



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")?

Regulations relating to the control of import and sale of Genetically Modified ('GM') Foods issued under the Food Act ('FA') stipulates that approval should be obtained to import, store, transport, distribute, sell or offer for sale of any of the items such as any GM organism as food for human consumption, any food containing or consisting of GM organisms and any food produced from or containing ingredients produced from GM organisms.

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

Any person who intends to import, store, sell or offer for sale the food or the ingredients used in the preparation of food shall obtain a permit from the Chief Food Authority ('CFA') to carry out the same. The law does not require local presence in order to import or sell GMOs provided that the importer has obtained a permit for such purpose from the CFA in connection with the Food Advisory Committee ('FAC') in respect of the goods which which the importer intends to import.

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

Ministry of Health
Food Advisory Committee
Chief Food Authority
Consumer Protection Agency

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?**

The law does not cover planting and exporting of GMOs. Commercializing and importing of GMOs require a permit issued by the CFA. Any item prescribed by the Food (GM Foods) Regulations–2001 shall not be imported without obtaining a certificate from the country of import, an accredited laboratory, a competent authority or any other document acceptable to the FAC. Therefore local performance and/or environmental safety studies are not required prior to obtaining a permit to import, store, sale of GMOs.

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?**

The Food Act prohibits the import, storage, transport, distribute, sale or offer for sale any genetically modified organism as food for human consumption, any food containing or consisting of genetically modified organisms and any food produced from or containing ingredients produced from GM organisms without approval from the CFA.

Therefore, though the consumption of such foods by humans per se are not restricted by law. Such consumption is not possible due to the prohibitions stated above.

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

The Pesticides Act ('Act') it prohibits the manufacture, formulation, packing, distribution, selling, offering for sale or delivery within the country of any pesticide unless the said pesticide is registered, and a valid license or provisional permit is obtained from the Registrar of Pesticides, in the manner provided within the provisions of the Act.

The importation of pesticides without the written approval of the Registrar is prohibited.

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?**

The Pesticides Act prohibits the manufacture, formulation, packing, distribution, selling, offering for sale or delivery within the country of any pesticide unless it is registered and a valid license or provisional permit is obtained from the registrar of pesticides. The law does not require local presence in order to be a registered or authorised distributor for the same.



However, it is unlikely that a licence will be issued to a company that does not have a local presence in Sri Lanka.

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

Ministry of Health
Ministry of Agriculture and Lands
Ministry of Environment
Central Environmental Authority
Consumer Affairs Authority
Registrar of Pesticides

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?

There is no requirement for the information/reports/tests or any other studies required with regard to the pesticides (or derivatives thereof) to have been carried out locally. However the application for the licence should indicate adequate toxicological information of such pesticide, including information on antidote to show that when used as recommended the product would not cause ill effects to those applying it or to the consumer of treated crops etc morefully described in the Pesticides Act.

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?

Yes

The regulations made under the Control of Pesticides Act No.33 of 1980 (as amended) provides that such person should have followed a training course on pesticides, the manner and mode of sale of pesticides and obtained a certificate on that behalf from the Registrar of Pesticides or any officer authorised in that behalf by the Director-General of Agriculture.