

RODRIGO,  
ELIAS  
& MEDRANO  
ABOGADOS

# Chemicals Management in Peru

July 2021



LAW FIRM OF THE YEAR  
PERU 2020

# Chemical industry sector

## From 2019 to 2020

Tabla 1. Exportaciones peruanas, por sector. Enero a marzo de 2019 y 2020. Valor FOB expresado en US\$

Sector	Ene-mar 2019	Ene-mar 2020	Variación %	Participación %
<b>Tradicional</b>	7,673,676,216	6,242,434,278	-18.65	67.84
Minería	6,033,818,906	5,353,430,381	-11.28	58.18
Petróleo y Gas Natural	880,927,371	531,519,179	-39.66	5.78
Pesca Tradicional	666,603,850	295,964,139	-55.60	3.22
Agro Tradicional	92,326,089	61,520,579	-33.37	0.67
<b>No Tradicional</b>	3,267,560,089	2,958,689,279	-9.45	32.16
Agro No Tradicional	1,444,840,914	1,582,934,918	9.56	17.20
Químico	375,183,934	340,713,565	-9.19	3.70
Textil y Confecciones	349,678,271	272,824,880	-21.98	2.97
Sidero Metalúrgico	265,167,549	218,954,910	-17.43	2.38
Pesca No Tradicional	396,231,890	247,157,009	-37.62	2.69
Minería No Metálica	137,382,354	86,379,784	-37.12	0.94
Metal Mecánico	141,424,684	115,484,036	-18.34	1.26
Maderas	30,727,197	24,391,358	-20.62	0.27
Industria de Papel y Cartón	53,599,800	39,159,722	-26.94	0.43
Joyería	39,802,902	6,369,266	-84.00	0.07
Pieles y Cueros	4,935,035	3,218,323	-34.79	0.03
Calzado	5,099,028	4,317,894	-15.32	0.05
Artesanías/Decoración	290,359	294,761	1.52	0.00
Varios	23,196,172	16,488,852	-28.92	0.18
<b>Total</b>	<b>10,941,236,305</b>	<b>9,201,123,557</b>	<b>-15.90</b>	<b>100.00</b>

1º (Mining)

3º (Hydrocarbons)

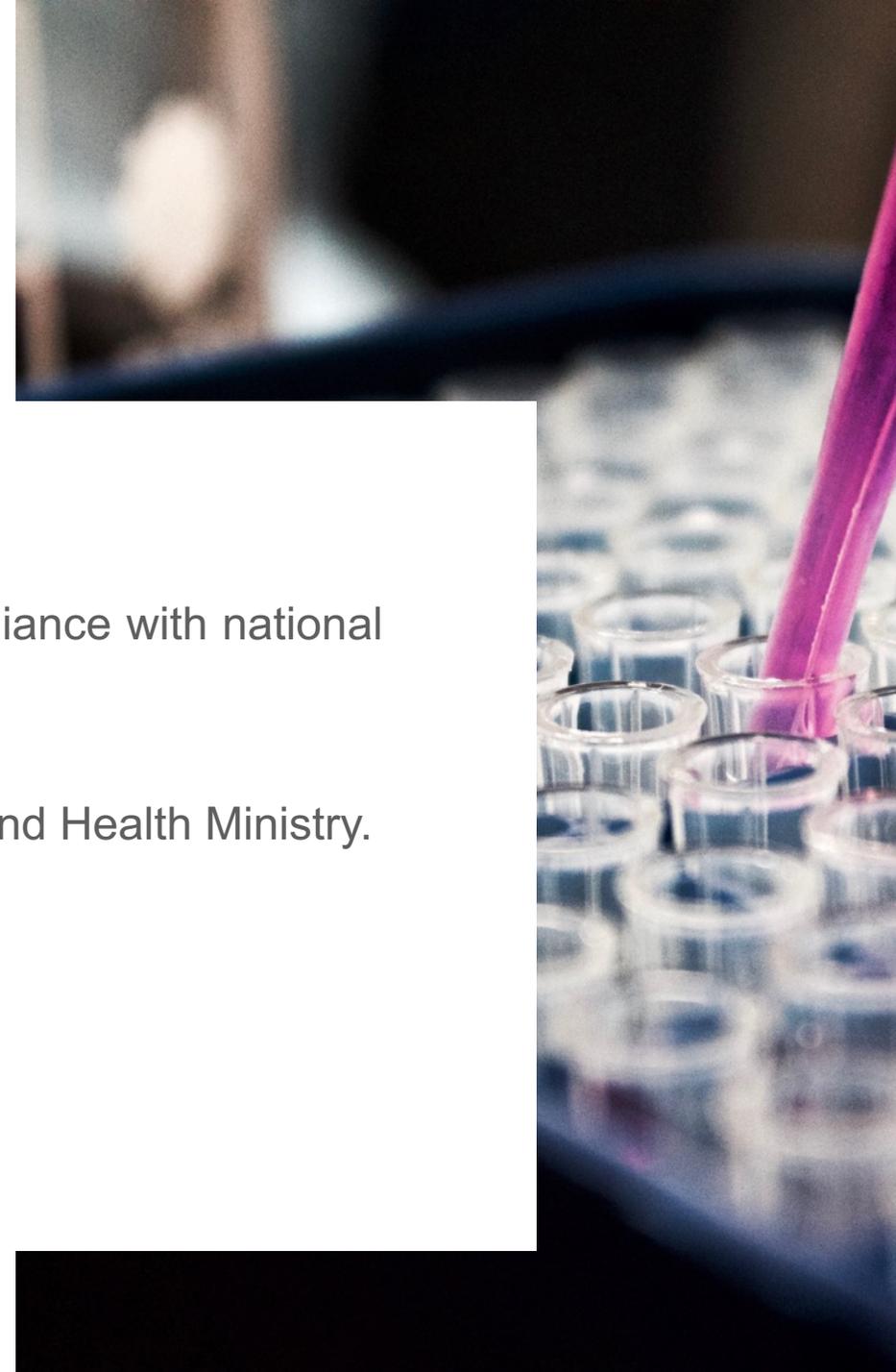
2º (non- traditional agriculture)

4º Chemicals

Fuente: Camtrade Plus  
Elaboración: IDEXCAM

# Peruvian regulation

- Each Ministry has jurisdiction over its economic sector.
- Local and Regional Governments have limited jurisdiction in compliance with national regulations.
- There is no Chemical Products Ministry → Ministry of Production and Health Ministry.
- Challenges:
  - Environmental Standards.
  - Many authorities, permits and regulations.
  - Zoning.



# Challenge 1 → Environmental Compliance

## I. Inconsistencies between technical standards and assumed environmental commitments

- Different environmental authorities.
- Higher standards not according to the industry.
- Certain technical standards are not public. On the contrary, their purchase is necessary.
- Complying with certain Environmental commitments and obligations depends on the availability of certified laboratories → market problem.

# Challenge 2 → Authorities and Permits

## Chemical Inputs

Various authorities.

- Ministry of Production
- SUNAT
- Local Authorities

- The issuance of authorizations implies meeting various requirements regulated by other authorities.
- Each organism has the autonomy to regulate specific requirements.
- There is no clarity about the deadlines or requirements to have the prior permits that allow obtaining the general authorizations.

**COVID-19 has generated more difficulties to obtain authorizations**

## Challenge 3 → Ethylic Alcohol



- I. The export of medical products has increased during 2020, particularly, ethylic alcohol.
- II. Its commercialization requires several permits from the Ministry of Production and the Ministry of Health, **regardless of its final use.**
- III. Due to COVID-19 → several regulations have been enacted to ensure this substance's adequate elaboration.
  - Within the Ministry of Health, its elaboration, commercialization, transport and storage are regulated by several organisms.
  - Each of them requires different permits to ensure that its composition is in accordance with Public Health's standards.

# Challenge 4 → The Project's location



- Zoning problem
- ¿Is it feasible to live next to a fabric?

# Conclusions

- The chemical market in Peru is in a period of profound transition.
- The COVID-19 pandemic has had an unprecedented impact on Peru's economy and in the standing of the chemical industry.
- To succeed the companies should consider implementing a series of strategic initiative both long-term and short-term, adopting new business models that generate sustained growth and anticipated planning is more than required.
- As the industry moves into 2022, the changed economic, social, environmental, and political expectations are expected to play an even greater role in shaping the chemical industry's future.

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## Contact Information



**Francisco Tong**  
ftong@estudiorodrigo.com

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Av. San Felipe 758, Jesús María – Lima, Perú

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(+511) 619-1900

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[www.estudiorodrigo.com](http://www.estudiorodrigo.com)