

FAQs for Farm Saved Seed

November 2024



Why do I have to return a Farm Saved Seed declaration to BSPB?

Farmers are legally obliged to declare farm saved seed and pay royalties on any protected varieties used. These varieties are protected by Plant Variety Rights, which give Breeders exclusive control over the propagating and harvesting material processed for 25 years.

Please see our full [list of protected varieties here](#).

Which crops are covered by Farm Saved Seed legislation?

Wheat; Barley; Oilseed Rape; Oats; Triticale; Field Peas; Field Beans; Linseed; Rye; Potatoes.

Where does your Farm Saved Seed payment go?

Payments go to the Breeders of varieties and are used to reinvest in plant breeding. BSPB operate on a completely not-for-profit basis.

Do I have to let BSPB know if I only ever sow certified seed?

Yes please, we treat everyone who has the potential to use Farm Saved Seed equally.

I haven't used any Farm Saved Seed – why have I received a form?

BSPB cannot be certain that a farmer's situation will not change from one year to the next. A declaration should be returned as nil if no Farm Saved Seed was used, only Certified Seed was used, or no seed was sown.

Do I need to declare if I have paid a processor?

Yes, as processors who collect Farm Saved Seed payments for BSPB do not pass on details of work done for individual farmers; your declaration ensures that our records are up to date.

Do I have to declare if I process my own seed?

Yes, all farm saved seed needs to be declared to BSPB when sown.

Can a contractor declare for me?

Yes, however, it is the responsibility of the landowner to declare. If you wish your contractor to declare on your behalf, please provide the name of the contractor and contact details.

Do both farmers in a shared farm agreement need to declare?

We will need to know the name and contact details for the person responsible for making the declaration and payment for the Farm Saved Seed for your farming business.

Are any farmers exempt from Farm Saved Seed requirements?

Yes, farmers that produce less than a total of 92 tonnes of combinable crops per harvest are classified as a small farmer and are exempt making Farm Saved Seed payments. Farmers should contact BSPB if they believe this applies.

What if I've planted a variety that's not on the list?

Plant Variety Rights may have expired, or not yet been granted. It is worth noting that some varieties have prefixes, so please contact us if you cannot find your variety on the list.

Do cover, companion, whole or volunteer crops need to be declared?

Yes, farm saved seed regulations apply whether a crop is taken to harvest or not. If your crop contains protected varieties, you must declare this and make a payment. Please contact us if you need advice.

Does seed need to be declared if the crop has failed?

Yes, farm saved seed legislation applies to any eligible varieties that have been sown, regardless of the crop's outcome.

Can I trade or give surplus Farm Saved or Certified Seed to another farmer?

No. Farm Saved Seed produced on your own holding must be used on your own holding. It cannot be traded, bartered or otherwise transferred between different farming businesses.

Certified seed cannot be traded without a sub-licence in place with BSPB and a registration number with APHA.

Can I sow grain including feed grain?

No, it is illegal to use any bought-in grain to establish a crop.

If you have any questions, please get in touch by emailing seed@bspb.co.uk or calling 01353 653209.