

Brasília, July 7th, 2011

Explanatory Statement nº 009-2011/CONSEA

Your Excellency Mrs. President of the Republic,

The National Council on Food and Nutrition Security (CONSEA), in a plenary meeting on June 15th, 2011, discussed and made propositions in relation to the Bio security National Technical Committee (CTNBio) regarding the release of the Living Modified Organisms (LMO's).

According to article no. 4 of Law no. 11.346/2006, the food and nutrition security includes the conservation of biodiversity, the sustainable use of resources, the promotion of health, nutrition and food for the population, as well as the guarantee of the biological, sanitary, nutritional and technological quality, and its use, stimulating food practices and healthy life styles which respect the ethnic, racial and cultural diversity of the population.

Decree no. 7.272/2010, which instituted the National Policy on Food and Nutrition Security, establishes as one of its guidelines, the promotion of the supply and structuring of the sustainable and decentralized systems, of agro ecological base of production, extraction, processing and distribution of foods.

In face of the mentioned legal framework and of the international compromise signed by the Brazilian Government at the “Convention on Biological Biodiversity”, and the Cartagena's Protocol, the National Council on Food and Nutrition Security (CONSEA) assesses that the country has not respected the Principle of Precaution, fundamental base of the Agenda 21, in its decisions referring to themes on bio security. This is the reason this Council understands that it is necessary to adequate the internal policies on bio security to the regulations of the United Nations Conference on Environment and Development – Rio 92.

Particularly, CONSEA manifests its preoccupation with the actions of the National Technical Committee on Bio security (CTNBio), relatively to the Principle of Precaution, at the same time it deplores the violations therein, not only in relation to the Law of Bio security, but also because of the international commitments agreed by Brazil.

With effect, the CTNBio altered the regiment of its collegiate in May this year, in order to reduce to 30 days the formal deadline given to the processes evaluators, involving the requests for commercial liberation of the Living Modified Organisms (LMO's), for issuing their argued opinions. The minimum previous deadline, of 90 days, which was already insufficient for the careful evaluation of the bulky processes, as seen in the average time dedicated to them by the majority of members of that Committee, would become the maximum deadline if the Minister of State for Science and Technology (MCT), Aloizio Mercadante Oliva, had not intervened in this matter. CONSEA congratulates the Minister's decision in rejecting the reduction of the deadlines, as well as defending the plurality in the debate and transparency in the Committee's actions.

In the following months, the CTNBio plans to alter is Normative Resolution nº 5, which is responsible for the requests of commercial liberations of the LMO's. Among the proposed alterations, the demand of long term studies is excluded (multigenerational), as well as the exclusion of studies on animal gestation, and the establishment of facilitator norms to the process of post liberal commercial monitoring. It was also alerted that the last liberations were approved by the voting of the majority of members of the CTNBio, without; however, presenting the above mentioned studies, which are compulsory in the previous norm, still in force.

The "Feijão GM EMBRAPA 5.1" (beans), which has its commercial liberation proposed, is based on insufficient studies. The process not only ignores the need of long term consumption studies as well as with animals in gestation, but it also presents a scarce analysis of the gene flow, and examines environmental aspects only in the states of Goiás, Minas Gerais and Paraná, also admitting the lack of knowledge in the reasons for functioning of the inserted gene, among others.

Knowing that the Brazilian Agricultural Research Corporation (Embrapa) Rice and Beans has been carrying out for eight years, experiments with organic cultivation of beans, without the occurrence of infestation of diseases which cause the virus of the "mosaico dourado" (golden mosaic - geminivirus) and without compromising productivity, it is understood that there is no justified need to invest in the research and the commercial liberation of this transgenic bean, which certainly will demand the use of agro toxics.

Still considering that the liberation of this LMO would cause the gradual elimination of the varieties being used and the loss of the farmer's and local consumers sovereignty, and that Embrapa itself has a rich collection of beans, which should be made available to family agriculture farmers, CONSEA positions itself contrary to the liberation of the transgenic beans.

Therefore, considering that the CTNBio has approved all the requests of commercial liberation presented to them, it is clear that the referred Committee has assumed a character of

facilitating entity for the commercial liberations of LMO's in Brazil, in a situation that routinely, goes against the votes and despises the arguments presented by the family production farming representatives, the consumers, the Ministries of Health, Environment, and Agrarian Development, which clearly defend the Principle of Precaution. In view of this, CONSEA requests special attention of Your Excellency to the implications and possible unfolding of this circumstance.

Additionally, CONSEA requests the possibility of indicating names of specialists to take part of the subcommittees which deal with human and animal health and of the vegetable and environmental matters in CTNBio, and that these specialists be included in the 12 names appointed by the Ministry of Science and Technology.

For the reasons presented above, CONSEA presents to Your Excellency, the following propositions:

1. Prohibition of the commercial liberation of transgenic beans and other Living Modified Organisms (LMO's);
2. Increase in the deadline of the evaluation processes of the Living Modified Organisms (LMO's);
3. Participation of CONSEA's representatives in the composition of CTNBio.

We conclude that the moment is very opportune to advance in the implementation of this request with the responsible organisms in order to assure the Human Right to Adequate Food and the Food and Nutrition Security of the population.

Respectfully,

Renato S. Maluf
President of CONSEA