

Citrogold and NCP settle tango action against South African Citrus Industry Body

In the matter between Nador Cott Protection (NCP) & Citrogold against Eurosemillas, Stargrow & other, Citrogold and NCP has settled its action against Citrus Research International (CRI).

Citrogold and NCP have agreed to settle their action against Citrus Research International (CRI) in the Tango Action.

This settlement was agreed to in order to protect the Citrus Foundation Block (CFB), an operating entity of CRI, from the legal costs and the financial risk of a potential damages claim and by extension, its ongoing ability to conduct research and provide services for the benefit of the citrus industry in Southern Africa.

In this regard, the CFB have agreed to add the following cautionary notice to all Tango plant material still in their possession:

"The CRI notes that the status of the Tango variety as a distinct or essentially derived variety and the question whether or not it infringes on registered plant breeder's rights are the subject of a legal dispute in case number 17606/2014 in the Western Cape High Court. This court case may result in an order that all Tango trees planted must be destroyed. The CRI will accept no liability for any damages of the growers of Tango variety and the recipient indemnifies CRI against any claims pertaining to plant breeders' rights infringement and the recipient plants the Tango plant material at their own risk."

With the legal matter in South Africa still not settled yet, and the appeals and court cases under way in Europe, Citrogold still advises growers to take a cautionary approach and to wait for an outcome of the legal proceedings that will determine if Tango is essentially derived from Nadorcott before making any costly long-term planting decisions.

To inform South African growers on matters related to the legal case before the Western Cape Division of the High Court in Cape Town, Citrogold has created a web page with content related to this matter. Citrogold will keep this page updated with developments on these matters in Spain and South Africa.

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