

USDA Foreign Agricultural Service

GAIN Report

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Russia Fails to Commit to Timelines for GMO Legislation

Report Categories:

Biotechnology

Approved By:

Mary Ellen Smith

Prepared By:

Yelena Vassilieva

Report Highlights:

Despite the awaited adoption of the legislation on the release of GMO into environment, Russia may begin this release only if/after the government develops necessary procedures and regulations in the foreseen future.

General Information:

The draft Federal Law which would allow the government to draft future legislation on the release of GMOs into the environment passed all Duma hearings in five days and was forwarded to the Federation Council, the Upper Chamber of the Russian legislative body on September 24th, 2010 for approval. This is the final approval before going to the President for signature. The draft provides language which would be a step toward allowing the release of genetically modified organisms into environment by adding part 9 to Article 7 of the original law: "Genetically modified organisms developed for release into environment, and products derived from such organisms or containing such organisms are **subject to state registration in accordance with the procedure approved by the government of the Russian Federation**". However, the procedure for state registration of GMO for release into environment does not exist, and this has always been the major obstacle^[1]. After the first reading, the draft stipulated that this missing piece would be adopted within six months. However, this provision was deleted in the subsequent readings. As the final version of the draft does not specify any requirements for the Government to develop a regulatory mechanism for registration, this draft is only a symbolic gesture and approving GMOs for release into the environment might be postponed indefinitely, even if this version of the federal law is adopted by the Federation Council and signed by the President.

The unofficial translation of the text adopted by the State Duma and sent to the Federation Council is given below:

FEDERAL LAW

On Amendments to the Federal Law "On the State Regulation in the Field of Genetic Engineering"

Adopted by the State Duma

September 24, 2010

Article 1

To include into the federal law № 86-FZ of July 5, 1996 "On State Regulations in the Field of Genetic Engineering (Code of laws of the Russian Federation, 1996, № 28, art. 3348; 2000, № 29, art. 3005; 2009, № 1, art. 21) the following amendments:

- 1) paragraph 4, article 2: the word "and" to be replaced with the words "in order to create" ;
- 2) part 2, article 5 to be added with the following paragraph: "the state registration of genetically modified organisms intended to release into environment, as well as the products received from such organisms or containing such organisms";
- 3) article 6 to read as follows:

"Article 6. Works in the field of genetic engineering

Genetic engineering activities include the following:

- genetic manipulations with molecular and cells involving recombinant RNA and DNA in order to develop genetically modified organisms (viruses, microorganisms, transgenic plants,

transgenic animals and their cells);

- genetic manipulations with molecular and cells involving recombinant RNA and DNA with the aim of genodiagnostics and genetic therapy (genotherapy) for humans;
- all kinds of tests of genetically modified organisms including laboratory or clinical tests, field trials, experimental or industrial tests;
- disposal of wastes resulted from genetic engineering;
- purchase, sale, exchange, other deals or any other activity related to genetic engineering technologies.

Genetic engineering activity of the III or IV risk level conducted in closed systems is subject to licensing in accordance with Russian law";

4) in Article 7:

a) parts 5, 7 and 8 to declare invalid;

б) to add part 9 which should read as follows:

"Genetically modified organisms developed for release into environment, and products derived from such organisms or containing such organisms is subject to state registration in accordance with the procedure approved by the government of the Russian Federation";

5) part 2 of Article 8 to declare invalid.

Article 2

This Federal law shall come into force a hundred and eighty days after it is officially published.

President
of the Russian Federation

^[i] For more information see GAIN RS1034 _ Biotechnology Annual 2010 _ Moscow _ Russian Federation _ 7/16/2010