

THE FAIR SEEDS FOR FARMERS ACT

Protecting farmers, lowering costs, and strengthening the U.S. food system by restoring fairness and farmer rights in the seed industry

The Problem: Every part of our food system relies on seeds. Yet over the last decade, the U.S. seed industry has become hyper-consolidated, with just a few multinational corporations exerting immense control over one of the most basic and essential farm inputs.

Concentration of corporate power harms the farmers who grow our food and the families who depend on it. Seed monopolies drive up prices, crowd out independent seed companies, and stifle the breeding innovation that is essential to a resilient and affordable food system. They also force farmers into unfair purchasing contracts that restrict their ability to save, breed, experiment with, and replant seeds—often under threat of costly litigation or other retaliation. When large corporations use their power to raise the cost of seeds, farmers pay more to plant. Those higher costs move through the food system and ultimately contribute to higher prices for families at the grocery store.

This corporate control is sustained by the abuse of utility patents, the building blocks of intellectual property law. Although Congress enacted the Plant Patent Act (1930) and the Plant Variety Protection Act (1970) – to strike a balance between IP rights for breeders and the public’s right to save, breed, and plant seeds – the biggest seed companies have increasingly been reaching beyond these laws to make sweeping IP claims over plant characteristics that far exceed any reasonable claim of novel invention. The status quo allows large corporations to assert control over the building blocks of the food supply and to determine who may use, improve, save, or replant seeds.

The Solution: The **Fair Seeds for Farmers Act** would protect farmers, strengthen the U.S. food system, and help address rising food costs by ending the corporate abuse of utility patents for plant varieties. The bill would restore the balance Congress originally intended: protecting legitimate innovation while ensuring that farmers, researchers, and independent breeders retain the freedom to save, study, breed, propagate, and plant seeds. Specifically, the bill would:

- **Limit the patentability of seeds** to the protections available under the Plant Variety Protection Act and the Plant Patent Act. This limitation would apply to all pending and future patents; existing patents would remain unaffected.
- **Prevent corporate seed companies from restricting farmers and researchers** from breeding, experimenting with, propagating, or saving seeds, including through burdensome and one-sided contracts.
- **Define key plant-breeding terms under federal law** to protect the integrity of intellectual property claims involving seeds and plants.

By reducing excessive corporate control over seeds, the Fair Seeds for Farmers Act would give farmers greater control over what they grow, strengthen independent seed companies and public research, and support a more resilient food supply. It would help build a better food system from the ground up—one that works for the people who grow our food and the families who rely on them.

Endorsements: National Sustainable Agriculture Coalition, American Economic Liberties Project, National Family Farm Coalition, Organic Seed Alliance, Open Markets Institute, RAFI-USA, Farm Action Fund, Environmental Working Group, Northeast Organic Farming Association Massachusetts Chapter, & more.