To the Carlsberg Group Company
Cees 't Hart
President and CEO
100 Ny Carlsberg Vej
1799 Copenhagen V
Denmark

17 November 2016

Open letter: No patents on beer!

Dear Mr. Hart

We are aware that in 2016, the European Patent Office (EPO) granted three patents to the Carlsberg Group covering barley plants derived from conventional breeding, their usage in brewing as well as the beer as the end product. Two of the three patents granted by the EPO are based on random mutations in barley. The kernels from these plants are supposedly better for brewing beer (EP 2384110 and EP 2373154). The third patent (EP 2575433) is simply a combination of barley plants produced through further plant breeding. Each of these patents covers the plants, the process for brewing, malt and wort and any drinks produced by this method.

Patents on food plants, food and drinks are detrimental to the interests of the consumers, farmers and breeders. We cannot accept increasing corporate control over our food and we intend to fight against these patent monopolies, no matter whether they are held by Monsanto, Bayer or Carlsberg. It needs to be said that breeding plants and brewing beer are not ‘inventions’ but are based on centuries-old traditions. Consequently, there should be no patents on beer and barley. Therefore we

urge you to drop the patents.

We further regard these patents as a crude violation of European Patent laws, which prohibit patents on plant varieties and conventional breeding. The European Parliament as well as several European governments have called upon the EPO to stop granting such patents. On 8 November 2016, the European Commission in an explanatory statement takes the view that plants and animals that are obtained by means of "essentially biological" breeding are non-patentable. However so far, the EPO has not yet stopped to grant patents on plants derived from conventional breeding. As long as the EPO continues to grant such patents, we would expect Carlsberg to take responsibility for its own actions as a matter of principle. Carlsberg itself is claiming that it wants to use the barley to save energy and safeguard the climate. However, if this is its real intention then the company should not try to create patent monopolies on food plants. If we want to save our climate, relevant resources have to be shared as much as possible.

We would much appreciate receiving your reply very soon. We hope we can find a solution that meets the interests of the consumers, the environment, the farmers and breeders as well as those of the Carlsberg Group.

With kind regards, for the organisations signing

Erling Frederiksen, NOAH

Christoph Then, No Patents on Seeds!

This letter is signed by the following organisations:
Arbeitsgemeinschaft bäuerliche Landwirtschaft, AbL, Germany
Arche Noah, Austria
BioAustria, Austria
BUND – Friends of the Earth / Germany
Die Freien Bäcker, Germany
Frøsamlerne/Danish Seed Savers
GAIA - Environmental Action and Intervention Group, Portugal
GeneWatch UK, Great Britain
Gesellschaft für ökologische Forschung, Germany
IG Saatgut, Germany
IG Nachbau, Germany
NOAH – Friends of the Earth, Denmark
No Patents on Life!, Germany
Plataforma Transgénicos Fora (PTF), Portugal
PublicEye, Switzerland
ProSpecieRara, Switzerland
ProRegenwald, Germany
Safe our Seeds, SOS, Germany
Sambucus, Germany
SWISSAID, Switzerland
Umweltinstitut München, Germany
Utviklingsfondet / The Development Fund, Norway
Verband Katholisches Landvolk e.V., Germany
WeMove, EU
Zivilcourage Miesbach, Germany

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