

**CARTAGENA PROTOCOL ON BIOSAFETY:
Existing Rules and Standards for Identification, Handling, Packaging
And Transport Applicable to LMOs (Article 18.3)**

For some categories of living modified organisms (LMOs) that require special identification, handling, packaging or transport, other international bodies already provide such requirements. Therefore, and in order to create synergies and avoid duplication of efforts, the GIC¹ recommends that Parties focus on information-sharing with these other relevant international bodies, and through the Biosafety Clearing-House (BCH), rather than developing any new rules or standards under Article 18.3 of the Protocol.

A. Adequacy of Existing Rules and Standards for Identification, Handling, Packaging and Transport of Goods and Substances

- Shipments of LMOs under Article 18.2(b) comprise a wide range of goods that, when appropriate, are covered by existing international transport regulations as well as Protocol shipping documentation. Experience to date indicates that no gaps have been identified; therefore, no further standards or requirements for these shipments need be developed under Article 18.3.

B. International Bodies of Experts on the Identification, Handling, Packaging and Transport of Goods

- A number of international bodies of experts are currently undertaking work on rules and standards with respect to identification, handling, packaging and transport of goods, including LMOs.
- For example, the United Nations Economic and Social Council's Committee of Experts developed the "Model Regulations on the Transport of Dangerous Goods" (UN Model Regulations) which are general packing requirements, testing procedures for packages, marking or labeling and transport requirements for certain categories of substances. While not applicable to LMOs that are authorized for use by the competent authorities of the government of the countries of origin, transit and destination (i.e., the vast majority of shipments under Article 18.2(c)), these regulations apply to specific categories of LMOs, for example, those that meet the definition of an infectious substance under the UN Model Regulations. Those that do are assigned to the appropriate category of infectious substance, thereby becoming subject to all requirements under that category.
- In addition, the International Air Transport Association Live Animals Regulations (LAR) provides guidance on packaging and documentation needed for the transport of live animals.² The LAR has been developed by the International Air Transport Association. (IATA) in consultation with Parties to the Convention on International Trade of Endangered Species of

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.

² <http://www.iata.org/ps/publications/lar.htm>.

8 April 2008

Wild Fauna and Flora (CITES), the World Organisation for Animal Health (OIE) and government authorities that implement the LAR for animal transportation to ensure safety in transport and humane transportation of live animals. The LAR is applicable to IATA members and to airlines that are parties to the Multilateral Interline Traffic Agreement for Cargo. To the extent that any live animal would qualify as an LMO, the LAR would govern its international movement by air.

- Given these existing sets of requirements and bodies of expertise, any further development or refinement of rules and standards for identification, handling, packaging and transport of LMOs should be referred to the organizations already addressing those matters.

C. Elements of a Draft Decision

- The private sector supports the call for further collaboration with relevant international bodies to ensure that information on existing rules and standards governing special categories of LMOs are available to the Parties via the Biosafety Clearing-House.
- In addition, the private sector supports ongoing work on this issue taking place in other international organizations. Accordingly, if any gaps are identified in the future, they should be referred to the organizations that are already addressing those matters, e.g. the UN Committee of Expert on the Transport of Dangerous Goods and the IATA Live Animal Regulations.
- The goal in further discussions by the Parties under Article 18.3 should be to ensuring awareness of existing requirements under other international agreements and organizations and to further create synergies and avoid duplication of efforts. As such, this issue does not warrant expending resources on an *ad hoc* Technical Expert Group to consider the need for and modalities of developing standards with regard to Article 18.3.

Background:

Article 18.3 of the Protocol invites Parties to consider the need for and modalities of developing standards with regard to identification, handling, packaging, and transport practices. In doing so, the Parties are required to undertaken consultations with other relevant international bodies. At their third meeting, Parties requested Parties, other Governments and relevant organizations to submit views on: (i) the adequacy of existing rules and standards for identification, handling, packaging and transport of goods and substances to address concerns relating to LMOs that are subject to transboundary movements; and (ii) on gaps that may exist that may justify a need to develop new rules and standards, or to call upon relevant international bodies to modify or expand their existing rules and standards, as appropriate. Parties also requested that the Executive Secretary of the Convention on Biological Diversity continue collaborating with relevant international bodies and gather information on existing rules and standards. Parties will consider this information when taking a decision on this issue at their fourth meeting, in Bonn, Germany from 12-16 May 2008.

The GIC provided a submission on this issue which can be viewed at www.croplife.org, Biosafety Protocol, documentation requirements.