

**On Labeling of Genetically Modified Organisms Designated for Food Products/Fodder and Genetically Modified Products Produced from them**

**Chapter I -**

**General Provisions**

**Article 1 - Objectives of the Law**

The objectives of this Law are:

- A) to inform consumers about genetically modified organisms designated for food products/fodder and genetically modified products produced from them;
- B) protect the interests of consumers, so that they have the chance of a free choice;
- C) to define regulations for the labeling of the genetically modified organisms designed for food products/fodder and genetically modified products produced from them and to monitor fulfilment of them;
- D) to facilitate the harmonization and rapprochement of the legislation of Georgia with legal norms defined by the legislation of the European Union and other international acts in the sphere of labeling of genetically modified organisms designed for food products/fodder and genetically modified products produced from them.

**Article 2- Scope of the Law**

This Law regulates the legal relations related to labeling of genetically modified organisms designed for food products/fodder and genetically modified products produced from them during import and placement in the market.

**Article 3- Legislation of Georgia in the sphere of Labeling of Genetically Modified Organisms Designated for Food Products/Fodder and Genetically Modified Products Produced from them**

The Legislation of Georgia in the sphere of labeling of the genetically modified organisms designed for food products/fodder and genetically modified products produced from them is based on the Constitution of Georgia, international contracts and agreements of Georgia, this Law and other legislative and subordinate normative acts.

**Article 4- Definitions of Terms**

1. For the purposes of this Law, the terms used herein shall have the following meaning:

- A) genetically modified organism (hereinafter - GMO) - any organism (except for a human being) designed for food products/fodder, the genetic material of which has been modified using modern methods of biotechnology, which does not belong to the methods of traditional selection and breeding;
- B) genetically modified product - a product received as a result of processing a GMO and/or a product containing an ingredient of a GMO, which or separate parts of which, are not able to reproduce and/or transmit a genetic material and which is designed for food products/fodder;
- C) labeling - placement of information related to GMOs designed for food products/fodder and genetically modified products on the packaging under requirements provided for by this Law and the legislation of Georgia;
- D) placement in the market - supply of GMOs designed for food products/fodder and genetically modified products to third persons and end consumers on a paid or an unpaid basis, in any form;
- E) import - a commodity transaction of GMOs designed for food products/fodder and genetically modified products as provided for by the Tax Code of Georgia;
- F) business operator - an individual, who executes the import of GMOs designed for food products/fodder and genetically modified products and their placement in the market and who is liable for compliance of his/her business with requirements provided for by the legislation of Georgia;
- G) end customer - a customer, who does not use GMOs designed for food products/fodder and genetically modified products for the purposes of sale;
- H) a third person - an individual, who uses GMOs designed for food products/fodder and genetically modified products for any business permissible under the legislation of Georgia;



1) supporting document - a declaration of compliance issued under the legislation of Georgia, which includes a normative document that the product corresponds to, as well as contains the information on, the content of GMOs in a product, a genetically modified product or a genetically modified ingredient/ingredients; if necessary - a protocol of a test on the content of the GMOs in a product, a GMO product or a genetically modified ingredient/ingredients, made by an accredited laboratory.

2. The terms "food products", "fodder" and "state control" have the meaning defined by the Code for the Protection of the Safety of Food Products/Fodder, Veterinary and Plants.

## **Chapter II -**

### **Regulations on import, labeling of GMOs designed for food products/fodder and genetically modified products and their placement in the market**

#### **Article 5- The regulations on placement of the GMOs designed for food products/fodder and genetically modified products in the market**

1. GMOs designed for food products/fodder and genetically modified products shall be labelled during their placement in the market as provided for by this Law and other legislative and subordinate normative acts of Georgia;

2. In the case of a failure to label GMOs designed for food products/fodder and genetically modified products during their placement in the market, they shall be accompanied by visible relevant information as provided for by the regulations on labeling determined by this Law.

#### **Article 6- Regulations on import of GMOs designed for food products/fodder and genetically modified products**

1. GMOs designed for food products/fodder and genetically modified products shall be labelled during their placement in the market as provided for by this Law and other legislative and subordinate normative acts of Georgia;

2. In the case of a failure to label GMOs designed for food products/fodder and genetically modified products during their import, they shall be accompanied by a supporting document.

#### **Article 7- The regulations on labeling of GMOs designed for food products/fodder and a genetically modified product**

1. GMOs designed for food products/fodder and genetically modified products shall be labelled as provided for by this Law and other legislative and subordinate normative acts of Georgia, if the genetically modified components in their composition exceed 0,9% of the total mass.

2. A written label "GMO" shall be placed in a circle in the left upper corner of the label of the GMO, whereas a written label "GM" shall be placed in a circle in the left upper corner of the label of the genetically modified product. The mentioned labels shall be visible, easily apprehended and clearly displayed so as to enable the consumer to identify them easily.

3. The name/names of the genetically modified ingredient/ingredients shall also be indicated on the product, while labeling a product containing genetically modified ingredient/ingredients.

4. Compliance with the regulations on labeling GMOs designed for food products/fodder and genetically modified products is determined while they are under state and customs control.

#### **Article 8- Obligations of Business Operators**

1. A business operator is liable to place GMOs designed for food products/fodder and genetically modified products in the market, labelled as provided for by the requirements of this Law and the legislation of Georgia, and in the case of a failure to label them, to ensure that relevant information accompanies them in a visible place as provided for by the regulations on labeling under this Law.

2. A business operator is liable to have relevant documentation while placing GMOs designed for food products/fodder and genetically modified products in the market and importing them.

3. A business operator is liable to immediately recall GMOs designed for food products/fodder and genetically modified products placed in the market in the case of a failure to comply with the regulations on labeling as provided for by this Law and other legislative and subordinate normative acts of Georgia, including non-compliance with the requirements determined in the case of an inability to label, and is required not to place them in the market until elimination of the non-compliance.

4. In the case of a failure of a business operator to eliminate non-compliance under paragraph 3 of this Article, the GMOs designed for food products/fodder and genetically modified products are subject to destruction, which shall be done at the expense of the business operator.

5. A failure to comply with the obligations under paragraph 2 and 3 of this Article by the business operator created liability as provided for by this Law.

6. A business operator is liable to ensure that GMOs designed for food products/fodder and genetically modified products are labelled during importation as provided for by this Law and other legislative and subordinate normative acts of Georgia; A business operator is also liable to have supporting documents during the import of GMOs designed for food products/fodder and genetically modified products.



7. In the case of a failure to comply with the determined regulations on labeling as provided for by this Law and other legislative and subordinate normative acts of Georgia during importation, also in the case of not having supporting documents, the GMOs designed for food products/fodder and genetically modified products are subject to return to the country of export or destruction or elimination of the non-compliance. The execution of control over the destruction rests on the Revenue Service - a legal entity of public law, under the management of the Ministry of Finance of Georgia.

### **Chapter III -**

#### **State Control**

#### **Article 9- Execution of state control over the labeling of GMOs designed for food products/fodder and genetically modified products**

1. To determine compliance with the regulations on labeling of GMOs designed for food products/fodder and genetically modified products, state control is executed in accordance with the Code for the Protection of the Safety of Food Products/Fodder, Veterinary and Plants and other normative acts.

2. The Revenue Service - a legal entity of public law, under the management of the Ministry of Finance of Georgia, during the import of GMOs designed for food products/fodder and genetically modified products, executes customs control on their labeling, including the case of inability to label. The Revenue Service - a legal entity of public law, under the management of the Ministry of Finance of Georgia, during importation of GMOs designed for food products/fodder and genetically modified products also executes control of their destruction.

3. The Revenue Service - a legal entity of public law, under the management of the Ministry of Finance of Georgia, during importation of GMOs designed for food products/fodder and genetically modified products executes customs control as provided for by the Order of the Minister of Finance of Georgia.

### **Chapter IV**

#### **Liability**

#### **Article 10- Liability for Violations of this Law**

1. In the case of violation of the requirements determined by this Law, the right to review the legal infringement proceedings and impose an administrative penalty rests with authorized persons of the National Food Agency - a legal entity of public law under the management of the Ministry of Agriculture of Georgia and the Revenue Service - a legal entity of public law, under the management of the Ministry of Finance of Georgia.

2. The authorized persons of the National Food Agency - a legal entity of public law under the management of the Ministry of Agriculture of Georgia and the Revenue Service - a legal entity of public law, under the management of the Ministry of Finance of Georgia shall issue a penalty bill, which simultaneously serves as a report of the administrative infringement of law, to the person violating the requirements determined by this Law.

3. The violation of the regulations on labeling of GMOs designed for food products/fodder and genetically modified products as provided for by this Law and other legislative normative acts of Georgia, including violation of the regulations determined in the case of an inability to label, during importation and placement in the market, as well as not having supporting documents -

shall be subject to a fine on the business operator in the amount of GEL 5 000.

4. The same offence committed repeatedly -

shall be subject to a fine on the business operator in the amount of GEL 10 000.

5. In the case of violation of the regulations on labeling as provided for by this Law and other legislative and subordinate normative acts, including the case of an inability to label, the failure to prevent GMOs designed for food products/fodder and genetically modified products from placement in the market and to recall them from the market, as well as failure to destroy them in the case of the failure to eliminate the non-compliance, the business operator

shall be subject to a fine in the amount of GEL 10 000.

### **Chapter V -**

#### **Transitional and Final Provisions**

#### **Article 11- Transitional Provisions**

1. The Government of Georgia shall adopt a subordinate normative act on the regulation on labeling of GMOs designed for food products/fodder and genetically modified products produced from them, before July 1, 2015.

2. The Government of Georgia shall ensure compliance of the relevant subordinate normative acts with this Law before July 1, 2015.



3. The Minister of the Finance of Georgia shall ensure issuance of an Order Approving the Regulation on Execution of Customs Control during Import of GMOs Designed for Food Products/Fodder and Genetically Modified Products Produced from them before July 1, 2015.

4. This Law shall apply to GMOs designed for food products/fodder and genetically modified products, that are imported and placed in the market after July 1, 2015.

#### **Article 12- Final Provisions**

1. This Law, except for its Articles 1 and 10, shall enter into force upon its promulgation.

2. Articles 1 and 10 of this Law shall enter into force from July 1, 2015.

**President of Georgia**

**George Margvelashvili**

**Kutaisi**

**11 December 2014**

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