

CHECK-LIST FOR EU ABS REGULATION

If all answers are “YES”, then your work is within the scope of the EU ABS regulation and you will be obliged to submit a due diligence declaration. Even if your work does not fall within the scope of the regulation (i.e. one of your answers is “NO”) you still have to obey national ABS regulations of the Providing Country of the genetic resources.

Scope		Yes	No
Material	<p>Are you working with any material of plant, animal, microbial or other (non-human) origin containing functional units of heredity (i.e. genes), including derivatives (i.e. proteins, enzymes, metabolites)? Anything containing DNA, dead or alive, and its derivatives. This <i>excludes</i> organisms covered by specialized treaties (e.g. International Treaty on Plant Genetic Resources for Food and Agriculture and Pandemic Influenza Preparedness) and any type of human material but <i>includes</i> human pathogens. See definitions 1, 2 & 3.</p>		
Utilization	<p>Are you conducting research AND/OR development on the genetic and/or biochemical composition (or derivative*) of a genetic resource? (including the application of biotechnology) This category assumes that the research is being conducted at University Medical Center Mainz. See definitions 3, 6 & 7.</p>		
Temporal	<p>Was the genetic material accessed in the Provider Country (country of in situ collection) ON or AFTER the 12th of October 2014? See definition 4.</p>		
Geographic	<p>Is the Providing Country of the genetic resources party to the Nagoya Protocol? To check for this use: ABS Clearing House website</p>		
	<p>Does the Providing Country of the genetic resources have national ABS regulation? To check for this use: ABS Clearing House website If information about this is not clear or even missing on the ABS Clearing House website then contact the National Focal Point (NFP) of the Providing Country of the genetic resources asking for clarification</p>		

Definitions according to the Convention on Biological Diversity, the Nagoya Protocol and the EU

ABS regulation:

1. *Genetic material*: any material of plant, animal, microbial or other origin containing functional units of heredity
2. *Genetic resource*: genetic material of actual or potential value
3. *Derivative*: naturally occurring biochemical compound resulting from the genetic expression or metabolism of biological or genetic resources, even if it does not contain functional units of heredity
4. *Access*: acquisition of genetic resources or of traditional knowledge associated with genetic resources
5. *User*: natural or legal person that utilizes genetic resources or traditional knowledge associated with genetic resources
6. *Utilization of genetic resources*: to conduct research and/or development on the genetic and/or biochemical composition of genetic resources, including through the application of biotechnology
7. *Biotechnology*: technological application that uses biological systems, living organisms or derivatives thereof, to make or modify products or processes for specific use