



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

### **U.S.A., KANSAS Foulston Siefkin LLP**

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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")?**

There are currently no requirements under Kansas statutes or regulations specifically related to planting, commercializing, importing or exporting products that have been genetically modified or engineered. There are general laws and regulations applicable to foods, drugs, and cosmetics manufactured, transported, or sold in Kansas; the sale and labelling of agricultural seeds; the importation of animals that may be used in the preparation of meat or meat products; and the commercial importation.

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

There are no special local presence rules for GMOs.

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

Not applicable.

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?**

No. There are no specific performance or environmental safety studies required.

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?**

Not applicable.

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

The wholesale or retail sale in Kansas, delivery for transportation in Kansas, and transportation in intrastate commerce or between points within Kansas through any point outside Kansas of agricultural chemicals (which includes pesticides, insecticides, rodenticides, herbicides, and their consumables) requires compliance with labeling laws and annual product registration. Poisonous insecticides, fungicides and rodenticides sold in Kansas must be distinctly colored.

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?**

No.

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

The Kansas Department of Agriculture.

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?**

No. There are no specific performance or environmental safety studies required.

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. A pesticide business license is required in order to sell or perform any service for the control of a pest on the property of another. No individual may use any restricted pesticide in Kansas without a commercial applicator's certificate unless they are working under a commercial applicator, are a certified private applicator, are a veterinarian or physician, are qualified laboratory personnel at a recognized pesticide research facility.