



MINNESOTA LIBRARY
ASSOCIATION

January 27, 2015

Carla Powers, Director
Duluth Public Library
520 W. Superior St.
Duluth, MN 55802

Dear Ms. Powers:

At the January 2015 Minnesota Library Association (MLA) Board meeting the association endorsed the efforts of the Duluth Public Library to amend the Minnesota Seed Law (Minnesota Statutes 21.80 – 21.92) to permit the non-commercial voluntary exchanges of seeds and to distinguish between the commercial sale of seeds and the free and non-commercial exchange of seeds among individuals as has been offered at the Duluth Public Library.

As MLA understands the current situation, the intended purpose of Minnesota Seed Law in defining the sale of seeds in the state is to protect consumers who purchase seed from inadequately or illegally labeled seed and to promote fair competition. The Minnesota Department of Agriculture has determined that the Seed Library in Duluth is not in compliance with the current law relating to the sale of seeds. This action may 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, a voluntary non-commercial activity.

Minnesota libraries were founded on the principle that the free exchange of knowledge and diverse ideas, without registration or regulation, is foundational to a healthy democracy. Seeds, like books, contain within them a record of the past and the wisdom of previous generations. As such, we believe that seeds, like books, should be valued, preserved, and freely shared among the community.

Though well intentioned, we believe the Minnesota Seed Law as currently written incorrectly equates commercial and non-commercial seed activities. Therefore, the Minnesota Library Association supports changes in the Seed Law that distinguish between the sale of seeds and the long legacy of non-commercial exchange of seeds and permits the non-commercial exchanges of seeds among individuals.

Attached please find the resolution passed at the January 16, 2015 MLA Board meeting.

Sincerely,

Maggie Snow, President
Minnesota Library Association



Whereas the Minnesota Department of Agriculture enforcement has recently taken action against the Duluth Seed Library because it is in violation of Minnesota Statutes 21.80 0 21.92, known as the Minnesota Seed Law, as it relates to the sale of seeds;

Whereas the Minnesota Seed Law in section 21.81 defines "sell" to include selling or transferring ownership; offering and exposing for sale, exchange, distribution, giving away, and transportation in or into this state; and having in possession with intent to sell, exchange, distribute, give away, or transport in or into this state;

Whereas, the intended purpose of this law is to protect consumers who purchase seed from inadequately or illegally labeled seed and to promote fair competition;

Whereas 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 that is a voluntary non-commercial activity;

Whereas Minnesota libraries were founded on the principle that the free exchange of knowledge and diverse ideas, without registration or regulation, is foundational to a healthy democracy; and,

Whereas seeds, like books, contain within them a record of the past and the wisdom of previous generations and therefore seeds, like books, should be valued, preserved, and freely shared among the community;

Therefore, the Minnesota Library Association supports amendments to Minnesota Statutes 12.380-21.92, the Minnesota Seed Law, that distinguish between the commercial sale of seeds and the long legacy of unregulated, non-commercial saving and sharing of seeds in Minnesota.

Passed January 16, 2015