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Paraguay

Biotechnology

Status of Biotechnology Regulations

2004

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Report Highlights:

Paraguay is a soybean producer and exporter. Given Paraguay's sharing a common border with Brazil, and the fact that Paraguayan soybeans transit Brazil before they are exported, Paraguay's policy with regard to genetically modified organisms (GMO) is highly influenced by Brazilian policy. At this stage, Paraguay does not have any variety of genetically modified (GM) crop approved for commercialization, and a strict prohibition is in place against the planting of any transgenic material. At present, the Paraguayan Congress is evaluating a Biosecurity Law Proposal.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Buenos Aires [AR1]
[PA]

Current Situation of Regulatory Framework

At present, relevant laws or regulations in force by the Paraguayan Government (GOP) only regulate approval for experimentation with GMOs; commercialization and/or imports are forbidden. It is expected that this situation will change shortly, once new biosafety legislation is approved and implemented.

Relevant current laws and/or regulations are related to compliance with international laws, such as Article 19 of the Cartagena protocol, and national laws and regulations that protect the environment, biodiversity, and human health.

In 1997, under Decree 18481 the Biosecurity Commission was created with the objective of analyzing and advising in reference to the introduction, field trials, and environmental release of transgenic plants. This commission includes representatives from the Ministry of Health, the Ministry of Agriculture and Livestock and the Ministry of Environment, as well as representatives of scientific institutions and the private sector. Functions of this commission include:

- Receipt and evaluation of requests for the use of GMOs
- Risk analysis. (a private company selected via competitive bidding will carry out this analysis).
- Execution of various control and inspection functions.
- Exchange information with national and/or international public and private institutions in reference to risk analysis and approval for commercialization of GMOs.
- Provision of technical advice in reference to policy implementation and national strategy related to biosecurity.

The current regulatory framework applied to GMOs and to biosecurity is incomplete, unclear, and without a legal framework. The GOP in recognition of its need to regulate GMOs has proposed a biosecurity law based on discussions within the Biosecurity Commission, regulations in place in MERCOSUR countries and the results of three public hearings. Since April 2003, the Paraguayan Congress has been evaluating the proposed biosafety law.

Provisions under the Proposed Biosafety Law

The objective of the new law is to promote the safe use of modern biotechnology, creating an adequate level of protection related to the use of GMOs and GMO by-products, preventing adverse effects on agricultural production, conservation and sustained utilization of biodiversity, as well as stimulating the productive and technological development of the country. This law establishes general principles that regulate:

- The research, development, manipulation, transport, transit, storage, production, commercialization, importation, exportation and utilization of GMOs;
- GMO release into the environment and
- The elimination and final disposition of GMOs when necessary.

No provision for a traceability system has been made under the proposed law, nor does it contemplate any tests for GMO content on shipments arriving in Paraguay.

All GMO registrations would be public, and would provide information in reference to entities authorized to use GMOs within Paraguay, and would include a list of GMO varieties (approved).

GMO products would bear a label that contains specific information required by the Ministry of Industry and Commerce.

Please note that officials of the Ministry of Agriculture, when questioned about labeling requirements, responded that Paraguay would establish information requirements for labeling according to CODEX resolutions. However, this is not stated in the proposed law, where provisions for labeling are vague and unclear.