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Report Name: Biotechnology and Other New Production Technologies Annual

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Post: Accra

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Report Highlights:

While still in the early stages for adopting genetically engineered (GE) products, the Government of Cote d'Ivoire is making strides to put systems in place to eventually allow GE products onto the market. The ratification of the Cartagena Protocol and the creation of the country's first biosafety law have been the initial steps taken towards acceptance of GE products in Cote d'Ivoire.

EXECUTIVE SUMMARY

Although in the nascent stages of adopting the use of GE products, Cote d'Ivoire is well on its way to accepting agricultural biotechnology, as the Government of Cote d'Ivoire (GOCI) recognizes the potential of biotechnology as a key innovation in the quest for national food and nutrition security. The push for the move toward biotechnology began in June of 2015, when the GOCI adopted and ratified the Cartagena Protocol. The following year, the GOCI advanced its GE agenda further by developing the country's first biosafety law, which was approved by parliament in July of 2016.

The biosafety law, Law 2016-553, outlines the steps needed to import GE products into Cote d'Ivoire while also identifying different agencies tasked with ensuring that imported products are safe for human and animal health. Since the biosafety law was approved, not much else has been developed to advance the use of GE products. However, since the GOCI is faced with strong growth in food demand resulting from rapid demographic shifts and changing consumption habits, Cote d'Ivoire is poised to continue working towards taking advantage of the many benefits GE products can provide.

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CHAPTER 1: PLANT BIOTECHNOLOGY

PART A: PRODUCTION AND TRADE

a) PRODUCT DEVELOPMENT:

Post is not aware of any GE product development in the country.

b) COMMERCIAL PRODUCTION:

There is no commercial production of GE products in Cote d'Ivoire.

c) EXPORTS:

Not applicable.

d) IMPORTS:

There are no known GE products that are currently being imported to Cote d'Ivoire. However, a biosafety law (Law 2016-553) has been approved by Parliament and gives details on import regulations for GE products. The law states in article 23 that imports of GE products are allowed, however, a special request needs to be submitted to the National Biosafety and Biosecurity Commission (CNBIOS) to do so. However, it is very important to note that the CNBIOS is not operating at the moment, and therefore, no GE products are currently allowed into the country. Once the agency is established and a request for authorization is submitted, the CNBIOS will transfer the request to the Ministry of Environment (MOE) that will then have 90 days to determine whether the product will be allowed to enter the country. The CNBIOS requires the following information to gain authorization for GE products:

- Information on the taxonomy, ecological and reproductive behavior of the GE organism and its derived products,
- Information on the exporter, the recipient organization, the vector, and the gene introduced,
- Information about the risks that exist from the gene when transferred to other organisms as well as the type of accidental dissemination it may cause and its method of usage.

All GE plants and derived products must be packaged and labeled. The words "this product contains genetically modified organisms" must appear on a label or on an administrative document associated with the product.

Once allowed into the country, the GE products need to be placed in quarantine before dissemination, commercialization, and all other usages. The amount of time the products need to be in quarantine is not clear.

e) FOOD AID:

Cote d'Ivoire has been the recipient of U.S. food assistance under USDA's Food for Progress program. There are no known cases where GE products have been imported for food assistance.

f) TRADE BARRIERS:
There are no biotechnology-related trade barriers in Cote d'Ivoire except for the requirements stipulated in Law 2016-553.

PART B: POLICY

a) REGULATORY FRAMEWORK:

The GOCI adopted the Cartagena Protocol in June of 2015. In July of 2016, parliament adopted Law 2016-553 on biosafety management. The purpose of the law is to establish the biosafety legal framework in order to ensure the safe and effective distribution of GE products throughout Cote d'Ivoire.

i. Responsible Institutions for Implementing the Biosafety Law (Law 2016-553):

The following institutions are mentioned in the biosafety law but are not yet operational.

The key institutions tasked with the implementing the biosafety law are:
- The National Biosafety and Biosecurity Commission (CNBIOS)
- The National Biosafety Observatory (ONBIOS)

ii. Role of the CNBIOS and ONBIOS:

The CNBIOS is the competent authority in Côte d'Ivoire regarding biotechnology. It is housed within the MOE and is responsible for regulating all uses of GE organisms. This agency reviews requests for GE product authorization and provides a decision whether the product can enter the country based on scientific evidence. The CNBIOS is meant to decide on the GE products within 90 days from the time authorization was requested.

During the review, the CNBIOS will:
- Ask to be notified on transboundary movements of GE products;
- Request additional information from the notifier if needed;
- Respond to decision appeals from exporting Parties or the notifier;
- Conduct consultations with the notifier regarding confidential information.

The ONBIOS is an independent body designated to:
- Participate in public debates;
- Ensure transparency in the monitoring and evaluation of GE-related issues;
- Encourage informed public participation in decision-making process.

iii. Assessment of Political Factors:

The biosafety law aims to ensure an adequate level of safety is adhered to regarding GE products within Cote d'Ivoire. To formulate an adequate policy, the GOCI took the following factors into consideration:

- Ensure that the products are safe;
- Protect the environment and biodiversity;
- Compatibility of the application and ethical values;
- Ensure that the biosafety law is compatible with regional and sub-regional integration instruments, such as, the ECOWAS biotechnology policy.

iv. Any Regulatory Distinctions between GE plants containing DNA and those who do not:

There is no distinction between GE plant products containing DNA and those that do not.

v. Any Regulatory Distinctions between GE plants considered living versus non-living:

There is no distinction between GE plants considered living versus non-living.

vi. Any Regulatory Distinctions between regulatory approval/authorization and environmental release:

The uses of GE plant or derived products in Cote d'Ivoire are subject to the approval of the CNBIOS. The guidelines for issuing GE product authorization in Cote d'Ivoire were determined by decree from the Council of Ministers.

The MOE may require that the applicant or the beneficiary modify the conditions of dissemination based on certain situations. The MOE can suspend or withdraw approvals if necessary.

vii. Pending legislation or regulations that have the potential to affect U.S. exports:

The Law 2016-553 states under Article 26 that "Any GMO or its derivatives must undergo quarantine before dissemination, commercialization or any other use". Currently there is no guidance as to how long GE products will need to be quarantined.

viii. Timeline for Approvals:

When an import request is made to the CNBIOS, the MOE is required to respond within 90 days after receiving the notification. The MOE may notify the applicant that an additional 60-days is required in order to facilitate the approval. If the MOE does not respond within 90 days, the application is rejected.

ix. Regulations on Biosafety:

The biosafety law was passed in July 2016. The law aims to ensure an adequate level of protection for human and animal health, biodiversity and the environment from risks associated with the use of biotechnology and derived products.

x. Additional product and/or seed registration:

No additional registration processes are required for GE products or seeds.

xi. Is re-registration required?

Re-registration is not required; however, the MOE must be informed of any changes regarding the release of GE products to protect human health and the environment.

xii. Are approvals/authorizations limited?

There are no limits to the number of approvals.

b) APPROVALS/AUTHORIZATIONS:

At present, no GE crops (industrial crops, food crops, or feed) have been officially approved or registered in Cote d'Ivoire for open cultivation, import or export.

c) STACKED OR PYRAMIDED EVENT APPROVALS:

There are no additional approvals required for stacked or pyramided events.

d) FIELD TESTING:
There are no field trials in Cote d'Ivoire. However, Cote d'Ivoire allows for field testing if authorization is granted by the competent authority. Confined field trials must have four levels of security depending on the risk to human and animal health and the environment.

Security levels 2 to 4 require close coordination and monitoring with the competent authority while level 1 only requires a certificate from the CNBIOS that the field trial is approved.

e) INNOVATIVE BIOTECHNOLOGIES:

Law 2016-553 under article 3 stipulates that GE animals fall under the same regulations and guidelines as GE plants.

f) COEXISTENCE:

Law 2016-553 ensures the coexistence of GE and non-GE crops.

g) LABELING AND TRACEABILITY:

Law 2016-553 stipulates that any GE products intended for intentional release or for import or export must be packaged and labeled. As such, the words "this product contains genetically modified organisms" must appear on a label or on an accompanying document.

h) MONITORING AND TESTING:

The Ivorian Law 2016-553 does not stipulate any details on monitoring and testing for GE traits.

i) LOW LEVEL PRESENCE (LLP) POLICY:
There is no LLP policy.

j) ADDITIONAL REGULATORY REQUIREMENTS:

There are no additional regulatory requirements.

k) INTELLECTUAL PROPERTY RIGHTS (IPR):

All GE and derived products in Cote d'Ivoire can be marketed if authorized by the GOCI.

l) CARTAGENA PROTOCOL RATIFICATION:

Cote d'Ivoire adopted the Cartagena Protocol on Biosafety (CPB) in June 2015.

m) INTERNATIONAL TREATIES and FORUMS:

Cote d'Ivoire is member of the Food and Agriculture Organization (FAO), World Trade Organization (WTO) and Codex Alimentarius.

n) RELATED ISSUES:

Not applicable.

PART C: MARKETING

a) PUBLIC/PRIVATE OPINIONS:

Not applicable.

b) MARKET ACCEPTANCE/STUDIES:

Post is not aware of any market studies in Cote d'Ivoire.

CHAPTER 2: ANIMAL BIOTECHNOLOGY

PART D: PRODUCTION AND TRADE

a) PRODUCT DEVELOPMENT:

Post is not aware of the development of bioengineered animal products in Cote d'Ivoire.

b) COMMERCIAL PRODUCTION:

Not applicable.

c) EXPORTS:

Not applicable.

d) IMPORTS:

There are no differences between animal and plant biotechnology in Cote d'Ivoire.

e) TRADE BARRIERS:

Not applicable.

PART E: POLICY

a) REGULATORY FRAMEWORK:

The regulatory framework is the same for plant biotechnology.

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:

Not applicable.

h) RELATED ISSUES:

Not applicable.

PART F: MARKETING

a) PUBLIC/PRIVATE OPINIONS:

Not applicable.

b) MARKET ACCEPTANCE/STUDIES:

Not applicable.

CHAPTER 3: MICROBIAL BIOTECHNOLOGY

PART G: PRODUCTION AND TRADE

a) COMMERCIAL PRODUCTION:

Not applicable.

b) EXPORTS:

Not applicable.

c) IMPORTS:

Not applicable.

d) TRADE BARRIERS:

Not applicable.

PART H: POLICY

a) REGULATORY FRAMEWORK:

The regulatory framework is same as that of plant biotechnology.

b) APPROVALS/AUTHORIZATIONS:

Would not be any different from that of plant biotechnology.

c) LABELING AND TRACEABILITY:

Same as that of plant biotechnology.

d) MONITORING AND TESTING:

Same as that of plant biotechnology.

e) ADDITIONAL REGULATORY REQUIREMENTS:

Same as that of plant biotechnology.

f) INTELLECTUAL PROPERTY RIGHTS (IPR):

Same as that of plant biotechnology.

g) RELATED ISSUES:

Not applicable.

PART F: MARKETING

a) PUBLIC/PRIVATE OPINIONS:

Not applicable.

b) MARKET ACCEPTANCE/STUDIES:

Not applicable.

POST CONTACT AND FURTHER INFORMATION

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Attachments:

No Attachments

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No Attachments