

A WEAK AND AWKWARD PATENT - THE TURMERIC PATENT

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Turmeric is one of the ancient and sacred spices of India. Among the members of the plant kingdom, perhaps there are no much plant species like turmeric so much identified with human civilization, religion, customs and belief. Turmeric has been used as a

medicine, spice and dye from time immemorial in addition to its use in religious ceremonies. Though the antiquity of turmeric dates back to the Assyrians of 600 BC, it was Hinduism that influenced the transnational spread of turmeric. It is believed that from Indo-Malayan centre of origin,

the crop gradually spread out to distant Asian countries under the influence of Hindu religion during the post Aryan era.

Though all these facts are well known it is the mayhem of the recent US patent on the wound healing (antibiotic) property of turmeric which demands to drive home these points once again

and to ascertain our *locus standi*. However, as is already pointed out, the patent is not clear or silent on "the criteria of novelty and non-obviousness - the two prime conditions for granting patents" as well as "geographical indication" a clause in the TRIPS chapter and Biodiversity Con-



Turmeric field

vention of 1992 ("informed consent" and "material transfer").

As regards turmeric genetic resources and crop improvement are concerned, the Indian Institute of Spices Research (ICAR), Calicut in Kerala is the apex organization. Collection, conservation, cataloguing and evaluation of turmeric germplasm have

been one of the mandates of the Institute ever since its inception. As a result, today the Institute owns, perhaps, the world's largest genebank of *Curcuma*. This includes almost all of the land races in turmeric, improved varieties, breeding lines, related species and taxa as well, amounting to a total of 697 accessions.

The Institute has developed/released so far five high yielding and/or high curcumin varieties of turmeric including the two latest varieties developed through open pollinated progeny selection for the first time. A

few other open pollinated progeny lines and high curcumin selections are also at the evaluation stage.

Thus by virtue of both its origin and domestication turmeric is our wealth. India has a legitimate right on this genetic resource and claim on its patent.



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ries with their electronic testing and scanning equipment seeking out pollutants and impurities; and the evident dedication and enthusiasm of the scientists of the Spices Board and the Indian Institute of Spices Research. They explained to me how they combat plant diseases and pests, improve soil and crop yields and find natural alternatives to pes-



Spice Girls: Plantation workers at Spices Board's research station at Myladumpara

ticides. They spread the benefits of organic farming. As they made clear to me, a crucial part of their work is the education of growers, pointing out the cash benefits of producing healthier crops in cleaner surroundings.

Out on the road, I had an excellent guide, in the genial form of Mr. P S S Thampi of the Spices Board, who was never stumped for an answer to my numerous questions about spices, agricultural practices, temples, folk customs, ayurvedic medicines, history and traditions, I saw, first hand, how spices fit into the patterns of local agriculture, and into local micro-climates.

From the Spices Board guest house at Myladumpara we took

a memorable early morning walk through a cardamom plantation in the hills, the sunlight shafting through the tall forest canopy hills. I strolled through a vanilla plantation and I can still recall the lovely smell on the soft breeze of vanilla drying in the sun. It's a patch of paradise up here at 4,000 feet, and after talking to Spices Board Officers in the laboratories here I could understand why so many do not want to leave.

I revelled in the noisy spectacle of a cardamom auction, about 80 traders shouting out their bids, and then enjoyed the peace of a boat trip on the Periyar lake. My luck was in. In the rosy light of the setting sun we saw large herd of elephants

on an island. It was an unforgettable experience.

On the road to Madurai we passed thousands of pilgrims streaming westward. We stopped to drink from coconuts and at the Gandhigram Rural Institute had a delicious lunch with a most refreshing drink - water boiled with cumin seeds. Of course, I was thrilled by the spectacle of Madurai's temples.

We flew to Calicut and at the Institute of Spices

Research I saw just how seriously the scientists are working to keep India at the front of advancing plant science and technology. I was also lucky enough to spend a couple of hours with a history professor who enthralled me with an account of Kerala's history and people. Finally, Madras, and a tour of the family business of Lalah's, famous for its curry powder, among other products. Again, I was impressed by the emphasis on cleanliness and the determination to meet and exceed the highest standards.

As I left, I made a resolution: to return to this magnificent and beguiling part of India as soon as possible.

