

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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POLICY

Voluntary Public

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GAIN Report Number:

Argentina

Post: Buenos Aires

Argentina - New Labeling Regulation

Report Categories:

Exporter Guide

Trade Policy Monitoring

WTO Notifications

Policy and Program Announcements

FAIRS Subject Report

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Report Highlights:

Argentine Government implements new process for prior approval of labels for food, beverages, cosmetic and personal care products, and household cleaning products.

On October 14, 2015, a new regulation on food labeling was published in Argentina's Official Bulletin under *Resolucion No. 420/2015* of the Secretariat of Commerce. It provides for the creation of a Label Supervision System under the authority of the Ministry of Economy and Public Finance, and it relates to several products for human consumption and human handling, including imported food and beverage products (F&B), cosmetics, personal care products and household cleaning products which are sold in Argentina.

The local industry is challenging this regulation as unnecessarily burdensome, so companies may want to delay submitting new labels for approval until after these legal issues have been resolved. A new government will be taking office on December 10, which may also result in a review or revision of this measure.

The labeling of F&B in Argentina are regulated by the National Food Institute (INAL, in Spanish), within the National Administration of Drugs, Food, and Medical Equipment (ANMAT, in Spanish). However, with the new regulation, the above mentioned products must also submit labels to the Office of Commercial Fairness, whose main stated objective is to protect the consumer against price distortions and unfair commercial practices.

FAS Buenos Aires held meetings with the government and private sector to obtain a thorough understanding of the terms of the resolution, and learn about the impact on the operation of food companies in the country.

Private sector contacts have raised the following concerns:

- This measure will duplicate documentation that must be submitted to regulatory authorities, fostering bureaucracy, delaying label approval, and increasing costs which will eventually increase prices to the consumer.
- This measure is burdensome for large local companies, but the impact is even worse for small and medium-size firms based in the interior of the country.

Additional Information on New Label Approval Process

Attached is the Secretariat of Commerce instruction guide (in Spanish) for the registration and/or audit of labels titled "*Fiscalización de rotulo – Instructivo.*" This guide details the regulation, its approval process and specific steps. Also attached is the first form any company or importer needs to submit in order to begin the label audit/approval process. The form – "*DECLARACIÓN JURADA – FORMULARIO DE FISCALIZACIÓN DE ROTULOS*" - known shorthand as the "FDR" form, requires the following information of the product and label:

- Product name
- Brand
- Format / Variety
- Description and composition
- Country of origin
- Address of factory or warehouse
- File number

In addition to the “FDR” form, companies will have to supply full documentation supporting the product’s components, raw materials, additives, processing and fractionation methods and / or packaging, all supporting documentation concerning the approval of the product before the ANMAT or appropriate agency for marketing for human consumption, documentation concerning any product with “different variants whose active ingredients do not differ substantially,” and a sample label (see instruction guide for details). FAS Buenos Aires will continue to monitor the situation and report all developments.

Attachments

- WTO Notification on Resolution SC N° 420/2015 - G/TBT/N/ARG/295
- Regulation Resolution SC N° 420/2015 Text (in Spanish)
- Office of Commercial Fairness’ Instruction Guide (in Spanish)
- “FDR” Label Registration/Audit Form (in Spanish)

Attachment Name	Attachment Link
Regulation Resolution SC N° 420-2015 Text (in Spanish).pdf	Download
WTO Notification on Resolution SC N° 420-2015.pdf	Download
Office of Commercial Fairness’ Instruction Guide (in Spanish).pdf	Download
“FDR” Label Registration-Audit Form (in Spanish).docx	Download