

4420.0020 APPLICABILITY OF RULES.

Subpart 1. **Release permit required.** A release permit is required for all releases of genetically engineered organisms except as provided in parts 4420.0070, subpart 3; 4420.0075; and 4420.0080, and Minnesota Statutes, section 116C.94, paragraph (c).

Subp. 2. **Containment facility.** The use of a genetically engineered organism in a containment facility is not a release and does not require a release permit.

Subp. 3. **Facility exemption.** The use of a genetically engineered organism in a facility that does not meet the requirements of a containment facility but has been found by the board to provide adequate containment for the specific use proposed is not a release and does not require a release permit.

Subp. 4. **Containment determined by another agency.** The use of a genetically engineered organism in a facility that does not meet the requirements of a containment facility but has been found, by an agency with a significant environmental permit and the authority under law to determine adequate containment, to provide adequate containment for the specific use proposed is not a release and does not require a release permit.

Subp. 5. **Use of genetically engineered organisms after August 3, 1992.** After August 3, 1992, any person who proposes to use a genetically engineered organism must comply with this chapter.

Subp. 6. **1992 exemption.** Any person who by July 1, 1992, has received a declaration of no potential for significant environmental effects from the Minnesota Department of Agriculture for a proposed release or who has had prepared an environmental assessment worksheet by the Minnesota Department of Agriculture for a proposed release need not comply with this chapter for the proposed release in calendar year 1992.

Subp. 7. **Exemptions for licensed animal vaccines.** Chapter 4410 and this chapter do not apply to any animal vaccine containing a genetically engineered organism that has received a license from the United States Department of Agriculture prior to January 1, 1992, and any person may utilize such licensed product without a release permit.

Statutory Authority: *MS s 116C.94*

History: *17 SR 139*

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