



APPISemillas

Asociación Peruana de Productores e Importadores de Semillas



CURRENT STATUS OF GMO APPROVALS IN THE REGION

GMO's MORATORY LAW AND IMPORT SEED IN PERU



AGRICULTURAL DEVELOPMENT AND QUALITY SEEDS

Agricultural Development:

- ❖ Location, climate and technology make it a food exporter
- ❖ Value of exports exceeds USD 7 billion (85% comes from no traditional).
- ❖ Top five: Coffee, grapes, asparagus, fresh avocado and quinoa. Others, Cocoa, Vegetables, Citrus, Mangos, Berries,

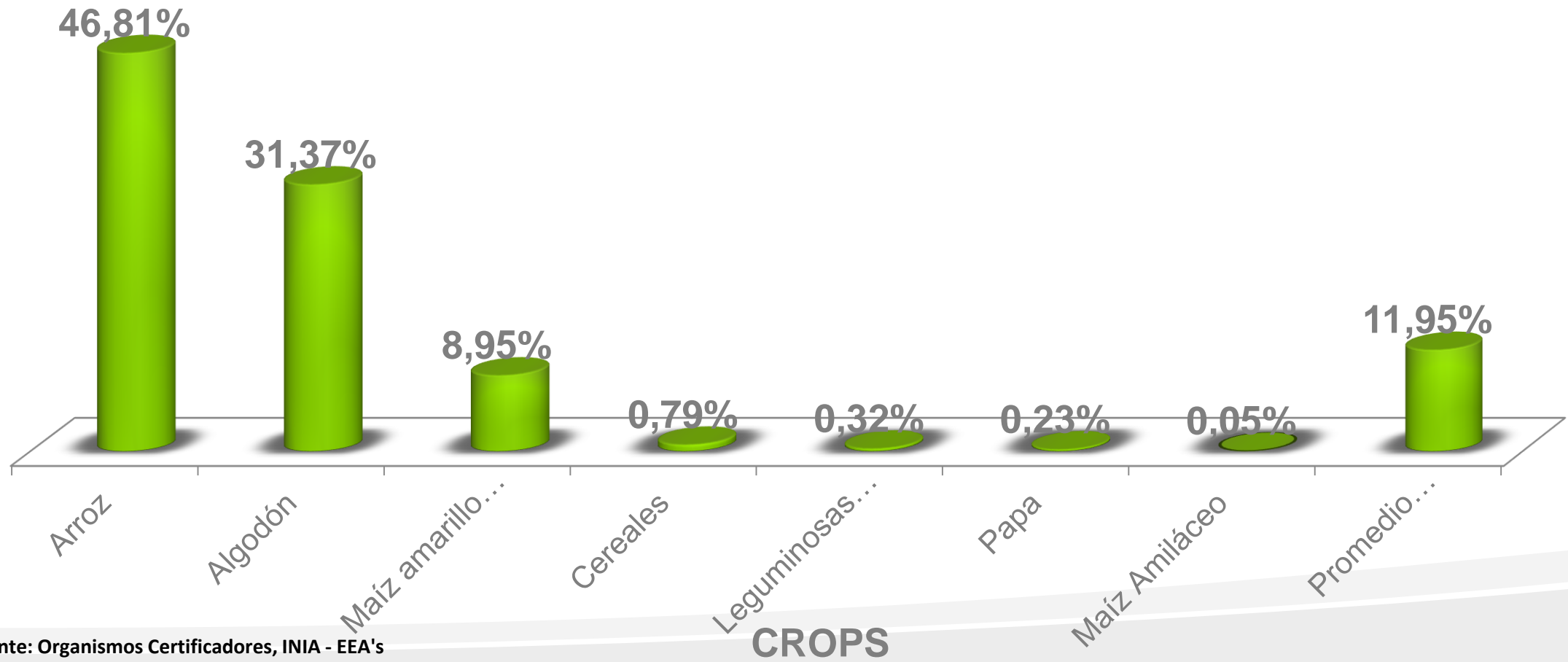
Development in R & D seeds and use of certified seed:

- ❖ R & D in new cultivars is very limited and carried out mainly by the institution of the state, INIA.
- ❖ *The import of quality seed plays a very important role in crops as yellow corn, vegetables, alfalfa and fodder of temperate and tropical climate.*
- ❖ **Since 2011, it is prohibited by law to import GMO's seeds for sowing and breeding for 10 years.**





RATE OF CERTIFIED SEED, 2015-2016



Fuente: Organismos Certificadores, INIA - EEA's
Elaboración: Programa Especial de la Autoridad en Semillas-DEA

ABOUT US

APPISemillas, Peruvian Association of Seed Producers and Importers is a guild that associates seed producers and importers in Peru.

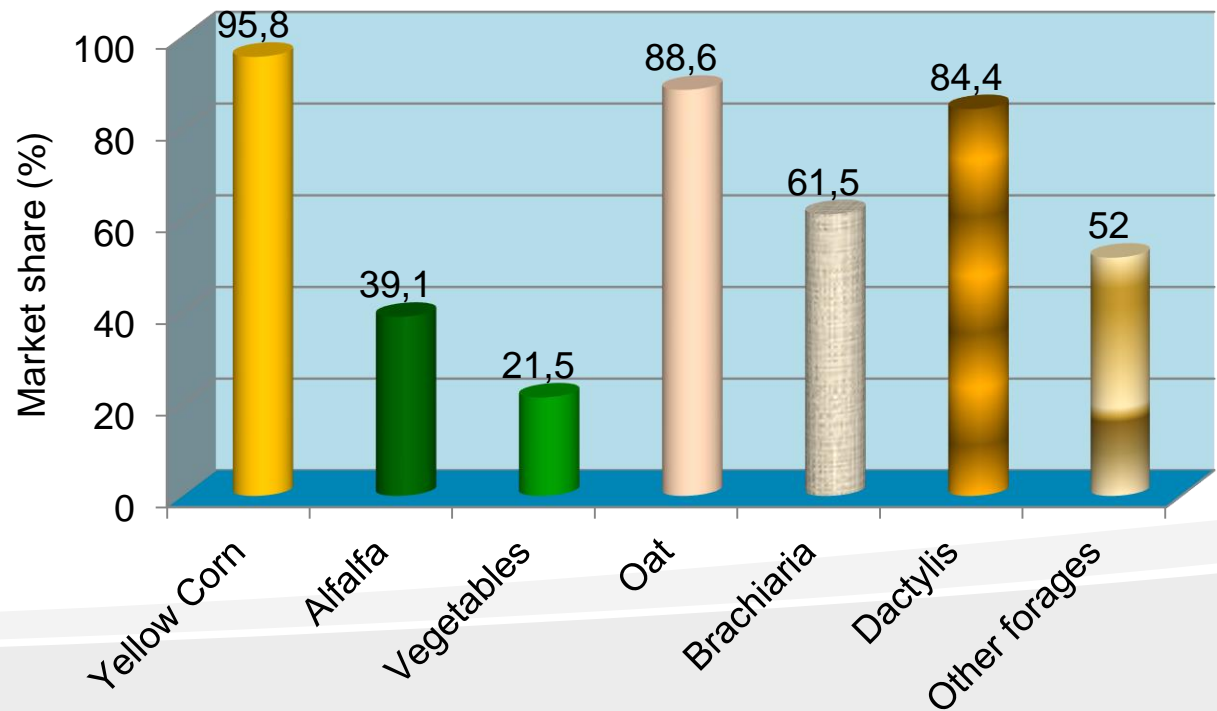
- An entity committed to the development of agriculture through seed, providing an added value to the producer
- Generate a scope of discussion between private activity and public sectors, to achieve the harmonization of legislation that allow the adoption of new technologies and the broadest seed trade.
- Member of the American Seed Association, SAA; and member of the International Seed Federation, ISF, at Geneva-Switzerland, to strengthen the relationship and discussion.

"TO BE THE REFERENT ENTITY, WITH A UNIFIED VOICE, REPRESENT ALL THE COMMON INTERESTS OF THE SEED INDUSTRY IN PERU"

APPISemillas integrated by companies of important trajectory in our country:

- AGP S.A.C.,
- Agripac Boliviana S.R.L.
- AgroKlinge S.A.
- Inka Agri Resources S.A.C. (Inkafert S.A.C.)
- Silvestre Perú S.A.C.
- Dow Peru S.A.,
- DuPont Peru S.A.C., (temporary withdrawal)
- Farmex S.A.,
- Interoc S.A.,
- Inversiones y Gestiones S.A. (Monsanto Co.)
- Hortus S.A.,
- Syngenta Crop Protection S.A.

APPISemillas, represents the majority of the Peruvian market of the seed industry:



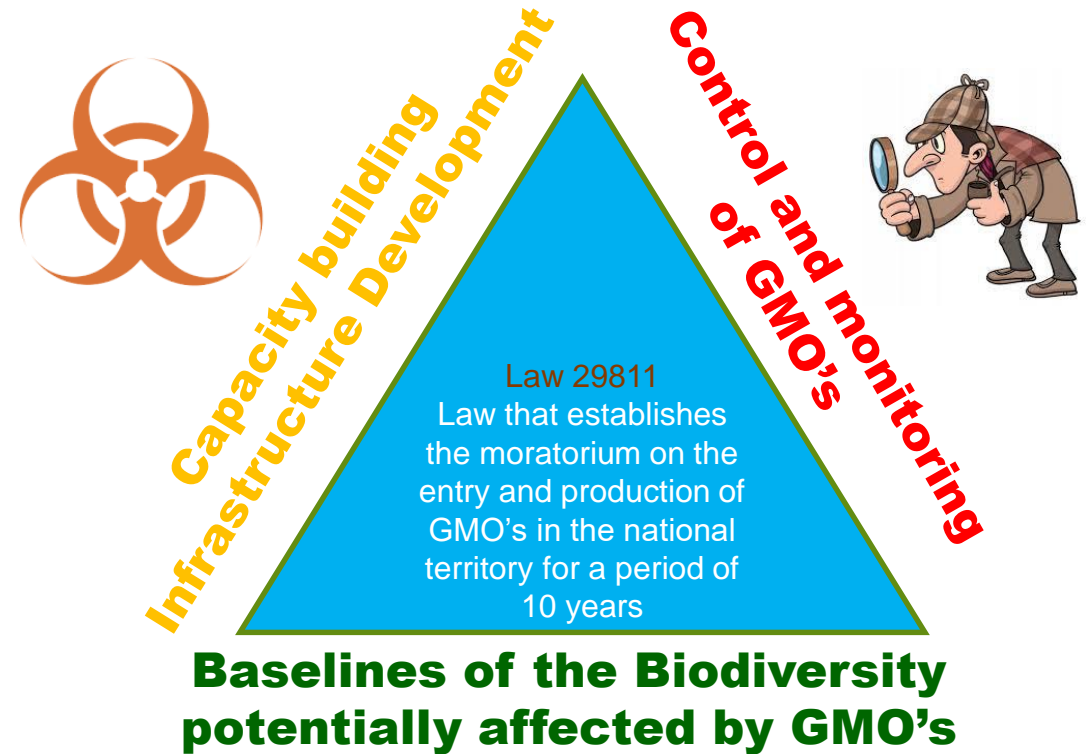
SCOPE OF THE MORATORIUM LAW

What is Moratorium Law to GMO's?

Only to GMO's to be released to the environment like crops or breeding, it excludes GMO's for investigation, human and animal feeding, and medicinal uses.

Purpose: **to strengthen capacities, develop infrastructure and generate the baselines** of the main crops potentially affected by the release of GMO's into the environment

By **2021** the country will be ready to make **responsible decisions and manage the risks of GMO's, ensuring minimal impacts to the biodiversity**



DIFFUSION, AWARENESS AND PUBLIC PARTICIPATION

LEGISLATION APPLICABLE TO GMO'S

Supranational Standards:

29.01.2000: Cartagena Protocol on Biosafety to the Convention on Biological Diversity (13/02/2004 adopted by Peru)

07/06/1993: Convention on Biological Diversity (13/07/2004 EIF Peru)

Main National Standards:

08/12/2011: Law 29811, Law that establishes the Moratorium on the Entry and Production of GMOs to the National Territory for a period of 10 years

14/11/2012: D.S. 008-2012-MINAM Regulation of the Law that establishes the Moratorium on the entry and production of GMOs

11/25/2014: D.S. 010-2014-MINAM Modification of the Regulation of the Law that establishes the Moratoria to the entrance and production of GMOs

THE PROBLEM

- Law No. 29811, which establishes the moratorium on the entry and production of living modified organisms into national territory for a period of 10 years and its regulations,
- **DOES NOT** consider thresholds for the unintentional adventitious presence of GMOs in conventional seed imports (Article 34). "Tolerance 0"
- Disproportionate offenses and penalties (Articles 44 and 45): 11 million US dollars and reduced to a million US dollars.



CROPS TO BE AFFECTED

Without recognizing the existence of a technical tolerance limit of GMOs, the import of conventional seeds to Peru would be stopped, affecting, among others, the national production of:

Yellow Corn

Alfalfa

Cotton

Vegetables

Rice

PROPOSAL OF APPISEMILLAS

- 1) That a technical limit of tolerance of GMO seeds is contemplated in the entrance of conventional seeds. "OVM: Any living organism that possesses a new combination of genetic material that has been obtained through the application of modern biotechnology". **The inadvertent adventitious presence of GMO's in quantities below the technical tolerance limit pre-established in a batch does NOT classify it as GMO.**
- 2) Validation of the presentation of a certificate of analysis issued by an accredited laboratory in the country of origin.
- 3) That re-export of conventional seed shipments with unintentional adventitious presence of GMOs is allowed.
- 4) That the disproportionality of infractions and sanctions (Articles 44 and 45) be checked for the occasional unintended presence in conventional seeds.

ECONOMIC AND SOCIAL CONSEQUENCES

1. Imported seed shortage (Yellow corn & alfalfa seeds).
2. Reduction of production and profitability by use of cultivars and "GRAINS" instead of hybrids.
3. Increased imports of grains, such as maize and cotton fibers, thus, outflow of foreign exchange.
4. Not considering tolerances to the adventitious presence of GMOs, would affect economically more than 90,000 rural families, only in Yellow corn and alfalfa.
5. The substitution of hybrids by varieties would negatively impact crop yield and family income.

MORATORIA GMO, LAW 29811

Achievements APPISemillas:

- 1) Modification of the General Regulations: DS-010-2014-MINAM, Articles 3, 33, 34 and 35.
- 2) Re-export in cases of unintentional presence of GMOs.
- 3) Drastic reduction of scale of sanctions, RCD 042-2014-OEFA / CD.

Current situation:

- 1) Approval Guidelines: a) Selection submissions submitted to sampling, b) qualitative detection of GMOs) sampling of seeds and d) sampling of crops outside confined spaces.
- 2) Approval of restricted goods list.
- 3) Approval of classification of infractions and scale of penalties.

Managements with the New Government:

- 1) Draft Supreme Decree incorporating tolerance thresholds for the unintentional low level presence of Modified Living Organisms – GMOs in the Regulation of Law No. 29811, presented by the National Institute of Agrarian Innovation (INIA) to the Ministry of the Environment
- 2) MINAGRI, suggests to MINAM the possibility of accepting the certificate from an accredited laboratory in the country of origin that indicates the non-GMOs status of the lot (D. S. No. 008-2012-MINAM):



GMO CONTROL

D.S. No. 11-2016-MINAM

R.M. No. 195-2016-MINAM

Corn

Alfalfa

Cotton

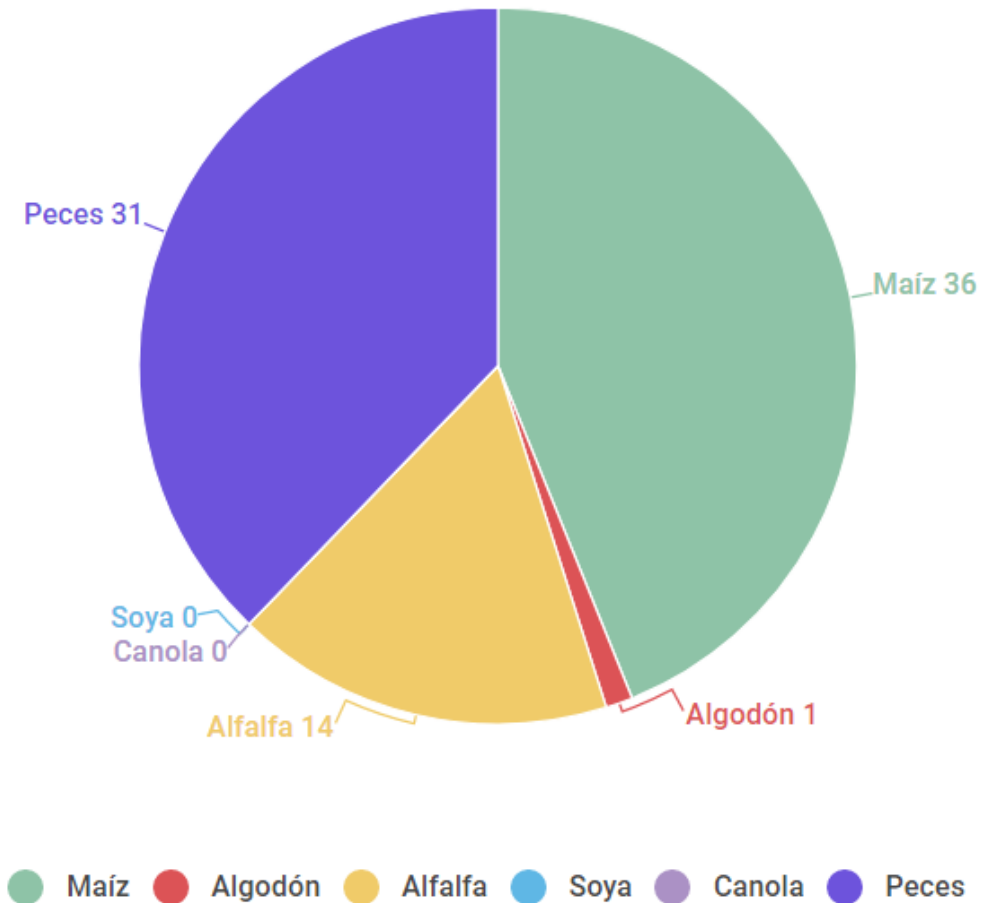
Soybean

Rapeseed

Ornamental freshwater fish

Statistics for 08-08-2016 to 02-08-2017

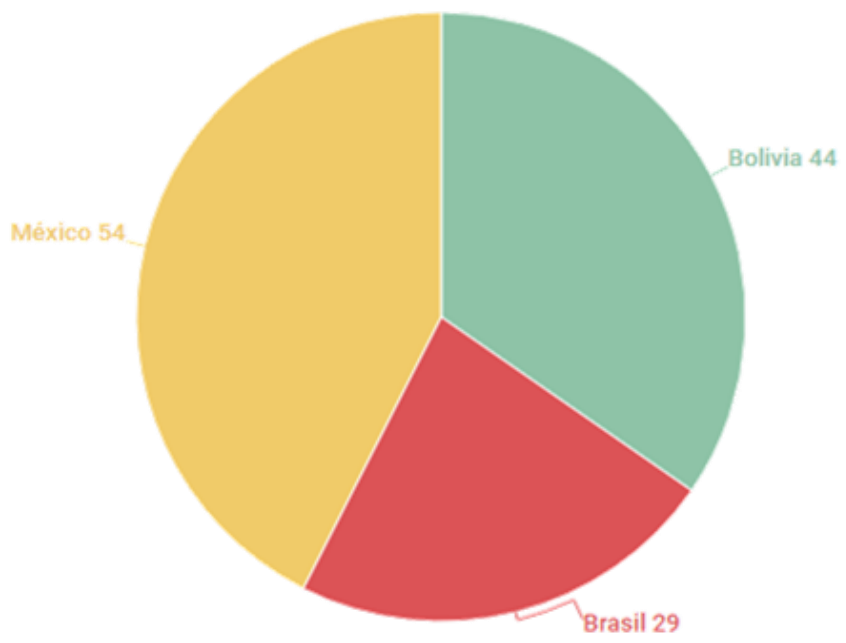
Control Actions: 82





GMO CONTROL

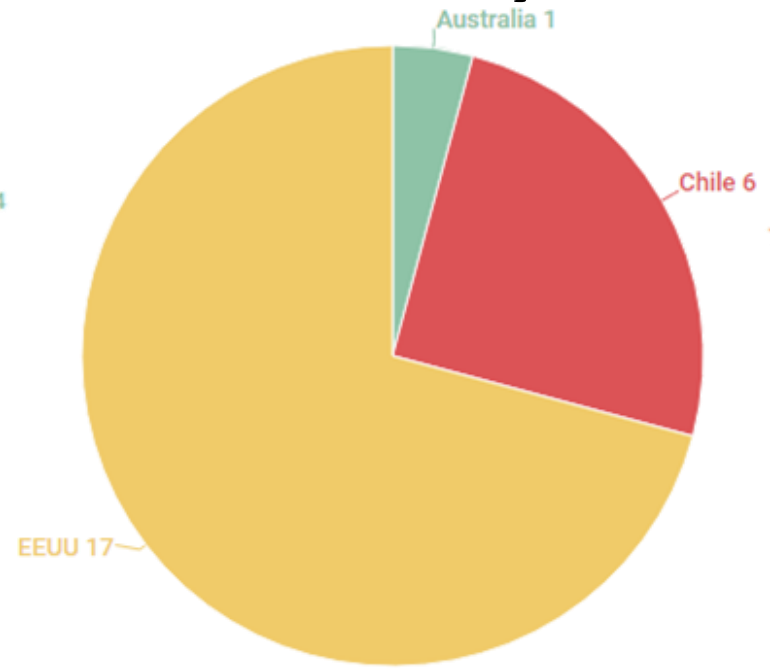
**Yellow corn
(Port only)**



● Bolivia ● Brasil ● México

Total 127
lts.

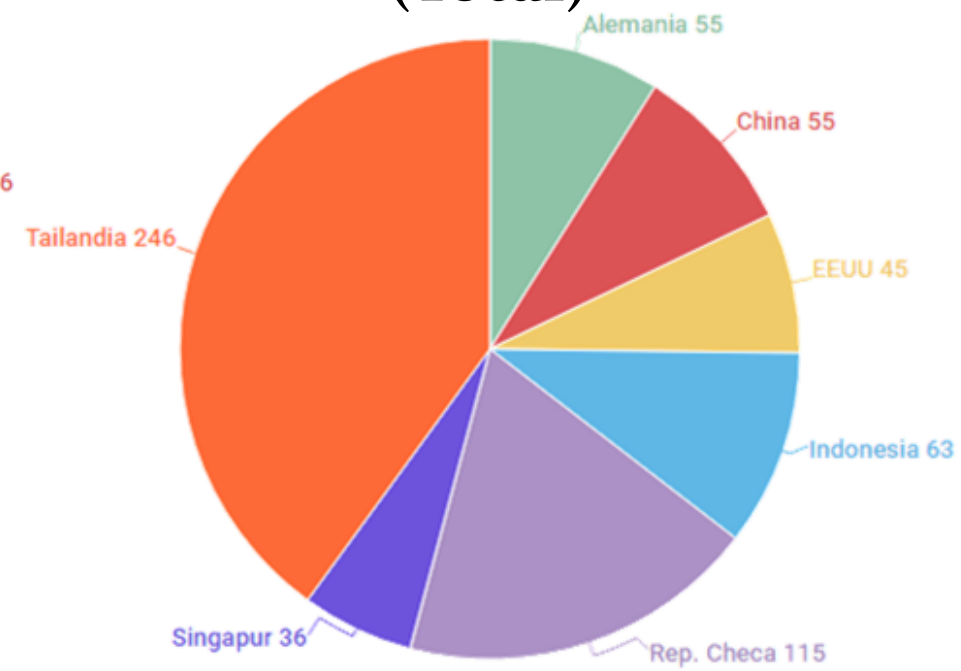
**Alfalfa
(Port only)**



● Australia ● Chile ● EEUU

Total 24
Lts.

**Ornamental fish
(Total)**



● Alemania ● China ● EEUU ● Indonesia ● Rep. Checa

● Singapur ● Tailandia

Total 615 Lts

TYPES OF INFRACTIONS AND SCALE OF PENALTIES

LOGGING IN THE NATIONAL TERRITORY		
Infraction	Qualification	UIT Sanction
Luggage Postal Mail	MILD	10
Load Commitment	SERIOUS	50
Any document adulteration	VERY SERIOUS	3-300

PRODUCTION, MARKETING AND / OR RELEASE TO THE ENVIRONMENT		
Infraction	Qualification	UIT Sanction
Produce Out Of Confined	SERIOUS	4-400 Potential
	VERY SERIOUS	8-800 Real
Produce Release Intentional	SERIOUS	5-500 Potential
	VERY SERIOUS	10-1000 Real
GMO's For Crop	SERIOUS	5-500 Potentential
	VERY SERIOUS	10-1000 Real
Market GMO	SERIOUS	4-400 Potential
	VERY SERIOUS	9-1000 Real

REFLECTIONS

We share the legitimate concern of the State in guaranteeing and conserving our biological diversity, our genetic heritage; and preserve food security, to enable the proper implementation of the Law.

"We need more science within the political and less political in the world of science"

Richard J. Roberts. Novel of medicine 1993 "Congress of Biotechnology, Habana 2014"