

Monsanto soon to receive 30 European patents on food plants

Coalition of No Patents on Seeds! publishes appeal to European governments



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“Act now – save the future of our food!” The coalition of No Patents on Seeds! has published an international call to European governments to stop patents on plants and animals. They are warning that international corporations such as Monsanto are taking more and more control of resources needed for food production. As recent research shows, the European Patent Office (EPO) is about to grant 30 patents on plants derived from conventional breeding to Monsanto and its affiliated companies. The Swiss company Syngenta can expect to receive around a dozen patents very soon. Many of the patents claim vegetables such as tomatoes, peppers, cauliflower, carrots and lettuce.

Currently, there are signs that Syngenta might be taken over by the US company Monsanto. This would unite the pending patent applications as well as several hundred granted patents on plants already held by one of the corporations. Consequently, Monsanto stands to substantially strengthen its predominant global market position and would be able to control the resources needed for food production in Europe to an unprecedented extent. Patents granted by the EPO very often cover the whole chain of food production such as seeds, plants and the fruits.

At the end of March 2015, the Enlarged Board of Appeal of the EPO confirmed an unacceptable interpretation of the current European patent law. While processes for conventional breeding cannot be patented, plants and animals stemming from these processes are regarded as patentable. This is not only contradictory in itself, it also undermines the prohibitions in European patent law. According to the European Patent Convention (EPC), patents

on plant and animal varieties as well as on essentially biological processes for breeding are prohibited. This decision of the Enlarged Board of Appeal is binding for all similar patent applications, such as the ones soon to be granted to Monsanto and Syngenta.

“Farmers, food producers and consumers will be severely impacted by the negative consequences. Patents on plants and animals give corporations the power to decide what is grown in the fields and which price we all have to pay for it”, says Christoph Then for No Patents on Seeds ! “European governments now have to come forward to protect the interests of the general public against those of patent lobbyists and multinational companies.”

The coalition of No Patents on Seeds ! demands that European governments take an active role in strengthening the prohibitions in European Patent Law by changing the rules of interpretation in current patent law. National laws such as those in Germany and the Netherlands already prohibit patents on plants and animals derived from conventional breeding. Other countries could follow this example right away and go even further. In a next step, the text of European Patent laws should be changed to exclude all breeding processes and breeding material, breeding traits, genetic resources plants and animals as well as food derived thereof from patentability.

The coalition of No Patents on Seeds! is organised 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), Reseau Semences Paysannes (France) and Swissaid (Switzerland). They 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.

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[The text of the petition](#)

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