**Submission of Information on Contained Use**

(CBD notification 2017-087)

***Commission Proposal for a common chapeau for EU and MS submissions of information***

At EU level, Directive 2009/41/EC[[1]](#footnote-1) lays down common measures for the contained use of genetically modified micro-organisms (GMMs) in order to ensure a high level of protection of human health and the environment. The term "micro-organism" in the Directive covers any microbiological entity, cellular or non-cellular, capable of replication or of transferring genetic material, including viruses, viroids and animal and plant cells in culture. The Directive sets criteria and rules for authorising contained uses of GMMs, and the premises where activities are carried out. These authorisations are given by the competent authorities of each Member State.

Contained uses of GMMs are classified (from class 1 to 4) according to the risks they present to human health and the environment, based on an assessment of the risk by the user. The Directive provides principles for this risk assessment. The Directive also provides the minimum requirements and protective measures necessary for each level of containment. Those are applicable across the various steps of the activities including disposal of material from contained uses, and the prevention of accidents. It also outlines measures to be taken by Member States in the event of an accident, the need for carrying out inspections and the reporting obligations to the Commission (yearly about class 3 and 4 contained uses, and every three years about their experience with this Directive).

The contained use of GMOs other than micro-organisms is not covered by Directive 2009/41/EC. However, Regulation 1946/2003[[2]](#footnote-2) on the transboundary movements of GMOs applies to both the contained use of GMMs and to the contained use of GMOs other than GMMs; it lays down some information requirements on exports to third countries.

EU Member States may have developed further guidance on contained use of GMOs that are used at national level.

1. BCH record [101047](http://bch.cbd.int/database/record.shtml?documentid=101047) (http://bch.cbd.int/database/record.shtml?documentid=101047) [↑](#footnote-ref-1)
2. BCH record [5629](http://bch.cbd.int/database/record.shtml?documentid=5629) (http://bch.cbd.int/database/record.shtml?documentid=5629) [↑](#footnote-ref-2)