

**Voluntary Report** – Voluntary - Public Distribution

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**Report Name:** New Guidelines For Validating Non-GMO Claims

**Country:** Colombia

**Post:** Bogota

**Report Category:** Biotechnology and Other New Production Technologies

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**Report Highlights:**

On April 22, 2020, the Food and Surveillance Institute, INVIMA, issued communication IVC-INS-LI15 which establishes the frequency that importers must present laboratory results to satisfy that products labeled as Non-GMO or Non Genetically Engineered do not contain detectable modified genetic material. These guidelines will avoid delays at ports of entry, preserve product shelf life, and alleviate lot by lot testing costs.

## Non GMO/GE Process Verified Claims

The Ministry of Health and Social Protection MHSP issued regulatory Resolution 4254 establishing the requirements for labeling of food derived from modern biotechnology in 2012. The resolution requires labeling information for product health and safety, such as potential allergenicity. Labeling must also address the functionality of the food, as well as the identification of significant differences in the essential characteristics of the food. One of the main goals of Colombia's labeling laws is to ensure that the consumer is not misled by false or misleading claims.

An increased number of imported packaged products entering the Colombian market now bear the "Non GMO Project Verified" or the "Non-GMO/GE Process Verified" legends, which, under current Colombian regulations, are perceived as equivalent to a "GMO- free" claim as this is how Colombian consumers perceive these labels.

For products with the Non-GMO Project Verified or Non-GMO/GE Processed Verified labeling claims, Colombia allows the importer/manufacture to attach a supplementary label clarifying what the scope of the legend is to be able to commercialize their products as per the Food and Surveillance Institute, INVIMA, communication 4000-1071-18<sup>1</sup>. For example, "a Non-GMO Processed Verified claim does not mean a product is 100% GMO free. It represents the producer's participation in a program that works towards avoiding GMO inputs along the supply chain"

As per Resolution 4254, the use of statements such as "GMO free" or "do not contain GMO" is not accepted, unless the manufacturer demonstrates and sustains that the claim is truthful and not misleading. INVIMA is monitoring products and raw materials that bear "Non-GMO" claims requesting importers to provide laboratory results with an acceptable testing methodology<sup>2</sup> to satisfy that a product/raw material does not contain detectable modified genetic material. Starting on April 22, 2020, guidelines were established under communication IVC-INS-LI15<sup>3</sup> on how frequently importers have to present laboratory results to comply with the requirement. According to the guidelines, once an importer presents these results for the first time for a product/raw material, they will be valid for subsequent product imports which will avoid delays at ports of entry, preserve product shelf life, and reduce lot by lot testing costs.

Based on INVIMA communication 4000-3988-19<sup>4</sup>, the laboratory requirement may be exempted only when the main ingredients are not included in the below list of GE derived foods below, which may be reviewed:

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<sup>1</sup> INVIMA communication 4000-1071-18, <https://www.invima.gov.co/documents/20143/440732/Circular-Externa-4000-1071-18-Alimentos-con-declaraciones-NON-GMO-verified-y-USDA-process-verified-NONGEGMO.pdf/b21c1721-7e8e-1a28-fe08-9b042bfc652b?t=1562189377652>

<sup>2</sup> INVIMA testing methodology, <https://www.invima.gov.co/documents/20143/347064/Portafolio-Organismos-Genetecamente-Modificados.pdf>

<sup>3</sup> INVIMA communication IVC-INS-LI15, <https://www.invima.gov.co/documents/20143/440751/Lineamiento-IVC-INS-LI15-Historico-OVM.pdf>

<sup>4</sup> INVIMA communication 4000-3988-19, <https://www.invima.gov.co/documents/20143/440751/Circular-externa-4000-3988-19-con-Listado.pdf>

Alfalfa  
Cotton  
Rice  
Eggplant  
Pumpkin  
Canola  
Sugar cane  
Corn  
Apple  
Potato  
Papaya  
Pineapple  
Sugar beet  
Soybean  
Salmon  
Tomato  
Wheat

In cases where the imported products qualify for the exemption, meaning that the product does not contain any of the ingredients on this list, the existing "Non GMO" claim has to be covered for commercialization purposes as the product only contains ingredients where there are no genetically modified versions of the product commercially available.

**Attachments:**

No Attachments.