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**CARTAGENA PROTOCOL ON BIOSAFETY:
The Biosafety Clearing-House Must Be Complete and Accurate**

To facilitate trade and the continued transboundary movement of LMOs, Parties and other governments should focus on communicating their applicable biosafety requirements by posting clear, accurate and complete information on the Biosafety Clearing-House (BCH).

- The BCH is an essential enabling mechanism for implementation and functioning of the Cartagena Protocol on Biosafety (Protocol). Though over one hundred and forty countries have ratified the Biosafety Protocol to date, many of these countries have not yet met their Protocol obligations to provide specific information on the BCH – a website database designed to provide information on national regulatory requirements, facilitate information exchange and assist those who intend to ship LMOs for release into the environment and material destined for food, feed and for processing to a Party to the Protocol.
- A continuing concern of the Global Industry Coalition (GIC)¹ is the difficulty many Parties, technology providers and commodity chain handlers are facing in meeting their obligations to implement the Protocol with regard to shipments of LMOs for intentional release and LMOs for food, feed and for processing in light of the scarcity of information available on the BCH. While the BCH is fully operational, the absence of information available limits its utility. Few Parties have posted the necessary information on the BCH that outlines how they intend to implement these provisions of the Protocol, or have otherwise clarified the applicable processes for such imports. In addition, much of the posted information is dated as most Parties do not appear to have a system for periodic updating of their postings.
- A clear indication on the BCH by each country on its requirements for LMOs for contained use, LMOs for intentional release in to the environment and LMO-FFPs would prevent potential trade delays. Some countries, both Parties and non-Parties, have posted information regarding approvals for domestic use or import approvals, but only a small number of countries have specifically indicated that their existing domestic regulations, including shipping regulations, apply to imports. In addition, there have been instances where exporting entities are unclear as to whether the appropriate clearance from importing Parties has been obtained for certain LMOs.
- A complete and accurate BCH is essential for the successful implementation of the Protocol. If Parties post all required information and meet their Protocol obligations with respect to the BCH, it will allow governments to make timely, informed decisions regarding the importation or release of LMOs and ensure exporters have access to sufficient information to allow them to meet their obligations under the Protocol.

¹ The Global Industry Coalition (GIC) for the Cartagena Protocol on Biosafety receives input and direction from trade associations representing thousands of companies from all over the world. Participants include associations representing and companies engaged in a variety of industrial sectors such as plant science, seeds, agricultural biotechnology, food production, animal agriculture, human and animal health care, and the environment.

The users and developers of biotechnology support the development of a transparent, accessible and user-friendly BCH that provides reliable and complete information to all users. As such, we recommend that Parties post the following information on the BCH:

- national laws, regulations and guidelines for implementation of the Protocol;
- contact information for the Competent National Authority for the purposes of notification under the Advance Informed Agreement (AIA) procedure, as well as any other information required by the Parties for the AIA procedure;
- final decisions regarding import and release of LMOs;
- a declaration under Article 14.4 that their domestic laws apply, where that is the case;
- where appropriate, a declaration under Article 13.1(b) that imports of particular LMOs are to be exempted from the AIA procedure;
- a declaration under Article 11.6 outlining the basis on which a decision on first import of a particular LMO-FFP will be taken;
- summaries of risk assessments;
- other clarifying information that will reduce any additional confusion and delays in shipments of LMOs that may otherwise occur.

Background:

Article 20(1) of the Biosafety Protocol established the BCH as an information-exchange mechanism to assist Parties to implement its provisions and to facilitate sharing of information on, and experience with, LMOs.

Article 20(3) of the Protocol requires Parties to post specific information, as outlined above, on the BCH in order to facilitate the transboundary movement of LMOs. Other useful information can also be posted on the BCH:

- National Contacts and Competent National Authorities - contact information, national websites and databases
- OECD Unique Identifiers for LMOs for deliberate release into the environment, where they exist
 - provides unique identification of LMOs to clearly identify a LMO that may have multiple names or designations
 - facilitates sharing of information

At the third meeting of the Parties to the Protocol, Parties took a decision requesting the Executive secretary to undertake a survey of BCH users to compare improvements against existing baseline data. Parties were also invited to consider the general operation of the BCH in the light of the experience shared by Parties in their first national reports and the ongoing implementation of the programme of work of the BCH so as to further plan future BCH activities. Parties will consider this information at their fourth meeting in Bonn, Germany from 12-16 May 2008.

The BCH can be accessed at: <http://bch.cbd.int/>. In addition, a database that lists information on the commercial status of certain agricultural biotechnology products can be accessed at: <http://www.biotradestatus.com>.