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February 9, 2005

Plant Breeders' Rights Office
Canadian Food Inspection Agency
59 Camelot Drive
Ottawa ON K1A 0Y9

Dear Elizabeth Prentice-Hudson,

The following letter is being sent from the Ontario Public Health Association's (OPHA) and the OPHA Food Security Work Group. The mission of OPHA is to provide leadership on issues affecting the public's health. The OPHA Food Security Workgroup has as one of its goals to ensure a sustainable, safe, high quality food supply in Ontario.

The OPHA Food Security Workgroup (FSWG) would like to commend the government on its willingness to invite public input on important issues such as Plant Breeders' Rights. We wish to convey our disagreement with the proposed amendments of the original UPOV'78 legislation. Please note that the Food Security Workgroup does not hold a Plant Breeders' Right, nor does it use a protected variety of plant.

At this time we do not see a need to change the current legislation contained in UPOV'78 to that suggested in UPOV'91. The primary reason for opposing UPOV'91 is that it will not benefit farmers, particularly small, independent farmers. The age-old farmers' practice of saving, re-using, and exchanging seed keeps their costs down, and is also paramount in preserving plant biodiversity – both of which are integral to a sustainable and just food system.

The OPHA FSWG believes that community food security, and therefore the health of Canadians, depends on the right of control over Canada's seed supply to be in the hands of farmers, not private industry. We are deeply concerned that the tendency of increasing corporate concentration in the agricultural sector will reduce attention to the health, environmental and justice issues that are key to a healthy food system

It is our position that the Canadian government should maintain a public, not-for-profit breeding program and continue to fund and regulate plant breeding across this country. In addition, the government should support publicly-funded externally-reviewed research into the long-term implications of transgenic seed varieties.

In general, our reasons for opposing a switch from UPOV'78 to UPOV'91 are as follows:

- Unnecessary and potentially detrimental restrictions on farmers' rights to save, re-use, and sell seed (i.e., Farmers' Exemption).
- Extensions on plant breeders' protection and increased royalty periods from 15 years to 20 years.
- Allowing seed companies to collect royalties on farm-saved seed at elevators and seed cleaning facilities.
- Supporting the patenting of seeds (which are a form of life) protected under PBRs – introducing double protection for seed developers.
- Insufficient data on the long-term safety and benefits of transgenic seed varieties, especially as they pertain to human health and ecosystem integrity.

Thank you for considering our input in your review of the legislation.

Sincerely,

Dr. Garry Aslanyan
President, Ontario Public Health Association

and

Ellen Desjardins, RD
Chair, OPHA Food Security Workgroup