

CONDITIONS OF SUPPLY OF NCIMB CULTURES

THIS DOCUMENT SHOULD BE READ IN CONJUNCTION WITH THE NCIMB MATERIAL TRASFER AGREEMENT (MTA)

Warning

All cultures supplied by NCIMB Ltd should be regarded as potentially hazardous materials and should be opened and used by, or under the supervision of, persons trained and competent in microbiological techniques and in laboratories meeting the containment requirements appropriate to the hazard category of the cultures in question. In the UK, this includes compliance, so far as it applies, with the recommendations of The Approved List of biological agents, Advisory Committee on Dangerous Pathogens, HMSO 2004, as amended from time to time. In other countries, compliance with national codes of practice, or with the equivalent WHO publications, or with the ACDP report is advised.

The individual hazard data sheets supplied with each culture must be construed and read as part of this warning.

Conditions of supply pertaining to the safe handling of NCIMB cultures

1. The recipient shall have read the above warning and associated hazard data sheets before the cultures are opened, used or passed to a third party.
2. The recipient shall ensure that any person opening or using the cultures shall do so only with his/her authorisation and only after having first read the above warning and associated hazard data sheets.
3. The recipient shall ensure that the cultures are opened and used only by persons and under conditions meeting the requirements given in the above warning and associated hazard data sheets.
4. The responsibility for ensuring safe handling, storage, use, misuse or other wrongdoing with respect to cultures or derivatives thereof, supplied by NCIMB rests with the recipient. NCIMB Ltd takes no responsibility for any untoward events arising from handling the cultures after their despatch to the recipient.

Conditions of supply pertaining to the import and use of NCIMB cultures

1. The purchaser of NCIMB products shall assume all responsibility in connection with the compliance of national and foreign law and regulations concerning the import, handling, transportation, storage, use and misuse or other wrongdoing of/with such products.
2. It is the responsibility of the recipient of NCIMB products to determine whether their use of the material supplied infringes any intellectual property rights and to obtain any necessary licenses or permissions thereunder.
3. It is the responsibility of the recipient of NCIMB products to obtain the necessary permissions and to ensure they have appropriate handling and containment facilities when ordering organisms which are or may be genetically modified.
4. Except in cases where specialist certification is provided, there is no inherent warranty outwith purity and viability provided with any NCIMB culture.
5. It is the responsibility of all recipients of NCIMB cultures located in countries which are party to the Convention on Biological Diversity (CBD) to ensure that their usage of the organisms received complies with the said Convention. It is also in customers' interests to keep traceability records where cultures ordered are subsequently passed on to a third party and to ensure said third party is made aware of its obligations under the Convention. NCIMB accepts no legal liability for cultures supplied which subsequently breach any obligations relating to the CBD.
6. Before ordering/accepting goods, please ensure you have read and are in compliance with our material transfer policy which details all aspects of our sales, use and culture transfer policy. The complete policy is supplied with all cultures, is available on our web site under "MTA" or alternatively you may request another copy by telephoning +44 (0) 1224 711100 if the original has been misplaced.

Complaints procedure

1. NCIMB will consider all complaints received within 14 days of dispatch for active cultures and 3 months for freeze-dried cultures and bacteriophage. In case of complaint, the client should keep all documents accompanying the delivery and ensure that the organism has been properly stored (chilled but not frozen) upon receipt. (See MTA for full details).

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