

November 21, 2013

Letter supporting the administrative claim filed by
Centro de Incidencia Ambiental de Panama regarding AquaBounty Panama

The undersigned consumer and environmental organizations from the United States, Canada and Europe support the administrative filing submitted today to the Panamanian National Environmental Authority by the Centro de Incidencia Ambiental de Panama (CIAM). The CIAM filing alleges major problems with AquaBounty's experimental production of genetically engineered (GE) Atlantic salmon and the Panamanian government's oversight of this production.

The non-compliance issues described in CIAM's filing suggest a culture of mismanagement as well as inadequate oversight at AquaBounty's experimental facility in Panama, which may significantly raise the risk that genetically engineered salmon will escape and enter nearby waters that may be capable of supporting the GE salmon.¹ Once GE salmon are released into the wild, it would be nearly impossible to retrieve them, and their impact on native fish populations and aquatic ecosystems could be irreparable. We support CIAM's effort to bring the alleged misconduct to light and to compel Panamanian authorities, at a bare minimum, to enforce the permit and inspection requirements outlined in CIAM's administrative claim.

Compliance with Panamanian regulations affects not only environmental safety in Panama but is relevant to regulatory assessments of AquaBounty's GE salmon in other countries, most immediately those in Canada and the United States. AquaBounty is currently seeking approval of its GE salmon with U.S. regulators at the Food and Drug Administration based on a specific plan whereby all GE salmon eggs would be produced in Prince Edward Island, Canada and shipped to Panama for grow-out and processing. Given that this production plan depends on each facility operating in a safe and responsible manner, with appropriate regulatory oversight from government authorities, the allegations of non-compliance in Panama raise serious concerns for the international community.

CIAM's filing enumerates the many legally required permits that AquaBounty's experimental facility failed to acquire, suggesting a pattern of non-compliance and calling into question the company's ability to safely produce GE salmon. Perhaps most critically, AquaBounty is charged with not having a wastewater permit, even as government analyses of surrounding waterways show elevated coliform levels. This suggests a major disregard for environmental safety and may speak volumes regarding AquaBounty's broader lack of commitment to environmental stewardship.

The allegations in the administrative claim add to the questions that have already been raised about AquaBounty's ability to safely produce GE salmon at its location in Panama. Boquete, where AquaBounty's Panama facility is located, is notorious for its extreme weather, making the

location of AquaBounty's experimental facility inherently risky. In November 2008, flooding destroyed multiple bridges in the region.² In recent years, the government has had cause to declare various states of emergency related to the Caldera River in the area around Boquete.³ In August 2008, a severe storm caused a tree to fall on part of AquaBounty's production facility in Panama, leading to a batch of experimental GE salmon being "lost."⁴ The company claims that all the GE fish died, but the public has never received confirmation of this from regulators in Panama.⁵ Regardless, this event shows that AquaBounty's facility is vulnerable to severe weather events.

And while the scientific community has developed risk assessment protocols for GE fish, which include an emergency plan that addresses fish escape and natural disasters,⁶ neither FDA nor AquaBounty has meaningfully followed these protocols.⁷ These failings underscore AquaBounty's lack of preparedness to analyze or prevent risks.

CIAM's allegations of inadequate oversight on the part of the Panamanian government raise serious questions as to whether AquaBounty's operations are being properly regulated. We fully support CIAM's efforts to bring this administrative claim forward, and we ask the Panamanian government to take immediate, corrective action to bring AquaBounty into compliance.

Sincerely,

Canadian Biotechnology Action Network (Canada)

Center for Food Safety (United States)

Food & Water Europe (Europe)

Food & Water Watch (United States)

Friends of the Earth (United States)

GeneWatch UK (Europe)

¹Food and Drug Administration Center for Veterinary Medicine. Veterinary Medicine Advisory Committee. "Briefing Packet: AquAdvantage Salmon." September 20, 2010 at 120-124.

²Rivera, Sandra et al. "Furia de dos rios causa desastres." *La Prensa*. November 23, 2008.

³Rivera, Sandra. "Entregan licitacion a Ceiba." *La Prensa*. August 21, 2009; Valdes, Yessika. "Sinaproc declara estado de emergencia en zonas afectadas." *Panama America*. April 10, 2011; Sistema Nacional de Proteccion Civil. "Inspeccionan cauces de rios Director de Sinaproc y Ministro del MOP." September 22, 2011.

⁴AquaBounty Technologies, Inc. Regulatory Filing on London Stock Exchange: Operations update. August 15, 2008; LeVaux, Ari. "The genetically engineered salmon that could soon run wild." *Outside Online*. June 6, 2012.

⁵LeVaux, Ari. "The genetically engineered salmon that could soon run wild." *Outside Online*. June 6, 2012.

⁶Global Environment Facility. "Environmental Risk Assessment Of Genetically Modified Organisms: Volume 3. Methodologies for Transgenic Fish." 2007 at 218.

⁷ Food and Drug Administration Center for Veterinary Medicine. “Draft Environmental Assessment for AquAdvantage® Salmon.” May 4, 2012 at 55.