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Chile

Biotechnology - GE Plants and Animals

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Report Highlights:

The new Minister of Agriculture, Jose Antonio Galilea creates a working group to move forward on a framework that regulates but also allows the production of transgenic in Chile, he hopes to have recommendations for the draft stuck in the Senate between June and July, 2010
Source: ANIP, May 04, 2010.
As an unpublished event, the Chilean Transparency Council forces SAG to make public the exact location where biotechnology-derived seeds are cultivated arguing that this will help to a grater social participation in the public debate about transgenic in Chile.
Source: El Mercurio, July 05, 2010.

Section I. Executive Summary:
Under the current Chilean regulations, Chile can only propagate transgenic seeds for export. In food products, the Ministry of Health requires all events to be registered, and the product must be label only if substantially different from their conventional counterpart.

Despite two bills introduced in Congress to regulate biotechnology, one of them requiring mandatory labeling and the other to creating a biotechnology framework, the Bachelet administration, which ended this past March, did not move forward to adopt this technology.

The new Piñera Administration, and especially the Minister of Agriculture himself, is seen as enthusiastic to push forward on reviewing the regulations that are stuck in Congress so that Chilean farmers may benefit from this technology. Two years ago Minister Galilea was the intellectual author of the proposed framework to extend the use of transgenic crops in Chile.

Commercially, Chile could be a consumer of transgenic sugar beets, corn, alfalfa, and soybeans (if the salmon industry were to lift its self-imposed ban on the use of biotech feeds), to name a few crops. Although not widely publicized, Chile has begun to do landmark research in "orphan" crops (non-bulk commodities), such as salmon, pine, stone fruit, apples, and grapes. As part of the government's efforts to increase research and development using funds received from copper mining royalties, Conicyt/FIA/Corfo manage the funds and establish consortiums to do biotech research.

As with many developing countries, the majority of research funds come from the public sector. In 2009 the Government announced a number of programs and affiliations with different universities in the U.S., Australia, Canada to favor technology transfer and postgraduate degrees with the purpose of increasing research and development.

Section II. Plant Biotechnology Trade and Production:

- Does Chile commercially produce any biotechnology crops?

Chile does not produce any crops for sale domestically. However, Chile has propagated transgenic seeds under strict field controls for re-export for more than a decade, during 2007, and for the first time Monsanto introduced the soybean crop into Chile and planted two thousand hectares; in 2009 that number went up to five thousand; due to the economical situation and overstock in the north it expected that the number of hectares will be reduced in 2010 to about three thousands and five hundred.

- Are there any biotechnology crops under development in your country that will be on the market in the coming year?

There are no biotechnology crops developed in Chile that could be on the market in the coming year.

- Does the country import biotechnology crops/products?

Yes. Chile imports biotechnology crops for the production of seeds to re-export. Without being specific on the list of imports, which is sensible we can mention the following:

a. In 2009 a total of 888,370.62 kilos of seeds declared as GMO were imported.
b. 97% of those imports came from the U.S.
c. 73.16% is Corn; 25.42% soybean; 0.96% Raps; 0.43% barley 0.04% others (safflower, zucchini, sugar beet and tomatoes)

- Does Chile import biotechnology crops/products or planting seeds?

Yes, planting seeds propagate and re-export, not to consume in country.

- Is the country a food aid recipient or likely to be a food aid recipient in the near future?

No, Chile is a major agricultural exporting country.

- Does Chile produce any biotechnology crops that were developed outside of the United States and have not passed through the U.S. regulatory system?

The biotechnology crops that were developed outside the U.S. and that were produced in Chile in 2009 were:

- Barley, p607 from Hungry
- Raps, VC-LJB1327-1 from Germany
- Soybean LL2704_12; TG GM 13; TG GM 6 and TG GM 23 from Canada

Section III. Plant Biotechnology Policy:

a. i. Chile does not have a biotechnology framework in place, only the reproduction of seeds to be re-exported is allowed under strict control from the Agricultural and Livestock Service (SAG) of the Ministry of Agriculture, Resolution 1523 from 2001 regulates this process.

ii. Chile signed the Cartagena Protocol on Biosafety, but has not ratified it yet. Nor has Chile established an adventitious presence level for imports yet.

iii. There have been many comments from this new Administration regarding the need to regulate as Chilean farmers can not benefit from this technology. It seems that they understand that at the double standard farmers are facing, when they can produce their crops but not use them and then they have to buy at a higher price. So at least there is an intention to move forward, something that we missed with the former Administration. Other important factor is that the new officials come from the private sector, and then they have the idea of how the country can benefit from it.

b. Again only the reproduction of seeds to be re exported is allowed in Chile, field trials are allowed but are treated the same way, under strict controls from (SAG); there are no crops authorized to be commercialized in the country. Unfortunately this year was not possible to obtain the official information on the authorized crops as the information was declared sensible.

c. Chile allows field trials which are treated the same as the production of seeds, this year was not possible to obtain the official information as it was declare sensible.

d. The Ministry of Agriculture treats stacked events in field trials and reproduction of seeds as if it was a single event. The Ministry of Health, on the other hand, regulates the imports and the domestic production of food products; and requires all events to be registered in the Chile, but if they have been registered before with FDA the process is faster, on stacked events they require the registrations of all events.

e. No additional registration is require

f. There currently are no specific rules on the subject of coexistence, but Resolution 1523 of 2001 introduced a traceability system and documentation requirements for all seeds and the fields where they are planted. As part of the process for every field trial approval, biosafety measures are established, such as physical isolation from sexually compatible species and post harvest management.

g. The Ministry of Health only requires labeling of the product when the biotechnology-derived ingredient is different than the conventional ingredient.

h. Chile signed the Cartagena Protocol on Biosafety, but has not ratified it yet. There are no visible intentions on ratifying the Protocol in the near future.

i. As Chile is an agricultural export based economy, with agricultural exports accounting for 15% of GDP, these reservations have prompted Chile to take a cautionary approach on biotech issues and play a muted role in international fora such as APEC, MERCOSUR, and OAS, as well as UN and WTO organizations such as FAO, CODEX, and the International Plant Protection Convention (IPPC). However, with a strong regulatory system and a greater investment in the technology, Chile could become an important developing country spokesman in the above-mentioned venues.

j. Until the discussion on the framework to regulate biotechnology-related issues, we can not say that there are any trade barriers. It will be more clear once the discussion begins since the labeling issue is very sensible.

k. Even if biotechnology crops are not planted commercially in Chile, there is a commitment under the U.S. – Chile FTA, UPOV 91, the due date for which was January 1, 2010 which Chile has not implemented yet.

Section IV. Plant Biotechnology Marketing Issues:

The agricultural export sector remains concerned about the trade implications of this technology. They view the issue from the perspective of how will the uses of transgenic affect Chile's "natural" image. They argue that currently there are few benefits for the products in which Chile has a competitive advantage (horticultural crops, salmon and forestry).

Section V. Plant Biotechnology Capacity Building and Outreach:

a. U.S. Government or USDA funded capacity building or outreach activities.

Upcoming activities:

For this fiscal year, FAS and the State Department are organizing a seminar focused on how Agricultural Biotechnology can help the region address climate change issues. Post has included Argentina and Peru to make it a regional activity. Two speakers from the U.S. will participate of this seminar.

Post is requesting a speaker from the Environmental Protection Agency to participate at a UN-Cepal sponsored Carbon Footprint Workshop in September to be held in Chile.

Past biotechnology activities in Chile include:

In 2009, with the participation of two U.S. speakers, post organized a biotechnology workshop focused on the international regulatory framework putting emphasis on the regulations in the U.S. This workshop was intended for law makers, universities government and research centers.
Interact with the centers of biotechnology of the University of Talca, the Catholic University and University of Concepcion.

Every year USDA funds the participation of several Chilean government officials to different APEC Agricultural Biotechnology related activities. For example:

- Funded the participation of Dr. Ralph Scorza as speaker at the Red Bio Agricultural biotechnology Conference organized in Viña del Mar, Chile in October, 2007.
- Organized a biotechnology/IPR seminar with the participation of high level government officials and agencies, June 7, 2007, that included the participation of Clive James (ISAA) and Karen Hauda (U.S. Patent and Trade Mark Office) as main speakers.
- Sponsor the participation of the one member of the Chilean delegation to the APEC High Level Policy Dialogue on Agricultural Biotechnology (HLPDAB) held in Canberra, Australia, 2007.
- Embassy Science Fellowship program with the participation of a USDA/ARS scientist for two months in Chile from May-July 2006.
- Ministry of Agriculture Official was sent to a training course in the Philippines in June 2006 on Commercializing biotech crops.
- The U.S. Government participated in the Tenth APEC Research, Development and Extension of Agricultural Biotechnology (RDEAB) hosted by Chile in November 2005,
- Post organized a reverse CODEL to the U.S. to learn about the U.S. regulatory System for Biotech products in July 2005;
- We sponsored a Chilean expert to attend the APEC Seminar: "Creating a Positive Investment Environment for Agricultural Biotechnology", in Malaysia in Dec 04;
- we organized a panel of experts to address the Chilean Agriculture and Health Committees in Oct 04;
- we sent the President of the Small Farmers Cooperative Confederation to a farmer-to-farmer training program in Honduras in Aug-Sept 04;
- we sponsored two participants to attend the Michigan State biotechnology short course in August 2004; we hosted a visit to the U.S. of a team of Ministry of Health officials tasked

with gathering information about other countries biotech regulations in Mar-Apr 04;
- we coordinated between the Einstein Institute for Science, Health and the Courts (EINSHAC) and the Chilean Judicial Institute to provide technical training to the judiciary regarding biotechnology in civil, criminal and family cases in Mar 04;
- we organized the HLPDAB in Chile, in Feb 04 and funded the participation of 22 representatives from APEC emerging markets to attend, as well as nine speakers.

b. Country specific needs or strategies for Chile.
Post's strategies on biotechnology have focused in two main areas over the past 6 years; one of them is the regulatory aspect of the issue and the other is providing science base information.

The main objective regarding regulation is to have Chile adopt a framework that is science base and that does not impose trade barriers; to accomplish this goal we have taken congressmen to the U.S. so they can get knowledge in situ of the regulatory process of biotechnology in the U.S. they met with all the regulatory agencies ONG and growers to have a better understanding of the benefits of this technology so they can better regulate in Chile. One of the participants of the group was one of senators that drafted the framework that is being discussed in Congress, draft that was shared with post and therefore with USDA and DOS before it was introduced to Congress.

The idea of the workshop that was done this year had the purpose of giving them a more science base knowledge to regulate accordingly, unfortunately they did not participate.

We will continue focusing on the necessity that Chile adopts a science base regulatory framework as this is the key stone to begin trade.

We have organized and, we will continue organize biotechnology seminars with universities and researches with the participation of U.S. scientist and speakers; we believe that the more information we provide, the better the public will be informed, and fears about biotech products will be eliminated.

Section VI. Animal Biotechnology:

I. Development and Use:

No genetic engineering in animals is being used in Chile.

II. Regulation

b) There is no regulation in place; the discussion will start when they begin to review the proposed framework in Congress.
c) We believe that regarding genetic engineered animals the government entities that might have a role will be The Ministry of Health in all issues concerning human health and food safety; the Ministry of Agriculture through its SAG office in issues concerning animal health and the new created Environmental Ministry in issues related to the environment.
d) The current draft framework introduced to the Congress only deals with vegetables, animals have not yet been considered in any of the proposals.

III. Stakeholder/Public Opinion

The issue of GMO animals has not been on the table of public discussion, even at a government level the only concern for the moment are the vegetable GMO, I believe the discussion will

begin after the framework for vegetables is approved. At the moment animals have not been mentioned.

IV. International Organizations:

GMO animals have not been considered by Chile in any International discussion.

V. Outreach, Needs and Strategies:

a) The main strategy is to monitor what happens with the discussion and provide as much science base information as possible when the discussion begins.