

Conditions for the transfer of strains from the CCVIEO collection

The VGOHAB group reserves the right to distribute the strains depending on the use which of them the applicant is going to do.

To request the strains you must fill out the form that will be sent to you by mail electronic, in which they will have to clearly specify the purposes for which they will allocate them. This information must include:

1) The person or research or technological team that will carry out the activities with the requested strains.

2) The type of study or tests that are going to be carried out explaining the project research or technological or program of other types of activities in which it is framed.

3) Explanation of what the study or tests to be carried out with the strains will consist of.

4) Information on whether some type of use will be derived from the use of the strains commercial of them. In this case, the isolation and production of compounds derived from a CCVIEO strain, in its original form or using genetic manipulation techniques are not permitted without the signing of an agreement negotiated between the user and the Spanish Institute of Oceanography.

The distribution of the strains will not entail economic compensation if they are carried out in the framework of collaborations in research or technological projects or any other type of collaborative programs, including publications. In other cases the group reserves the right to claim any financial contribution, which will be communicated once the request is received.

The requesting person or team will be responsible for the costs and organization of the collection of the crops at the Oceanographic Center of Vigo, after getting ready agreement on date and time with the responsible staff of the CCVIEO.

The VGOHAB research group carries out the taxonomic identification of crops, although this does not certify that said identification is correct (at the species level) in all cases. In case of doubt, the user must confirm this information taxonomic through its own analysis and in case of no coincidence, VGOHAB requests be communicated.

The user requesting the strains is responsible for ensuring that the living material provided and belonging to CCVIEO is handled safely and by personnel with sufficient training. This is especially important in the case of toxic species.

The user must cite the CCVIEO strain code in all publications and derivative patents obtained from said material. VGOHAB requests and thanks this information.

On compliance with the NAGOYA PROTOCOL

The adoption, on October 29, 2010, and entry into force, on October 12, 2014, of the Nagoya Protocol on access to genetic resources and fair and equitable in the benefits derived from its use, mark the establishment of a new system and new international, European and national standards in relation to access to genetic resources and the fair and equitable distribution of benefits derived from its use.

Spain has regulated access to its genetic resources, through the Royal Decree 124/2017, of February 24, regarding access to genetic resources from wild taxa and control of use. This Royal Decree, which came into force on March 15, 2017, details the procedures to access genetic resources Spanish in situ and ex situ from wild taxa, for use both for commercial and non-commercial purposes.

How does the Spanish access regulation apply to the resources found in the CCVIEO collection?

The genetic resources of Spanish origin found in the collection that were collected and deposited therein prior to the entry into force of the Real Decree 124/2017, of February 24, and which is accessed by a third party for use after March 15, 2017, is included within the scope of application of the aforementioned Royal Decree.

Therefore, users who plan to use genetic resources from the CCVIEO require the corresponding authorization from access, which must generally be obtained before accessing resources genetics for use. It is worth remembering that authorization of access to genetic resources in accordance with said standard is only necessary in case it is intended to use said genetic resources.

In this sense, we remember that the use of genetic resources is understood as: “the realization of research and development activities on genetic and/or biochemical composition of genetic resources, including through the application of biotechnology, in accordance with the definition stipulated in article 2 of the Convention on Diversity Biological.” (Article 2 of Royal Decree 124/2017, of February 24).

The request for authorization of access to genetic resources can be made through of the electronic headquarters of the Ministry for the ecological transition (<https://sede.miteco.gob.es>). There are two procedures for requesting authorization of access to Spanish genetic resources from wild taxa, in depending on whether its use is for commercial or non-commercial purposes. In both cases, the application form can be downloaded from the following Website: https://sede.miteco.gob.es/portal/site/seMITECO/BuscadorPortlet?texto_simple=recursos+gene%C3%A9tics

In the case of resources from third countries, it is recommended to access this ABS link Clearing House (<https://absch.cbd.int/>) where the information on each country, if they are signatories to the Nagoya Protocol, if they have their own legislation (whether or not they are signatories of the Protocol) and their corresponding National Focal Points.