

Geoff Tansey and Tasmin Rajotte (eds).  
***The Future Control of Food: A Guide to International Negotiations and Rules on Intellectual Property, Biodiversity and Food Security.***  
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Food law and policy has recently shot to the top of many agendas. Much political, economic, and legal decision-making around the globe is concerned with its reform. Food safety matters have received attention in the European Union since the outbreak in the 1990s of 'mad cow disease', or BSE, culminating in the creation of many new rules and regulations. The formation of the European Food Safety Authority is one of the consequences of this trend. The World Health Organization has been actively coordinating the international response to actual and potential incidents of avian influenza and the related threat of the development of a deadly human strain of the disease. Regulating the production and marketing of genetically modified organisms has been the subject of fierce debate in many countries. In addition to all of this, trade in food is

now central to several of the World Trade Organization (WTO) agreements, in particular the Agreement on Agriculture, the Agreement on Technical Barriers to Trade (TBT), the Agreement on Sanitary and Phytosanitary Measures (SPS), and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs). These increased attention levels have intensified further as food prices continue to soar, raising serious concerns about global food security.

This book, an edited collection of essays, focuses primarily on the issues surrounding the rules on intellectual property rights and biodiversity. It is divided into three parts. Part I is entitled 'A Changing Food System' and contains an introduction highlighting the importance of food and the flaws in the systems of its production and distribution which result in the under-nourishment of too many and, of course, the over-nourishment of others. The significance of the formation of the WTO is outlined, before the authors move to consideration of the impact of the related intellectual property rights on food security.

Part II contains six chapters, including contributions from academics, legal consultants, and representatives of international scientific organizations, and focuses in more detail on the key intellectual property matters in the food sector, such as the operation and functioning of the TRIPs Agreement and the World Intellectual Property Organization (WIPO), as well as the important biodiversity issues arising out of the Convention on Biological Diversity and its Cartagena Protocol on Biosafety, and the more recent International Treaty on Plant Genetic Resources for Food and Agriculture. In particular, there is an examination of the different positions which exist within the WTO on the patentability of foods and how these may be reconciled. If the development of new food products becomes restricted by intellectual property protection then a potential threat to food security may be created. The preceding discussions are then linked together in Chapter 7, which examines the relationship between the various

international negotiations in trade, environmental considerations, agriculture, and intellectual property. The book concludes with three chapters which further discuss the range of issues initially highlighted in the earlier sections. One of the points that this discussion brings out is that debates about the impact of global intellectual property rights which have tended to focus on access to medicines are increasingly likely to switch their attention to biodiversity and access to food. These rules, it is stated, were not really developed for biological systems but are now being used to control the distribution of food. This, in turn, can create difficulties for food security. It is perhaps a flaw of this part of the book that the conclusions are somewhat tentative and the policy options not fully canvassed.

Overall, this book provides a good discussion of the key international texts which impact upon aspects of the food sector. Unlike many similar collections, often those having their origins in conference papers, the chapters do relate coherently to each other, and the book is mercifully free of the many repetitions and contradictions that bedevil most such collections. The chapters link well, adding to the fluidity of the discussions developed therein. An extension of this discussion to some of the key sanitary and phytosanitary matters could perhaps also have been included to provide a more comprehensive analysis of the issues involved. This aside, this is a well-written and engaging collection of thoughts on an increasingly important area of international law.

### *Individual Contributions*

*Geoff Tansey*, Food, Farming and Global Rules;

*Graham Duffield*, Turning Plant Varieties into Intellectual Property: The UPOV Convention;

*Pedro Roffe*, Bringing Minimum Intellectual Property Standards into Agriculture: The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS);

*Maria Julia Oliva*, Promoting and Extending the Reach of Intellectual Property: The World Intellectual Property Organization (WIPO);  
*Susan Bragdon, Kathryn Garforth and John E. Haapala Jr.*, Safeguarding Biodiversity: The Convention on Biological Diversity (CBD);  
*Michael Halewood and Kent Nnadozie*, Giving Priority to the Commons: The International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA);  
*Tasmin Rajotte*, The Negotiations Web: Complex Connections;  
*Heike Baumüller and Geoff Tansey*, Responding to Change;  
*Peter Drahos and Geoff Tansey*, Postcards from International Negotiations; Geoff Tansey, Global Rules, Local Needs

*Caoimhin MacMaoláin*

*Trinity College Dublin*

*Email: macmaolc@tcd.ie*

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