



Duluth Community Garden Program

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To Whom It May Concern:

I am writing on behalf of the Duluth Community Garden Program to share our support for changes to the Minnesota Seed Law to protect seed sharing among individuals and community based programs such as seed libraries and community gardens. Duluth Community Garden Program is a non-profit organization that supports growing healthy food in community by creating access to land, knowledge and community connections for people regardless of age, ability or socio-economic status. Seed sharing among individual gardeners and within community-based contexts such as seed libraries are an essential part of this mission.

As a community partner to the Duluth Seed Library we were involved with the recent Minnesota Department of Agriculture enforcement action against the Duluth Seed Library and have learned how the Seed Library is in violation of state law, as it relates to the sale of seed ([New Minnesota Seed Law Minnesota Statutes, Sections 21.80 - 21.92](#)).

We were most surprised that the Seed Law defines in Section 21.8 "sell" to include selling or transferring ownership; offering and exposing for sale, exchange, distribution, giving away, and transportation in or into this state; (c) having in possession with intent to sell, exchange, distribute, give away, or transport in or into this state. As we understand, the intended purpose of this law is to protect consumers who purchase seed from inadequately or illegally labeled seed and to promote fair competition. Yet, compliance with the Minnesota Seed Law, as currently written, could result in the closure of the Duluth Seed Library and prevent farmers, gardeners, other seed libraries, schools and community organizations from engaging in interpersonal seed sharing, all voluntary non-commercial activities that have taken place for generations and are an integral part of strong communities.

The new Minnesota Food Charter (www.mnfoodcharter.com) provides a timely vision on how Minnesota can provide healthy, affordable and safe food reflecting the input of thousands of Minnesotans. The Charter provides an important context to recreate a Seed Law with the primary goal of protecting the public good and legacy of seeding saving at local, bioregional and statewide levels.

We believe the Seed Law negatively impacts the future health of Minnesota by equating non-commercial and non-commercial seed activities. We are writing to share our support for changes in the Seed Law that distinguishes between the commercial sale and non-commercial sharing of seeds, supporting long legacy of unregulated interpersonal saving and sharing of seeds.

Sincerely,

Jahn Hibbs
Executive Director