounts.

Moreover, trade of seeds in small amounts is also possible for testing and development purposes among any actors (for example farmers). Unregistered varieties can also be transferred within what is called a closed circuit. This means that for example a company that sells cereals for food consumption can transfer the seeds of unregistered varieties to the farmer that is going to grow the variety for him if the two have a partnership and a contract that says that it is the company that sells cereals that is the legal owner of the seeds as well as of the produce.



Decision support tree for seed marketing and exchange in Denmark



Source: "Seeds 2 Instructions for amateur breeders, seed savers and companies about rules and practice of trade and transfer of seeds for non-commercial use and conservation" (Frø og sædekorn 2), ISBN 978-87-7120-731-6 (2015)