

no patents on seeds



MEDIA RELEASE

European Patent on 'red hot chili peppers'

Syngenta claims growing and harvesting of plants as its invention

Munich, 9.5. 2013. The European Patent Office (EPO) has done it again. Yesterday they granted a patent on pepper plants, such as chili, derived from conventional breeding (EP2140023). The patent covers the plants, fruits and seeds and even claims the growing and harvesting of the plants as an invention. The patent was granted despite the fact that the European Parliament and the German Parliament have asked the EPO to stop these patents, and over 2 million people have signed an online petition against patents on conventionally-bred seeds. There are two precedent cases pending at the EPO waiting for a final decision for over five years. *No Patents on Seeds!* is urging the Member States of the EPO to become actively involved in order to stop the EPO from granting further patents on plants and animals.

“This patent again shows that the EPO is out of control. They are ignoring the vote of European Parliament. They simply continue to grant more and more patents on conventional breeding”, says Christoph Then of *No Patents on Seeds!*. “A political decision could stop these patents within a few months. We urge our governments to become actively involved now.”

There are huge differences between the text of the European Patent Convention (EPC), which is the legal basis of the EPO, and its current interpretation. While for example the EPC prohibits patents on plant and animal varieties, the EPO routinely grants patents that extend to varieties. The *Administrative Council*, which is the assembly of representatives, could at any time change the interpretation of the current law and thereby enforce the existing prohibitions. The same changes could be made in national legislation. This could be a first decisive step, which would have the backing of a vote taken by the European Parliament in May 2012. Further efforts such as a change in legislation are needed to prohibit patents on life in general.

The organisations behind the coalition of *No Patents on Seeds!* are extremely worried that patents will foster further market concentration, making farmers and other stakeholders in food supply even more dependent on just a few big international companies and ultimately giving less choice to consumers. The market concentration also could be fostered by new seed legislation that was proposed by the EU Commission a few days ago.

The coalition, *No Patents on Seeds!* is organised by Bionext (Netherlands), The Berne Declaration (Switzerland), GeneWatch (UK), Greenpeace (Germany), Misereor (Germany), Development Fund (Norway), No Patents on Life (Germany), Rete Semi Rurali (Italy), Réseau Semences Paysannes (France) and Swissaid (Switzerland). These organisations are calling for a revision of European Patent Law to exclude breeding material, plants and animals and food derived thereof from patentability. The coalition is supported by several hundred other organisations (www.no-patents-on-seeds.org).

Contact:

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Text of the new patent as granted: <http://www.no-patents-on-seeds.org/en/information/patent-cases/insect-resistant-plant>

Recent report of *No Patents on Seeds!*: www.no-patents-on-seeds.org/en/information/background/green-light-for-patents-on-plants-and-animals

Text of the resolution of the European Parliament:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0202+0+DOC+XML+V0//EN>

Avaaz petition with 2 Million signatures: www.avaaz.org/en/monsanto_vs_mother_earth_loc/