

Office of the President of Brazil
Office of the Chief of Staff
Office of the Deputy Chief for Legal Matters

DECREE No. 4680 DATED APRIL 24, 2003.

Regulates the right to information, ensured by Law No. 8078 dated September 11, 1990, in relation to food and food ingredients intended for human or animal consumption containing or produced from genetically modified organisms without prejudice to compliance with other applicable rules.

The PRESIDENT OF THE REPUBLIC, using the prerogatives vested in him by article 84, item IV of the Federal Constitution,

DECREES:

Article 1. This Decree regulates the right to information, ensured by Law No. 8078 dated September 11, 1990, in relation to food and food ingredients intended for human or animal consumption containing or produced from genetically modified organisms without prejudice to compliance with other applicable rules.

Article 2. Upon marketing of food and food ingredients intended for human or animal consumption containing or produced from genetically modified organisms, with the presence above the limit of one percent of product, the consumer shall be informed of the transgenic nature of such product.

§ 1. Both in packed products and for those sold in bulk or *in natura*, the label of the package or recipient in which such products are contained shall indicate, in a highlighted manner, on the main panel and together with a symbol to be defined by means of an act of the Ministry of Justice, one of the following expressions, as the case may be: “transgenic (product name)”, “contains transgenic (ingredient name or ingredients names)” or “product produced from transgenic (product name)”.

§ 2. The consumer shall be informed of the gene donor species at the place reserved for identification of the ingredients.

§ 3. The information set forth in § 1 of this article shall also appear in the tax document, in such a manner that such information shall follow the product or ingredient in every steps of the productive chain.

§ 4. The percentage referred to in the main section hereof may be reduced at the discretion of the National Biosafety Technical Commission - CTNBio.

Article 3. Food and ingredients produced from animals fed with food containing transgenic ingredients shall bring on the main panel, in the size and highlight provided for by article 2, the following expression: “(animal name) fed with food containing transgenic ingredient” or “(ingredient name) produced from animals fed with food containing transgenic ingredient”.

Article 4. Food and food ingredients not containing nor produced from genetically modified organisms may optionally adopt the labeling “transgenic-free (product or

ingredient name)”, as long as similar transgenic products existing in the Brazilian market.

Article 5. The provisions of §§ 1, 2 and 3 of article 2 and of article 3 of this Decree are not applicable to marketing of food intended for human or animal consumption containing or produced from soybean of the crop harvested in 2003.

§ 1. The expressions “may contain transgenic soybean” and “may contain ingredient produced from transgenic soybean” shall, as the case may be, appear on the label as well as on the tax documentation of the products referred to in the main section hereof, irrespective of the percentage of presence of transgenic soybean, unless:

I – the soybean or the ingredient produced therefrom is originated in a region excluded by the Ministry of Agriculture, Cattle Raising and Supply from the system referred to by Provisional Measure No. 113 dated March 26, 2003, in compliance with the provisions of § 5 of its article 1; **or**

II – the soybean or the produced therefrom is originated from producers that obtained the certificate referred to by article 4 of Provisional Measure No. 113 of 2003, case in which the provisions of article 4 of this Decree shall be applicable.

§ 2. The information referred to in § 1 may be inserted by means of labels or any form of printing.

§ 3. The food referred to in the main section hereof may be marketed after January 31, 2004, as long as the soybean from which such food was produced has been disposed of by the producer by that date.

Article 6 Any violation of the provisions of this Decree shall be subject to the penalties provided for by the Consumer Protection Code and any other applicable rules.

Article 7. This Decree comes into force on the date of its publication.

Article 8. Decree No. 3871 dated July 18, 2001 is hereby revoked.

Brasília, April 24, 2003; 182nd day of Independence and 115th day of Republic.

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This text does not replace the original text published by the Federal Official Gazette –
Section 1 on April 25, 2003