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**Report Highlights:**

There is no legal impediment to the use of biotechnology in El Salvador. Genetically engineered (GE) corn field trials were successfully completed. Also, the Ministry of Environment completed the regulatory framework for the safe use and commercialization of GE products. A new government administration that took office in June 2019, has shown interest in biotechnology and how it can help advance agricultural competitiveness in El Salvador. FAS San Salvador, in coordination with CropLife and the Inter-American Institute for Agricultural Cooperation (IICA), has been working on technical training to Ministry of Agriculture (MAG) officials about the benefits of biotechnology for agricultural productivity and the environment.

## **Section I. Executive Summary:**

El Salvador is a net food importer. The United States is the main supplier of yellow corn, rice, wheat, vegetable oil, tallow, soybean meal, cotton and processed ready-to-eat products, and most of these products are genetically engineered. Currently there are no restrictions on imports of agricultural biotech products.

The Environment Law, in effect since May 1998, is the only law that addresses biotechnology. Article 21 “O” provides regulations for carrying out environmental impact studies to determine if GE organisms are harmful to the environment, and Article 68 provides guidance on procedures to create biosafety norms. El Salvador also ratified the Cartagena Protocol in 2003.

El Salvador has developed a biotechnology regulatory system. From 2002 to 2004, the Ministry of Environment conducted a project to define the legal framework to regulate GE organisms and to define intergovernmental coordination between the Ministries of Agriculture, Environment, and Health. The implementation of this project was extended and finished in March 2018.

The Government of El Salvador (GOES) administration in office from 2004 to 2009 made a proposal for a Special Ruling for the safe use and commercialization of GE organisms that was presented to the National Assembly and approved and ratified in 2008. Once this step was accomplished, a Biosecurity Committee was to be created to ensure compliance with the ruling (Please see Chapter 1, Part B: Plant Biotechnology Policy). However, the GOES administration that was in office from 2009 to 2019 was ideologically opposed to the technology and hindered any advancement in this process.

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.

The current GOES administration’s openness to facilitate trade and increase agricultural productivity could present an opportunity to advance the use of the technology. The National Center for Agricultural and Forestry Technology (CENTA) could take the lead on agricultural research and the use of new technologies.

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## **CHAPTER 1: PLANT BIOTECHNOLOGY**

### **PART A: PRODUCTION AND TRADE**

#### **a) RESEARCH AND PRODUCT DEVELOPMENT:**

Potential applications for biotechnology in El Salvador include the cultivation of vegetable tissue and propagation of in-vitro vegetable materials. The National Center for Agricultural and Forestry Technology (CENTA) of the Ministry of Agriculture (MAG) is the main government 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. However, up until now this research has focused exclusively on conventional plant breeding.

#### **b) COMMERCIAL PRODUCTION:**

El Salvador does not produce any biotech crops and there are no crops under development that would be on the market in the coming year. El Salvador imports biotech products mainly from the United States: yellow corn, white corn, soybean meal, cotton, and corn-soy blend.

#### **c) EXPORTS:**

Not applicable.

#### **d) IMPORTS:**

There are no obstacles to importing or marketing genetically engineered (GE) crops and processed products in El Salvador. Being a densely populated developing nation, El Salvador must rely on imported food to satisfy local demand. El Salvador is dependent upon imported soybeans, soybean meal, and yellow corn as feed protein sources. The United States is the main trading partner for El Salvador, and U.S. products are regarded as being of higher quality and safer than others available in the market.

#### **e) FOOD AID:**

El Salvador is a food aid recipient and receives food assistance from the United States and Europe. Wheat, soybean meal, yellow corn, rice, and vegetable oil are the main commodities sent to El Salvador as food assistance.

#### **f) TRADE BARRIERS:**

There are no biotechnology-related trade barriers that negatively affect U.S. exports.

## PART B: POLICY

### a) REGULATORY FRAMEWORK:

Table of legal terms:

Legal term (in Spanish)	Legal term (in English)	Laws and Regulations where term is used	Legal Definition (in English)
Organismos Modificados Genéticamente	Genetically Modified Organisms	<ul style="list-style-type: none"><li>Environment Law, Article 21, "O"</li></ul>	No legal or regulatory definition provided.
Diversidad Biológica Nativa	Native Biological Diversity	<ul style="list-style-type: none"><li>Environment Law, Article 68</li></ul>	The variability among all living organisms from all sources including inter alia terrestrial, marine, and other aquatic eco-systems and the ecological complexes of which they are part and includes diversity within species or between species and eco-systems.

El Salvador has a regulatory framework for agricultural biotechnology. From 2002 to 2004, the Ministry of Environment conducted a project to define the legal framework to regulate GE organisms and to define intergovernmental coordination between the Ministries of Agriculture, Environment, and Health. The project was financed by the Global Environment Fund (GEF) and the United Nations Environment Program. In 2011, the Ministry of Environment launched the second phase of the GEF program with a four-year project on "Safety of Modern Biotechnology." The implementation of this project was extended and finished in March 2018.

Through the first phase of the GEF-funded project, the GOES wrote a proposal for a regulatory framework that includes a national policy for biotechnology and biosafety, an administrative and regulatory system for imports of GE products, a decision-making support system, and a mechanism for social participation and consultation. Public consultations concluded nine years ago and a "Special Ruling for the Safe Handling of GMOs" to provide an environmental permit for any activity or project that implies genetic handling or production was published in the Official Gazette in 2008.

The initiative is a complement to the creation of the National Biosafety Commission in 2003, composed of members of the Ministries of Agriculture (MAG), Environment (MARN), 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 website <http://www.marn.gob.sv/>.

The \$1 million second phase of the GEF program started in 2011 and concluded in March 2018. This program implemented a regulatory framework and strengthened the capacity of the governing agencies involved directly or indirectly with the implementation of the Cartagena Protocol. Other results included a document with the results of an institutional capacity evaluation and proposal for an institutional framework, instructions for application of the framework, including guidelines for technical rulings regarding consumption of GE organisms (for direct use as human food, animal feed, or for processing), a proposal for conformation and guidance of operation by the Scientific Committee for Biosafety, a flow chart for institutional channels, user guides and forms and a proposal for a digital information and administrative system.

Under the proposed regulatory framework, the Ministry of Environment would be the institution in charge of enforcing the safe handling of GE organisms and coordinate with MAG and MSPAS on appropriate biosafety applications.

The Ministry of Environment created the Scientific Committee for Biosecurity in 2009. The committee will serve an advisory role and is composed of representatives from the Ministries of Agriculture, Environment, Health, the Chamber of Agriculture (CAMAGRO), the Agricultural Input Association (APA), and the National University. However, this Committee has not met since its founding because of a lack of regulations outlining the function of the committee.

**b) APPROVALS/AUTHORIZATIONS:**

There are no approved plants or crops for cultivation or export in El Salvador. Imports of GE crops or processed products are not restricted.

**c) STACKED OR PYRAMID EVENT APPROVALS:**

Not applicable.

**d) FIELD TESTING:**

In 2008, two companies were authorized to import two varieties of GE corn for experimental field testing. A cost/benefit analysis carried out by the National Center for Agricultural Technology (CENTA) and by the Ministry of Environment was made public and provided positive findings. But there was no subsequent follow-up.

**e) INNOVATIVE BIOTECHNOLOGIES:**

Not applicable.

**f) COEXISTANCE:**

Not applicable.

g) LABELING AND TRACEABILITY:

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 foods that contain GE is required under Article 128 of the Consumer Law. For additional information on labeling regulations please refer to El Salvador's Food and Import Regulations and Standards report ([Food and Agricultural Import Regulations and Standards Country Report San Salvador El Salvador 09-30-2021](#)).

h) MONITORING AND TESTING:

Currently there is no GE testing in El Salvador. MARN is monitoring planting fields in the north to prevent involuntary introduction of GE corn from neighboring Honduras.

i) LOW LEVEL PRESENCE (LLP) POLICY:

No LLP policy.

j) ADDITIONAL REGULATORY REQUIREMENTS:

Not applicable.

k) INTELLECTUAL PROPERTY RIGHTS (IPR):

Not applicable.

l) CARTAGENA PROTOCOL RATIFICATION:

El Salvador signed and ratified the Cartagena Protocol on April 23, 2003. This has not impacted trade.

Progress towards implementing biotechnology laws and regulations has been slowed due to the legislative branch's lack of access 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.

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 import requests, their movement through the proper channels and the authorizations to carry out activities with biotechnology.

However, FAS San Salvador in coordination with CropLife has been working with MAG officials on revisions to the new Plant Health law to include new technologies such as Gene Editing and also on technical assistance for El Salvador to join the Custom Union biotech protocol with neighboring Guatemala and Honduras.

m) INTERNATIONAL TREATIES AND FORUMS:

Due to a lack of resources El Salvador does not participate in international fora such as the International Plant Protection Convention (IPPC) or the Codex Alimentarius (Codex) discussions related to GE plants.

n) RELATED ISSUES:

Not applicable.

**PART C: MARKETING**

a) PUBLIC/PRIVATE OPINIONS:

Sometimes local environmental NGOs publish articles in written media to oppose GE products. There is a lack of public familiarity with the GE technology and science.

b) MARKET ACCEPTANCE/STUDIES:

There are no obstacles to marketing biotech products in El Salvador. The country 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 and safer than others available in the market.

Biotechnology is not a main priority of the government or the public, and food safety issues that could affect product marketing are more related to foodborne diseases.

**CHAPTER 2: ANIMAL BIOTECHNOLOGY**

**Part D: PRODUCTION AND TRADE**

a) RESEARCH AND PRODUCT DEVELOPMENT:

Due to a lack of research capabilities, there is no development of GE animals in El Salvador.

b) COMMERCIAL PRODUCTION:

Not applicable.

c) EXPORTS:

Not applicable.

d) IMPORTS:

Not applicable.



e) TRADE BARRIERS:

Not applicable.

**PART E: POLICY**

a) REGULATORY FRAMEWORK:

There is no legislation or regulation in place at this time related to the development, commercial use, import and/or disposal of genetically engineered animals and products derived from these animals.

b) APPROVALS/AUTHORIZATIONS:

Not applicable.

c) INNOVATIVE BIOTECHNOLOGIES:

Not applicable.

d) LABELING AND TRACEABILITY:

Not applicable.

e) ADDITIONAL REGULATORY REQUIREMENTS:

Not applicable.

f) INTELLECTUAL PROPERTY RIGHTS (IPR):

Not applicable.

g) INTERNATIONAL TREATIES AND FORUMS:

El Salvador does not generally 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 activity.

h) RELATED ISSUES:

Not applicable.

## **PART F: MARKETING**

### a) PUBLIC/PRIVATE OPINIONS:

There are no active organizations that lobby for or against the genetic engineering of agriculturally relevant animals. However, there is a group of NGOs that generally oppose any type of genetic engineering or biotechnology.

### b) MARKET ACCEPTANCE/STUDIES:

There is little to no awareness of GE animals among the Salvadoran public. GE animal biotechnology is not a high priority for the government of El Salvador.

## **CHAPTER 3: MICROBIAL BIOTECHNOLOGY**

### **PART G: PRODUCTION AND TRADE**

#### a) COMMERCIAL PRODUCTION:

FAS San Salvador is not aware of any commercial production of food ingredients derived from microbial biotechnology in El Salvador. However, processed foods made in El Salvador may contain imported food ingredients or processing aids derived from microbial biotechnology.

#### b) EXPORTS:

Not applicable.

#### c) IMPORTS:

Not applicable.

#### d) TRADE BARRIERS:

Not applicable.

### **PART H: POLICY**

#### a) REGULATORY FRAMEWORK:

Please refer to Part B.

#### b) APPROVALS/AUTHORIZATIONS:

Not applicable.

c) LABELING and TRACEABILITY:

Please refer to Part B.

d) MONITORING AND TESTING:

Not applicable.

e) ADDITIONAL REGULATORY REQUIREMENTS:

Not applicable.

f) INTELLECTUAL PROPERTY RIGHTS (IPR):

Not applicable.

g) RELATED ISSUES:

Not applicable.

**PART I: MARKETING**

PUBLIC/PRIVATE OPINIONS:

See Part C: Plant Biotechnology Marketing

b) MARKET ACCEPTANCE/STUDIES:

There is little to no awareness of microbial biotech among the Salvadoran public. Microbial biotechnology is not a high priority in the local political agenda. Public policy focus is on food security and producing as much of the local food needs.

**Attachments:**

No Attachments