

Voluntary Report – Voluntary - Public Distribution

Date: December 09,2020

Report Number: MX2020-0072

Report Name: Mexico Proposes Ban on GE Corn and Glyphosate

Country: Mexico

Post: Mexico City

Report Category: Agricultural Situation, Policy and Program Announcements, Agriculture in the News, Grain and Feed, Biotechnology and Other New Production Technologies

Prepared By: Karisha Kuypers

Approved By: Holly Higgins

Report Highlights:

On December 9, a draft decree was released on Mexico's National Commission for Regulatory Improvement (CONAMER) website that calls for a phase-out of use of both glyphosate and genetically modified (GE) corn for human consumption in Mexico. The proposed decree states that use of the herbicide glyphosate will be phased out over the next four years, although glyphosate will not be used in any government-sponsored program during that transition period. The draft also includes an article that seemingly requires the revocation of existing and future permits for both the cultivation of GE corn and the use of GE corn for human consumption. The use of GE corn in human consumption would be phased out no later than January 31, 2024.

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The proposal is an updated versions of previous draft decrees calling for studies to find alternatives to glyphosates. President Lopez Obrador stated publicly that these earlier versions failed to follow his instructions to detail a phase-out of glyphosate use. This new draft appears to be in line with those instructions and with public comments made by current Secretary of Environment and Natural Resources (SEMARNAT) Maria Luisa Albores.

The proposal was uploaded to the CONAMER website by Victor Suarez of the Secretariat of Agriculture and Rural Development (SADER). For the proposal to be approved, it would require signatures from SADER, SEMARNAT, the Secretariats of Health (SALUD), Economy (*Economia*), and Finance and Public Credit (*Hacienda*).

Although the majority of U.S. corn exports to Mexico go into the livestock feed industry, U.S. corn is imported for use in the processing sector to make cereals, starches, and other processed products. The United States exported \$2.7 billion corn to Mexico in 2019. There is no GE corn cultivated in Mexico.

The draft decree is now open for public comment on the CONAMER website. There is no predetermined or set amount of time for official comment periods, so a closing date for this proposal is not specified.

The following is a non-official translation of draft decree. Please see the original Spanish version for exact wording and final interpretation.

Comments, additional information, and the original Spanish version of the document can be found on the following Government of Mexico website:

<http://187.191.71.192/portales/resumen/50787#>

UNOFFICIAL/INFORMAL TRANSLATION

Decree by which the actions to be taken by the agencies and entities that make up the Federal Public Administration were obtained, within the scope of their powers, to gradually replace the use, acquisition, distribution, promotion and import of the chemical substance called glyphosate and of the agrochemicals used in our country that contain it as an active ingredient, for sustainable and culturally appropriate alternatives, that manage to maintain production and are safe for human health, the country's biocultural diversity and the environment

ANDRÉS MANUEL LÓPEZ OBRADOR, President of the United Mexican States, in exercise of the power conferred on me by article 89, section I, of the Political Constitution of the United Mexican States; and based on the provisions of articles 31, 32 Bis, 34, 35, and 39 of the Organic Law of the Federal Public Administration; 1, 2, fractions I, II, III, IV and VIII, 3, fraction XXII, XXIV, XXV and XXVIII, 4, fractions I and III, 17 bis, 194, fraction III, 198, fractions II and III, 204, 278, fractions I, III and IV, 279, fractions I, II and IV, 280, 282, 298, 368, 380, fraction I, 393, 402 and 416 of the General Health Law; 119, 24, 38, 69, 91 to 98, of the Law of Biosafety of Genetically Modified Organisms; as well as the Convention on Biological Diversity and the Cartagena Protocol on Biosafety, and

CONSIDERING

That the National Development Plan 2019-2024, in its Epilogue section: Vision of 2024 and in its Axis II. Social Policy, section "Sustainable Development" establishes that economic growth, increased productivity and competitiveness do not make sense as objectives in themselves but as means to achieve a higher objective: the general welfare of the population, as well as putting the Political power at the service must serve in the first place the public interest, not the private interests and the validity of the rule of law must be complemented by a new social ethic, not by the implicit tolerance of corruption, as the Federal Executive will consider in all circumstances, the impacts that its policies and programs will have on the social fabric, ecology, and political and economic horizons of the country;

That, in relation to the foregoing, the precautionary principle, from the Rio de Janeiro Earth Summit, is contemplated in the Convention on Biological Diversity and the Cartagena Protocol on Biotechnology Safety, of which Mexico is part. Likewise, that national and international courts, including the Inter-American Court of Human Rights, have determined that the authorities observe this principle to prevent serious or irreversible damage.

That, in order to achieve self-sufficiency and food sovereignty, our country should be oriented towards establishing a sustainable and culturally appropriate agricultural production, through the use of agro-ecological practices and inputs that are safe for human health, the country's biocultural diversity and the environment, as well as congruent with the agricultural traditions of Mexico;

That in recent years, different scientific investigations have warned that this chemical has harmful effects on health, both in humans and in some animal species, and has been identified as a probable carcinogen in humans by the International Agency for Research on Cancer ;

That various countries have prohibited the use of the aforementioned substance in agrochemicals and many others are evaluating the implementation of similar and other measures to protect the population;

That in such circumstances, our country must maintain an active participation in the search for instruments that allow it to have sustainable agricultural production through the use of inputs that are safe for human and animal health, and the environment, and

That for this, participatory research promoted by public institutions that fosters dialogue between researchers, farmers and peasant communities, including indigenous and local communities, can be part of the design of successful transition strategies towards a more sustainable and safe production, in accordance with the Sustainable Development goals of the 2030 Agenda, I have seen fit to issue the following:

DECREE

Article One.- The purpose of this Decree is to establish the actions to be carried out by the agencies and entities that make up the Federal Public Administration, to gradually replace the use, acquisition, distribution, promotion and import of the chemical substance called glyphosate and of agrochemicals used in our country that contain it as an active ingredient, for sustainable and culturally adequate alternatives, which allow to maintain production and are safe for human health, the country's biocultural diversity and the environment. In that sense, as of the entry into force of this Decree and until January 31, 2024, a transition period is established to achieve the total replacement of glyphosate.

Article Two.- Dependencies and entities of the Federal Public Administration are instructed to refrain from acquiring, using, distributing, promoting and importing glyphosate or glyphosate, within the scope of their powers and as of the entry into force of this Decree. agrochemicals that contain it as an active ingredient, within the framework of public programs or any other government activity.

Article Three.- In order to reduce the possible impact of the gradual substitution of the use and import of glyphosate in commercial agriculture, the Secretariats of Agriculture and Rural Development and of the Environment and Natural Resources will promote and implement sustainable and culturally appropriate alternatives to the use of glyphosate, either with other low toxicity agrochemicals, with biological or organic products, with agroecological practices or with intensive use of labor, that are safe for human health, the biocultural diversity of the country and the environment.

The National Council of Science and Technology, within the scope of its competence, will coordinate, articulate, promote and support scientific research, technological developments and innovations that allow it to support and propose, to the secretariats mentioned in the previous paragraph, alternatives to the glyphosate. In order to comply with this provision, the National Council of Science and Technology may summon institutions that belong to the sector it leads and other higher education institutions or public research centers with competence in the matter.

Likewise, the bodies set forth in this article, within the scope of their competence, may invite organized groups of agricultural producers, the agrochemical industry, associations of agrochemical users, and organizations of producers of bio-inputs and organic agricultural inputs. to participate in the design, promotion or implementation of the alternatives mentioned in the first and second paragraphs of this article.

Fourth Article.- Based on the results of scientific research, technological developments and innovations referred to in the second paragraph of the third article of this Decree, the National Council of Science and Technology will issue annual recommendations to the competent authorities that allow them to support, where appropriate, the amount of glyphosate that individuals will be authorized to import.

Article Five.- The Secretariats of Environment and Natural Resources, Health, and Agriculture and Rural Development, as well as the National Council of Science and Technology, no later than the first half of 2023, will promote the reforms of the applicable legal regulations to avoid the use of glyphosate as an active substance in agrochemicals and genetically modified corn in Mexico.

Article Six.- With the purpose of contributing to food security and sovereignty and as a special measure of protection to native corn, the *milpa*, the biocultural wealth, the peasant communities, the gastronomic heritage and the health of Mexican women and men, the biosafety authorities, within the scope of their competence, in accordance with the applicable regulations, will revoke and refrain from granting permits for the release of genetically modified corn seeds into the environment.

Likewise, the biosafety authorities, within the scope of their competence, in accordance with the applicable regulations and based on criteria of sufficiency in the supply of corn grain without glyphosate, will revoke and refrain from granting authorizations for the use of genetically modified corn grain in the diet of Mexican women and men, until it is fully replaced on a date that may not be later than January 31, 2024, in accordance with the country's food self-sufficiency policies and with the established transition period in the first article of this Decree.

TRANSITORY

FIRST. This Decree shall enter into force the day after its publication in the Official Gazette of the Federation.

SECOND. The expenditures that, where appropriate, are generated due to the entry into force of this Decree, will be covered by the authorized budget for the fiscal year in question and subsequent ones from the institutions mentioned in this Decree.

THIRD. The Secretariat of Finance and Public Credit, within ninety days following the entry into force of this Decree, will issue the legal provisions and make the corresponding budgetary adjustments to comply with the second article of this Decree.

FOURTH. The interpretation of this Decree corresponds to the Secretariat of the Environment and Natural Resources, the Secretariat of Health, the Secretariat of Agriculture and Rural Development, and the National Council of Science and Technology, within the scope of their respective competencies, being required in in any case the prior opinion of the latter.

FIFTH. The Secretariat of Health and other agencies and entities of the Federal Public Administration, within the scope of their powers, will establish security measures and impose the corresponding sanctions for compliance with this Decree.

SIXTH. Failure to comply with this Decree will give rise to the corresponding administrative responsibilities in terms of the General Law of Administrative Responsibilities.

Attachments:

No Attachments.