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# Legislation – Enabling Crop Biodiversity in Austria?



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DIVERSIFOOD workshop - Enabling Crop Biodiversity on the Market  
23 November 2016 Tuusula, Finland



# Tasty Examples



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## Colourful Pickled Tomatoes



Selection of cocktail and wild varieties

## Traditional Rye Bread



„Lungauer Tauern“ rye

## Fresh Plums



„Anna Späth“ plum





# Factors of success – enabling or hindering?



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- ✓ Access to and availability of propagating material
- ✓ Hygiene requirements – farms are no laboratories
- ✓ Entrepreneurship friendly environment – farmers are not accountants ;-)
- ✓ Financial aids

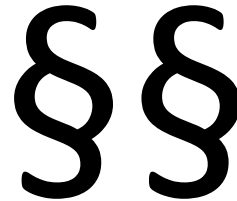


# Reality Check – enabling or hindering?



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1. Seed marketing
2. Plant health
3. Hygiene
4. Taxes
5. Subsidies



## Biodiversity traffic light



- bad
- could be better
- best practice



# Framework



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- EU-directives
  - Seed Marketing
  - Plant protection
- EU-regulations
  - Hygiene
  - Rural development
- International treaties: CBD, ITPGRFA





## 1. Seed Marketing

# Austrian Seed Legislation



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- Farm saved seed
- Seed exchange
- Seed marketing
  - Amateur varieties
  - Conservation Varieties





1. Seed Marketing

# Farm saved seed



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Austrian Seed Act §2 (3) 4

„The use of own seeds is no seed marketing“

Austrian Plant Variety Rights Act: §4 (4)

-> Re-seeding fees are politically not accepted





# Seed exchange



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Austrian Seed Act: §2 (3) 5

„The exchange of seeds between **farmers and seed users** aimed at protection of PGR is allowed“

- NOT registered varieties
- 2016: **against money** ●

Austrian seed regulation: §4 (3)

when is exchange possible?

- No dealer in seeds (can't offer registered DUS varieties) ●
- Quantity limitations ●







1. Seed Marketing

# Amateur varieties

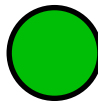



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Austrian Seed Regulation §4a (2)

- Technical requirements have to be kept as low as possible

Implementing Guidelines 1 (1)

- official testing not required if 
  - sufficient description
  - results of not official testings
- Small packages 





# Conservation Varieties



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## DUS-test; lowest requirement

Implementing Guidelines 1 (8) and Implementing Guidelines Vegetables

„Whole Austria is one region of origin“



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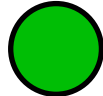
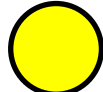




# Conclusion seed marketing



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- Farmer to farmer 
- Private end-users  → Denmark



- AT: complying with European Law





# Plant health - Conservation of Fruit varieties ●



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Lower Austrian Plant protection regulation § 27

„Propagation material has to derive from plants which where officially investigated and are free from pathogens“

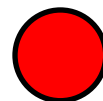
→ impossible



A



# Conservation of fruit varieties



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
- No cutting garden in Austria
- Germany does not deliver scions
- Gene bank does not offer scions
- Available in private garden
  - Plant protection service
  - Uprooting if pathogens found



# Hygiene



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- In many cases the same for industry and farmers
- Exceptions for direct marketing
  - Simple hygiene rules for small amounts and certain foods 
  - Not for big animal species



#### 4. Taxation System


# Taxation system



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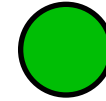
- „Unit Value“: taxing a farms potential
- Individual calculation for each farm
  - Climate and Soil
  - Location
  - Size
- Always a lot lower than market value





4. Taxation System

# Taxation system



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If Unit Value < 75.000€ and turnover < 400.000€

→ Full lump sum regulation (90% of Farmers)

- Easy profit determination (income tax)
- No turnover tax
- Exceptions of obligatory cash register

→ Farmers can focus on farming instead of book keeping





# Austrian Agri- Environmental Programme



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- Rare agricultural plants ●
  - A: 120€/ha - B: 200€/ha
  - limited number of listed varieties
  - Not for fruit trees and vegetables ●


- Winter- (Secale cereale) und Bergroggen (Secale strictum):

Chrysanth Hanserroggen	(A)
Jaufenthaler	(A)
Johannisroggen/Waldstaudenroggen (alle Herkünfte und Sorten)	(A)
Kaltenberger	(A)
Kärntner	(A)
Lindorfer Roggen	(A)
Lungauer Tauern 2	(A)



# Endangered Livestock Breeds



- Aids per animal
- Not for small species 

Gefährdungsgrad	Gefährdete Rassen (G)	Gefährdete Rassen mit besonderem Generhaltungsprogramm (GG)	Hochgefährdete Rassen (H)
Kuh, Stute	180	210	280
Mutterschaf/-ziege	40	50	60
Zuchtsau	-	-	150
Zuchtstier, Zuchthengst	360	420	560
Zuchtwidder, Zuchtbock	80	100	120



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# Biodiversity in agro-ecosystems ●







- Cover crops
  - Level of funding dependent on seed mixture
- Flower crops
  - Spice and medical plants



# Conclusions



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1. Seed marketing 
2. Plant health 
3. Hygiene 
4. Taxes 
5. Subsidies 

## Biodiversity traffic light



- bad
- could be better
- best practice





# Biodiversity Market



Crop  
er 2016



# Coffee Break ☺

Taste rye  
gingerbread made of  
the conservation  
variety „Lungauer  
Tauern“



# Thank you for your attention



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