

Abstract

“Genetically modified goods” is produced by genetically modified organisms, GMOs, using genetic engineering technology. Selected gene or DNA sequence of known property is transformed into biological material such as plant cell, yeast, bacteria and virus in which modified biological material will modify its function as altered by transformed gene. Genetically modified biological material is playing significant role in commercialization globally because it can be directed to meet the specific need of customers. In 2000’s, only genetically modified plants and microorganisms are allowed to be commercialization but not genetically modified animals.

Although the beneficial of genetically modified goods is widely acknowledged, there is still some contradiction. Safety issue is often raised for both in technology and modified organisms. Group of countries which supports genetically engineering points out that genetically modified goods is safe and also increase product selection for customers. The opposite side comprises of countries who has been negatively encountered with genetically modified goods and/or technique itself such as European. European countries raise their concern that no research has proved that genetically engineering technology and products are safe for human, animal and environment. Therefore this group has been trying to exclude such modified goods by issued strictly and complicated regulations which may affect trade.

International agreements on genetically modified goods have been entered as tool to reduce conflict and problem in commercialization. The said agreements are Agreement on Application of Sanitary and Phytosanitary Measure, SPS, Agreement on Technical Barriers to Trade, TBT, and Catagena Protocol on Biosafety under convention on Biological Diversity, CBD. National level, many countries have tried to enforce regulation to control genetically modified goods. US and Thailand enforce by using existing rules and regulations. European countries and Argentina wrote new regulations specifically for GMOs. However they all based on International standard of risk assessment, scientetic base , and free trade measure.

Thailand as agriculture country who is one of the top agriculture exporters has not yet enforced specific regulation for GMOs and its related products. Thailand has been using existing laws and regulations such as Plant Quarantine Act B.E.2507 and Food Act B.E. 2522 or passes secondary laws to enforce such goods. Not all the existing laws can regulate all steps of genetics modification process especially research and development, post market product evaluation, and public information. As the result, drafting of new laws on biosafety from modern technology has started and this laws will comply with Cartagena Protocol On Biosafety. This study will propose strategy and guideline to solve problem of draft biosafety law which the study has 2 phases: prior enforcement of draft biosafety law and post enforcement of draft biosafety law. The first phase can start immediately using the existing laws to issue secondary law just to fill the gaps. Export area may regulate by using and issue secondary laws to set standard of genetically modified agricultural goods to cover research and development products. Import and Export Act B.E. 2522 can also regulate export and import genetically modified goods. Phase 2 is aimed to induce secondary laws to support the newly enforced Draft Biosafety Law. This phase includes capacity building plan for related personal to be efficiently enforce new laws. Increasing R&D capacity is also need to strengthen the scientific information for modified goods such information is useful in trade negotiation. In addition, service process should be organized to 'one stop service' system. There will be central office to manage in coming query and coordinate with outer related organizations.

Finally this study should be useful as guide for Thailand preparation in export and import genetically modified goods.