



Requirements to Sell, Manufacture or Commercialize Transgenics, Insecticides, Pesticides, Herbicides and Rodenticides

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- 1. Is permission required from the government in order to plant, commercialize, import or export products that have been genetically modified or engineered ("GMOs")?**

Yes, in El Salvador, a permit is required before GMOs are planted, commercialized, imported or exported.

- 2. Is local presence required in order to be considered a duly registered distributor where the GMO is going to be imported and sold?**

The local presence of the distributor is required in El Salvador. The distributor has to be duly registered with the Ministry of Agriculture and Stock [Ministerio de Agricultura y Ganadería ("MAG")]-. In further questions we will answer the reasons for this requirement.

- 3. Which governmental authorities are involved in the determination of the regulations involving GMOs (for example, food and agriculture, environmental, health, safety)?**

MAG through the General Division of Vegetable and Animal Health. This division is the regulatory body for these procedures according to the Seed Act of August 2001, amended in April 2008. This amendment implicates major changes in our legislation, since before this amendment it was forbidden for transgenics to be cultivated in or imported to El Salvador. MAG coordinates efforts with the Ministry of the Environment.

4. Are local performance and/or environmental safety studies required to obtain the permit to plant, commercialize, import or export GMOs, or are studies carried out in the country of origin of the GMO where it has already been certified, valid or accepted?

In order to grant permits, local performance and environmental studies must be performed. Depending on the affected field, these studies would be performed by MAG, the Ministry of the Environment or the Ministry of Public Health and Social Assistance.

5. Does the permission granted by the Government authorize the consumption of GMOs by human beings? Are there specific rules for the consumption of GMOs?

There is no specific legislation that grants a permit for consumption of GMOs. Therefore, permits allowing the planting, harvesting and commercialization of GMOs tacitly permit these products to be sold for consumption. However, the Ministry of Public Health and Social Assistance has the legal authority to control the quality of food and environmental conditions and can issue or retract permits involving GMOs.

6. Is governmental permission required for foreign companies to commercialize, import or export pesticides, insecticides, rodenticides and/or their consumables?

Yes, MAG makes mandatory for the producer, importer or distributor of these products and any raw material used to manufacture same, to fill an application and enclose a GMP and a Certificate of Free Sale if the product is from another country. Any of these products that is imported into El Salvador has to meet the requirements established by Customs Departments, MAG and Ministry of Economics to enter in the country.

7. Is local presence required in order to be a registered or authorized distributor where the pesticides, insecticides, rodenticides and/or their consumables are going to be imported and sold?

Yes, it is mandatory for the distributor to have a presence in El Salvador, since the law requires that in order to sell these products, or their raw materials from which they are manufactured, the establishment where the product is sold has to be authorized by a division of MAG.

Furthermore, the seller is responsible for any damage that the quality of the product, or the product itself, may cause. In some cases it is compulsory to have a specialist in the establishment, which will have joint liability with the seller for any damages that may occur.

8. Which governmental authorities are involved in the determination of the environmental health and safety of pesticides, insecticides, rodenticides?

The governmental authorities that are involved are:

To look out for the environment: Ministry of the Environment.

To look out for health and safety of the products: MAG, Ministry of the Environment, and the Ministry of Public Health and Social Assistance.

9. Are local performance and/or environmental safety studies required to obtain the authorization to market pesticides, plaguicides, rodenticides, insecticides, or are studies carried out in the country of origin of the products, valid or accepted?

Regarding environmental safety for the commercialization of these products, the Pesticide Act makes it obligatory for MAG to require from the manufacturer or distributor the proper applications with the technical studies, plus chemical, biological and bio-chemical samples. Foreign technical studies can be incorporated in the studies submitted to MAG. Once MAG collects them, they analyze them and determine if the products, and/or the raw materials it is made from, are safe. If the product does not meet the requirements, the permit will be denied.

10. Is a prescription by a qualified professional required in the herbicides commercialization? If the answer is "YES", what is the professional that grants such prescription?

No prescription is required. Once MAG has granted the permit for a herbicide's commercialization, it may be sold as outlined in said permit.