



WHEREAS:

- DuPont has a Human Rights Policy posted on the company website;
- DuPont is one of the largest seed companies in the world;
- DuPont's patents on seed, if enforced, could restrict traditional seed sharing.

The International Treaty on Plant Genetic Resources for Food and Agriculture ("the Law of the Seed") governs the exchange of crop seeds for research and plant breeding; The Treaty includes provisions for Farmers' Rights and is mandated to guarantee an equitable flow of financial benefits to developing countries. Without funding for core administrative services of the Treaty, farmers and developing countries can have no confidence that there is equity in the system; The 115 member governments have failed to commit funding to support in situ ("on-farm") seed conservation in the global South.

Farmers undertake the overwhelming majority of the world's seed conservation and plant breeding. The Union for the Protection of New Plant Varieties (the Geneva-based intergovernmental body that oversees intellectual property related to plant varieties) reported that breeders had only "protected" 70,000 varieties in recent decades. (11/1/07) According to ETC Group, farmers breed and adapt more than one million varieties every year.

Special Rapporteur on the right to food, Olivier De Schutter reported to the United General Assembly, Seed Policies and the Right to Food: enhancing agrobiodiversity and encouraging innovation, (07/23/09). The report states:

- That the system of granting "monopoly privileges to plant breeders and patent-holders through the tools of intellectual property...may jeopardize "farmers' seed systems...., although most farmers in developing countries still rely on such systems, which, for them, are a source of economic independence and resilience in the face of threats such as pests, diseases or climate change."
- "Agrobiodiversity may be threatened by the uniformization encouraged by the spread of commercial varieties."
- "The right to food requires that we place the needs of the most marginalized groups, including in particular smallholders in developing countries, at the centre of our efforts."
- "States also should ensure that informal, noncommercial seed systems can develop."
- "At least 1.5 billion individuals depend on small-scale farming for their livelihoods."

DuPont, on its website, recognizes the biodiversity and agronomic benefits of seed sharing, yet its policy for enforcement of seed patents within agricultural communities is unclear.

DuPont has taken action against patent infringement of its products such as non-ozone depleting refrigerants.

THEREFORE BE IT RESOLVED:

Shareholders request the Board to review and amend the DuPont Human Rights Policy, to include respect for and adherence to seed saving rights of traditional agricultural communities and we request the Board to prepare a report to shareholders, prepared at reasonable expense and omitting proprietary information, on the above policy and its implementation within six months of the 2010 annual meeting.