

EU confirms protection for the Tango mandarin against the Nadorcott

The Tango mandarin (Tang Gold in Spain) has the protection from the Community, Spain, South Africa, the US, and it is recognized by nine other citrus producers. On May 31, the Board of Appeal of the Community Plant Variety Office announced its decision of upholding the arguments that the University of California Riverside (UCR) and Eurosemillas presented in the long judicial and administrative battle they have with the Club of Protected Plant Varieties (CVVP), the manager of the Nadorcott mandarin in Spain, and with Nadorcott Protection SARL (NCP), which owns the Nadorcott mandarin, which originated in Morocco.



According to the Community's resolution, the Tango variety is different to all other varieties and is eligible to be registered and protected throughout the European Union (EU) as it is also homogeneous and stable. Moreover, the Community body review of the report issued by the Valencian Institute of Agricultural Research (IVIA) confirms that this citrus fruit has two distinctive features that give it a high agronomic and commercial value: it is a late seedless mandarin whose pollen is sterile and can't pollinate neighboring plants, even under cross-pollination (as it doesn't have 'pinyol', or generate 'pinyolà'), features that the Nadorcott variety doesn't have.

The decision, against which there is no more administrative appeal, is consistent with the decisions taken earlier by the authorities in the field from the US, Spain and, more recently, South Africa. In the latter case, the recognition of registration of the Tango variety confirmed in April was particularly important because it happened after the mandarin was subjected to a DUS analysis, which is the method that the International Union for the Protection of New Varieties (UPOV) requests to protect a variety. The tests conducted by South African scientists for four years (2012-2016) also confirmed the varietal description presented by the IVIA and the University of California Riverside, which first obtained and patented the mandarin in the US. Thus, the Community Office's decision ratifies that report about the Tango (Tang Gold) for the second time.

So far, none of the more than 20 proceedings that the CVVP or the owners of the Nadorcott have opened in Spain, the EU, South Africa, or Australia have succeeded.

Moreover, according to Eurosemillas and their legal advisors, the confirmation and recognition of these clear and significant differences in these two key high agronomic and economic value features, by the US Patent Office, the competent EU and South Africa offices -via independent trials- are determining and the Tango (Tang Gold) can not be considered a variety that was essentially derived from the Nadorcott variety.

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