

# no patents on seeds



## Media Release

### Syngenta granted patent on pepper for use as food

Plants are derived from conventional breeding

**22 October 2015 / The European Patent Office (EPO) in Munich has granted the Swiss seed giant, Syngenta, a patent on pepper and its use “as fresh produce, as fresh cut produce, or for processing such as, for example, canning” (EP 2 166 833 B1). The patent also covers the plants, their cultivation, harvesting and seeds. The plants have been developed to produce pepper without seeds and are derived from conventional breeding using existing biodiversity. There was no genetic engineering involved in the process.**

European patent law prohibits patents on processes for conventional breeding. Nevertheless, the EPO continues to grant patents on plants and their characteristics, seeds and fruits derived from such processes. By doing so, the EPO is serving its own interests, since its budget is reliant on services such as granting and examining patents.

“Step by step, patent by patent, the seed giants are taking control of our daily food. In future we might even need permission to cut a pepper into pieces”, says Christoph Then for the coalition of *No Patents on Seeds!* “In any case Syngenta can prevent anyone from growing or harvesting this pepper, selling it for food or using it for further breeding. In the same way that the privatisation of water has raised deep concerns, the patenting of food plants poses similar problems and needs a clear political response.”

Political action is already taking place on several levels: For example, the European Commission is currently hosting a working group that has been discussing patents on conventional breeding for more than a year now. This working group is expected to deliver some results within the next few weeks. However, most observers are sceptical about the EU Commission taking the initiative for real change anytime soon.

The European governments can themselves act directly via the Administrative Council of the EPO, which acts as the supervisory body. The contracting states of the EPO can decide on new binding rules for the interpretation of existing prohibitions and enforce them.

“We have to strengthen existing prohibitions: Patents on plant varieties and on methods for conventional breeding are prohibited under European Patent Laws. The Administrative Council of the EPO can decide how to effectively implement these prohibitions and thereby stop further patents on conventional breeding”, says François Meienberg from The Berne Declaration. “But the European governments should not wait any longer, since the EPO continues to grant more and more patents on our daily food. They have to get active on both levels, the EPO and the EU.”

A recent call made by the international coalition *No Patents on Seeds!* to stop these patents is supported by several hundred organisations all over Europe. The coalition *No Patents on Seeds!* is supported by Bionext (Netherlands), The Berne Declaration (Switzerland), GeneWatch (UK), Greenpeace, Misereor (Germany), Development Fund (Norway), No Patents on Life (Germany),

Red de Semillas (Spain), Rete Semi Rurali (Italy), Réseau Semences Paysannes (France) and Swissaid (Switzerland). They are all calling for a revision of European Patent Law to exclude breeding material, breeding processes, plants and animals, their characteristics, the harvest and food derived thereof from patentability.

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**Further Informations:**

International call against patents on seeds: [www.no-patents-on-seeds.org](http://www.no-patents-on-seeds.org)

The text of the patent: [www.keinpatent.de/uploads/media/EP2166833B1.pdf](http://www.keinpatent.de/uploads/media/EP2166833B1.pdf)