Required Report - public distribution

Date: 6/29/2012

GAIN Report Number: ES1204

El Salvador

Agricultural Biotechnology Annual

2012

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Report Highlights:
El Salvador abolished Article 30 of the Planting Seed Law that required imported seeds to have a phytosanitary certificate with an additional declaration stating that the seeds did not contain Genetically Modified Organisms (GMOs). El Salvador ratified the Cartagena Protocol in 2003. The Environment Law, effective since 1998 provides guidance on assessing the environmental impact of GMOs. Even though there is no legal impediment to use of GMOs and GMO corn field trials have been successfully completed, El Salvador's Ministry of Environment has not completed the necessary steps of the regulatory framework for their safe use and commercialization.

Section I. Executive Summary:
El Salvador is a net food importer. White corn, red kidney beans, and rice are the major staples. The United States is the main supplier of yellow corn for animal feed, rice, wheat, vegetable oil, tallow, soybean meal and cotton, among other products.

Currently there are no restrictions on imports of agricultural biotech products. The only law that regulated trade of biotech products was the Planting Seed Law that became effective in September 2001. Title IV of this law – Final and Transitory Dispositions, Chapter I, Article 30 stated that it was prohibited to import, conduct research on, produce or commercialize Genetically Modified Organism (GMO) seeds. Due to pressure from the private sector and to the rising food costs, the Government of El Salvador (GOES) decided to abolish Article 30 (Please see Section III. Plant Biotechnology Policy).

The other law that addresses biotechnology is the Environment Law, effective since May 1998. Article 21 paragraph "Ñ" of this law provides regulations for carrying out environmental impact studies to determine if GMOs are harmful to the environment and Article 68 provides guidance on procedures to create bio-safety norms. El Salvador also ratified the Cartagena Protocol and it has been in effect since December 25, 2003.

El Salvador's biotechnology regulatory system is still being developed. The Environment Ministry conducted a project financed by the Global Environment Fund (GEF) and the United Nations Environment Program from July 2002 to August 2004 to define the legal framework for a law that would provide guidance for proposals to regulate GMOs and also to define coordination among the Ministries of Agriculture, Environment, and Health regarding biotechnology. In May 2011, the Ministry of Environment launched the second phase of the GEF program with a $1.0 million funding level to work for four additional years on "Safety of Modern Biotechnology" (Refer to Section III. Plant Biotechnology Policy).

The previous administration was making a proposal for a Special Ruling for the Safe Use and Commercialization of GMOs that was to be presented to the National Assembly for approval and ratification. Once this step was accomplished, a Biosecurity Committee was to be created to assure compliance with the ruling (Please see Section III. Plant Biotechnology Policy). However, the future of GMO's is on hold until the new GOES administration decides on a new course of action.

The main applications for biotechnology have been in the cultivation of vegetable tissue and propagation of vegetable materials in vitro. The National Center for Agricultural and Forestry Technology (CENTA) of the Ministry of Agriculture (MAG) is the main GOES institution offering tools to develop improved crop varieties. CENTA has mainly focused on creating improved white corn, rice, and red kidney bean varieties to increase productivity.

The National Food Commission composed of the Ministries of Agriculture, Environment and Health has formulated a proposal for the "Special Ruling for Food Safety of Modern Biotechnology Derived Products" with the objective of complying with Article 11 of the Cartagena Protocol.

MAG has created an Institutional Biosafety Commission to formulate proposals for the registration of agricultural inputs derived from biotechnology, including the creation of proposals for special rulings.

The Ministry of Environment created on May 20th, 2009, the Scientific Committee for Biosecurity. The Committee will serve as an advisor and is composed of representatives from the Ministries of Agriculture, Environment, Health, from the Chamber of Agriculture (CAMAGRO), from the Agricultural Input Association (APA) and from the National University. However, this Committee has not met since being created because there is a lack of regulations outlining the function of the

Committee.

The private sector has been active in biotechnology, carrying out several activities geared to support the safe use of biotech products. (Please see Section III. Plant Biotechnology Policy)

Section II. Plant Biotechnology Trade and Production:

El Salvador does not produce any biotech crops and there are no crops under development that would be in the market in the coming year. El Salvador does not produce biotech crops developed outside the United States that have not passed through the U. S. regulatory system. El Salvador, however, does import biotech products mainly from the United States; these are yellow corn, white corn, soybean meal, cotton, and corn-soy blend (CSB).

El Salvador has been a food aid recipient for the past decade and continues to receive food assistance from the United States and Europe. Wheat, soybean meal, yellow corn and vegetable oil are the main commodities sent to El Salvador as food assistance.

Field-testing of biotechnology crops has been conducted to study the behavior of biotech crops in the local environment. Two companies presented on July 2008 the requests to import two varieties of genetically modified (GM) corn to evaluate their development in experimental conditions. The authorization was granted on December 2008 and the cultivation of the crop, with irrigation systems, was started that same month. A cost/benefit analysis has been carried out by the National Center for Agricultural Technology (CENTA) and by the Ministry of Environment to determine the viability of these crops. The results of the analysis were made public and provided positive findings. However, the new GOES administration, specifically the Ministry of Environment, is holding up the process mainly due to politically inclined opposition to the use of the technology.

Section III. Plant Biotechnology Policy:

The regulatory framework for agricultural biotechnology is in the development stage in El Salvador. Through the first phase of the GEF-funded project, the GOES has written a proposal for a regulatory framework that includes national policy for biotechnology, a national policy for bio-safety, an administrative and regulatory system for imports of GMOs, a decision making support system, and a mechanism for social participation and consultation. Public consultations have concluded and a "Special Ruling for the Safe Handling of GMOs," whose objective is to provide the environmental permit for any activity or project that implies genetic handling or production of GMOs was published in the Official Gazette on July 1, 2008.

The initiative is a complement to the creation in 2003 of the National Bio-safety Commission composed of members of the Ministries of Agriculture (MAG), Environment (MARN) and Public Health (MSPAS), the National Commission for Science and Technology (CONACYT), and private sector representatives. An additional effort has been the creation of El Salvador's Biotechnology Clearing House (BCH-El Salvador), available at the MARN's web site http://www.marn.gob.sv/.

In May 2011, a second phase of the GEF program was launched by the Ministry of Environment with a funding level of $1.0 million to be executed in 4 years. The objective of this program is to implement a regulatory framework and strengthen the capacity of the government agencies involved directly or indirectly with the implementation of the Cartagena Protocol. There is private sector participation in the

process mainly through the Agricultural Technology Innovation Foundation (FIAGRO) and the Agricultural Input Provider Association (APA).

Under the proposed regulatory framework, MARN would be the institution in charge of enforcing the safe handling of GMOs and coordinating with MAG and MSPAS on appropriate bio-safety applications. Currently there is no list of approved biotech crops for food, processing, feed or environment.

El Salvador requires labeling for packaged foods mainly for health and consumer information. Nutrition facts and ingredient lists are part of the label. Labeling for food products that contain GMOs is required under Article 128 of the Consumer Law; however, this rule is currently not being enforced. For additional information on labeling regulations please refer to www.fas.usda.gov under Attaché Reports and search for El Salvador's Food and Import Regulations and Standards (FAIRS) report.

El Salvador signed and ratified the Bio-safety Protocol, also known as the Cartagena Protocol, on April 23, 2003, which has been in force since December 25, 2003. There is no impact on trade at this time due to the Protocol rules.

Progress towards implementing biotechnology laws and regulations has been slowed by a lack of access by the legislative branch to scientific information about biotechnology. Until recently, political party agendas affected the ability of the government to obtain approval from the National Assembly for new government policies. However, an agreement among center right political parties gave way to the abolishment of Article 30 of the Planting Seed Law which was the only impediment to begin the use of biotech crops in El Salvador.

In addition, El Salvador still has many gaps in the National Administrative and Regulatory System to be able to respond to the current challenges presented by the movement across borders of modern biotech products, especially with respect to the permit requests, their movement through the proper channels and the authorizations to carry out activities with GMO's.

At this time, only the Ministry of Environment is partially complying with the obligations of the Cartagena Protocol and there is lack of coordination among competent institutions to respond to permit requests for the access of GMO's to the country.

The private sector has formed a "Biotechnology and Biosecurity Commission" that is coordinated by the Agricultural Research Foundation (FIAGRO) to promote the application of biotechnology and its safe use in the El Salvadoran agricultural sector.

FIAGRO has also created the "Biotechnology Network of El Salvador" that is composed of businessmen, academia, technical experts, independent consultants, and government institutions. The objective of this network is to drive agricultural biotechnology through the formulation of biotech oriented projects that assist in resolving specific problems and also provide value added and innovation opportunities.

The network has formulated the following projects with a biotech profile:

- Molecular characterization of Bourbon Coffee.
- Micro dissemination in vitro of cedar and mahogany trees through the germination of plantlet.
- Genetic study of "Loroco" (Fernaldia sp) through morphologic, biochemical and molecular markers.
- Cultivation and transformation of soy biomass for energy production.

In addition, FIAGRO is working on a Risk Analysis Guide for the release of genetically modified cotton and white corn seeds.

Section IV. Plant Biotechnology Marketing Issues:
There are no obstacles to marketing biotech products in El Salvador at this time. Being a densely populated developing nation, El Salvador must rely on imported food to satisfy local demand. The United States is the main trading partner for El Salvador and U.S. products are regarded as being of higher quality than others available in the market and also safe to consume.

Until recent increases in food prices due to climate change, biotechnology was not a main priority of the government and consuming public, and food safety issues that could affect product marketing were more related to food borne diseases.

Section V. Plant Biotechnology Capacity Building and Outreach:
On July 8th, 2009, USDA funded a biotechnology outreach activity carried out in El Salvador with the cooperation of the National University of El Salvador and the Salvadoran Foundation for Social and Economic Development (FUSADES). Two experts on biotechnology and on Cartagena Protocol regulations were invited to give presentations for academia, NGO's, farmer groups and government institutions.

USDA conducted an outreach activity that was held on June 28-30, 2010, in Honduras to address biotechnology and food security. A delegation of 12 Salvadoran government officials was invited and used Food for Progress funds to attend the activity which included conference presentations and field visits. Also, in cooperation with Zamorano University, USDA, with IICA and Zamorano University, carried out an International Conference on Agriculture and Environment on May 9-12, 2012 in Honduras. El Salvador's Minister of Agriculture participated in this activity.

El Salvador would benefit from future training to raise the knowledge and capacity to apply transparent science-based regulations to agricultural biotechnology. The Ministries of Agriculture, Environment, and Health could benefit from this training, as well as the standards and regulatory setting agency CONACYT and FIAGRO. Topics such as traceability and coexistence could be included in this training. Along the same lines, training for academia and assistance to include biotechnology as part of agricultural and other educational areas would be beneficial. Providing training, as well as funding, for the National Center for Agricultural Technology (CENTA) to develop local biotechnology and support the dissemination of imported biotechnology would be beneficial as well.

Section VI. Animal Biotechnology:
There is no legislation or regulations in place at this time related to the development, commercial use, import and/or disposal of genetically-engineered animals or products derived from these animals. The

relevant government entities that might have a role in the regulation of the genetic engineering of animals would be the Ministry of Agriculture, the Ministry of Environment, and the standard setting body National Center for Science and Technology (CENTA). There are no active organizations that lobby for or against the genetic engineering of agriculturally-relevant animals; however, there is a group of NGO's that generally oppose any type of genetic engineering or biotechnology. El Salvador does not actively participate in discussions related to the genetic engineering of agriculturally-relevant animals in international organizations mainly due to the lack of funds for this type of activities.