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Russian Sanitary Inspectors Strengthen Control Over Biotech Food

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Report Highlights:

A resolution of the Chief Medical Officer, "On Surveillance of Food Products Containing GMOs," calls for "better" public information about the safety of biotech products and more rigorous government control over product labels. The threshold level for labeling of biotech food products remains unclear, despite the resolution declaring label control as a top priority for Rospotrebnadzor (the Russian consumer protection agency).

Includes PSD Changes: No
Includes Trade Matrix: No
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Executive Summary

On February 16, 2007, the Russian Ministry of Justice registered the Resolution of the Chief Medical Officer of the Russian Federation #32 dated December 8, 2006 "On Surveillance of Food Products Containing GMOs." The resolution calls for increased public information on the safety of biotech products, and more rigorous control over the labeling of products containing biotech components. Increased label control is declared as a top priority in 2007 for the inspectors in the Federal Service for Surveillance in the Sphere of Protection of Consumers Rights and Well-Being of the Population (Rospotrebnadzor).

The resolution does not specify the allowable amount of biotech ingredients before labeling is required. However, inspectors will most likely follow the guidelines pertaining to consumer information that set the level at 0.9 percent biotech content (see GAIN RS6014 *GMO Labeling Requirements*).

Resolution of the Chief Medical Officer #32 of December 8, 2006

On February 16, 2007, the Russian Ministry of Justice registered the Resolution of the Chief Medical Officer of the Russian Federation #32 dated December 8, 2006, "On Surveillance of Food Products Containing GMOs". The resolution uses the following federal laws as the basic framework for biotech legislation, and specifically highlights the articles that require public disclosure of biotech ingredients in food products:

- Federal Law #86-FZ dated July 5, 1996, "On the State Regulation in the Sphere of Genetic-Engineering Activity." Article 11 of this law states that products or services produced with genetic engineering technology must meet normal sanitary requirements.
- Federal Law #53-FZ dated March 30, 1999, "On Sanitary-Epidemiological Well-Being of the Population" stipulates that food products and food raw materials must meet sanitary requirements during production, storage, transportation and sale.
- Federal Law #29-FZ dated January 2, 2000, "On Quality and Safety of Food Products" states that all new food products and first-time imports are subject to state registration. Imported products must be registered before they enter Russian territory.

Resolution #32 also refers to several documents from the Chief Medical Officer as the basis for the examination procedures and methods used to inspect food products containing biotech ingredients. The resolution does not specify the sanitary regulations or consumer labeling requirements for biotech products, but instead references the laws and previous decrees of the Chief Medical Officer. These documents imply that all food producers and traders must follow existing sanitary norms and consumer labeling requirements¹. The

¹ In 2004, Gennadiy Onishchenko, the Chief Medical Officer and head of Rospotrebnadzor, introduced "Sanitary-Epidemiological Rules and Norms. SanPin 2.3.2.1842-04. Amendments and Changes #3 to "Hygiene Requirements and Nutritive Value of Food Products. SanPin 2.3.2.1078-01." This document specifically uses the 0.9 percent level of biotech ingredients as the threshold for mandatory consumer labeling, but these amendments were not confirmed by any federal document with the force of law. The amended SanPin can be considered a voluntary standard, but Onishchenko also included this level in his letter "On Labeling of Food Products Containing GMO" dated January 24, 2006, and considers this the de facto inspection standard for domestic and imported food products.

resolution further recommends that sanitary inspectors increase their control over the labeling process, and declares biotech food product surveillance to be the top priority of Russian sanitary inspectors. The resolution also calls on the mass media to report on biotech safety issues to increase popular awareness of the safety of these food products.

The resolution notes that as of December 1, 2006, the following biotechnology crops had passed all safety tests and examinations in Russia, and were allowed for use in both the food industry and public consumption: 3 varieties of soybeans, 6 varieties of corn, 3 varieties of potatoes, 1 variety of sugar beet, and 1 variety of rice. In addition, 5 types of genetically engineered microorganisms were tested and allowed for use in the food industry.

In January – September 2006, laboratories of Rospotrebnadzor tested 19,795 samples of raw material and foods (1,000 samples more than the same period last year). Biotech components were found in 6.8 percent of samples. In comparison, biotech ingredients were found in 7.6 percent of samples in 2005. The tests also revealed that more than 50 percent of the biotech-containing products did not have the proper consumer labels.

As a result of these tests, the Chief Medical Officer decreed the following:

1. All entities and individuals engaged in food production or trade must obey all Russian legislation regarding consumer information of biotech food products.
2. The regional offices of Rospotrebnadzor should act on the following items:
 - a. Consider surveillance over biotech food products as their priority activity for 2007.
 - b. Prevent, investigate and sanction all violations of Russian legislation regarding consumer information of biotech food products².
 - c. Strengthen surveillance over imports of biotech food products into Russia.
 - d. Inform the population on the issues of biotech food safety, and the consumer right to reliable and complete information on biotechnology and food production. The mass media should be used to help achieve this goal.
 - e. Provide recommendations to the Federal Agency on Press and Mass Media to assist Rospotrebnadzor in consumer education through mass media about the safety of biotech-derived food products, and about the rights of consumers to receive complete and reliable information regarding these products.

The Resolution also orders the addition of biotech-quantitative analysis equipment for regional laboratories of Rospotrebnadzor, and requires that the labs develop a plan of training lab assistants on methods of detecting biotech sources in food products.

Comments

The resolution does not clarify what threshold level for biotech components will trigger consumer labeling. It implies that the level is the same as the level reported in the latest amendments to "Hygiene Requirements and Nutritive Value of Food Products, SanPin 2.3.2.1078 – 01" (see footnote 1 of this report). The resolution also implies that the sanitary inspectors will conduct tests and inspections based on the amended SanPin, and that this

² The translated text reads "Terminate all facts of violation of the legislature of the Russian Federation, and to apply restrictive, precautionary, and preventive measures envisaged by the legislature of the Russian Federation aimed at non-admission and (or) liquidation of consequences of violations, which could be made by the juridical entities and individual entrepreneurs, of mandatory requirements about information of consumers of the presence of biotech-derived components in food products."

percentage will serve as their guideline. Resolution #32 appears to be a step toward cementing the 0.9 percent threshold in the minds of producers and traders, although this is not directly stated.