

COLLEGIATE BOARD RESOLUTION – RDC NO. 332 OF 23 DECEMBER 2019

Defines the requirements for the use of industrial trans fats in foods.

The Collegiate Board of Directors of the Brazilian Health Regulatory Agency, in the use of the attributions vested in it under Article 15, items III and IV, and Article 7, items III and IV of Law no. 9,782 of 26 January 1999, and item V, paragraphs 1 and 3 of Article 53 of the Internal Regulation approved by the Collegiate Board Resolution – RDC no. 255 of 10 December 2018, adopts the following Collegiate Board Resolution, as decided upon in a meeting held on 17 December 2019, and I, Deputy Director-President, determine its publication.

Article 1 This Resolution defines the requirements for the use of industrial trans fats in foods.

Article 2 This Resolution applies to all foods, including beverages, ingredients, food additives and processing agents, as well as those intended exclusively for industrial processing or food services.

Article 3 For the purposes of this Resolution, the following definitions shall apply:

I – synthetic conjugated linoleic acid: all positional and geometric isomers of linoleic acid with conjugated links obtained through the alkaline isomerization of oils and fats;

II – industrial trans fats: all triglycerides containing unsaturated fatty acids with, at least, one double bond in trans configuration, expressed as free fatty acids, and which are produced through partial hydrogenation, thermal treatment, or alkaline isomerization of oils and fats;

III – partially hydrogenated oils and fats: all oils and fats submitted to hydrogenation process and which have iodine index above 4 (four); and

IV – food services: include all institutional or commercial establishments where food is handled, prepared, stored, distributed, or displayed for sale, whether or not it is consumed on site, such as restaurants, cafeterias, bars, bakeries, food and nutrition units of health services, schools, daycare centers, among others.

Article 4 The production, import, use, and offer of synthetic conjugated linoleic acid for use in foods, as well as foods formulated with these ingredients, are prohibited.

Article 5 As from the 1st of July 2021, the quantity of industrial trans fats in refined oils cannot exceed 2 grams per 100 grams of total fat.

Article 6 Between the 1st of July 2021 and the 1st of January 2023, the quantity of industrial trans fats cannot exceed 2 grams per 100 grams of total fat in foods intended for the final consumer nor in foods intended for food services.

Sole paragraph. The provisions in the caption of this article do not apply to products exclusively intended for industrial processing, which contain industrial trans fats in their composition, as long as the following information is provided on labels, documents accompanying the products, or other means agreed by the Parts:

I – total quantity of industrial trans fats in grams per 100 grams of product;
II – total quantity of industrial trans fats in grams per 100 grams of product total fat; and

III – presence of partially hydrogenated oils and fats.

Article 7 As from the 1st of January 2023, the production, import, use, and offer of partially hydrogenated oils and fats for use in foods, as well as foods formulated with these ingredients, are prohibited.

Article 8 The failure to comply with the provisions in this Resolution constitutes a health infraction, in the terms of Law no. 6,437 of 20 August 1977 and its updates, without prejudice to the applicable civil, administrative, and criminal liabilities.

Article 9 This Resolution enters into force on the date of its publication.

ANTONIO BARRA TORRES

Deputy Director-President

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