



LEGAL AND POLICY FRAMEWORKS AFFECTING THE MANAGEMENT OF ANIMAL GENETIC RESOURCES - 2013 -

Country: Costa Rica

SECTION 1: SUSTAINABLE USE, DEVELOPMENT AND CONSERVATION OF ANIMAL GENETIC RESOURCES

This section targets information on legislation and policies related specifically to the management of animal genetic resources, i.e. to:

- characterization, surveying and monitoring;
- sustainable use and development;
- conservation; and
- research and development related to animal genetic resources management.

It also includes issues related to patenting and access and benefit sharing. Instruments in these fields of action may or may not include specific provisions related to animal genetic resources or to relevant broader categories such as living organisms or genetic resources for food and agriculture.

1. Overall management of animal genetic resources

Note: In the policy field, this might include, for example, a national strategy and action plan for animal genetic resources.

Legislation Policy

Details of the measure(s)

Política Agroalimentaria 2010-2020.

Impact on animal genetic resources management

Future needs

Se tiene que elaborar el Plan de Acción Nacional en RGA, después de la elaboración del Segundo Informe procederemos a prepararlo.

2. Integration of animal genetic resources management with the management of other genetic resources for food and agriculture (plant, forest or aquatic genetic resources)

Legislation Policy

Details of the measure(s)

Costa Rica cuenta una Ley N° 7788 de Biodiversidad que nos integra a todos los Recursos Genéticos y su Reglamento por Decreto Ejecutivo N° 44781-MINAE. También Costa Rica está en proceso de elaboración del Plan Nacional de Biodiversidad que incluirá los recursos genéticos animales. El Ministerio de Agricultura y Ganadería incluyó en su plan de trabajo el tema de los Recursos Genéticos Animales y Vegetales para la alimentación y la agricultura

Impact on animal genetic resources management

Future needs

Falta hacer reglamento para acceso y distribución de beneficios en Recursos Genéticos Animales. Elaborar el plan nacional de recursos genéticos animales.

3. Surveying and monitoring of animal genetic resources

Legislation Policy

Details of the measure(s)

Impact on animal genetic resources management

Future needs

Es necesario un inventario actualizado, se espera el Censo Agropecuario 2014

4. Official recognition of livestock breeds

Legislation

No

Policy

No

Details of the measure(s)

El Ministerio de Agricultura y Ganadería traslado los registros genealógicos a las asociaciones de criadores de razas puras en cada especie, mediante Decreto Ejecutivo N° N° 19400-MAG.

Impact on animal genetic resources management

Future needs

Se necesita una política para el control oficial de los registros genealógicos

5. Animal breeding and genetic improvement strategies

Legislation

No

Policy

No

Details of the measure(s)

La Corporación Ganadera cuenta con un Programa de Mejoramiento Genético en Bovinos de Carne.

Impact on animal genetic resources management

Future needs

Do these measures address:

5.1 Animal identification and recording

Note: Sections 2 and 3 include questions on traceability and on animal identification as it relates to animal health. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.

Legislation

Yes

Policy

Yes

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal, establece el Programa de Rastreabilidad e identificación animal.

Impact on animal genetic resources management

Future needs

5.2 The establishment and operation of breeders' associations

Legislation

Yes

Policy

No

Details of the measure(s)

El Ministerio de Agricultura y Ganadería mediante Decreto Ejecutivo N° N° 19400-MAG, al trasladar la administración de los registros genealógicos a las Asociaciones, ha hecho que se forme las asociaciones de criadores específicas por raza o por especie animal.

Impact on animal genetic resources management

Future needs

6. Use of reproductive biotechnologies (excluding zoosanitary issues)

Note: Zoosanitary issues are covered in Section 3.

Legislation

Yes

Policy

No

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

7. Genetic modification of animals used for food and agriculture

Legislation

Yes

Policy

No

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

8. Suitability of imported genetic material for use in local production environments

Note: For example, rules requiring a "genetic assessment" before genetic material can be introduced.

Legislation

Yes

Policy

No

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Hay controles para la importación de semen, no se puede ingresar semen de países que tengan enfermedades que no hayan en el país.

Future needs

9. Conservation programmes for animal genetic resources

Legislation

No

Policy

Under development

Details of the measure(s)

Política Agroalimentaria 2010-2020.

Impact on animal genetic resources management

Future needs

Hay que establecer centros de conservación.

Do these measures include provisions specifically related to:

9.1 *In vivo* conservation

Legislation

No

Policy

Under development

Details of the measure(s)

Impact on animal genetic resources management

Future needs

9.2 Cryoconservation

Legislation

No

Policy

Under development

Details of the measure(s)

Política Agroalimentaria 2010-2020.

Impact on animal genetic resources management

Future needs

10. Research and development related to animal genetic resources management

Legislation

Under development

Policy

Under development

Details of the measure(s)

Política Agroalimentaria 2010-2020.

Impact on animal genetic resources management

Future needs

Plan Nacional de Recursos Genéticos Animales

11. Patenting

Legislation

Yes

If legislation is place or under development, does/will it include provisions (including exemptions) specifically targeting:

Animal genetic resources for food and agriculture

No

Living organisms in general

Yes

Details of the measure(s)

Constitución Política de Costa Rica, Art. 47. Ley N° 7788 de Biodiversidad. Convenio de Diversidad Biológica. Protocolo de Cartagena. Ley 6867 Patentes Invención, Dibujos y Modelos Industriales y Modelos Utilidad, con modificaciones en las leyes 7979 y 8632. Ley 8039 Procedimientos de Observancia de los Derechos de Propiedad Intelectual. Anexo 1 C, de Acuerdo sobre los Aspectos de los Derechos de Propiedad Intelectual relacionados con el Comercio. Tratado de Cooperación en Materia de Patentes y su reglamento.

Impact on animal genetic resources management

Future needs

12. Access and benefit sharing arrangements

Note: The Secretariat of the Commission on Genetic Resources for Food and Agriculture, on 8 August 2013, invited countries to report on the conditions under which genetic resources for food and agriculture are exchanged and used (Circular State Letter C/ NRD-5). Please coordinate responses within your country.

Legislation

Yes

Policy

Under development

If instruments are in place or under development, do/will they include provisions (including exemptions) specifically targeting:

Animal genetic resources for food and agriculture Genetic resources for food and agriculture in general

Details of the measure(s)

Ley N° 7788 de Biodiversidad y su Reglamento por Decreto Ejecutivo N° 44781-MINAE. Normas Generales para el Acceso a los Elementos y Recursos Genéticos y Bioquímicos de la Biodiversidad, Decreto Ejecutivo 31514-MINAE.

Impact on animal genetic resources management

Future needs

Reglamento para el acceso a los Recursos Genéticos Animales para la alimentación y la agricultura.

SECTION 2: MARKETING AND CONSUMER INFORMATION AND PROTECTION

This section targets information on legislation and policies addressing the marketing of animal products, including those addressing:

- the production and marketing of organic products;
- the production and marketing of products sold under protected designations of origin or similar labels;
- production and marketing of products sold under labels indicating adherence to animal-welfare-related standards; and
- food safety.

While some policies and legislation in these fields of action may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. Consumer demand for animal products often has a major influence on the use and development of animal genetic resources. A lack of demand may place a breed at risk of extinction. Marketing initiatives for breed-specific products, or products from production systems in which locally adapted breeds are kept, can provide a means of promoting the use of at-risk breeds and reducing the risk that they will become extinct. Legislation and policies that facilitate initiatives of this kind can have a positive effect in terms of the maintenance of animal genetic diversity. Conversely, legislation and policies that inhibit the marketing of particular types of products, or products from particular locations or production systems, may inhibit the use of animal genetic resources associated with these products, locations or production systems.

1. Marketing of animal products in general

Note: This question refers to measures that are not specifically focused on market subsectors such as organic products or products with designated labels of origin.

Legislation Policy

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal. Ley 8591 Desarrollo y Promoción y Fomento Producción Orgánica.

Impact on animal genetic resources management

Future needs

2. Production and marketing of organic products

Legislation Policy

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal. Ley 8591 Desarrollo y Promoción y Fomento Producción Orgánica.

Impact on animal genetic resources management

Future needs

3. Production and marketing of products sold under protected designations of origin or similar labels

Legislation Policy

Details of the measure(s)

Política Agroalimentaria 2010-2020.

Impact on animal genetic resources management

Future needs

Elaborar legislación

4. Production and marketing of products sold under labels indicating adherence to particular animal welfare-related standards

Note: For example, rules relating to the marketing of products as “free range” or under similar designations. Basic animal welfare legislation (i.e. not specifically related to marketing) is covered in Section 3.

Legislation

No

Policy

No

Details of the measure(s)

Impact on animal genetic resources management

Future needs

5. Safety of food products from animals

Note: If relevant, include measures related to the marketing of products derived from genetically modified organisms.

Legislation

Yes

Policy

No

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

6. Traceability of animal-origin products

Note: Sections 1 and 3 include questions on animal identification as it relates to breeding and to animal health. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.

Legislation

Yes

Policy

No

Details of the measure(s)

Impact on animal genetic resources management

Future needs

SECTION 3: ANIMAL HEALTH AND WELFARE

This section targets information on legislation and policies addressing animal health and animal welfare. While some policies and legislation in these fields may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. Animal genetic resources and their management can be affected both by the direct effects of animal diseases and by the effects of measures taken to control animal diseases. For example, a disease epidemic may threaten the existence of at-risk breeds, particularly if their populations are concentrated geographically. Animal diseases, as influenced by the presence or absence of effective animal health services, can also influence the type of animal genetic resources that can be kept in particular locations, influence breeding objectives and/or affect the economic sustainability of livestock-keeping livelihoods. Compulsory culling measures used to control disease epidemics may pose a threat to geographically concentrated breed populations. Legal restrictions on the import of genetic material because of zoosanitary reasons may affect breeders' access to genetic resources. Legal restrictions on livestock movements, restrictions on particular husbandry practices, or onerous requirements for animal health-related actions on the part of livestock keepers (or in the food processing and marketing chain), may inhibit the keeping of animal genetic resources associated with the production systems targeted. Zoosanitary legislation related to the use of semen, embryos and other genetic materials may have implications for cryoconservation programmes. Legal and policy frameworks related to animal welfare might promote or inhibit the keeping of animals in particular production systems or the use of animals to provide specific products or services. In turn, these developments might promote or inhibit the continued use of the animal genetic resources associated with the respective production systems, products or services.

1. Delivery of animal health services and control of animal diseases

Legislation Policy

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

Do these measures include provisions specifically related to:

1.1 Animal identification

Note: Sections 1 and 2 include questions on animal identification as it relates to breeding and on traceability. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.

Legislation Policy

Details of the measure(s)

Impact on animal genetic resources management

Future needs

1.2 Control of the import of animal genetic resources (live breeding animals and/or germplasm) for zoosanitary reasons

Legislation

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

1.3 Control of the export of animal genetic resources (live breeding animals and/or germplasm) for zoosanitary reasons

Legislation

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

1.4 Zoosanitary rules related to the use of reproductive technologies

Legislation

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal.

Impact on animal genetic resources management

Future needs

1.5 Control of livestock movements (within the country) for zoosanitary reasons

Legislation

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal y sus reglamentos

Impact on animal genetic resources management

Future needs

1.6 Restrictions or compulsory actions related to husbandry practices (for zoosanitary reasons)

Legislation

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal y sus reglamentos

Impact on animal genetic resources management

Future needs

1.7 Compulsory culling in the event of outbreaks of specific diseases

Legislation

If legislation is in place or under development, does/will it include provisions to protect at-risk animal genetic resources from the effects of culling programmes?

Details of the measure(s)

Decretos específicos de emergencia, caso de fiebre porcina.

Impact on animal genetic resources management

Future needs

2. Animal welfare

Legislation

Yes

Policy

Yes

Details of the measure(s)

Ley 8495. Ley General del Servicio Nacional de Salud Animal y Ley 7451 Bienestar Animal de los Animales

Impact on animal genetic resources management

Future needs

SECTION 4: AGRICULTURE, LAND USE AND NATURAL RESOURCES MANAGEMENT

This section targets information on legislation and policies that address the overall management of the production systems, ecosystems and environments within which animal genetic resources are used and developed. The questions address the following main topics:

- general frameworks or strategies for rural development;
- agriculture, land use and natural resources management;
- management of biodiversity;
- other aspects of environmental protection;
- overall livestock-sector development;
- management of rangelands and other grazing lands;
- establishment of livestock farms or holdings
- establishment and operation of civil society organizations in the livestock sector
- participation of livestock keepers in decision-making in livestock-sector development; and
- prevention, preparedness and response to natural or human-induced disasters

While some policies and legislation in these fields may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. For example, policies and legislation that promote or constrain the keeping of livestock in particular production systems, for particular purposes or in particular geographical areas may promote or discourage the use of the animal genetic resources associated with these systems/uses/locations (hence possibly affecting their risk status), lead to the establishment of breeding objectives targeting the development of animals suitable for the favoured systems/uses/locations or lead to the import of genetic resources suitable for these systems/uses/locations.

1. General framework or strategy for sustainable agriculture, land use and natural-resources management

Note: This question relates to broad strategic-level instruments such as national agricultural or rural development policies, strategies or laws. Instruments related to specific aspects of agricultural and rural development should be described under other questions as and where relevant.

Legislation

Yes

Policy

Yes

Details of the measure(s)

Plan estratégico Agroalimentario 2011-2020. En proceso de elaboración el NAMA-Ganadería

Impact on animal genetic resources management

Future needs

2. Management of biodiversity

Note: Please use this question to provide information on the general framework for managing all aspects of the country's biodiversity (e.g. instruments related to the designation and management of protected areas). Include, for example, information on whether animal genetic resources issues are included in your country's National Biodiversity Strategy and Action Plan and on any provisions addressing potential conflicts, or perceived conflicts, between the management of animal genetic resources and the management of other elements of biodiversity. Specific animal genetic-resources-related instruments (e.g. National Strategy and Action Plans for Animal Genetic Resources) should be reported in Section 1 (Question 1).

Legislation Policy

Details of the measure(s)

Ley N° 7788 de Biodiversidad y su Reglamento por Decreto Ejecutivo N° 44781-MINAE.

Impact on animal genetic resources management

Future needs

Proceso de elaboración el Plan Nacional de Biodiversidad

3. Environmental protection

Note: Instruments specifically targeting the management of biodiversity are covered under Question 2. Please use this question to provide information on instruments addressing other environmental issues (e.g. addressing pollution of land and water, deforestation, climate change, water use or flood protection). If an instrument addresses both biodiversity and other aspects of environmental protection, please indicate this using a cross-reference to your answer to Question 2.

Legislation Policy

Details of the measure(s)

Ley N° 7788 de Biodiversidad y su Reglamento por Decreto Ejecutivo N° 44781-MINAE.

Impact on animal genetic resources management

Future needs

4. Overall development of the livestock sector

Note: This question relates to broad strategic-level instruments addressing the livestock sector as a whole, such as national livestock development strategies or laws. Instruments related to specific aspects of livestock development should be described under other questions as and where relevant.

Legislation Policy

If provisions are in place or under development do/will they include:

Particular provisions aimed at supporting livestock keeping in harsh production environments

Note: Please consider direct and indirect forms of support (e.g. grants or subsidies, favourable access to credit or livestock services, facilitation of market access).

Legislation Policy

Particular provisions aimed at supporting large-scale, high external input or export-oriented production systems or supporting management practices associated with such systems

Note: Please consider direct and indirect forms of support (e.g. grants or subsidies, subsidized inputs, favourable access to credit or livestock services, support for infrastructure development or mechanization).

Legislation Policy

Details of the measure(s)

Impact on animal genetic resources management

Future needs

5. Management of and access to rangelands or other grazing lands

Legislation Policy

Details of the measure(s)

Impact on animal genetic resources management

Future needs

6. Establishment of livestock farms or holdings

Note: This question relates to planning rules related to the size, location, ownership, registration, etc. of livestock farms or holdings.

Legislation

Yes

Policy

Yes

Details of the measure(s)

Reglamento General para el Otorgamiento del Certificado Veterinario de Operación, Decreto Ejecutivo 34859-MAG.

Impact on animal genetic resources management

Future needs

7. Establishment and operation of civil society organizations in the livestock sector

Note: Instruments specifically related to organizations focused on breeding (genetic improvement) activities are covered in Section 1 (Question 5.2). Please use the present question to provide information on instruments of a more general nature (e.g. related to the operation of cooperative societies or community organizations).

Legislation

Yes

Policy

No

Details of the measure(s)

Impact on animal genetic resources management

Future needs

8. Participation of livestock keepers in decision-making related to the development of the livestock sector

Legislation

Yes

Policy

No

Details of the measure(s)

Ley 7837 de Creación de la Corporación Ganadera.

Impact on animal genetic resources management

Future needs

9. Prevention, preparedness and response to natural or human-induced disasters

Legislation

Yes

Policy

Yes

If instruments are in place or under development, do/will they include any provisions specifically targeting:

Animal genetic resources

Note: For example, measures targeting the protection of at-risk breeds.

Legislation

No

Policy

No

Livestock in general

Legislation

Yes

Policy

Yes

Details of the measure(s)

Decretos de emergencia

Impact on animal genetic resources management

Future needs

SECTION 5: ADDITIONAL INFORMATION

Please provide information on any aspects of your country's legal and policy framework that affect animal genetic resources and their management but are not covered by any of the questions above.

Submit by e-mail