

ADOPTION OF NATIONAL LEGISLATION IN ACCORDANCE WITH ARTICLE 26a(1a) OF DIRECTIVE 2001/18/EC

'1a.As from 3 April 2017 Member States in which GMOs are cultivated shall take appropriate measures in border areas of their territory with the aim of avoiding possible cross-border contamination into neighbouring Member States in which the cultivation of those GMOs is prohibited, unless such measures are unnecessary in the light of particular geographical conditions. Those measures shall be communicated to the Commission.'

Member State	Legal Act	Most relevant provisions	Official Translation of the most relevant provisions	Additional Information provided by MS
	Act 252/1997 on Agriculture Consolidated form	Section 2i, <ul style="list-style-type: none"> •subsection (2), paragraph (f) •subsection (4) paragraph (g) 	<p>(2) A natural or legal person cultivating a genetically modified variety on a part of a soil block shall be obliged to:</p> <p>(f) comply with the minimum distance of a location for the cultivation of a genetically modified variety from the State border of the Czech Republic set by an implementing decree.</p> <p>(4) For individual crops for which genetically modified varieties are cultivated, a Ministry decree specifies:</p> <p>(g) the minimum distance of a location for the cultivation of a genetically modified variety from the State border of the Czech Republic pursuant to subsection (2)(f).</p>	
CZ	IMPLEMENTING DECREE 392 of 29 November 2016 amending Implementing Decree No 89/2006 on the detailed conditions for the cultivation of genetically modified varieties, as amended by Implementing Decree No 58/2010	<ul style="list-style-type: none"> •Article I, Section 2a •Annex to the implementing decree 	<p>'Section 2a</p> <p>Minimum distance from the border for the cultivation of genetically modified varieties</p> <p>[Section 2i(2)(f) and (4)(g) of the Agriculture Act]</p> <p>The minimum distance for the place of cultivation of genetically modified varieties from the border of the Czech Republic for each individual crop is set out in the annex to this Implementing Decree.</p> <p>Annex:</p> <p>Minimum distance for the cultivation of genetically modified varieties from the border of the Czech Republic for potatoes, maize and soya crops: 400m.</p>	

Member State	Legal Act	Most relevant provisions	Official Translation of the most relevant provisions	Additional information provided by the MS
ES	<p>Royal Decree 364/2017 of April 17</p> <p>Amendment to the General Regulation for the implementation and application of Law 9/2003 of 25 April 2003 laying down the legal arrangements for the contained use, deliberate release and placing on the market of genetically modified organisms, approved by Royal Decree No 178/2004 of 30 January 2004.</p>	Sole Article	<p>Sole Additional Provision Measures to prevent cross-border contamination caused by the cultivation of GMOs in Member States neighbouring those in which the cultivation of these GMOs is prohibited. <i>Where GMOs are cultivated in land bordering one or more Member States in which this activity is prohibited, the appropriate measures shall be taken to prevent possible cross-border contamination.</i></p> <p>1. These measures shall be adopted by way of the order(s) of the Minister for Agriculture and Fisheries, Food and the Environment, provided that a risk assessment report has already been submitted by National Biosafety Committee and the corresponding consultation has taken place with the Autonomous Community(ies) whose territory will be affected.</p> <p>2. These measures shall be proportionate, non-discriminatory, underpinned by the prevention and precautionary principles and be taken on a case-by-case basis. It shall not be obligatory to take these measures if the risk assessment report determines that they are not necessary owing to particular geographical reasons.</p> <p>3. The order(s) referred to in paragraph 2 will be adopted once the authorisation to cultivate these GMOs in the European Union has been granted or renewed and the ban has been enforced in the neighbouring Member State(s).</p> <p>4. The European Commission shall be informed of the rules adopted no later than 60 days after their entry into force.</p> <p>The Autonomous Communities are responsible for the follow-up, surveillance and control of the measures referred to in this provision, as well as for imposing penalties, where necessary.</p>	
	<p>Order APA/1083/2018</p> <p>measures for preventing the cultivation of genetically modified maize from causing cross-border contamination in neighbouring Member States in which the cultivation of such genetically modified organisms is prohibited</p>	Two. <i>Cross-border coexistence measures</i>	Farmers who cultivate genetically modified maize varieties on their farms shall establish an isolation distance of 20 m to the border with France, including possible shelter and buffer zones that might be established on the same parcel of land as the genetically modified maize.	

Member State	Legal Act	Most relevant provisions	Official Translation of the most relevant provisions	Additional Information provided by MS																	
SK	<p align="center">ACT 184/2006</p> <p align="center">on the cultivation of genetically modified plants in agricultural production</p>	<ul style="list-style-type: none"> • Section 5, point (1) (b) • Section 13, point (a) 	<p>Section 5</p> <p>(1)When cultivating modified plants, the grower shall:</p> <p>(b) maintain the buffer zone between modified plants and genetically unmodified plants of the same or related botanical species that are cultivated on the surrounding land, as specified for individual crops in accordance with Section 13(a);</p> <p>Section 13</p> <p>An act of general application issued by the ministry shall set out details concerning:</p> <p>(a) technical measures relating to the cultivation and handling of modified plants, the specialist plan for cultivating modified plants and the buffer zones pursuant to Section 5(1).</p>	<p>1. The legislation currently in place on co-existence of genetically modified plants (Act 184/2006 and Decree 69/2007) is also applicable in the case where GMO are cultivated in border areas.</p> <p>2. Implementation of the directive (EU) 2015/412 is at the beginning of the legislative process. Empowering provisions to adopt specific measures for cross border areas by decree could be adopted under this legislative procedure.</p>																	
	<p align="center">DECREE 69/2007</p> <p align="center">for the purpose of implementing Act No 184/2006 on the cultivation of genetically modified plants in agricultural production</p>	<ul style="list-style-type: none"> • Section 4 • Annex to Decree No 69/2007 	<p>Section 4</p> <p>The minimum sizes of the buffer zones separating modified plants from genetically unmodified plants of the same botanical type are laid down per individual botanical type in the Annex.</p> <p>Annex</p> <table border="1" data-bbox="1012 986 1767 1412"> <thead> <tr> <th rowspan="2"></th> <th colspan="4">Botanical type</th> </tr> <tr> <th>Maize</th> <th>Swede rape</th> <th>Sugar beet</th> <th>Potatoes</th> </tr> </thead> <tbody> <tr> <td>Minimum buffer zones between stands of modified plants and land farmed conventionally</td> <td>200 m</td> <td>400 m</td> <td>50 m</td> <td>20 m</td> </tr> <tr> <td>Minimum buffer zones between stands of modified plants and land farmed ecologically</td> <td>300 m</td> <td>600 m</td> <td>50 m</td> <td>20 m</td> </tr> </tbody> </table>			Botanical type				Maize	Swede rape	Sugar beet	Potatoes	Minimum buffer zones between stands of modified plants and land farmed conventionally	200 m	400 m	50 m	20 m	Minimum buffer zones between stands of modified plants and land farmed ecologically	300 m	600 m
	Botanical type																				
	Maize	Swede rape	Sugar beet	Potatoes																	
Minimum buffer zones between stands of modified plants and land farmed conventionally	200 m	400 m	50 m	20 m																	
Minimum buffer zones between stands of modified plants and land farmed ecologically	300 m	600 m	50 m	20 m																	

Member State	Legal Act	Most relevant provisions	Official Translation of the most relevant provisions	Additional Information provided by MS
RO	<p><u>Order No 73 /20-3-2017 of the Minister of Agriculture and Rural Development</u></p> <p>supplementing Order No 61/2012 of the Minister for Agriculture and Rural Development on the licensing and inspection of growers of genetically modified plants and measures to ensure the coexistence of genetically modified plants and conventional and organic crops</p>	Article I, point1. (4) (a) and (b)	<p>(a) In places close to the land border with the Republic of Bulgaria that are adjacent to field areas of the Republic of Bulgaria, the establishment of genetically modified plant crops is prohibited within 200 metres of the Romanian-Bulgarian land border.</p> <p>(b) In places close to the land border with Hungary that are adjacent to field areas of Hungary, the establishment of genetically modified plant crops is prohibited within 200 metres of the Romanian-Hungarian land border.</p>	