Second Regular National Report on the Implementation of the Cartagena Protocol on Biosafety

Origin of report
Country

- Romania

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9. Organizations/stakeholders who were consulted or participated in the preparation of this report
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Party to the Cartagena Protocol on Biosafety
12. Is your country a Party to the Cartagena Protocol on Biosafety (CPB)?

- Yes

Article 2 – General provisions
15. Has your country introduced the necessary legal, administrative and other measures for the implementation of the Protocol?

- A domestic regulatory framework is fully in place

16. Which specific instruments are in place for the implementation of your national biosafety framework?

- One or more national biosafety laws
- One or more national biosafety regulations
- Other laws, regulations or guidelines that indirectly apply to biosafety

17. Has your country established a mechanism for the budgetary allocations of funds for the operation of its national

biosafety framework?

- Yes

18. Does your country have permanent staff to administer functions directly related to the national biosafety framework?

- Yes

19. If you answered Yes to question 18, how many permanent staff members are in place whose functions are directly related to the national biosafety framework?

- Less than 10

20. Has your country's biosafety framework / laws / regulations / guidelines been submitted to the Biosafety Clearing-House (BCH)?

- Partially

21. Here you may provide further details on the implementation of Article 2 in your country:
As a member of the EU since 2007, Romania has transposed the EU legislation on GMOs, which is consistent with the provisions of the Protocol. The main legal measures include:

- The EGO No 43/2007 on the deliberate release of the genetically modified organisms, approved by the Law No 247/2009 (transposing 2001/18/EC Directive)
-The EGO No 44/2007 on the contained use of genetically modified micro organisms, approved by the Law No 3/2008 (transposing 90/219/EEC Directive, modified through 98/81/EC Directive)

-Governmental Decision No 497/2007 on establishing the measures for the implementation of the Regulation of the European Parliament and of the Council No 1946/2003 on transboundary movements of LMOs

Romania also created the institutional framework to ensure the enforcement of the EU Regulations:

- 1829/2003 on genetically modified food and feed, covering the placing on the market of GMOs intended for food or feed and of food or feed products containing, consisting of or produced from GMOs.

-1830/2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms.

- 641/2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 as regards the application for the authorisation of new genetically modified food and feed, the notification of existing products and adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation.

Also general provisions have been introduced in the frame law for environmental protection of Romania : Law No 265/2006 on the approval of the EGO no. 195/2005 on the environmental protection, with its modifications and completions.

Related legislation:- Order No 237/2006 on the authorization of the genetically modified plant growers.

- Order No 471/2006 amending and supplementing Order no.237/2006 on the authorization of the genetically modified

plant growers.

-Order No 34/2011 approving the Regulation on organization and plant quality control on the import and export of seeds and planting material.

-Order No 232/2010 amending and supplementing the Order of Ministry of Agriculture, Forests and rural Development no.631/2006 on the seed quality control and certification by testing non GM varieties and that may be contaminated with GM varieties.

- Common Order No 1160/2902/2010 regarding the approval of the control procedure regarding the import, export and transit of the GMOs

A list of all legal measures related to genetically modified organisms is available at:
http://www.mmediu.ro/legislatie/biosecuritate.htm

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Article 5 – Pharmaceuticals

22. Does your country regulate the transboundary movement, handling and use of living modified organisms (LMOs) which are pharmaceuticals?

- Yes

23. If you answered Yes to question 22, has this information been submitted to the BCH?

- No

Article 6 – Transit and Contained use

25. Does your country regulate the transit of LMOs?

- Yes

26. Does your country regulate the contained use of LMOs?

- Yes

27. If you answered Yes to questions 25 or 26, has this information been submitted to the BCH?

- Partially

28. Here you may provide further details on the implementation of Article 6 in your country:
see the EU common report]

Articles 7 to 10 – Advance Informed Agreement (AIA) and intentional introduction of LMOs into the environment

29. Has your country adopted law(s) / regulations / administrative measures for the operation of the AIA procedure of the Protocol?

- Yes

30. Has your country adopted a domestic regulatory framework consistent with the Protocol regarding the transboundary movement of LMOs for intentional introduction into the environment?

- Yes

31. Has your country established a mechanism for taking decisions regarding first intentional transboundary movements of LMOs for intentional introduction into the environment?

- Yes

32. If you answered Yes to question 31, does the mechanism also apply to cases of intentional introduction of LMOs into the environment that were not subject to transboundary movement?

- Yes

33. Has your country established a mechanism for monitoring potential effects of LMOs that are released into the environment?

- Yes

34. Does your country have the capacity to detect and identify LMOs?

- Yes

35. Has your country established legal requirements for exporters under its jurisdiction to notify in writing the competent national authority of the Party of import prior to the intentional transboundary movement of an LMO that falls within the scope of the AIA procedure?

- Yes

36. Has your country established legal requirements for the accuracy of information contained in the notification?

- Yes

37. Has your country ever received an application / notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?

- Yes

38. Has your country ever taken a decision on an application / notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?

- Yes

39. If you answered Yes to question 38, how many LMOs has your country approved to date for import for intentional introduction into the environment?

- More than 10

40. If you answered Yes to question 38, how many LMOs, not imported, has your country approved to date for

intentional introduction into the environment?

- None

41. In the current reporting period, how many applications/notifications has your country received regarding intentional transboundary movements of LMOs for intentional introduction into the environment?

- More than 10

42. In the current reporting period, how many decisions has your country taken regarding intentional transboundary movements of LMOs for intentional introduction into the environment?

- More than 10

43. With reference to the decisions taken on intentional transboundary movements of LMOs for intentional introduction into the environment, has your country received a notification from the Party(ies) of export or from the exporter(s) prior to the transboundary movement?

- Yes, always

44. Did the notifications contain complete information (at a minimum the information specified in Annex I of the Cartagena Protocol on Biosafety)?

- Yes, always

45. Has your country acknowledged receipt of the notifications to the notifier within ninety days of receipt?

- Yes, always

46. Has your country informed the notifier(s) and the BCH of its decision(s)?

- In some cases only the notifier

47. Has your country informed the notifier(s) and the BCH of its decision(s) in due time (within 270 days or the period specified in your communication to the notifier)?

- Yes, always

48. What percentage of your country's decisions fall into the following categories?

- Approval of the import/use of the LMO(s) with conditions 50%
- Request for additional relevant information 50%

49. In cases where your country approved an import with conditions or prohibited an import, did it provide reasons on which its decisions were based to the notifier and the BCH?

- Not applicable

50. Here you may provide further details on the implementation of Articles 7-10 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs for intentional introduction to the environment:

Romania applies its national legislative framework transposing the EU legislation instead of the Protocol's advanced informed agreement procedure. This framework is compatible with the provisions of the Protocol.

Please see the EU report regarding the import for introduction into environment for cultivation purposes, for which is first needed an authorization. The authorization procedure involves all Member States and is applicable in the EU.

For the experimental purposes (field trials), the legal person who intends to introduce GMOs into the environment, must first obtain written authorisation from the Romanian compentent authority. The authorization is issued on a case by case risk assessment basis and is applicable only on the national territory.

For the first transboundary movement, the importer is obliged to obtain import consent from the competent authority. The subsequent imports, during the field trials period, have to be notified to the National Environmental Protection Agency, on a yearly base.
Article 11 – Procedure for living modified organisms intended for direct use as food or feed, or for processing (LMOs-FFP)
51. Has your country adopted specific law(s) or regulation(s) for decision-making regarding domestic use, including placing on the market, of LMOs-FFP?

- Yes

52. Has your country established legal requirements for the accuracy of information to be provided by the applicant?

- Yes

53. Has your country established a mechanism to ensure that decisions regarding LMOs-FFP that may be subject to transboundary movement will be communicated to the Parties through the BCH?

- Yes

54. Has your country established a mechanism for taking decisions on the import of LMOs-FFP?

- Yes

55. Has your country declared through the BCH that in the absence of a regulatory framework its decisions prior to the first import of an LMO-FFP will be taken according to Article 11.6 of the Cartagena Protocol on Biosafety?

- No

56. Has your country indicated its needs for financial and technical assistance and capacity building in respect of LMOs-FFP?

- No

57. Has your country ever taken a decision on LMOs-FFP (either on import or domestic use)?

- No

63. Here you may provide further details on the implementation of Article 11 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs-FFP:
Romania as part of EU, has adopted the Community legal framework on genetically modified organisms, which also

addreses the import of LMOs intended for direct use for food or feed or for processing. Implementation of Article 11 of the Protocol is part of the European procedure for market authorisation. Please also see the common EU report.

Article 12 – Review of decision

64. Has your country established a mechanism for the review and change of a decision regarding an intentional transboundary movement of LMOs?

- Yes

65. Has your country ever received a request for a review of a decision?

- No

66. Has your country ever reviewed / changed a decision regarding an intentional transboundary movement of LMOs?

- No

67. In the current reporting period, how many decisions were reviewed and/or changed regarding an intentional transboundary movement of an LMO?

- None

Article 13 – Simplified procedure

72. Has your country established a system for the application of the simplified procedure regarding an intentional transboundary movement of LMOs?

- No

73. Has your country ever applied the simplified procedure?

- No

75. In the current reporting period, how many LMOs has your country applied the simplified procedure to?

- None

Article 14 – Bilateral, regional and multilateral agreements and arrangements

77. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?

- No

Article 15 – Risk assessment

81. Has your country established a mechanism for conducting risk assessments prior to taking decisions regarding LMOs?

- Yes

82. If you answered Yes to question 81, does this mechanism include procedures for identifying experts to conduct the risk assessments?

- Yes

83. Has your country established guidelines for how to conduct risk assessments prior to taking decisions regarding LMOs?

- Yes

84. Has your country acquired the necessary domestic capacity to conduct risk assessment?

- Yes

85. Has your country established a mechanism for training national experts to conduct risk assessments?

- No

86. Has your country ever conducted a risk assessment of an LMO for intentional introduction into the environment?

- Yes

87. Has your country ever conducted a risk assessment of an LMO intended for direct use as food or feed, or for processing?

- No

88. If your country has taken decision(s) on LMOs for intentional introduction into the environment or on domestic use of LMOs-FFP, were risk assessments conducted for all decisions taken?

- Yes, always

89. Has your country submitted summary reports of the risk assessments to the BCH?

- No

90. In the current reporting period, if your country has taken decisions regarding LMOs, how many risk assessments were conducted in the context of these decisions?

- More than 10

91. Has your country ever required the exporter to conduct the risk assessment(s)?

- No

92. Has your country ever required the notifier to bear the cost of the risk assessment(s) of LMOs?

- Yes, always

93. Here you may provide further details on the implementation of Article 15 in your country:
- Romania , as part of the EU, has implemented a comprehensive system of risk assessment according with the provisions of 2001/18/EC Directive. Accordingly, all notification for experimental purposes or placing on the market, shall contain a risk assessment with aims, to identify and evaluate, on a case by case basis, the potential adverse effects of the GMO, both direct and indirect, immediate or delayed, on human health and the environment.

- This assessment conducted on a "case by case" basis in accordance with the procedures laid down in EU and national legislation, is carried out firstly by the notifier and then evaluated by the national scientific advisory technical bodies that support decisions taken by ministries responsible for GMO's management. In Romania the Biosafety Commision is the scientific advisory body with consultative role in the decision making process taken by NEPA.

Romania issued the Ministerial Order No 1.829/2007 for the approval of the guidance notes regarding the risk assessment on the environment and human health due to deliberate release and placing on the market of GMOs, which supplements Annex No 2 to EGO 43/2007 (transposing 2001/18/EC Directive).

Please also see the EU common report
Article 16 – Risk management
94. Has your country established and maintained appropriate and operational mechanisms, measures and strategies to regulate, manage and control risks identified in risk assessments for:
94.1) LMOs for intentional introduction into the environment?

- Yes

94.2) LMOs intended for direct use as food or feed, or for processing?

- Yes

95. Has your country established and maintained appropriate measures to prevent unintentional transboundary movements of LMOs?

- Yes

96. Has your country taken measures to ensure that any LMO, whether imported or locally developed, undergoes an appropriate period of observation that is commensurate with its life-cycle or generation time before it is put to its intended use?

- No

97. Has your country cooperated with other Parties with a view to identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?

- No

98. Has your country cooperated with other Parties with a view to taking measures regarding the treatment of LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?

- No

99. Here you may provide further details on the implementation of Article 16 in your country, including any details regarding risk management strategies, also in case of lack of scientific certainty on potential adverse effects of LMOs:
Please the EU common report
Article 17 – Unintentional transboundary movements and emergency measures
100. Has your country made available to the BCH the relevant details setting out its point of contact for the purposes of receiving notifications under Article 17?

- No

101. Has your country established a mechanism for addressing emergency measures in case of unintentional transboundary movements of LMOs that are likely to have significant adverse effect on biological diversity?

- Yes

102. Has your country implemented emergency measures in response to information about releases that led, or may have led, to unintentional transboundary movements of LMOs?

- Yes

103. In the current reporting period, how many times has your country received information concerning occurrences that led, or may have led, to unintentional transboundary movement(s) of one or more LMOs to or from territories under its jurisdiction?

- Never

107. Here you may provide further details on the implementation of Article 17 in your country:
Joint Order No 1160/2902/2010 of MEF and NCA on the approval on the control procedure regarding the import, export and transit of genetically modified organisms]
Article 18 – Handling, transport, packaging and identification
108. Has your country taken measures to require that LMOs that are subject to transboundary movement are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards?

- Yes

109. Has your country taken measures to require that documentation accompanying LMOs-FFP clearly identifies that, in cases where the identity of the LMOs is not known through means such as identity preservation systems, they may contain living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for further information?

- Yes

110. Has your country taken measures to require that documentation accompanying LMOs-FFP clearly identifies that, in cases where the identity of the LMOs is known through means such as identity preservation systems, they contain living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for further information?

- Yes

111. Has your country taken measures to require that documentation accompanying LMOs that are destined for contained use clearly identifies them as living modified organisms and specifies any requirements for the safe handling, storage, transport and use, the contact point for further information, including the name and address of the individual and institution to whom the LMO are consigned?

- Yes

112. Has your country taken measures to require that documentation accompanying LMOs that are intended for intentional introduction into the environment of the Party of import, clearly identifies them as living modified organisms; specifies the identity and relevant traits and/or characteristics, any requirements for the safe handling, storage, transport and use, the contact point for further information and, as appropriate, the name and address of the

importer and exporter; and contains a declaration that the movement is in conformity with the requirements of this Protocol applicable to the exporter?

- Yes

113. Does your country have the capacity to enforce the requirements of identification and documentation of LMOs?

- Yes, to some extent

114. Has your country established procedures for the sampling and detection of LMOs?

- Yes

115. Here you may provide further details on the implementation of Article 18 in your country:
In Romania is in force the legislation transposing the EU legislative provisions regarding the handling, transport, packaging and identification of GMOs.

Please also see the EU common report
Article 19 – Competent National Authorities and National Focal Points
116. Has your country designated one national focal point for the Cartagena Protocol to be responsible for liaison with the Secretariat?

- Yes

117. Has your country designated one national focal point for the Biosafety Clearing-House to liaise with the Secretariat regarding issues of relevance to the development and implementation of the BCH?

- Yes

118. Has your country designated one or more competent national authorities, which are responsible for performing the administrative functions required by the Cartagena Protocol on Biosafety and are authorized to act on your country's behalf with respect to those functions?

- Yes, more than one

119. In case your country designated more than one competent national authority, has your country conveyed to the Secretariat the respective responsibilities of those authorities?

- No

120. Has your country made available the required information referred in questions 116-119 to the BCH?

- Yes, some information

121. In case your country has designated more than one competent national authority, has your country established a mechanism for the coordination of their actions prior to taking decisions regarding LMOs?

- Yes

122. Has your country established adequate institutional capacity to enable the competent national authority(ies) to

perform the administrative functions required by the Cartagena Protocol on Biosafety?

- Yes

123. Here you may provide further details on the implementation of Article 19 in your country:
Competent national authorities:

- Ministry of Environment and Forests (through NEPA and NEG acting under the MEF)

-National Sanitary Veterinary and Food safety Authority: LMOs-FFP

- National Customs Authority under Ministry of Public Finances: border control

Article 20 – Information Sharing and the Biosafety Clearing-House (BCH)

124. Please provide an overview of the status of the information provided by your country to the BCH by specifying for each category of information whether it is available and whether it has been submitted to the BCH.

124.a) Existing national legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure (Article 20, paragraph 3 (a))

- Information available but only partially available in the BCH

124.b) National laws, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11, paragraph 5)

- Information available but not in the BCH

124.c) Bilateral, multilateral and regional agreements and arrangements (Articles 14, paragraph 2 and 20, paragraph 3 (b))

- Information not available

124.d) Contact details for competent national authorities (Article 19, paragraphs 2 and 3), national focal points (Article 19, paragraphs 1 and 3), and emergency contacts (Article 17, paragraph 3 (e))

- Information available but only partially available in the BCH

124.e) Reports submitted by the Parties on the operation of the Protocol (Article 20, paragraph 3 (e))

- Information available and in the BCH

124.f) Decisions by a Party on regulating the transit of specific living modified organisms (LMOs) (Article 6, paragraph 1)

- Information not available

124.g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17, paragraph 1)

- Information not available

124.h) Illegal transboundary movements of LMOs (Article 25, paragraph 3)

- Information not available

124.i) Final decisions regarding the importation or release of LMOs (i.e. approval or prohibition, any conditions, requests for further information, extensions granted, reasons for decision) (Articles 10, paragraph 3 and 20, paragraph 3(d))

- Information available but not in the BCH

124.j) Information on the application of domestic regulations to specific imports of LMOs (Article 14, paragraph 4)

- Information available but not in the BCH

124.k) Final decisions regarding the domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing (Article 11, paragraph 1)

- Information not available

124.l) Final decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic regulatory frameworks (Article 11, paragraph 4) or in accordance with annex III (Article 11, paragraph 6) (requirement of Article 20, paragraph 3(d))

- Information not available

124.m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11, paragraph 6)

- Information not available

124.n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12, paragraph 1)

- Information not available

124.o) LMOs granted exemption status by each Party (Article 13, paragraph 1)

- Information not available

124.p) Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13, paragraph 1)

- Information not available

124.q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20, paragraph 3 (c))

- Information available but not in the BCH

125. Has your country established a mechanism for strengthening the capacity of the BCH National Focal Point to perform its administrative functions?

- Yes

126. Has your country established a mechanism for the coordination among the BCH National Focal Point, the Cartagena Protocol focal point, and the competent national authority(ies) for making information available to the BCH?

- Yes

127. Does your country use the information available in the BCH in its decision making processes on LMOs?

- Yes, in some cases

128. Has your country experienced difficulties accessing or using the BCH?

- No

130. Is the information submitted by your country to the BCH complete and up-to date?

- No

Article 21 – Confidential information
132. Has your country established procedures to protect confidential information received under the Protocol?

- Yes

133. Does your country allow the notifier to identify information that is to be treated as confidential?

- Yes, always

134. Here you may provide further details on the implementation of Article 21 in your country:
Please see the EU common report
Article 22 – Capacity-building
135. Has your country received external support or benefited from collaborative activities with other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?

- No

137. Has your country provided support to other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?

- No

139. Is your country eligible to receive funding from the Global Environment Facility (GEF)?

- No

143. During the current reporting period, has your country undertaken activities for the development and/or strengthening of human resources and institutional capacities in biosafety?

- Yes

144. If you answered Yes to question 143, in which of the following areas were these activities undertaken?

- Institutional capacity
- Risk assessment and other scientific and technical expertise
- Public awareness, participation and education in biosafety
- Information exchange and data management including participation in the Biosafety Clearing-House
- Implementation of the documentation requirements under Article 18.2 of the Protocol
- Handling of confidential information
- Measures to address unintentional and/or illegal transboundary movements of LMOs

145. During the current reporting period, has your country carried out a capacity-building needs assessment?

- Yes

146. Does your country still have capacity-building needs?

- Yes

147. If you answered Yes to question 146, indicate which of the following areas still need capacity-building.

- Institutional capacity
- Human resources capacity development and training
- Risk assessment and other scientific and technical expertise
- Risk management
- Public awareness, participation and education in biosafety
- Information exchange and data management including participation in the Biosafety Clearing-House
- Scientific, technical and institutional collaboration at subregional, regional and international levels
- Identification of LMOs, including their detection
- Socio-economic considerations
- Measures to address unintentional and/or illegal transboundary movements of LMOs
- Scientific biosafety research relating to LMOs

148. Has your country developed a capacity-building strategy or action plan?

- No

149. Has your country submitted the details of national biosafety experts to the Roster of Experts in the BCH?

- No

Article 23 – Public awareness and participation

151. Has your country established a strategy or put in place legislation for promoting and facilitating public awareness, education and participation concerning the safe transfer, handling and use of LMOs?

- Yes

152. Has your country established a biosafety website?

- Yes

153. Has your country established a mechanism to ensure public access to information on living modified organisms that may be imported?

- Yes

154. Has your country established a mechanism to consult the public in the decision-making process regarding LMOs?

- Yes

155. Has your country established a mechanism to make available to the public the results of decisions taken on LMOs?

- Yes

156. Has your country taken any initiative to inform its public about the means of public access to the Biosafety Clearing-House?

- Yes

157. In the current reporting period, has your country promoted and facilitated public awareness, education and participation concerning the safe transfer, handling and use of LMOs?

- Yes, to a limited extent

159. In the current reporting period, how many times has your country consulted the public in the decision-making process regarding LMOs and made the results of such decisions available to the public?

- More than 5

160. Here you may provide further details on the implementation of Article 23 in your country:
Please see the EU common report

The national legislation includes provisions regarding public consultation and public information in the decision making process regarding deliberate release into environment of LMOs.

All the notifications are published on JRC and NEPA's websites.

Public information at the national level is performed in cooperation with the county environmental agencies, functioning under NEPA.

All the risk assessments submitted by the notifiers and the summary decisions taken by the competent authority are published on the NEPA's site: http://www.anpm.ro/Mediu/biosecuritate-12

If necessary, public debates are organized during the authorization procedure for experimental release and placing on the market of LMOs.

Romania is also Party to Aarhus Convention.
Article 24 – Non-Parties
161. Has your country entered into any bilateral, regional, or multilateral agreement with non-Parties regarding transboundary movements of LMOs?

- No

162. Has your country ever imported LMOs from a non-Party?

- Yes

163. Has your country ever exported LMOs to a non-Party?

- No

164. If you answered Yes to questions 162 or 163, were the transboundary movements of LMOs consistent with the objective of the Cartagena Protocol on Biosafety?

- Yes, always

165. If you answered Yes to questions 162 or 163, was information about these transboundary movements submitted to the BCH?

- No

166. If your country is not a Party to the Cartagena Protocol, has it contributed information to the BCH on LMOs released in, or moved into, or out of, areas within its national jurisdiction?

- Not applicable

Article 25 – Illegal transboundary movements

168. Has your country adopted domestic measures aimed at preventing and/or penalizing transboundary movements of LMOs carried out in contravention of its domestic measures to implement this Protocol?

- Yes

169. Has your country established a strategy for detecting illegal transboundary movements of LMOs?

- No

170. In the current reporting period, how many times has your country received information concerning cases of illegal transboundary movements of an LMO to or from territories under its jurisdiction?

- Never

175. Here you may provide further details on the implementation of Article 25 in your country:
Penalty measures in cases of infringement of provisions regarding transboundary movements are foreseen in the national legislation.

Article 26 – Socio-economic considerations

176. If your country has taken a decision on import, has it ever taken into account socio-economic considerations arising from the impact of the LMO on the conservation and sustainable use of biological diversity?

- Only in some cases

177. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of LMOs?

- Yes, to a limited extent

Article 27 – Liability and Redress
179. Has your country signed the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress?

- Yes

180. Has your country initiated steps towards ratification, acceptance or approval of the Nagoya-Kuala Lumpur Supplementary Protocol?

- Yes

181. Here you may provide further details on any activities undertaken in your country towards the implementation of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress:
Romania signed the Nagoya Supplementary Protocol on 11 May 2011, the ratification process is ongoing.
Article 33 – Monitoring and reporting
182. Has your country submitted the previous national reports (Interim and First National Reports)?

- Yes

183. If your country did not submit previous reports, indicate the main challenges that hindered the submission

- Not applicable

Other information
184. Please use this field to provide any other information on issues related to national implementation of the Protocol, including any obstacles or impediments encountered.
Re: Q. 14 -

Romania signed the Cartagena Protocol on Biosafety in 2000 and ratified it in 2003 (Law 59/2003). In 2007 Romania adhered to the EU, consequently its legislation has been developed in order to align with EU requirements. (see EU common report).

This report updates the Romanian's first national report on the implementation of the Cartagena Protocol and supplements the EC common report with some information, according to the specific situation at the national level .

The report has been prepared by the Ministry of Environment and Forests (MEF) as the central public authority for the environmental protection in Romania and competent authority under the Cartagena Protocol.

The following authorities with responsibility in biosafety issues - decision making process, inspection and control, were involved in gathering the data used as a basis for the report:

-National Environmental Protection Agency (NEPA) - acting under the MEF is the competent authority for issuing the authorizations for placing on the market and for the experimental activities involving genetically modified organisms. Also, for issuing imports consents.

-National Environmental Guard (NEG) - operates under MEF as the control and inspection body; together with MARD

is responsible for controlling the cultivation of genetically modified crops.

- Ministry of Agriculture and Rural Development (MARD) - At central level has the responsibility for drafting legislation and maintaining the national registry of GM growers; for national monitoring of GM seed certification and supervision and control activity of Regional Inspectorate for Seeds and Planting Material Quality; for coordination of GMO inspections and control activity of CDAs (County Divisions for Agriculture)

-National Sanitary Veterinary and Food Safety Authority (NSVFSA) - provides scientific advice in the field of GMOs through the Scientific Council; performs official controls in the field of traceability and labelling of GMOs on the entire food and feed chain, with the exception of primary production; performs qualitative and quantitative analysis of GMO food and feed.

- National Customs Authority (NCA) - operates under the Ministry of Public Finances as the law enforcement body; applies customs policies beeing responsible with customs control

Comments on reporting format

185. Please use this field to provide any other information on difficulties that you have encountered in filling in this report.

- some difficulties encountered completing the pre-definite format