

# Domestically Prohibited Goods

Experience of Costa Rica

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Some years ago the issue of Domestically Prohibited Goods (DPG's) was more relevant because of the common use of pesticides and agrochemical products, mainly in the banana plantations. Today, DPG's are not of much controversy or priority for Costa Rica. Due to national regulations that prohibited the use of some products and regulated the adequate use of others, the issue of domestically prohibited goods has become less controversial in the national context.

As mentioned above, Costa Rica's main concern with respect to DPG's has been agrochemical products and pesticides. This is the main reason why since approximately, 10 years ago, Costa Rica implemented legislation that prohibits the imports, exports, fabrication, use and transit in the national territory of products that have been considered harmful for the environment and for the human health. Some examples of these products are DDT, CAPTAN, and others like the arsenic.

Costa Rica has laws that prevent environmental damage and protects the human health. Examples of these laws are the "Ley de Aguas" (for the conservation of the hydraulic resources), the "Ley de Conservación de la Vida Silvestre" (for the conservation of the wild life), the "Ley General de Salud" (which is the general law for health that includes regulations for the inspection, use and registration of pesticides). Also the "Reglamento sobre Palguicidas" (which regulates the control of plagues), "Reglamento sobre el manejo de Basura" (which controls the adequate disposal of garbage) and the "Ley de Sanidad Vegetal" (that regulates the vegetal sanity).

In this group of laws is included the adequate use of the DPG's. For example, in the regulation for plague control it is forbidden, among other things, the destruction or burning of packages or residues of agrochemicals that contain mercury, lead, cadmium or arsenic. It is also prohibited to leave residues of agrochemicals or empty packages that have eventually contained this kind of products.

Along the same lines, in the General Health Law it is also included regulations about the import, fabrication, manipulation, sale, transport, distribution, storage and supply of toxic substances, products or dangerous materials. Because of this law, the Ministry of Health of Costa Rica is able to prohibit the sale and supply of this products or substances and to deny the permission to import, fabricate and commercialize substances or products excessively toxic.

More specific dispositions for the General Health Law were recently included in a regulation for the registration of dangerous products. In this regulation are included the products that are considered dangerous in Costa Rica. The term "dangerous products" includes: Explosives (Class 1); Gases (Class 2); Inflammable or combustible liquids (Class 3); Solids (Class 4); oxidizing or cumbustive agents and organic peroxides (Class 5); Toxic and infectious substances (Class 6); Radioactive substances (Class 7); Corrosives (Class 8) and Miscellaneous (Class

9); that include all the substances that are not included in the other categories but can be harmful when used).

Recently the Ministry of Health and the Ministry of Agriculture and Livestock of Costa Rica emitted some decrees that updated the list of dangerous products, included in the law named above, to which this kind of prohibitions and restrictions apply in the national territory. Obviously, this new legislation came to derogate part of the legislation that was ruling at that time.

In a briefly summary, it can be pointed out that Costa Rica counts with several laws that not only regulate the import, export and use of determined dangerous products, but also regulate the way in which other non prohibited goods should be used.