

Regulation (EC) No 1946/2003 of the European Parliament and of the Council
of 15 July 2003 on transboundary movements of genetically modified organisms

CHAPTER II

EXPORTS OF GMOs TO THIRD COUNTRIES

Section 2

GMOs intended for direct use as food or feed, or for processing

Article 10

Parties' and non-Parties' national decisions on import

1 The exporter shall respect any decision on the import of GMOs intended for direct use as food or feed, or for processing, taken by a Party in accordance with Article 11(4) of the Protocol, or by a non-Party of import under its domestic regulatory framework that is consistent with the objective of the Protocol.

2 If a developing country Party or non-Party of import or a Party or non-Party of import with an economy in transition has declared through the BCH that it will take a decision prior to an import of a specific GMO intended for direct use as food or feed, or for processing, in accordance with Article 11(6) of the Protocol, the exporter shall not proceed with the first export of such GMO unless the procedure provided for under that provision has been followed.

3 Failure by the Party or non-Party of import to acknowledge receipt of a notification or to communicate its decision in accordance with paragraph 2 shall not imply its consent or refusal to the import of a GMO intended for direct use as food or feed, or for processing. No GMO that may be subject to transboundary movements for direct use as food or feed or for processing may be exported, unless it is authorised within the Community or the competent authority of a third country has expressly agreed to the import as required under Article 12 of Regulation (EC) No 178/2002.

Changes to legislation:

There are outstanding changes not yet made to REGULATION (EC) No 1946/2003 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation words omitted by [S.I. 2019/90 reg. 5\(15\)](#)
- Art. 10(3) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(7\)](#) by [S.I. 2020/1421 Sch. para. 3\(6\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1(c) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(16\)](#) (a) by [S.I. 2020/1421 Sch. para. 3\(12\)\(a\)](#)
- Annex 1(m) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(16\)](#) (b) by [S.I. 2020/1421 Sch. para. 3\(12\)\(b\)](#)
- Annex 3(b) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(17\)](#) by [S.I. 2020/1421 Sch. para. 3\(13\)](#)
- Art. 1 word omitted by [S.I. 2019/90 reg. 5\(2\)\(b\)](#)
- Art. 1 words omitted by [S.I. 2019/90 reg. 5\(2\)\(a\)](#)
- Art. 1 words omitted by [S.I. 2019/90 reg. 5\(2\)\(c\)](#)
- Annex 1(c) words substituted by [S.I. 2019/90 reg. 5\(16\)\(a\)](#)
- Annex 1(m) words omitted by [S.I. 2019/90 reg. 5\(16\)\(b\)\(ii\)](#)
- Annex 1(m) words substituted by [S.I. 2019/90 reg. 5\(16\)\(b\)\(i\)](#)
- Annex 3(b) words substituted by [S.I. 2019/90 reg. 5\(17\)](#)
- Art. 3(10)(a) substituted by [S.I. 2019/90, reg. 5\(3\)\(a\)](#) (as substituted) by [S.I. 2019/759 reg. 12\(2\)](#)
- Art. 3(10)(a) substituted in earlier amending provision [S.I. 2019/90, reg. 5\(3\)\(a\)](#) by [S.I. 2020/1421 Sch. para. 3\(2\)\(a\)](#)
- Art. 3(10)(a) words substituted by [S.I. 2019/90 reg. 5\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(3)(a) substituted immediately before IP completion day by [S.I. 2019/759, regs. 1\(a\), 12\(2\)](#))
- Art. 3(11) words substituted by [S.I. 2019/90 reg. 5\(3\)\(b\)](#)
- Art. 3(11) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(3\)\(b\)](#) by [S.I. 2020/1421 Sch. para. 3\(2\)\(b\)](#)
- Art. 3(12) words substituted by [S.I. 2019/90 reg. 5\(3\)\(c\)](#)
- Art. 3(12) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(3\)\(c\)](#) by [S.I. 2020/1421 Sch. para. 3\(2\)\(c\)](#)
- Art. 3(14) words omitted by [S.I. 2019/90 reg. 5\(3\)\(d\)](#)
- Art. 3(15) substituted by [S.I. 2019/90, reg. 5\(3\)\(da\)](#) (as inserted) by [S.I. 2020/1421 Sch. para. 3\(2\)\(d\)](#)
- Art. 3(19) substituted by [S.I. 2019/90 reg. 5\(3\)\(e\)](#)
- Art. 3(19) words inserted in earlier amending provision [S.I. 2019/90, reg. 5\(3\)\(e\)](#) by [S.I. 2020/1421 Sch. para. 3\(2\)\(e\)](#)
- Art. 3(19A) inserted by [S.I. 2019/90, reg. 5\(3\)\(ea\)](#) (as inserted) by [S.I. 2020/1421 Sch. para. 3\(2\)\(f\)](#)
- Art. 3(20) substituted by [S.I. 2019/90 reg. 5\(3\)\(f\)](#)
- Art. 3(20) words inserted in earlier amending provision [S.I. 2019/90, reg. 5\(3\)\(f\)](#) by [S.I. 2020/1421 Sch. para. 3\(2\)\(g\)](#)
- Art. 3(20A) inserted by [S.I. 2019/90, reg. 5\(3\)\(fa\)](#) (as substituted) by [S.I. 2020/1421 Sch. para. 3\(2\)\(g\)](#)
- Art. 3(22)(23) inserted by [S.I. 2019/90 reg. 5\(3\)\(g\)](#)
- Art. 3(22) words substituted in earlier amending provision [S.I. 2019/90, reg. 5\(3\)\(g\)](#) by [S.I. 2020/1421 Sch. para. 3\(2\)\(h\)\(i\)](#)

- Art. 3(23) word inserted in earlier amending provision S.I. 2019/90, reg. 5(3)(g) by [S.I. 2020/1421 Sch. para. 3\(2\)\(h\)\(ii\)\(aa\)](#)
- Art. 3(23) words substituted in earlier amending provision S.I. 2019/90, reg. 5(3)(g) by [S.I. 2020/1421 Sch. para. 3\(2\)\(h\)\(ii\)\(bb\)](#)
- Art. 3(24) inserted in earlier amending provision S.I. 2019/90, reg. 5(3)(g) by [S.I. 2020/1421 Sch. para. 3\(2\)\(h\)\(iii\)](#)
- Art. 5(2) words substituted by [S.I. 2019/90 reg. 5\(4\)\(a\)](#)
- Art. 5(5) words substituted by [S.I. 2019/90 reg. 5\(4\)\(b\)](#)
- Art. 6 heading words substituted by [S.I. 2019/90 reg. 5\(5\)\(a\)](#)
- Art. 6 words substituted by [S.I. 2019/90 reg. 5\(5\)\(b\)](#)
- Art. 6 words substituted by [S.I. 2019/90 reg. 5\(5\)\(c\)\(i\)](#)
- Art. 6 words substituted by [S.I. 2019/90 reg. 5\(5\)\(c\)\(ii\)](#)
- Art. 9(1) words substituted by [S.I. 2019/90 reg. 5\(6\)\(a\)\(i\)\(aa\)](#)
- Art. 9(1) words substituted by [S.I. 2019/90 reg. 5\(6\)\(a\)\(i\)\(bb\)](#)
- Art. 9(1) words substituted by [S.I. 2019/90 reg. 5\(6\)\(a\)\(ii\)](#)
- Art. 9(3) words substituted by [S.I. 2019/90 reg. 5\(6\)\(b\)](#)
- Art. 9(4) words substituted by [S.I. 2019/90 reg. 5\(6\)\(c\)](#)
- Art. 10(3) words substituted by [S.I. 2019/90 reg. 5\(7\)](#)
- Art. 12(2) words substituted by [S.I. 2019/90 reg. 5\(8\)\(a\)](#)
- Art. 12(5) word omitted by [S.I. 2019/90 reg. 5\(8\)\(b\)](#)
- Art. 14(1) words substituted by [S.I. 2019/90 reg. 5\(9\)\(a\)](#)
- Art. 14(2) words substituted by [S.I. 2019/90 reg. 5\(9\)\(b\)\(i\)\(aa\)](#)
- Art. 14(2) words substituted by [S.I. 2019/90 reg. 5\(9\)\(b\)\(i\)\(bb\)](#)
- Art. 14(2)(a) words omitted by [S.I. 2019/90 reg. 5\(9\)\(b\)\(ii\)](#)
- Art. 15(1) words omitted by [S.I. 2019/90 reg. 5\(10\)\(a\)\(i\)\(bb\)](#)
- Art. 15(1) words substituted by [S.I. 2019/90 reg. 5\(10\)\(a\)\(i\)\(aa\)](#)
- Art. 15(1)(c) words substituted by [S.I. 2019/90 reg. 5\(10\)\(a\)\(ii\)](#)
- Art. 15(1)(e) substituted by [S.I. 2019/90 reg. 5\(10\)\(a\)\(iii\)](#)
- Art. 15(1)(e) words omitted in earlier amending provision S.I. 2019/90, reg. 5(10)(a)(iii) by [S.I. 2020/1421 Sch. para. 3\(8\)\(b\)\(ii\)](#)
- Art. 15(1)(e) words substituted in earlier amending provision S.I. 2019/90, reg. 5(10)(a)(iii) by [S.I. 2020/1421 Sch. para. 3\(8\)\(b\)\(i\)](#)
- Art. 15(1)(f) words substituted by [S.I. 2019/90 reg. 5\(10\)\(a\)\(iv\)](#)
- Art. 15(1)(f) words substituted in earlier amending provision S.I. 2019/90, reg. 5(10)(a)(iv) by [S.I. 2020/1421 Sch. para. 3\(8\)\(c\)](#)
- Art. 15(1)(h) substituted by [S.I. 2019/90 reg. 5\(10\)\(a\)\(v\)](#)
- Art. 15(1)(h) words omitted in earlier amending provision S.I. 2019/90, reg. 5(10)(a)(v) by [S.I. 2020/1421 Sch. para. 3\(8\)\(d\)\(i\)](#)
- Art. 15(1)(i) words substituted in earlier amending provision S.I. 2019/90, reg. 5(10)(a)(v) by [S.I. 2020/1421 Sch. para. 3\(8\)\(d\)\(ii\)](#)
- Art. 15(2) omitted by [S.I. 2019/90 reg. 5\(10\)\(b\)](#)
- Art. 16(1) words substituted by [S.I. 2019/90 reg. 5\(11\)\(a\)](#)
- Art. 16(4) words substituted by [S.I. 2019/90 reg. 5\(11\)\(b\)](#)
- Art. 17 heading word substituted by [S.I. 2019/90 reg. 5\(12\)\(a\)](#)
- Art. 17(1) omitted by [S.I. 2019/90 reg. 5\(12\)\(b\)](#)
- Art. 17(2) omitted by [S.I. 2019/90 reg. 5\(12\)\(b\)](#)
- Art. 17(3) substituted by [S.I. 2019/90 reg. 5\(12\)\(c\)](#)
- Art. 18 omitted by [S.I. 2019/90 reg. 5\(13\)](#)
- Art. 19(1) omitted by [S.I. 2019/90 reg. 5\(14\)\(a\)](#)
- Art. 19(2) words substituted by [S.I. 2019/90 reg. 5\(14\)\(b\)\(i\)](#)
- Art. 19(2) words substituted by [S.I. 2019/90 reg. 5\(14\)\(b\)\(ii\)](#)