FIRST REGULAR NATIONAL REPORT ON THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

Origin of report

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Submission	
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Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report:

This report updates the Polish interim-implementation report. The interim report was written on the basis on publicly accessible information on relevant Polish legislation and implementation. Additional information, particularly on practical implementation, was received from other authorities and inspections engaged in the biosafety policy in our country. Comments were received from: Ministry of Agriculture and Rural Development, Ministry of Health, Inspectorate of Plant Health and Seed Inspection, The Chief Sanitary Inspectorate. These additional information were then integrated before the final version

Obligations for provision of information to the Biosafety Clearing-House

1. Several articles of the Protocol require that information be provided to the Biosafety Clearing-House (see the list below). For your Government, if there are cases where relevant information exists but has not been provided to the Biosafety Clearing-House (BCH), describe any obstacles or impediments encountered regarding provision of that information (note: To answer this question, please check the BCH to determine the current status of your country's information submissions relative to the list of required information below. If you do not have access to the BCH, contact the Secretariat for a summary):
Poland has provided the BCH with comprehensive information in the listed categories and is constantly working to improve the information flow in this area.

2. Please provide an overview of information that is required to be provided to the Biosafety Clearing-House:

Type of information	*Information exists and is being provided to the Biosafety Clearing-House*	*Information exists but is not yet provided to the Biosafety Clearing-House*	*Information does not exist /not applicable*
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 20.3(a))	X		
b) National laws, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11.5);	X		
c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);			X
d) Contact details for competent national authorities (Articles 19.2 and 19.3), national focal points (Articles 19.1 and 19.3), and emergency contacts (Article 17.2 and 17.3(e));	X		
e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);	X		
f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));	X		
g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);			X

Type of information	*Information exists and is being provided to the Biosafety Clearing-House*	*Information exists but is not yet provided to the Biosafety Clearing-House*	*Information does not exist /not applicable*
h) Illegal transboundary movements of LMOs (Article 25.3);			X
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 10.3 and 20.3(d));			X
j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);	X		
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 11.1);			X
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 11.4) or in accordance with annex III (Article 11.6) (requirement of Article 20.3(d))			X
m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11.6)			X
n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);			X
o) LMOs granted exemption status by each Party (Article 13.1)			X
p) Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13.1);			X
q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).	X		

Article 2 – General provisions

3. Has your country introduced the necessary legal, administrative and other measures for implementation of the Protocol? (Article 2.1)	
a) full domestic regulatory framework in place (please give details below)	X
b) some measures introduced (please give details below)	
c) no measures yet taken	

4. Please provide further details about your response to the above question, as well as description of your country's experiences and progress in implementing Article 2, including any obstacles or impediments encountered:

The Polish legislation on genetically modified organisms (GMOs) has been in place since 2001. Poland introduced specific legislation on GMOs to protect its citizens' health and the environment from possibly adverse effects exerted by products of modern biotechnology. The main legal measures include:

The Act of 22 June 2001 on Genetically Modified Organisms (GMO) (Journal of Laws of 25 July 2001, Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365) since 26 October 2001.

The polish Act on genetically modified organisms regulates:

- the contained use of genetically modified organisms,
- the deliberate release into the environment of GMOs for any other purposes than placing on the market,
- the placing on the market of GMO products,
- the exportation and transit of the GMO products,
- the competence of governmental administrative authorities on the GMOs.

The Act of 22 June 2001 on Genetically Modified Organisms shall not apply to the genetic modification of the human genome. For matters concerning foodstuffs and pharmaceutical products the provisions on the health conditions for foodstuffs and nutrition and the provisions on the pharmaceutical products shall apply, provided they do not contradict any provisions in this Act.

On the basis of the Act of 22 June 2001 on Genetically Modified Organisms have been laid down following regulations:

- The regulation of the Ministry of the Environment of 8 July 2002 laying down the detailed manner of carrying out the assessment of risks to human health and the environment related to the undertaking of activities involving the contained use of GMOs, the deliberate release of GMOs into the environment, including the placing of GMO products on the market, and the requirements which should be satisfied by the documentation containing the results of such an assessment (Official Journal of 16 July 2002) Pursuant to Article 6(4) of the Act on Genetically Modified Organisms of 22 June 2001 (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365),
- The regulation of the Ministry of the Environment on 21 February 2002 laying down the detailed rules of procedure for the Commission on Genetically Modified Organisms(Official Journal on 11 March 2002) Pursuant to Article 13 (2) of the Act of 22 June 2001 on Genetically Modified Organisms (Official Journal No. 76, Item 811),
- The regulation of the Ministry of the Environment on 29 November 2002 laying down the list of pathogenic organisms and their classification, as well as the measures required for particular

containment levels Official Journal 02.212.1798 on 16 December 2002

- Pursuant to Article 13 of the Act on Genetically Modified Organisms of June 22 2001 (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365),

- The regulation of the Ministry of the Environment on 29 November 2002 laying down the list of pathogenic organisms and their classification, as well as the measures required for particular containment levels Official Journal 02.212.1798 on 16 December 2002
- Pursuant to Article 13 of the Act on Genetically Modified Organisms of June 22 2001 (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365)

- The regulation of the Ministry of the Environment of 6 June 2002 laying down the formats of application forms for consent and authorization of activities involving genetically modified organisms(Official Journal of 27 June 2002) Pursuant to Article 22 of the Act on Genetically Modified Organisms of 22 June 2001 (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365)

- The regulation of the Ministry of the Environment of 16 May 2002 laying down the substantive scope of research to be carried out by entities which apply to perform research and give opinions in the field of genetically modified organisms. (Official Journal of 13 June 2002)
- Pursuant to Article 15(2) of the Act on Genetically Modified Organisms of 22 June 2001 (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365)
- The regulation the Ministry of Finance on 19 April 2002 laying down the list of Customs Offices suitable to import and export GMO products (with amendments). (J.O.02.43.406 on 25 April 2002) Official Journal 02. 43. 406

There are additionally following legal acts on GMOs related issues, not specified the Act on genetically modified organisms:

- The act of 11 May 2001 on health conditions of food and nutrition(Official Journal of 22 June 2001r.) (O.J No 63, item. 634 with amendments),

- The Act of 23 August 2001 on animal feeding stuffs (O.J No 123, item. 1350 with amendments),

- The Environmental Protection Act of 27 April 2001 (Official Journal No. 62, Item 627), regulating access to information about environment and public participation in decision making process,

A number of legal acts for control authorities that inspect of the observance of the provisions of the Act of 22 June 2001 on genetically modified organisms (Journal of Laws No. 76, item 811 (competence acts involving duties of the individual inspectorates).

Minister of the Environment is preparing at present in cooperation with among other Minister Agriculture and Rural Development and Minister of Health new act “Law on genetically modified organisms” The bill on GMOs ensures full transposition of European Community law on genetically modified organisms related issues. It should also explain all doubts, that revealed during almost four years lasted period since the Act of 22 June 2001 on Genetically Modified Organisms has been in force.

The main elements of new act on GMO are:

- information on facilities designed for work with GMOs,

- the contained use of genetically modified microorganisms,
- the contained use of genetically modified organisms,
- the deliberate release into the environment of genetically modified organisms, covering field testing of GMOs,
- the placing on the market of GMOs as well as products containing or consisting of GMOs,
- coexistence of genetically modified plants with conventional planting,
- access to information on genetically modified organisms.

In the bill on GMOs are put new regulations on coexistence of genetically modified plants with conventional planting, drafted by the Minister of Agriculture and Rural Development. In pursuance with Recommendation on 23 July 2003 on guidelines for the development of national strategies and best practices to ensure the coexistence of genetically modified crops with conventional and organic forming, laid down by the European Commission individual UE Member States should develop and apply measures for coexistence, taking into account domestic conditions.

For the first time in the act on GMO have been regulations concerning access to information on genetically modified organisms and public participation in decision making process. the Minister of the Environment made decision to enhance and place appropriate regulations into the new act on GMO taking into consideration the large scope of the subject and public negative attitude towards GMO.

Poland has joint European Union on 1 May 2004. Before accession we were obliged to implement community law on GMOs related issues. The Act of 22 June 2001 on Genetically Modified Organisms (GMO)(Journal of Laws of 25 July 2001,01.76.811) was prepared on Directive 90/219/EC of 23 April 1990 on the contained use of genetically modified micro-organisms, Directive 98/81/EC of 26 October 1998 amending Directive 90/219/EEC on the contained use of genetically modified micro-organisms and Directive 2001/18/EC of 12 March 2001 on the deliberate release into the environment of genetically modified organisms, covering the field testing of GMOs (mainly Part B) and the placing on the market of GMOs as well as products containing or consisting of GMOs, e.g. for cultivation, import or processing into industrial products (mainly Part C).

European Community has laid down few regulations, ordering specific legislation on GMOs to guarantee protection of human heath and environment and simultaneously create a unified market for biotechnology. Poland as a UE Member State applies in this area the European law. The main legal measures include:

- Directive 90/219/EC of 23 April 1990 on the contained use of genetically modified micro-organisms.

- Directive 98/81/EC of 26 October 1998 amending Directive 90/219/EEC on the contained use of genetically modified micro-organisms.

Directive 2001/18/EC of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC, covering the field testing of GMOs (mainly Part B) and the placing on the market of GMOs as well as products containing or consisting of GMOs, e.g. for cultivation, import or processing into industrial products (mainly Part C). The Annex to this report lists further implementing measures relating to Part B and Part C of Directive 2001/18/EC.

Regulation (EC) No 1946/2003 of 15 July 2003 on transboundary movements of genetically modified organisms covers exports of GMOs to third countries and unintentional movements of GMOs,

Regulation (EC) 1829/2003 of 22 September 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,

Regulation (EC) 1830/2003 of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms,

Regulation (EC) No 641/2004 of 6 April 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.

Articles 7 to 10 and 12: The advance informed agreement procedure

See question 1 regarding provision of information to the Biosafety Clearing-House.

5. Were you a Party of import during this reporting period?	
a) yes	
b) no	X
6. Were you a Party of export during this reporting period?	
a) yes	
b) no	X
7. Is there a legal requirement for the accuracy of information provided by exporters 1/ under the jurisdiction of your country? (Article 8.2)	
a) yes	X
b) not yet, but under development	
c) no	
d) not applicable – not a Party of export	
8. If you were a Party of export during this reporting period, did you request any Party of import to review a decision it had made under Article 10 on the grounds specified in Article 12.2?	
a) yes (please give details below)	
b) not yet, but under development	
c) no	
d) not applicable – not a Party of export	X
9. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	
b) no	X
c) not applicable – no decisions taken during the reporting period	

1/ The use of terms in the questions follows the meanings accorded to them under Article 3 of the Protocol.

10. If your country has been a Party of export of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:
Poland have not exported LMOs for research and development purposes, including field trials during the reporting period. According to EU legislation, the export of GMOs is primarily an issue between the exporter and the Party of import. The Polish authorities are responsible for supervising the exporter's compliance with the rules.
11. If your country has taken decisions on import of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:
Poland has not taken decisions on import of LMOs intended for release into the environment during the reporting period. According to EU legislation (EU Directive 2001/18/EC and Regulation 1829/2003), all decisions concerning imports LMOs for placing on the market are made at the EU level. An entity who wishes to introduce GMOs into the environment for experimental purposes in Poland must first obtain written authorisation from the Ministry of Environment within whose territory the experimental release is to take place. It is given on the basis of an evaluation of the risks presented by the GMO – or GMOs – for the environment and human health, in accordance with Directive 2001/18/EC. Although it is a purely national procedure, the other Member States and the European Commission may make observations to be examined by the competent national authority.

Article 11 – Procedure for living modified organisms intended for direct use as food or feed, or for processing

See question 1 regarding provision of information to the Biosafety Clearing-House.

12. Is there a legal requirement for the accuracy of information provided by the applicant with respect to the domestic use of a living modified organism that may be subject to transboundary movement for direct use as food or feed, or for processing? (Article 11.2)	
a) yes	X
b) not yet, but under development	
c) no	
d) not applicable (please give details below)	
13. Has your country indicated its needs for financial and technical assistance and capacity-building in respect of living modified organisms intended for direct use as food or feed, or for processing? (Article 11.9)	
a) yes (please give details below)	
b) no	X
c) not relevant	
14. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	X

b) no	
c) not applicable – no decisions taken during the reporting period	

15. If your country has been a Party of export of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:

Poland has not been a Party of export of LMO-FFPs during the reporting period.

16. If your country has been a Party of import of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:

Import of LMOs intended for direct use for food or feed, or for processing is regulated by the comprehensive Community legal framework on GMOs.

The following are of direct relevance to the implementation of Article 11:

- Regulation (EC) No 1946/2003 of 15 July 2003 on transboundary movements of genetically modified organisms;
- Regulation (EC) 1829/2003 of 22 September 2003 on genetically modified food and feed; and
- Regulation (EC) 1830/2003 of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms.

Various other instruments have been adopted in connection with this legislation, including:

- Regulation (EC) No 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003; and
- Regulation (EC) No 65/2004 of 14 January 2004 establishing a system for the development and assignment of unique identifiers for genetically modified organisms.
- Recommendation 2004/787/EC of 4 October 2004 on technical guidance for sampling and detection of genetically modified organisms and material produced from genetically modified organisms as or in products in the context of Regulation (EC) 1830/2003

During the reporting period, Poland has imported approximately 8 million tons of soybeans as a feed component that may have contained GMOs. Since entry into force of the EC's regulations on labelling and traceability, shipments that may contain living modified organisms intended for direct use as food or feed, or for processing (LMOs-FFP) should be clearly identified as containing LMOs and contain the unique identifier in line with the OECD's guidelines on unique identifiers of genetically modified plants. Most operators importing GM-soybean use commercial invoices for purposes of documentation.

For further information, Poland refers to the report from the European Commission.

Article 13 – Simplified procedure

See question 1 regarding provision of information to the Biosafety Clearing-House.

17. Have you applied the simplified procedure during the reporting period?	
a) yes	
b) no	X

18. If your country has used the simplified procedure during the reporting period, or if you have been unable to do so for some reason, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:
Poland has not made use of the simplified procedure for imports of LMOs as specified in Article 13.

Article 14 – Bilateral, regional and multilateral agreements and arrangements

See question 1 regarding provision of information to the Biosafety Clearing-House.

19. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?	
a) yes	
b) no	X
20. If your country has entered into bilateral, regional or multilateral agreements or arrangements, or if you have been unable to do so for some reason, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:	
Poland has not entered into any bilateral, regional or multilateral agreements or arrangements as per Article 14(1). Since May 2004 Poland has been acting on the international scene as a EU Member State and complied with European Community law.	

Articles 15 and 16 – Risk assessment and risk management

21. If you were a Party of import during this reporting period, were risk assessments carried out for all decisions taken under Article 10? (Article 15.2)	
a) yes	X
b) no (please clarify below)	
c) not a Party of import / no decisions taken under Article 10	
22. If yes to question 21, did you require the exporter to carry out the risk assessment?	
a) yes – in all cases	X
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	
23. If you took a decision under Article 10 during the reporting period, did you require the notifier to bear the cost of the risk assessment? (Article 15.3)	
a) yes – in all cases	X
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	

24. Has your country established and maintained appropriate mechanisms, measures and strategies to regulate, manage and control risks identified in the risk assessment provisions of the Protocol? (Article 16.1)	
a) yes – fully established	X
b) not yet, but under development or partially established (please give further details below)	
c) no	
25. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes – fully adopted	X
b) not yet, but under development or partially adopted (please give further details below)	
c) no	
26. Does your country endeavour to ensure that any living modified organism, whether imported or locally developed, undergoes an appropriate period of observation commensurate with its life-cycle or generation time before it is put to its intended use? (Article 16.4)	
a) yes – in all cases	X
b) yes – in some cases (please give further details below)	
c) no (please give further details below)	
d) not applicable (please give further details below)	
27. Has your country cooperated with others for the purposes specified in Article 16.5?	
a) yes (please give further details below)	
b) no (please give further details below)	X
28. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Articles 15 and 16, including any obstacles or impediments encountered:	
Poland has built complex system on risk assessment for human health and environment comprising contained use of GMO, deliberate release into the environment of GMO, placing on the market of GMOs as well as products containing or consisting of GMOs. Such necessary results from regulations in section 6 and 7 of the Act of 22 June 2001 on Genetically Modified Organisms (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365) and the Regulation of the Minister of the Environment of 8 July 2002 laying down the detailed manner of carrying out the assessment of risks to human health and the environment related to the undertaking of activities involving the contained use of GMOs, the deliberate release of GMOs into the environment, including the placing of GMO products on the market, and the requirements which should be satisfied by the documentation containing the results of such an assessment (Official Journal of 16 July 2002), pursuant to Article 6(4) of the Act on Genetically Modified Organisms of 22 June 2001. Environmental risk assessment must be provided in accordance with the precautionary principle and comply with the conditions laid down in Directive 2001/18/EC. Notifier must take into consideration first and foremost GMO characteristics and GMO use that could have the potential adverse effects to human health and environment in comparison with characteristics and use of the non-modified organism from	

which the GMO is derived. Risk assessment should be carried out in a scientifically manner based on available scientific and technical data on a case by case basis. New information on the GMO may need to be readdressed in order to determine whether the risk has changed and whether there is a need for amending the risk management.

Every notifier submitting notification in Poland (excluding scientific research provided by the public research institutions) bears the costs of the risk assessment included in the notification. A payment is charged in order to cover costs of evaluating the notification and the cost of processing in the EU legal system.

Monitoring is required by Directive 2001/18/EC, the Polish Act of 22 June 2001 on Genetically Modified Organisms (Article 38.2) and Council Decision 2002/811/EC of 3 October 2002, establishing guidance notes supplementing Annex VII to the Directive, describing the objectives and general principles to be followed to design the monitoring plan, being supporting document which specifies provisions contained in the Directive 2001/18/EC.

Persons responsible for the deliberate release GMO into the environment are obliged to prepare the monitoring plan. In the plan must be put characteristics and use of GMO, environment conditions and long period, enough to enable detection of all potential adverse effects of the GMO identified in the risk assessment for human health and environment. The objective of the plan is to confirm that any assumption regarding the occurrence and impact of or its use are correct, and to identify the occurrence of adverse effects of GMO.

Field trial must be still under surveillance and conclusions should be regular recorded during entire period of the release. Every year at least for two years after the end of deliberate release the GMO user is obliged to keep monitoring of his experimental fields to prove a lack of presence of transgenic plants in the environment. Moreover he's obliged to make such records accessible immediately upon request of the Minister of the Environment and other competent authorities.

Article 17 – Unintentional transboundary movements and emergency measures

See question 1 regarding provision of information to the Biosafety Clearing-House.

29. During the reporting period, if there were any occurrences under your jurisdiction that led, or could have led, to an unintentional transboundary movement of a living modified organism that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health in such States, did you immediately consult the affected or potentially affected States for the purposes specified in Article 17.4?	
a) yes – all relevant States immediately	
b) yes – partially consulted, or consultations were delayed (please clarify below)	
c) no – did not consult immediately (please clarify below)	
d) not applicable (no such occurrences)	X

30. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 17, including any obstacles or impediments encountered:
Not applicable

Article 18 – Handling, transport, packaging and identification

31. Has your country taken measures to require that living modified organisms that are subject to transboundary movement within the scope of the Protocol are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards? (Article 18.1)	
a) yes (please give details below)	X
b) not yet, but under development	
c) no	
d) not applicable (please clarify below)	
32. Has your country taken measures to require that documentation accompanying living modified organisms for direct use as food or feed, or for processing, clearly identifies that they 'may contain' living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for information? (Article 18.2(a))	
a) yes	X
b) not yet, but under development	
c) no	
33. Has your country taken measures to require that documentation accompanying living modified organisms 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 living modified organisms are consigned? (Article 18.2(b))	
a) yes	X
b) not yet, but under development	
c) no	
34. Has your country adopted measures to require that documentation accompanying living modified organisms that are intended for intentional introduction into the environment of the Party of import and any other living modified organisms within the scope of the Protocol, 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? (Article 18.2(c))	
a) yes	X
b) not yet, but under development	
c) no	
35. Please provide further details about your responses to the above questions, as well as a description of your country's experiences and progress in implementing Article 18, including any obstacles or impediments encountered:	
Poland has put in place requirements concerning the handling, transport, packaging and identification of GMOs, for any use foreseen in Article 18 of the Protocol. Among the legal acts on GMOs, the following have the direct relevance to the implementation of Article 18: - The Act of 22 June 2001 on Genetically Modified Organisms (Official Journal No. 76, Item 811;	

2002, No. 25, Item 253, and No. 41, Item 365)

- The Regulation of the Ministry of the Environment of 6 June 2002 laying down the formats of application forms for consent and authorization of activities involving genetically modified organisms(Official Journal of 27 June 2002) Pursuant to Article 22 of the Act on Genetically Modified Organisms of 22 June 2001 (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365),
- The Regulation the Ministry of Finance on 19 April 2002 laying down the list of Customs Offices suitable to import and export GMO products (with amendments). (J.O.02.43.406 on 25 April 2002, Official Journal 02. 43. 406).

As the EU Member State, Poland complies also with European Community law. The EC has developed a comprehensive legal framework on GMOs, which also addresses the issues of handling, transport, packaging and identification requirement covered by Article 18. The following are of direct relevance to the implementation of Article 18:

- Regulation (EC) No 1946/2003 of 15 July 2003 on transboundary movements of genetically modified organisms;
- Regulation (EC) 1829/2003 of 22 September 2003 on genetically modified food and feed; and
- Regulation (EC) 1830/2003 of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms.
- Regulation (EC) No 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003; and
- Regulation (EC) No 65/2004 of 14 January 2004 establishing a system for the development and assignment of unique identifiers for genetically modified organisms.

According to this law exporters are required to state in a document accompanying the GMO, which is next to be transmitted to the importer receiving the GMO that consignment contains or consists of GMOs and provide the unique identification code(s) assigned to those GMOs if such codes exist.

In the case of GMOs intended for direct use as food or feed, or for processing exporters have to state that the GMOs are intended for direct use as food or feed, or for processing, indicate clearly that they are not intended for deliberate release into the environment, put information on they are intended to cultivation or not and give details of the contact point for further information.

Labelling is not required if consignment contains GM material in a proportion no higher than 0.9% and if this presence is adventitious or technically unavoidable.

Article 19 – Competent national authorities and national focal points

See question 1 regarding provision of information to the Biosafety Clearing-House.

Article 20 – Information-sharing and the Biosafety Clearing-House

See question 1 regarding provision of information to the Biosafety Clearing-House.

36. In addition to the response to question 1, please describe any further details regarding your country's experiences and progress in implementing Article 20, including any obstacles or impediments encountered:

In 2001 Plant Breeding and Aclimatization Institute in Radzików in cooperation with the Ministry of Environment, in order to carry out all tasks specified in the Protocol, started program for the purpose of

built an efficient information sharing system within the scope of Biosafety Clearing - House (BCH). The experts engaged in realization of this project created a computer program for the database prototype, which contains all required information, among other things: national law on GMO, international agreements ratified by The Republic of Poland, arrangements on genetically modified organisms and all kind of information resulting from article 20 of the Protocol.

Article 21 – Confidential information

37. Does your country have procedures to protect confidential information received under the Protocol and that protect the confidentiality of such information in a manner no less favourable than its treatment of confidential information in connection with domestically produced living modified organisms? (Article 21.3)	
a) yes	X
b) not yet, but under development	
c) no	
38. If you were a Party of import during this reporting period, did you permit any notifier to identify information submitted under the procedures of the Protocol or required by the Party of import as part of the advance informed agreement procedure that was to be treated as confidential? (Article 21.1)	
a) yes	
If yes, please give number of cases	
b) no	
c) not applicable – not a Party of import / no such requests received	X

39. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:

The Polish legislation in the area of GMO contains conditions and procedures to protect confidential information. They are enough effective and can be applied equally to domestic and foreign producers of GMOs. Appropriate regulations can be found in the Act of 22 June 2001 on Genetically Modified Organisms (Journal of Laws of 25 July 2001,01.76.811)

In this regard Poland applies regulations resulting from the EC legislation.

The notifier is allowed to indicate the information that should be treated as confidential, provided that verifiable justification is given in such cases. Decisions on which information will be kept confidential are taken by the Ministry of the Environment after consultation with the notifier. Exemptions from the confidentiality clause include:

- General description of the GMO or GMOs, name and address of the notifier, purpose of the release, location of release and intended uses;
- Methods and plans for monitoring of the GMO or GMOs and for emergency response;
- Environmental risk assessment.

40. If you were a Party of export during this reporting period, please describe any impediments or difficulties encountered by you, or by exporters under your jurisdiction if information is available, in the implementation of the requirements of Article 21:

Not applicable, not a Party of export during the reporting period.

Article 22 – Capacity-building

41. If a developed country Party, during this reporting period has your country cooperated in the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in developing country Parties, in particular the least developed and small island developing States among them, and in Parties with economies in transition?	
a) yes (please give details below)	
b) no	
c) not applicable – not a developed country Party	X
42. If yes to question 41, how has such cooperation taken place:	
43. If a developing country Party, or Party with an economy in transition, during this reporting period has your country contributed to the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in another developing country Party or Party with an economy in transition?	
a) yes (please give details below)	
b) no	X
c) not applicable – not a developing country Party	
44. If yes to question 43, how has such cooperation taken place:	
45. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the proper and safe management of biotechnology to the extent that it is required for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	X
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
46. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the use of risk assessment and risk management for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	X
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	

47. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training for enhancement of technological and institutional capacities in biosafety?	
a) yes – capacity-building needs fully met (please give details below)	X
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	

48. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 22, including any obstacles or impediments encountered:

Poland as a EU Member State has made effort to build institutional capacities in biosafety for the purposes of effective implementation of the Protocol in developing country Parties, in particular the least developed. In Poland experts took part in realization the two projects which were realized by dint of financial resources of UNEP/GEF and PHARE. Furthermore the experts have shared information during annual coordination meetings, which held in the UNEP seat in Geneva. Additionally polish experts participated in bilateral workshops in Bulgaria and Ukraine.

EU Twinning Project PL 01/EN/IB/03 – "Biological Safety System in Poland"

The overall objective of this project was to improve the administrative capacity in the field of biological safety by development of a national biosafety system in line with EU standards which covers the contained use of GMO as well as their deliberate release into the environment and placing on the market. The main project components were: 1) Project Inception Phase, 2) Legal review and assessment of the state of approximation of the Polish legislation to the EC' Acquis Communautaire; 3) Decision-Making; 4) Inspection; 5) Assistance in establishing accredited laboratories; 6) Assistance in establishing an electronic information system; and 7) Assistance in promoting public information and public participation. The EC provided $1.7 million funding from its PHARE programme to support this project over the period from November 2002 to November 2004.

Article 23 – Public awareness and participation

49. Does your country promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health? (Article 23.1(a))	
a) yes – significant extent	X
b) yes – limited extent	
c) no	
50. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	
b) yes – limited extent	X
c) no	

51. Does your country endeavour to ensure that public awareness and education encompass access to information on living modified organisms identified in accordance with the Protocol that may be imported? (Article 23.1(b))	
a) yes – fully	X
b) yes – limited extent	
c) no	
52. Does your country, in accordance with its respective laws and regulations, consult the public in the decision-making process regarding living modified organisms and make the results of such decisions available to the public? (Article 23.2)	
a) yes – fully	X
b) yes – limited extent	
c) no	
53. Has your country informed its public about the means of public access to the Biosafety Clearing-House? (Article 23.3)	
a) yes – fully	X
b) yes – limited extent	
c) no	
54. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 23, including any obstacles or impediments encountered:	

The problem raised in article 23 of the Protocol, concerning public awareness and public participation in a process of safe transfer, movement and use of genetically modified organisms as well access to information found its solution in section 14, 14 a and section 29 of the Act of 22 June 2001 on Genetically Modified Organisms (Journal of Laws of 25 July 2001,01.76.811). Besides, all legal acts are subject to public consultation during legislative process. Additionally the Minister of the Environment keeps following electronic Registers: Register of Contained Use of GMOs, Register of the Deliberate Releases of GMOs into the Environment, Register of GMO Products, Register of Exportation and Transit of GM products. Access to the Registers is free of charge.

Realization of two projects (PHARE and GEF) (see Article 28) enabled Ministry of the Environment and partners from both projects to publish brochures, publications and books involving living modified organisms and biosafety, including LMOs presence in the environment and safety use of it.

PUBLIC PARTICIPATION IN DECISION MAKING PROCESS AND PUBLIC CONSULTATION

According to section 29 of the Act of 22 June 2001 on Genetically Modified Organisms public participation in decision making process on all kind of activities with GMOs is guaranteed by regulations concerning public participation in procedures on environment protection related issues.
They have been included in The Environmental Protection Act of 27 April 2001 (Official Journal No. 62, Item 627) since 1 October 2001. According to article 19 competent administrative authorities are obliged to make available information about environment and environment protection, being in their ownership. Applications for consents and permits for the deliberate release GMO into the environment and the placing on the market of GMOs as well as products containing or consisting of GMOs must be available for public.

Notifier applying for permit should prepare application with accompanying documentation defined by regulations of the Act of 22 June 2001 on Genetically Modified Organisms and submit them to Ministry of the Environment.

Every application is formal checked up by the GMO Division – unit of Ministry of the Environment. If application fulfils all requirements specified by the Act of 22 June 2001 on Genetically Modified Organisms then is passed on to assessment by scientists and members of the GMO Commission upon the Minister of the Environment.

In pursuance with regulations concerning participation of public in decision making process on GMOs application must be public (particularly part on risk assessment for human health and environment).

Local community and the general public have a right to acquaint oneself with application forms and accompanying documentation. It is possible through a public register of GMO, providing on a server of Ministry of the Environment under http://gmo.mos.gov.pl. Only confidential data, specified by notifier and approved by Ministry of the Environment are not put into the public register. Such data are all the time accessible for other authorities and members of the GMO Commission.

Taking into account kind of activities (contained use of genetically modified organisms or the deliberate release GMO into the environment, covering the field testing of GMOs) competent authority may choose different and proper means to inform public opinion about commencement of procedure. Every time adequate information is freely available for inspection in the building of Ministry of the Environment.

In the event of the deliberate release into the environment the Minister of the Environment notifies competent local authority of a place of release and asks to make available information (in pursuance with customary means) about the planned deliberate release and information where members of local community can acquaint oneself with complete documentation.

All decisions made by the Minister of the Environment are also in the register and given to public through the internet portal http://gmo.mos.gov.pl in the same way like information about commencement of proceedings on submitted applications.

THE MECHANISM OF COMMUNICATION WITH PUBLIC

Opinion poll in Poland and also abroad show that differ communities are vividly interested in new discoveries on molecular biology, biotechnology and their influence on a quality of and safety for human life and environment. Public opinion demands and has a right to information and participation in decision making process on GMOs related issues. Access to full information (all non-confidential documents) and participation in decision making process is assured through internet portal available under http://gmo.mos.gov.pl. Access to official documents can, however, be restricted if they may contain confidential information in order to protect specified interests, namely:

- Intellectual property;
- the interest of preventing or prosecuting crime (especially in the case of trial fields);
- the inspection, control or other supervisory activities of a public authority;
- the public economic interest.

The polish society is given also data gathered in international database/databases accessible by internet and by direct link between national GMO database and BCH base (Biosafety Clearing - House).

INFORMATION SHARING SYSTEM

An electronic information sharing system has been established owing to realization of GEF project entitled ”National Biosafety Framework for Poland” and realized at the same time PHARE 2001 project “Biosafety system in Poland”. The system is compatible with Biosafety Clearing-House-BCH on biosafety related issues, accessible on the web http://gmo.mos.gov.pl and administrated by the GMO Division – unit of the Ministry of the Environment.

Poland developing its own information sharing system (within the confines of biosafety program) applied standards recommended by CBD and European Union. This system should ensure the efficient mechanism of transfer data between public and institutions (interested in the Polish activities in the GMO area) in our country and abroad.

Direct advantages resulting from the established national information sharing program:

- Science and technical cooperation,
- Easy and fast access to information,
- Possibility to check up and compare data with knowledge (verification),
- Elimination of duplication of activities,
- Stimulation of cooperation between sectors.

The database involve following data:

- Competent governmental administrative authorities,
- Legal regulations on GMO (Polish and international)
- Measures and instructions about how to prepare notification in order to obtain consent or permit for use of GMOs,
- Made decisions,
- Register of applications for consents and permits for use GMOs (applications, risk assessment, emergency plan in the case of failure and uncontrolled spread of GMO outside instalation, plans of facilities with technical equipment),
- Opinions concerning applications for consents and permits for use GMOs,
- List of entities authorized by the Minister of the Environment to do research and make opinions on GMO related issues.

Database doesn’t encompass discussion board for visitors yet. However people may send by email (gmo@mos.gov.pl) their own questions and commentaries related to biosafety and other issues falling inside the GMO Division jurisdiction.

Article 24 – Non-Parties

See question 1 regarding provision of information to the Biosafety Clearing-House**.**

55. Have there been any transboundary movements of living modified organisms between your country and a non-Party during the reporting period?	
a) yes	
b) no	X

56. If there have been transboundary movements of living modified organisms between your country and a non-Party, please provide information on your experience, including description of any impediments or difficulties encountered:
There have not been any transboundary movements of living modified organisms intended for deliberate release into the environment between Poland and a non-Party. Some GMOs intended for contained use have been imported during this reporting period. Poland doesn't regulate the import of GMMs (genetically modified microorganisms) or GMOs intended for contained use for research purposes. The import is allowed after a decision on the contained use of GMO or GMM is given to a user. This decision must be display during customs clearance.

Article 25 – Illegal transboundary movements

See question 1 regarding provision of information to the Biosafety Clearing-House.

57. Has your country adopted appropriate domestic measures to prevent and penalize, as appropriate, transboundary movements of living modified organisms carried out in contravention of its domestic measures? (Article 25.1)	
a) yes	X
b) no	
58. Have there been any illegal transboundary movements of living modified organisms into your country during the reporting period?	
a) yes	
b) no	X

59. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 25, including any obstacles or impediments encountered:
Poland has established a penalty system, containing explicit obligations, applied in case of contravention of the provisions of polish domestic regulations on GMO related issues. Appropriate legal regulations can be found in Chapter 7 "Civil and criminal liability" in the Act of 22 June 2001 on Genetically Modified Organisms (GMO)(Journal of Laws of 25 July 2001,01.76.811). The new act "Law on genetically modified organisms" shall ensure entire transposition of legal regulations of European Community in the penalty policy area (Section IX Legal responsibility). The penalties shall be effective, proportionate and dissuasive. Poland as a UE Member State is obliged to apply adequate standarts, determining use of penalties for infringement European and domestic law on GMOs. They can be found in: - Article 33 of the EC Directive 2001/18 on the deliberate release into the environment of GMOs, - Article 18 of Regulation No 1946/2003 on transboundary movements of genetically modified organisms, - Article 45 of Regulation No 1829/2003 on genetically modified food and feed. The new act "Law on genetically modified organisms" contains penalty regulations, including also

sanctions, written in an adequate regulations of the EC.

There haven't been any illegal transboundary movements of living modified organisms into Poland during the reporting period.

Article 26 – Socio-economic considerations

60. If during this reporting period your country has taken a decision on import, did it take into account socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, especially with regard to the value of biological diversity to indigenous and local communities? (Article 26.1)	
a) yes – significant extent	
b) yes – limited extent	
c) no	
d) not a Party of import	X

61. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of living modified organisms, especially on indigenous and local communities? (Article 26.2)	
a) yes – significant extent	
b) yes – limited extent	
c) no	X

62. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 26, including any obstacles or impediments encountered:

No decision on import, taking into account socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, especially with regard to the value of biological diversity to indigenous population and local communities has been made in Poland during this reporting period. There are no commercial cultivation of transgenic plants in Poland at the moment. The Minister of the Environment has made few decisions on the deliberate release into the environment of genetically modified organisms, covering the field testing of GMOs during this reporting period. Field trials on the basis of these decisions have been conducted on the grounds belonging to science institutions and the Research Centre for Cultivar Testing (national office responsible for variety testing). Thus they couldn't exert any adverse effects and influence on local communities. Nevertheless every local community is informed about planned activities before any decision on the deliberate release GMO into the environment is made and people has got enough time to pass on their own opinions and objections to local and government authorities.

In order to minimize in future potential adverse effects from GMOs on indigenous population and local communities the Polish government prepared in the new act on GMOs special regulations on coexistence between GM and non-GM agricultural planting. Objective of new legal regulation is to ensure that all form of agriculture may exist in Poland and Polish consumers are giving a choice with regard to agricultural products. Simultaneously new regulations shall protect ecological and conventional farms from contamination by GM seed material. The basis for preparation of this section is a Recommendation on 23 July 2003 on guidelines for the development of national strategies and best practices to ensure the coexistence of genetically modified crops with conventional and organic farming.

Article 28 – Financial mechanism and resources

63. Please indicate if, during the reporting period, your Government made financial resources available to other Parties or received financial resources from other Parties or financial institutions, for the purposes of implementation of the Protocol.	
a) yes – made financial resources available to other Parties	
b) yes – received financial resources from other Parties or financial institutions	X
c) both	
d) neither	

64. Please provide further details about your response to the above question, as well as description of your country's experiences, including any obstacles or impediments encountered:

Poland received financial resources from financial institutions. National Biosafety Framework for Poland was prepared by dint of financial support from United Nations Environment Programme and Global Environment Facility as a pilot GF1200-98-84 subproject entitled "National Biosafety Framework for Poland" and as GFL/2716-02-4531 implementation project "Support for the Implementation of the National Biosafety Framework for Poland". The aim of this project was:

- Strengthen the necessary national infrastructure for risk assessment and monitoring of Living Modified Organisms (LMOs)
- Strengthen, and where was needed build capacity on biosafety issues, especially in the area of risk assessment and risk management, testing and monitoring, legal issues and administrative arrangements,
- Strengthen information sharing by developing integrated database to be linked to the Biosafety Clearing House (BCH),
- Enhance national capacity for public awareness on biosafety related issues and build administrative frame for public participation in decision making process on LMOs.

The second project entitled "Biosafety system in Poland" was funded by dint of European Union from PHARE financial resources. The aim of this project was:

- Assessment technical conditions of science institutions and other connected with GMO related issues for the purposes of establishing reference laboratories on the basis of existing and already working base,
- Strengthen, and where was need establishing principals (in details) for monitoring and control system for the deliberate release genetically modified organisms into the environment,
- Strengthen, and where was need establishing principals (in details) for monitoring and control system, appropriate for the placing on the market genetically modified organisms and GM products, similar to principals on the deliberate release GMOs into the environment,
- Set up a GMO database to be linked to the BCH and electronic system for quick information transfer,
- establishing of control system for the purposes of customs control and information system on all decisions concerning the placing on the market of GMOs, exportation and transit GM products,
- preparation a basis for information system and the mechanism which would enhance communication between officials and the public on biosafety related issues.

Other information

65. Please use this box to provide any other information related to articles of the Protocol, questions in the reporting format, or other issues related to national implementation of the Protocol:

COMPETENCES OF THE MINISTER OF THE ENVIRONMENT

In accordance with the Act of 22 June 2001 on Genetically Modified Organisms (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365) the Minister of the Environment is the central governmental administrative authority competent on genetically modified organisms related issues.

Competences and tasks of the Minister of the Environment resulting from Cartagena Protocol

The Minister of the Environment fulfills a role of the competent authority of UE Member State, that is defined in Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms. He is the competent authority on transfer information between Republic Poland and the European Commission within the scope of Regulation (EC) No 1946/2003. The competent governmental administrative authorities and local governmental authorities cooperate with The Minister of the Environment, making available data which are indispensable to effectively transfer information between Republic Poland and the European Commission within the scope of Regulation (EC) No 1946/2003.

Direct tasks of the Minister of the Environment resulting from national law

In accordance with section 10 of the Act of 22 June 2001 on Genetically Modified Organisms (Official Journal No. 76, Item 811; 2002, No. 25, Item 253, and No. 41, Item 365) the operating scope of the Minister of the environment regarding GMOs include in particular:

- making decisions regarding consents to:
  a) deliberate release of GMOs into the environment,
  b) contained use of GMOs,
- making decisions regarding permits to:
  a) place GM products on the market (excluding GM food),
  b) export or transit GM products,
- coordination of control and monitoring of the activities regulated by the Act on GMOs,
- coordination of collection and exchange of information on security of human beings and the environment with regard to GMOs

COMPETENCES OF THE CHIEF SANITARY INSPECTOR

The Chief Sanitary Inspector is the governmental administrative authority competent on genetically modified food, occupational health, safety and conditions in facilities designed for work with GMOs. He makes decisions regarding the placing on the market of GMOs intended for food and of food products containing, consisting of or produced from GMOs and supervises with subordinate inspections safety of products intended for use as food and nutrition for human. The Chief Sanitary Inspector curries out his tasks on the basis of the act of 11 May 2001 on health conditions of food and nutrition (Official Journal of 22 June 2001r.) (O.J No 63, Item. 634 with amendments), including regulations on the placing on the market of new food, among other things produced from genetically modified organisms or consisting of genetically modified organisms and contained regulations with regard to foodstuffs control, taking account of safety for human health.

COMPETENCES OF THE MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT

The Minister of Agriculture and Rural Development is the central governmental administrative authority competent on varieties registration, seed industry and agricultural planting. On the basis of currently preparing regulations he'll be as well the governmental administrative authority competent on issues of coexistence between GM and non-GM agricultural planting and the placing on the market feed that specifies article 15 section 1 of Regulation (EC) 1829/2003 of 22 September 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.

Simultaneously the Minister of Agriculture and Rural Development is responsible for registration plant protection products, that could contain genetically modified organisms. His tasks are specified in the regulations of following legal acts: the Act of 23 August 2001 on animal feeding stuffs (O.J No 123, item. 1350 with amendments), concerning the placing on the market and a control of animal feeding stuffs, the Polish Seed Industry Law of June 26th, 2003 (P.O.J. No137, item 1299, with amendments P.O.J. No 96 of 2004, item 956), the Act of 26 April 1999 on the protection of crop plants (Journal of Laws of 1999, No. 66, item 751 and No. 101, item 1178 and of 2001, No. 22, item 248), the Law of June 26th, 2003 on the legal protection of plant varieties (P.O.J. No 137, item 1300).

NATIONAL FOCAL POINTS

Cartagena protocol on Biosafety to the Convention on Biological Diversity	Department of Forestry, Nature Conservation nad Landscape Protection	Ministry of the Environment Wawelska 52/54 00-922 Warsaw phone +48 22 57 92 538 Fax: +48 22 57 92 290 agnieszka.dalbiak@mos.gov.pl michal.gizinski@mos.gov.pl
Biosafety Clearing House	Department of Forestry, Nature Conservation nad Landscape Protection	Ministry of the Environment Wawelska 52/54 00-922 Warsaw Phone +48 22 57 92 723 Fax: +48 22 57 92 290 joanna.rybak@mos.gov.pl

The Minister of the Environment is responsible for coordination of sharing information between aforementioned governmental administrative authorities. In 2002 the Minister of Agriculture and Rural Development and the Minister of Health designated at the request of the Minister of the Environment their representatives cooperating with him within the scope of National Focal Point.

Comments on reporting format

The wording of these questions is based on the Articles of the Protocol. Please provide information on any difficulties that you have encountered in interpreting the wording of these questions:

No difficulties encountered