



Government of the Republic of Trinidad and Tobago

Ministry of the Attorney General and Legal Affairs

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Overview

Globally, biotechnology is regarded as the dominant general-purpose technology of the 21st century. Trinidad and Tobago, like many other developing countries, has identified modern biotechnology as an important technology option to address issues such as food security and the development of the agricultural sector, bio-resource development and environmental protection. Products of modern biotechnology however should be subject to rules to ensure that they are developed and used in a way that they do not pose an unacceptable risk to plant, animal or human health; genetic resources; or the environment. The National Biosafety Policy of Trinidad and Tobago provides a balanced policy environment so that biotechnology development can be nurtured within an environment where the potential risks associated with the technology are appropriately managed.

At this time however, there is no Act that specifically regulates the products of modern biotechnology, although it is mentioned in some capacity in other Acts of Parliament. Additionally, no decisions have been taken as regards the intentional introduction of living modified organism into the environment, and neither has there been an application for its contained use in for instance, a research capacity.

Administration system

According to the National Biosafety Policy, the Government will establish a National Biosafety Co-ordinating Unit (NBCU) consisting of a National Biosafety Committee and Secretariat, under the Ministry responsible for Biosafety, as the legal authority for decisions relating to the safe transfer, handling and use of Living Modified Organisms (LMOs) resulting from modern biotechnology, and products derived from them that may have adverse effects on the conservation and sustainable use of biological diversity or on human and animal health. In order to carry out its regulatory mandate, the NBCU will establish MOUs with the three national regulatory agencies, that is, Plant Quarantine Services, Ministry of Agriculture, Land and Fisheries (MALF); Chemistry Food and Drugs Division, Ministry of Health (MOH); and the Environment Management Agency (EMA) (as illustrated in Figure1.)

The Ministry of Agriculture, Land and Fisheries is empowered under the Plant Protection Act of 1975 (with amendments of 2001) and the Animal Diseases and Importation Act of 1954 (with amendments of 15/1955; 6/1963; 102/1977 and 45/1979) respectively, to regulate the importation of all plants, plant products including seeds, and any other propagative materials, beneficial organisms, soil, animal and animal products. However, as a member of the International Plant Protection Convention (IPPC), guidelines for the introduction of LMOs as detailed in International Standard of Phytosanitary Measures No. 11 are used to guide the conduct of risk analyses.

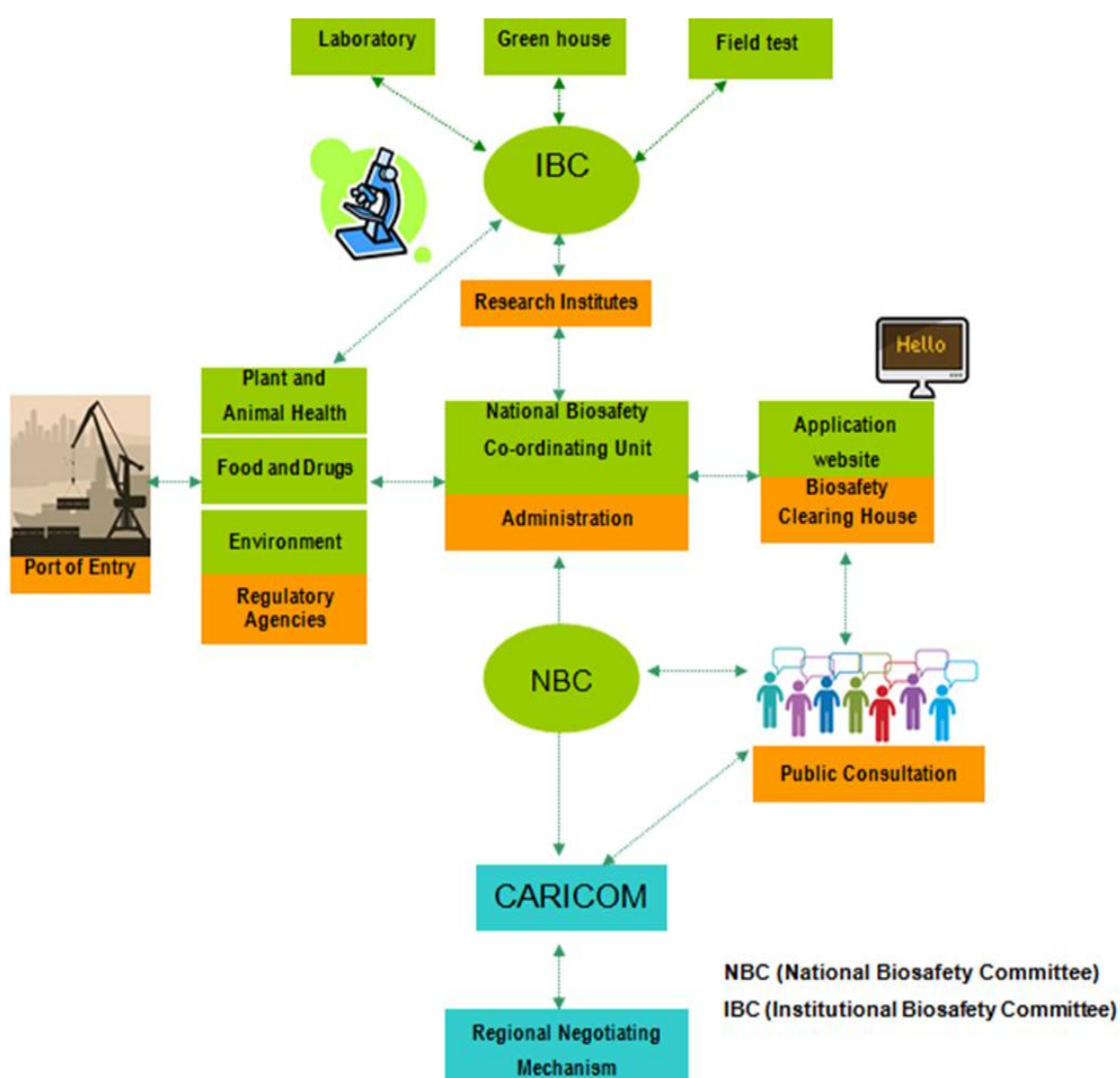


Figure 1. Biosafety regulatory system in Trinidad and Tobago

Guidelines for items in transit and contained use in Trinidad and Tobago

Article 6 of the Cartagena Biosafety Protocol concerns Transit and Contained Use of LMOs and states that:

- 1. Notwithstanding Article 4 and without prejudice to any right of a Party of transit to regulate the transport of living modified organisms through its territory and make available to the Biosafety Clearing-House, any decision of that Party, subject to Article 2, paragraph 3, regarding the transit through its territory of a specific living modified organism, the provisions of this Protocol with respect to the advance informed agreement procedure shall not apply to living modified organisms in transit.*
- 2. Notwithstanding Article 4 and without prejudice to any right of a Party to subject all living modified organisms to risk assessment prior to decisions on import and to set standards for contained use within its jurisdiction, the provisions of this Protocol with respect to the advance informed agreement procedure shall not apply to the transboundary movement of living modified organisms destined for contained use undertaken in accordance with the standards of the Party of import.*

As previously stated, no decisions have been taken as regards the intentional introduction of living modified organism into the environment, and neither has there been an application for its contained use in for instance, a research capacity. However regulation exists for the following closely related scenarios:

Scenario 1: Seed/living biological material in transit through Trinidad and Tobago to another destination.

If material is offloaded in Trinidad and Tobago on its way to another destination, the labelled cargo will be secured and maintained until it is time to be released to its final destination. Additional requirements may be outlined in the import permit such as the use of escape proof containers.

Scenario 2: Import of seed/biological material for propagation in the context of research by agencies in Trinidad and Tobago

In general, a researcher must apply as per usual for an import permit to obtain seed/biological material for experimentation. Even if the material is not one that is endemic or normally cultivated in the country, the permit may be granted by the Plant Quarantine Services, after successful completion of a Pest Risk Analysis. Such permits may require the material to be destroyed upon completion of the research.

Scenario 3: Monitoring of a contained experiment.

A contained field trial can be monitored by staff of the Ministry to ensure there is proper containment via selection of an appropriate location, time of planting, proper labelling, guard rows etc. Specialised staff such as entomologists, pathologists and agronomists would also monitor the experiment on a timely basis for any changes in the surrounding ecosystem or agronomic characteristics.

Scenario 4: Revoking an import permit in light of new information

In light of new information such as the appearance of a non-endemic pest or increased biosafety rating of the material, Plant Quarantine Services has the authority to stop future importation of material into Trinidad and Tobago, if risk analysis determines that the level of risk is now high.

In conclusion, these scenarios indicate that the Plant Quarantine Services of Trinidad and Tobago employs a simple notification procedure for regulating the importation of material, which as in Article 6 of the Biosafety Protocol, are in transit or are destined for research and contained use.

END, 2016