



**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Fifty-first session**

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Item 3 of the provisional agenda

Listing, classification and packing**Meaning of “state of origin” for Genetically Modified
Organisms and Genetically Modified Micro-Organisms****Submitted by the International Air Transport Association (IATA)*****Introduction**

1. Paragraph 2.9.2 includes information on various groups of substances and articles that are assigned to Class 9, which includes genetically modified micro-organisms (GMMO) and genetically modified organisms (GMO).
2. In the text that addresses GMMO and GMO is the following: “GMMOs or GMOs are not subject to these Regulations when authorized for use by the competent authorities of the countries of origin, transit and destination. Genetically modified live animals must be transported under terms and conditions of the competent authorities of the countries of origin and destination.”
3. The use of the phrases “country(ies) of origin and destination” in the Model Regulations is unique to the text related to GMMO and GMO. Elsewhere in the Model Regulations the phrase used is “country of manufacture” and “country of use”, which each appear over ten times.
4. The issue of the term “country(ies) of origin and destination” is that when adopted into the ICAO Technical Instructions the word “countries” becomes “State” to be consistent with the terminology used in the Technical Instructions. In the Technical Instructions “State

* In accordance with the programme of work of the Sub-Committee for 2017–2018 approved by the Committee at its eighth session (see ST/SG/AC.10/C.3/100, paragraph 98 and ST/SG/AC.10/44, paragraph 14).

of Origin” and “State of Destination” are defined terms which the following meanings: “*State of Origin*: The State in the territory of which the consignment is first to be loaded on an aircraft.” and “*State of Destination*. The State in the territory of which the consignment is finally to be unloaded from an aircraft.”

5. The terms are then used to identify which State authorities are to issue any approval or exemption for dangerous goods to be able to be transported by air when these dangerous goods are normally forbidden in air transport. The important aspect of the application is that it applies to the States where the consignment (of dangerous goods) is first to be loaded on an aircraft and finally to be unloaded from an aircraft.

6. It must be noted here that these States may not be the State where the consignment originates or the States where the consignment is ultimately destined. There are many instances where the consignor of the dangerous goods is located in one State, but the goods will be transported by road to another State where the air transport portion will commence. The same may also apply where the airport of destination is in a State other than that of the consignee.

7. Coming back to the text used to identify the requirements applicable to GMMO and GMO it is proposed that for consistency with the language used elsewhere in the Regulations that “countries of origin and destination” be replaced with “countries of manufacture and use”. It is recognised that “manufacture” may be seen as inappropriate for GMMO and GMO given that they are living organisms, however given that these are created in a laboratory then they could be said to be made, and therefore are manufactured.

8. In the sentence for genetically modified live animals “manufactured” and “use” have been placed in square brackets as the Subcommittee may prefer to use different terms.

Proposal

9. It is proposed to revise the text in 2.9.2 under the heading *Genetically modified micro-organisms (GMMOs) and genetically modified organisms (GMOs)* as follows:

Genetically modified micro-organisms (GMMOs) and genetically modified organisms (GMOs)

3245 GENETICALLY MODIFIED MICRO-ORGANISMS or
3245 GENETICALLY MODIFIED ORGANISMS

GMMOs or GMOs which do not meet the definition of toxic substances (see 2.6.2) or infectious substances (see 2.6.3) shall be assigned to UN 3245.

GMMOs or GMOs are not subject to these Regulations when authorized for use by the competent authorities of the countries of ~~origin~~ [manufacture], transit and ~~destination~~ [use].

Genetically modified live animals shall be transported under terms and conditions of the competent authorities of the countries of ~~origin~~ [manufacture] and ~~destination~~ [use].