



SEEDING PERIOD

The control attributions in this first stage of release into the environment, are shared between two specialized compartments, under the regional Directions for Agriculture and Rural Development:

1. Compartment for implementation of policies, monitoring, agricultural production statistics, GMO authorization:

- analyzes the requests for authorization of the cultivators and issues the approvals;
- checks and introduces in the Regional Records, data referring to the size of the GMO cultivated surfaces, the provenience of seeds, the GMO varieties cultivated, productions accomplished, the destination of productions;
- follows the proceedings of files and forms filled in by GMO cultivators;
- checks and periodically sends the information from the Regional Records in electronic version to the GMO Compartment under the Ministry for Environment, in order that the National Record to be constituted;
- Follows the way that the GMO cultivators apply the measures for ensuring the coexistence between GM crops with conventional or organic crops.

Problem: Numerous incomplete or misleading data about the GMO cultivators, surfaces cultivated, provenience of GMO seeds, destination of productions, included in the National Register of GMOs

2. Compartment for inspections in agricultural production, GMO and food industry:

- does inspections and controls at economic agents which cultivate GM plants, in order to verify how are they applying the GMO regulation;
- collaborates with specialists from the Regional Sanitary Veterinary and Food Safety Directions, the Regional Offices of the Environmental Guard, the Regional Offices for Consumers Protection, for these controls and inspections;
- participates to the public information, the cultivators and the consumers, regarding the GMO legislation.

Problem: inexistent public information campaign about GMO legislation.

GROWING PERIOD

As Control Body in the growing period of genetically modified plants, the Environmental Guard has the following attributions:

- ensures the inspection and the control of cultivation activities, collaborating with the authorized personnel of the involved authorities;
- elaborates strategies and plans for inspections and control which are annually revised;
- ensures the data base in electronic version concerning it's own activity and transmits informations and reports regarding the results of the controls and inspections to the competent authority and the public central authority for the protection of the environment;
- collaborates with the competent authority and the public central authority for the protection of the environment or with control bodies of EU member states and other community authorities during emergency situation with transboundary impact.

In the situation of illegal deliberate releases into the environment or placements of the market of one or more genetically modified organisms or the situation of illegal transboundary movements of genetically modified organisms, the control body takes all the necessary measures to stop these activities and if it's the case, takes action to remediate the effects. These informations are transmitted via the competent authority to the other involved authorities and to the public. The public central authority for the protection of the environment is in charge with the information of the European Commission and the EU member states.

Problem: weak controls and inspections in the field; reports about non-existent controls in the field. Case: the Regional Environmental Guard Cluj – Transylvania, where the inspectors verbally admitted they lack of human resources for control activities for illegal GMO crops and following an official request for information they reported over 10 controls with no successful result registered.

PROCESSING PERIOD

The National Sanitary Veterinary and Food Protection Agency (NSVFPA) functions under the direct coordination of the Romanian Government and represents a key control body for the phase of GM plants processing. It has the following attributions:

- One of the most important aspects concerning the NSVFPA is that it ensures the logistics to perform PCR (*polymer chain reaction*) tests for detecting GM traces both quantitative and qualitative from GM products (in different stages – seeds, plants, processed food). The only national accredited laboratory which can perform such tests is the **National Laboratory Molecular Biology Unit and GMOs**, which functions under NSVFPA.
- Collaborates with the other relevant authorities for control and inspections activities to processing factories.
- Organizes controls and inspections at processing factories, and follows the way they ensure the traceability by separating the processing lines of GM seeds from non-GM seeds.

Problem: practically, the collaboration between the other control bodies and the NSVFPA's Laboratory has no legal base. There is no protocol or functioning regulation established between the Directions for Agriculture and Rural Development / The Environmental Guard / The National Authority for Consumers Protection and the National Laboratory Molecular Biology Unit and GMOs.

Most importantly, in the case of GM soy in Romania, the most numerous cases of contamination were met in the processing stage, at processing factories, which clearly proves that there were no serious controls and no traceability ensured in this stage..

MARKET – FINAL PRODUCTS

The National Authority for Consumers Protection functions under the direct coordination of the Romanian Government and has the following attributions:

- Ensures the control and inspections to follow the correct implementation regulation on labeling GM products from the market, destined to consumers.
- Ensures the public information on the stipulations of GMO labeling legislation.

Problem: Inexistent public information campaign on the GMO labeling legislation.

Another very important problem is that the National Authority for Consumers Protection doesn't react to the alerts of consumers, in case they have of suspicions about potential GM products detected on the market. Such suspicions have to be based on proofs. The proofs in this case are represented by results of PCR tests made by an accredited laboratory. Such tests are very expensive (between 300 – 600 EUR) and even the consumers can afford to pay for them, the National Authority for Consumers Protection can easily invoke procedural shortcomings which annul the test results. This was the case of Greenpeace Association which ordered several tests on GM soy products, all containing over 50% GM traces, according to test results.

Moreover, there is no protocol or functioning regulation between the National Laboratory Molecular Biology and GMOs and the National Authority for Consumers Protection, which would establish the procedure for controls and verification of products from the market by testing them.

There are no special nominated persons inside the National Authorities for Consumers Protection, in charge with control activities on GMOs.

To conclude, the controls and the inspections of the National Authority for Consumers Protection are limited to verifying if the labeling of GM products is implemented by the economic agents and there are superficially executed.