en | fr

News | 17.05.2016

No privatisation of life

No patent on our tomatoes!

It's high time to stop patents on Life in the EU



A few weeks ago a European-wide coalition of NGOs launched a mass opposition against a patent held by the Swiss agrochemical company Syngenta on tomatoes produced by conventional breeding. Indeed, in 2015, the European Patent Office (EPO) granted a patent to Syngenta on tomatoes "with a high content of flavonols". These compounds are supposedly beneficial to health. The patent covers the plants, the seeds and the fruits. This so-called “invention”, however, is simply a product of crossing tomatoes from region of origin (meso-America, where the wild species was first domesticated) with varieties currently grown in the industrialised countries. This means Syngenta is patenting perfectly "natural" common tomatoes, that will potentially grant them rights on every tomato, tomato seed and tomato plant with the same characteristics. This is the last case of a list of decisions from the EPO that started in 2014 with the granting of patents on a "wrinkled" tomato and on a broccoli (patents confirmed in March 2015 by EPO's board of appeal). Slowly, multinational corporations, and increasingly agro-chemical giants who together already control between 60 and 90% of the various seed sectors[1], are awarding themselves rights on plants and food that were created by natural processes and/or bred and selected by farmers over centuries; these decisions are approved by the EPO, whose budget is financed to a significant extent from the granting of patents: the more patents EPO grants, the more revenues it gets. The European Parliament has produced two resolutions on this issue, calling for a legal interpretation from the EU Commission of Directive 98/44/CE, that would clearly ban this kind of patents on plants arising from natural processes. Indeed, the EPO's decisions exploit a loophole in the legal text, and blatantly ignore the crystal clear intent of the legislators back in the nineties. The democratic agreement at the time this European legislation was made was that only plants modified by using biotechnologies can be patented. On the 18th of May, The Dutch EU-Presidency and the European Commission are hosting a closed symposium on patents and plant breeding. We hope that they will take the Farmers' rights into account and not bend under the pressure of

some agrochemical multinationals or listen to the biased opinion of some patent lawyers. We also fully support the legal initiative of the coalition of NGOs against the last embodiment of this dangerous interpretive drift of EU's patent laws. Indeed can the European Commission, entangled as it is by corporate lobbying, be trusted to fulfil its role as guardian of the Treaties if it does not try to stop a further commercially driven privatisation of life? [1] See this study by Yvan Mammana

Recommended

Opinion

© Christian Kaufmann



Healthy food starts with healthy farming. Europe must …

04.11.2026

Press release

Hopfphotography



From lab to fork without anyone’s knowledge

17.06.2026

Press release

EasyBuy4u



[‘Veggie burger’ law fuels culture war at expense of fa…]

16.06.2026

Press release

lebenslotse from pixabay



Fertiliser crisis: Commission fails to break fossil de…

19.05.2026

Contact person



Juliette Leroux

Advisor on Agriculture and Rural Development

Please share

- E-Mail