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**ROUNDTABLE DISCUSSION EUROPEAN PARLIAMENT
PATENTS ON PLANTS AND ANIMALS
Brussels, 8 February 2012**

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Peasants of the world have improved and saved their own exploitations, over the years selected seeds of all plants and farm animal races providing our food today. Farmers and breeders traditionally have been able to freely use genetic assets from previous generations. Thanks to them it has been possible to maintain agrodiversity, which breeders now “discover” for free.

It was always a fundamental principle that plants, animals and its genetic heritage cannot constitute inventions; but modern breeding methods and biotechnology have revolutionized the patent law in agriculture. Before that, the patenting of plant seeds and farm animals was unthinkable, today every GMO can be patented.

Patent law on agricultural plants collides with The International Treaty on Plant Genetic Resources for Food and Agriculture, particularly with article 9 that recognizes farmers’ rights to save, use, exchange and sell farm-saved seed/propagating material.

There is another problem when farmers use a plant variety that contains a protected component by a patent, because they cannot exercise the farmers privilege, to freely use their harvest as further planting material for free, as the Plant Breeders’ Rights Regulation 2100/94 states.

Since Directive 98/44/EC on the legal protection of bio-patents came into force, its implementation has been highly controversial, and while it formally prohibits patents on plant varieties, the Directive in fact extends the patent protection over gene to any biological complex in which gene (or technique) expresses a role.

Patents are more and more allocated over commercial plant crops, farm animals and procurement procedures, as conventional plant breeding as well GMO and Directive is being used for the misappropriation of more core resources for daily life by large seed and biotechnological industry, looking a monopolistic control over key genes from crops and animals in feeding humanity and adapting to climate change.

The European Patent Office with its decision on the broccoli patent has made it clear that conventional breeding and animal methods cannot be covered by patents, but only it excludes the processes of improvement and we are very concerned that it leaves open the possibility of patents on plants and animals themselves.

What is needed is a clear legal prohibition on the patenting of all life and especially on plants and farm animals, in the reproduction processes, biological materials and foods derived. Therefore we call on the EU institutions that the farmers' and ranchers' interests be protected by clear legal rules that exclude patents on plants and animals.