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City Attorney's Office

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OAKLAND

**2015 JUN 23 PM 5:34**

# OAKLAND CITY COUNCIL

## RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember Rebecca Kaplan

### **RESOLUTION SUPPORTING SEED SAVING WITHIN THE CITY OF OAKLAND AND REQUESTING CITY STAFF TO SUPPORT CHANGES IN STATE SEED LAW TO ALLOW SEED SHARING WITHOUT COST OR GERMINATION TESTING**

**WHEREAS**, the City of Oakland wishes to promote access to healthy food for all citizens; and

**WHEREAS**, Article 25 of the United Nations Declaration on Human Rights recognizes that every person has the right to food; and

**WHEREAS**, seed libraries are nonprofit repositories of seed for the benefit of the public where free seed is distributed to promote seed sharing, provide increased access to healthy food, educate about seed saving skills, strengthen local food security, improve the health of our community members, preserve and promote our local biodiversity, celebrate local varieties that are important to our community's cultural heritage and provide seed that is locally adapted to local soils and climate; and

**WHEREAS**, gardening is a healthy activity supporting food access and promoting physical activity; and

**WHEREAS**, humans have a history of sharing seeds that created and supported civilizations for over 10,000 years; and

**WHEREAS**, in the US, we have lost over 90% of the vegetable varieties grown 100 years ago; and

**WHEREAS**, the three largest seed companies control over 50% of the market share in commercial seeds; and

**WHEREAS**, the current industrial model of agriculture relies on a few, patented varieties of seeds to produce the majority of the food in our food system, putting our food system at considerable risk; and

**WHEREAS**, seed libraries and seed sharing have been able to preserve fruit and vegetable varieties that have historical and cultural significance to communities; and

**WHEREAS**, many locally adapted varieties are only available through seed libraries and not through commercial seed companies; and

**WHEREAS**, local seeds adapted to local soils and climate make our bio-regional food system more resilient; and

**WHEREAS**, the City of Oakland supports strategies to strengthen community food assets, including community gardens, seed banks, seed libraries, community kitchens, and community-supported agriculture farms; and

**WHEREAS**, the official legislative purpose of California Seed Law (Food & Agricultural Code, §§ 52251-52515) is to protect consumers who purchase seed from inadequately or illegally labeled seed and to promote fair competition; and

**WHEREAS**, the sharing of seeds between individuals or facilitated by seed libraries is a voluntary, community-based activity that does not take place within a marketplace and does not involve a commercial transaction; and

**WHEREAS**, seed libraries do not "sell" seeds, as that term is commonly defined, nor are the members of seed libraries "customers"; and

**WHEREAS**, there are over 25 seed libraries in California and at least 3 seed libraries in Oakland; and

**WHEREAS**, the 3 seed libraries located in the Dimond, Cesar Chavez and African American Museum and Library of Oakland have disbursed over 900 packets of seeds to hundreds of library patrons over the past three years; and

**WHEREAS**, the seed libraries offer seed saving classes to educate members on best practices for saving seed and water conservation; and

**WHEREAS**, seed libraries protect our food supply and seed libraries can play an important role in strengthening our communities' access to healthy food; and

**WHEREAS**, seed libraries and seed sharing facilitate access to healthy, locally grown food in food deserts where little may be available; and

**WHEREAS**, many members of the community cannot afford to meet their family's food budget; and

**WHEREAS**, seed sharing enables people to grow and feed wholesome food to their families and by saving seed they can ensure their food supply in the future; and

**WHEREAS**, seed libraries and seed sharing protect and encourage seeds that have cultural and historical significance; and

**WHEREAS**, there are over 300 seed libraries in the United States with the longest one being in operation for over 15 years; now, therefore, be it

**RESOLVED**: That the City of Oakland supports and encourages the ongoing 10,000 year legacy of seed sharing between community members without legal barriers of labeling fees and germination testing; and be it

**FURTHER RESOLVED**: That the City Council of Oakland supports and encourages the efforts of seed libraries to facilitate sharing of locally grown and saved seed; and be it

**FURTHER RESOLVED**: That the City of Oakland supports the work of our seed libraries –in working with educators and community organizations to support seed saving, educate community members about the value of seed sharing, develop best practices to grow seed saving skills, and encourage voluntary and accurate seed labeling; and be it

**FURTHER RESOLVED**: That the City Council of Oakland supports changes to the California Seed Law that support the sharing of seeds between individuals and through seed libraries by removing application of any labeling, testing, and permitting requirements to interpersonal or seed library seed sharing; and be it

**FURTHER RESOLVED**: That the City of Oakland directs the city’s legislative liaison to track and report to the Council on any statewide legislative efforts to change the California Seed Law to support the sharing of seeds between individuals and through seed libraries; and be it

**FURTHER RESOLVED**: That the City of Oakland should communicate its support for seed saving and seed sharing between individuals and through seed libraries to other municipalities, counties and the state of California.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LATONDA SIMMONS  
City Clerk and Clerk of the Council of the City  
of Oakland, California