

**Question for written answer E-004454/2018**  
**to the Commission**  
Rule 130  
**Adam Szejnfeld (PPE)**

**Subject:** Implications for Europe's beer industry of patents granted by the European Patent Office

The brewing of beer is a tradition that dates back thousands of years, and although beer is produced in nearly every corner of the world, European countries in particular have played a major role in developing beer brewing techniques and technologies. In the EU as a whole there are around 8 500 breweries, and it is estimated that there are around 2.3 million jobs connected with the beer industry.

With that in mind, brewers unsurprisingly became extremely concerned when, in 2016, the European Patent Office (EPO) granted two companies exclusive, comprehensive patents covering barley seed, its use in brewing beer and the beer produced therefrom. The patents concerned are numbers EP2384110, EP2373154 and EP2575433. Under the current rules, patents may not be granted to cover plants or animals unless they have been genetically modified. Opponents of the EPO's decision have appealed against it on the grounds that the patents in question solely concern products used in purely biological processes: no biotechnology inventions are involved.

Given the controversy that has greeted the EPO's decision, and the potential impact it may have on Europe's beer industry and on consumers in the EU, could the Commission take a position on this issue, and furthermore state what action it intends to take to clarify the rules on the granting of patents on plants and animals?