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Costa Rica

Biotechnology

Annual Report

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Report Highlights:

Seeds derived from modern biotechnology have been planted for export for several years in Costa Rica. However, recent high profile activism against biotechnology has created uncertainty among those involved in production and research of biotechnology products. Costa Rica signed but has not ratified the Cartagena Protocol.

Includes PSD Changes: No
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SECTION I. EXECUTIVE SUMMARY

Transgenic varieties have been grown in Costa Rica since 1992. Costa Rica has implemented legislation to regulate the import and cultivation of biotech crops. This legislation includes a labeling requirement for genetically modified organisms in agriculture, but there is currently no requirement that foods containing the products of biotechnology be labeled.

Beginning in 2004, environmental groups strengthened their campaign against the planting of transgenic varieties in Costa Rica. On September 23, a coalition of these groups submitted to the government a petition to impose a moratorium on the planting of transgenic varieties in Costa Rica, citing the precautionary principle with respect to both the environmental impact and the human health impact of biotechnology. On October 4, 2004, a Presidential decree was published modifying the composition of the Commission on Biosecurity, which reviews all requests for approval of new biotech varieties. The Commission now has two members from an extreme environmentalist coalition and an additional member from the Environment Ministry. Different parties involved with biotechnology have expressed concern that the decree has politicized the Commission, which was once a purely technical body.

Despite the fuss over environmental impact of transgenics last year, area planted to transgenics is growing, while recent anti-biotechnology media events have received only moderate press in Costa Rica.

Costa Rica signed the Cartagena Protocol on Biosafety in May 2000, but has not ratified it. The legislation's prospects under the current legislature, which ends in May 2006, aren't clear.

SECTION II. BIOTECHNOLOGY TRADE AND PRODUCTION

Costa Rica reproduces genetically modified cotton and soybean seed entirely for export to the country of origin. The seeds do not stay in the country for local consumption. Currently, about 1,442 hectares of soybeans and cotton are planted for the purpose of multiplication of planting seeds for export to the United States.

The events planted are Roundup Ready, Roundup Ready Flex, Bollgard, Bollgard II, WideStrike, Cry 1F, Bomoxinil, Liberty Link, Vip 3A and some combinations of the previous ones, for cotton. For soybeans, only Roundup Ready is planted. The GOCR has not received any requests to date for approval to plant transgenic varieties for human or animal food consumption in Costa Rica.

Costa Rican researchers are working on the development of genetically modified rice (resistance to virus and herbicides), and bananas (resistance to black Sigatoka). The development of these products is at the field trial stage. Although, according to sources familiar with the research, the most advanced project is in bananas, it is not expected to come to market during the next year.

Costa Rica imports genetically modified corn and soybeans from the United States for animal feed production, and a small volume of cotton for processing. The country is not a recipient of food aid and is not likely to become a food aid recipient in the near future. Imports of genetically modified organisms are limited to those indicated above from the United States.

SECTION III. BIOTECHNOLOGY POLICY

In 1990, Costa Rica created the National Technical Biosafety Commission (NTBC), which is attached to the Ministry of Agriculture by law (Animal and Plant Health Protection Law 7664 of April 1997). The law confers upon the NTBC power to regulate imports, exports, research, testing, movement, propagation, industrial production, marketing and use of transgenic and other genetically modified organisms for agricultural use.

The Commission had operated as a strictly technical body for years, however on October 4, 2004, under pressure from groups opposed to biotechnology, the President modified its composition resulting in the following membership (new additions in italics): one representative of the Science and Technology Ministry, two representatives from the Ministry of Agriculture, two representatives from the Ministry of the Environment, one representative from the National Seeds Office, two representatives from the National Academy of Sciences, *one representative from the Federation for Environmental Conservation, and one representative from the Biodiversity Conservation Network.*

At this time there is no specific legislation requiring approval of products of biotechnology for food consumption, feed or processing. Imports of U.S. grains and soybeans for animal feed production enter Costa Rica under procedures identical to the importation of any other agricultural product.

The country allows field tests of biotechnology crops, following appropriate risk analysis for each particular case.

Cases that present stacked events need to undergo the same risk evaluation process as the individual events.

Regarding the coexistence of biotechnology and non-biotechnology crops (including organic agriculture), Executive Decree 29782 – MAG of September 18, 2000 (Organic Production Regulation), indicates in Chapter III, Article 24: “Genetically Modified Organisms or those obtained through genetic engineering and the products derived from such organisms, are not compatible with the principles of organic production (understood as production, processing, manufacture or marketing), and their use in organic agriculture is not allowed”.

There is no law regarding the use of labels such as “biotech free”, “non-biotech”, “gmo-free” or “non-gmo” right now. Anti-biotech groups are pushing for mandatory labeling of food products derived from modern biotechnology. However, labeling is required to introduce and/or trade plant products or other genetically modified organisms (gmOs) for use in agriculture in Costa Rica. In this case the product must be identified as such on a label where the consumer can identify its characteristics. To date, this requirement has been applied only to labeling of planting seeds.

Recent media events in Costa Rica have shifted focus from an emphasis on the environmental impact of biotechnology to the results of environmentalists’ sampling of food products, which purportedly revealed transgenics in the food supply. Environmentalists are calling for urgent legislation to ban the import of transgenic grains, and to establish a labeling system for transgenic foods. Costa Rica imports in excess of \$100 million in biotech commodities per year. Processed food imports, many of which contain ingredients derived from biotech commodities, are growing.

Costa Rica signed the Cartagena Protocol on Biosafety in May 2000, but has not ratified it. Although the Law to ratify the Protocol has been introduced to the Legislative Assembly, it is not clear at this point when it will be voted upon.

There are no biotechnology trade barriers that affect U.S. exports at this time. Costa Rica is an importer of soybeans and corn (primarily yellow corn for animal feed production). Imports of processed products that may contain products of biotechnology are also an important segment of total agricultural products imported from the United States.

SECTION IV. MARKETING ISSUES

Costa Rica is an importer of biotech corn and soybeans from the United States. There seems to be very little if any concern regarding the process from which these products are derived, among users (primarily animal feed producers) or among consumers in the country. The anti-biotech campaign developed since last year by different groups under the Federation for Environmental Conservation and the Biodiversity Conservation Network, has not had a significant negative impact among consumers. In fact, as a result of these group's statements (which included at a point a threat to destroy biotech crops), scientists, MAG officials, and the press have had the opportunity to express points of view favorable to biotechnology. Nevertheless, the general public has limited knowledge of the topic and can be easily manipulated by these groups, especially in rural areas, where the educational level of the population is lower.

SECTION V. CAPACITY BUILDING AND OUTREACH

The U.S. Government funded the visit of biotechnology expert from University of California, Davis, in June 2005. The expert met with government officials from the Ministries of Agriculture, Health, Economy and Environment, as well as with scientists and members of the NTBC, and discussed different issues related to biotechnology, including the costs of over regulation. He also made a public presentation at the University of Costa Rica, which was well attended by students, academics, and public officials. Interviews were provided to written media and to a television station, and press coverage was generally science based and informative. After the visit, an article which expressed many of the points presented by the speaker in support of biotechnology, was published by a well-known local scientist in a leading newspaper.