

## **Legal obligations to Self-Declare and Return Royalties on your use of Farm Saved (uncertified) Seed**

*Compliance with all seed related legislation is enforced to support the work of plant breeders and their agents in developing new varieties to improve yield, disease resistance and mitigate the loss and reduction in chemical inputs required now and into the future.*

### **Trading of uncertified seed is illegal.**

CERTIFIED ORGANIC DOES NOT MEAN  
IT IS OFFICIALLY CERTIFIED SEED.

BUYER BE WARE - Seed Certified by the Department of Agriculture here or imported from another jurisdiction **will carry a blue or red official certification label.**

Certified seed has completed the DAFM certification process reaching very high regulatory and voluntary standards and can be legally sold / traded under EU legislation. Organic Farmers, just like any other farmers must purchase certified seed. The Department of Agriculture is responsible for the enforcement of Seed Marketing Regulations.



***Farmers may also use seed produced on their own holding once it is declared to PVDO and royalty paid on it. Legislation governing this option is outlined in detail below.***

**The regulations include seed sown for cover crops, bird cover and combinable crops** There is important information for you in the attached leaflet, including a self-declaration form should you wish to make the return on paper. A list of eligible varieties, their fees and some frequent queries is also attached. Current information is always available on pvdo.ie

PVDO (The Plant Variety Development Office CLG) is authorised to collect royalties on Farm Saved Seed, pursuant to Statutory Instrument (SI) 273/2007 – European Communities (Protection of Plant Variety Rights) Regulations 2007. This legislation is in place to ensure a fair return for plant breeders who work tirelessly to bring new varieties of combinable crops into production.

If you ever use Farm Saved Seed we remind you of some of your obligations:

- (i) **To self-declare and return royalties on any use of Farm Saved Seed on your farm:** Section 4 of SI 273/2007 requires that you shall twice annually on or before 31 January and 30 June, self-declare and pay royalties due on your use of Farm Saved Seed in respect of plant varieties planted by you during the previous 6 months, whether it has been processed or not. For the avoidance of any doubt, royalties are payable on home or farm saved seed that does not go through the certification process.
- (ii) Additionally, if you used Farm Saved Seed you must keep evidence of purchase of the original certified foundation seed from previous years.  
  
You must only use seed produced from a crop grown on your own holding.
- (iii) If engaging a Processor, please note that you may only engage the services of a Processor that is 'registered'. The Processor must provide you with a copy of a PVDO docket stating the varieties and quantities of your seed that were processed. We may invoice you on the basis of the Processor's declaration – Royalty is due on all seed sown.
- (iv) Please note that if you process or apply dressing to your own seed you must register with the PVDO as a Processor (and please contact us for a form to register as a Processor).

Note from Department of Agriculture, Food and the Marine (June 2024)