

January 29, 2015

To Whom it May Concern:

I am writing on behalf of the Ely Public Library Board of Trustees.

We have recently become aware about the recent Minnesota Department of Agriculture enforcement action against the Duluth Seed Library. From information on the Seed Library website we have learned that the Seed Library is in violation of state law, as it relates to the sale of seed ([New Minnesota Seed Law Minnesota Statutes, Sections 21.80 - 21.92](#) ).

Moreover, that the Seed Law 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; (c) having in possession with intent to sell, exchange, distribute, give away, or transport in or into this state.

As we understand, the intended purpose of this law is to protect consumers who purchase seed from inadequately or illegally labeled seed and to promote fair competition. Yet, 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, all voluntary non-commercial activities.

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 Seed Law negatively impacts the future health of Minnesota by equating commercial and non-commercial seed activities. We are writing to share our support for changes in the Seed Law, such that the Law distinguishes between the sale of seeds and supports the long legacy of unregulated interpersonal saving and sharing of seeds.

Sincerely,  
Ely Public Library Board of Trustees