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## **A Brazilian Look at the American Food Traceability System**

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### **Abstract:**

In any society, region or moment of history observed, food security is a constant concern. The protectionist evolution of the consumer throughout the twentieth century was inextricably marked by accidents involving the commercialization of fresh foods, meats and medicines, and for this reason, the Brazilian legal system protects, above all, the life, health and safety of their consumers (Article 6, I, CDC). With the constant modernization of society, a new consumer market emerged, more critical and seeking to consciously select the foods it consumes. The confluence of the legal requirement for security with the need to supply an increasingly selective public inaugurates the emergence of socio-environmentally sound technologies, such as traceability. The traceability system traces the path taken by the food, from its origin to its processing, packaging and distribution stages, and provides consumers with all this information in a clear way, providing greater security and transparency in the choice of product. So, the goal of this research is to perform a normative analysis of traceability available in Brazil and its contribution to consumers, and to take a look at the traceability regulations available in the United States, in an attempt to identify differences between systems and possible innovations. The study was conducted mainly through bibliographical research, analysis of books, scientific articles, and Brazilian and American laws, with the purpose of elucidating the theme and tracing the peculiarities of both countries. From the parallel model of both countries, it was possible to notice similarities and differences between them, in addition to understand the way in which food traceability respectively shaped, on account of the different social, cultural and historical characteristics presented by each country. Despite the different implementation of traceability in each country, what realize is its importance in relation to the food safety of society. Essential for the consumer to fully exercise their rights, with health, information and free choice.

**Key-words:** Public Rights; Consumer; Food Safety; Traceability; Origin.

### **Introduction**

Homemade food, fruit harvested at home, bread made at home, grandmother corn cake, natural juice, pot chicken, salad with leaves and vegetables from the garden, fresh fish, milk from the cow, fried pork in the lard, broth freshly picked beans, etc.

All of these foods have something in common, which is not only a reminder of the juiciness of each item that stirs the stomach and homesick moments in our lives. They represent, in one way or another, food prepared by hand, the old-fashioned way, which is extracted from the land and the field and goes straight to the citizen's table.

The mass and industrialized production of food - necessary to supply the high demand of the world population, which has tripled in size since the 1950s, and left rural life to live in large urban centers - depersonalized and deterritorialized people's meals, changed habits tastes and food, aggravating consumption conflicts and the consumer's own vulnerability

Contrary to what was seen in the past, today, very little is known about the food that is eaten. At most, the consumer will be able to read the label, general characteristics of the product and nutritional values. Information regarding the origin, origin, path taken by the food, passing through the processing, packaging and distribution stages, notably, are rare to find.

Isn't knowing the origin of rice, a bunch of bananas, beef or even industrialized products such as beer and chocolate as important as knowing its nutritional values and price? After all, has the Brazilian State been concerned with the production chain? Do we have laws that require the provision of clear information about the origin of food? And does the US, the most advanced economy, regulate this sector?

These are questions that motivate the development of this research.

Firstly, the focus will be on changes in the economy and in the consumer society in general, which have increased the vulnerability of consumers exponentially. Special rules for the protection of these vulnerable people are essential, such as the traceability of the origin and the food production chain, as a way of guaranteeing food security and sovereignty, taking into account basic health rights and the correct, clear and accurate information. In response to the needs of the modern consumer for reliable foods, it is necessary to provide information about the business itself, about its suppliers and intermediaries, thus promoting consumer reliability in the product to be purchased.

Second, the investigation will deepen the examination of national standards regarding traceability, labeling, certification and inspection of food. The laws of the countries are responsible for adopting quality management practices to carry out the correct inspection of the goods, so that, together with a functional traceability system, food quality control is carried out.

In the last chapter, the United States was selected as a paradigm country to contextualize the rules and the different aspects of food traceability, to make it possible to list positive and negative points. There is no attempt to make a comparison to say which is the best system or which country has the best laws on the subject. The adoption and adaptation in the respective countries takes into account several aspects that are beyond the reach of this article. What is intended here is to compare the different methods and standards, seeking to improve the subject and to enforce consumer rights.

## **1 Traceability**

### **1.1 Concept and Value in the Modern World**

Traceability is a term that determines the possibility of tracking something, and for the present work it translates as a mechanism for tracking the origin and processing chain of foodstuff products.

The main objective of the tool is to map the stages of production/harvesting, processing and distribution of the product. It aims to solve commercial problems such as the reversal of addicted goods and, mainly, to assist consumers when choosing the desired merchandise (BENNET, 2008).

With food traceability, it is possible to know all the stages that the product went through before reaching the shelves, reaching advanced levels of safety and quality. The possibility of identification of raw materials and production of products, prevent failures and fraud in these, helping, for example, in preventing diseases that spread through contaminated food, and also facilitating the recall of addicted products (BROWN, 2009).

This mechanism emerged, especially, as a form of security to consumers' health and information, but also as an incentive to improve the production and manufacture of goods, since by identifying the origin and path taken by the product, the sense of responsibility, considering that the consumption chain is identifiable.

The current Brazilian national legal system guarantees the right to information in the Federal Constitution, in its Art. 5, XIV and XXXIII (BRAZIL, 1988) as a fundamental right that enjoys horizontal and vertical effectiveness, that is, as a right applicable in the relations between private individuals, as well as between private individuals and public authorities, respectively. It also finds a legal provision called the Código de Defesa do Consumidor - CDC, which translated into English would be the Consumer Protection Code, constituting one of its basic principles, in Art. 6, item III (BRAZIL, 1990).

Furthermore, when dealing with the offer of products in general, Art. 31 of the Código de Defesa do Consumidor - CDC (BRAZIL, 1990) determines that "The offer and presentation of products or services must ensure correct, clear, precise and ostensible information and in Portuguese, about their characteristics, qualities, quantities, composition, price, guarantee, expiration dates and origin, among other data, as well as about the risks they present to the health and safety of consumers".

As seen, the consumer needs certain information regarding the product before purchasing it, boosting the power of choice between one product and another and extolling the broad competition in the market, one of the pillars of the modern economy. The duty to provide adequate and clear information constitutes one of the duties attached to consumer relations, erected by the principle of maintaining business law: objective good faith

It is the basic right of the consumer to be informed, not least because he is a vulnerable subject in the legal relationship of consumption, whereas it is the duty of the supplier to inform, and the State, in turn, to demand compliance with the rules and guidelines, inspect and punish when necessary.

The principle of the duty to inform, provided for in item III, of Article 6 of the CDC, is strictly tied to the principle of transparency, expressed in the caput of Art. 4, translated into the supplier's obligation to offer the consumer the opportunity to know in advance the products and services being offered.

Through the transparency of information passed on to the consumer, in addition to the company passing more credibility on its product - due to the adoption of the traceability system - if any merchandise fails, the location of the error - whether in its production or distribution phases - will be easier to find and successively corrected.

## **1.2 What is Your Need for Food**

Control over purchase is one, if not the greatest, desire of those who make it. In the modern world, the concern with what is brought into the home is immense and consumers want direct access to the characteristics of the product to choose the one that best suits them.

In the food sphere, intolerance to gluten and lactose, veganism, or the simple concern of taking an organic product, are some of the questions that impress the need for traceability in the lives of consumers.

It is worth saying that all care is not mere vanity. Traceability is a form of control over production chains that implies consumer safety when purchasing food products. Some of the biggest health problems faced by society are the result of the food eaten. The so-called Foodborne Diseases, cause an average of 700 epidemic outbreaks per year, involving more than 13,000 patients (MINISTÉRIO DA SAÚDE DO BRASIL, 2021).

It is also visible that the great impact of accidents involving the spread of diseases caused by pesticides and animals, such as salmonella and E. Coli, left individuals more attentive to what they consume and more judicious as to the origin of the food they take home.

It is a well-known fact that countries such as China consume exotic meats, without any basic hygiene or production control, and can cause various health risks to the population, such as the ingestion of bat meat. One of the most recent problems, the current disease caused by the Coronavirus (COVID-19), called SARS-Cov-2, has a clinical spectrum ranging from asymptomatic infections to severe conditions.

The uncertainties regarding the species involved as hosts of the current Sars-Cov-2 are also numerous, but the most accepted hypothesis is that it came from the bat. In May 2020, Peter Ben Embarek, a specialist in zoonoses and food diseases at the World Health Organization - WHO, reported that Covid-19 originated in bats, given the metagenomic similarity of Sars-Cov-2 to the coronavirus found in these mammals flying (LIMA, 2020).

Food traceability is a very important system for combating foodborne diseases. Other examples of Foodborne Diseases are Avian Flu and Swine Flu, which, as the names themselves say, originated from the consumption of contaminated food from birds and pigs, respectively.

Avian influenza, for example, was first identified in Italy about 100 years ago. The flu was believed to only infect birds until the first human cases were detected in Hong Kong in 1997. At the time, all birds - around 1.5 million - were slaughtered in three days. Experts believe the move was decisive in containing the epidemic. (ANDRADE, 2009).

In turn, with regard to Swine Flu, there is speculation that the outbreak has its origins in the infection of a pig, in the Mexican state of Veracruz. Others assume that the first animal was infected in the United States as a result of the pig trade with Asian countries.

It can be seen that all the aforementioned epidemics and diseases occurred due to the consumption of food without due care, and the correction of any contamination can be delegated to a system of traceability and origin, as a preventive but also corrective measure for important health and safety world food.

At this point, the importance of traceability in an individual's food life is explicit. By having the food data in hand, your individual identification, all your records along the path you have taken to the shelves, the consumer is assured control over the food and a transparent knowledge of the product, collaborating for the wisest choice.

Armed with all the relevant information about the product he chooses, the consumer's decision becomes smarter both for himself, as well as for society and the environment in which he lives. This is because, from then on, you can choose environmentally positive products, as well as prefer the less manufactured products or even those that contribute to your local economy.

### **1.3 Consumer Rights Affected by Food Traceability**

The right to information is a fundamental right, guaranteed by the Brazilian Federal Constitution, by Art. 5, XIV, XXXIII, considered as a right to the consumer's decision-making capacity, in order to protect the elementary rights of the human being. This right is one of the guarantees provided by traceability.

The transmission of data or knowledge about the food purchased is directly related to the right to communication, that is, the right to seek and share relevant information. It should be noted that in food traceability, knowledge must be disseminated in an accessible and transparent way to consumers, observing the care not to reproduce excessively technical or scientific texts, but rather clarifying notions that prove useful and facilitate the consumer's right to choose .

The right to health and hygiene are also safeguarded by the traceability system, since, by highlighting the stages of food production, it is possible to understand the circumstances of its trajectory until its final destination, and even the time it took to do so. This data contributes to a possible recall, that is, the request to return the batch or line of a product with problems.

Furthermore, it also contributes to the protection of the environment. The exposure of data referring to raw material, production and marketing, are intended not only to protect the health of the consumer, but also the environment itself. A food originated in certain circumstances can be harmless to humans, however, it can cause serious environmental impacts.

The right to food traceability implies the protection of the entire ecosystem, it is a complex that controls the entire food chain, and it encourages the critical and conscious attitude of the buyer to purchase sustainable products.

The proposal is a security policy that supervises not only consumer rights, but also the protection of nature. It is notorious to increase the population's care for the environment, thus, through this transparency, consumers are offered the choice of environmentally safe products, generating positive impacts on the planet.

## **2 Legal Aspects**

### **2.1 Standards**

The Brazilian Federal Constitution, guarantees, health and food among the list of fundamental social rights. For this reason, the perspicuity and veracity in the nutritional transcriptions present on the labels of foods and food products sold on the market is essential.

Because of this, while the traceability system is not a norm, specific laws and programs were created to regulate and supervise the right to information on food intended for consumption by Brazilian citizens. The National Food Security System - NFSA, for example, is responsible for formulating the Brazilian food security policy and for inserting the principles that govern food and nutrition security.

Also noteworthy are the resolutions of the National Health Surveillance Agency of Brazil - ANVISA, and also Decree-Law n° 986/69, also from Brazil, which provides for the defense and protection of the health of individuals in the food field and regulates nutritional registration and control, in addition to establishing quality, identity and labeling standards.

Despite these and other devices, created with the aim of guaranteeing the right to quality health and food, the CDC does not deal with the topic in a specific way, it only cites generically in articles 30 and 31 about the information and advertising of these products.

It is worth mentioning the Biosafety Law (BRAZIL, 2005), which establishes safety rules and mechanisms for the inspection of activities involving genetically modified organisms (GMOs) and their derivatives.

This law defined the body responsible for the technical analysis of genetically modified organisms: CTNBio – Comissão Técnica Nacional de Biossegurança, which translated into English would be the National Technical Commission on Biosafety, which has the competence to evaluate the safety of genetically modified organisms, in addition to being responsible for certifying the safety of laboratories and related experiments, the release of GMOs for human consumption and in the environment. According to Conrado, “The law was approved under protests raised by environmentalists who contested the commercialization of transgenics due to uncertainties and lack of studies on its impacts. Her approval confirms the insertion of transgenic products in the consumer's routine” (CONRADO, 1990-2005: 214).

This is where concern about food risk comes in. According to Rafaelli Di Giorgi, “The analysis of risk in contemporary society can have the function of rationalizing fear [...] the topic of risk became an object of interest and concern for public opinion when the problem of ecological threat allowed the understanding that society would produce technologies that could cause uncontrollable damage” (DI GIORDI, 1998: 194).

Kourilsky and Viney warn that it is not appropriate to confuse risk with danger, and draw a differentiating parallel between the phenomena, stating that “danger is that which threatens or compromises the security, existence, of a person or thing, while the risk is a more or less predictable eventual danger” (KOURILSKY, 2000: 16).

It should be noted that the nutritional information linked to food products is extremely important to anyone who wants to enjoy a healthy and quality life, but despite this, it is clear that in the current Brazilian market, this rule is not implemented in a practical way and efficient.

Food traceability is the greatest tool for basic food knowledge. Through it consumers have the power to know and choose, properly, the foods that interest them, while they are presented with clear information and simple access to the desired product.

## **2.2 Labeling**

Food education became a widely discussed topic after the National Nutrition Congress of Brazil in 1996. In order to promote a healthier diet, it was noted that it was essential to provide individuals with all the devices that would facilitate their choice for healthier foods .

In this way, the labels emerged as a small source of data about the product, playing the role of comparison between goods and, thus, enabling the individual to choose the best food for themselves.

Nutritional labeling is a mandatory legal requirement, expressed in the resolution of the National Health Surveillance Agency of Brazil, nº 360/03. It makes it possible for the buyer to identify specific information in the foodstuff about the product he has in his hands, contributing to transparency and providing the consumer with the right to choose.

However, it is emphasized that the labeling only contains the nutritional declaration of the food product and, at times, a nutritional advertisement, such as “rich in calcium”, leaving out important and deeper information about its composition and production, data that could be fully offered to the consumer when implementing traceability technology by virtual platform.

## **2.3 Certification and Inspection**

Despite the Brazilian legislation, by means of various devices, dealing with safe and quality food, and guaranteeing some essential rights for its implementation, there are still gaps.

The legal provisions, unfortunately, are insufficient to guarantee food security, since they fail to show insightful information about the origin and composition of food by simply reading a label, no matter how good it is. Even the CDC, which values consumer protection, does not achieve food traceability.

The measures that guarantee compliance with the quality specifications are made through certification. These steps are extremely important, as they guarantee a product within the legal standards.

In Brazil, certification is carried out and issued by INMETRO – Instituto Nacional de Metrologia, Normalização e Qualidade Industrial -, or in English as the National Institute of Metrology, Standardization and Industrial Quality, through its deliberations, safety issues that prioritize involve the interests of the citizen, certifying specific information about the food or its production process. This type of marking seeks to develop an official guarantee, establishing the credibility of the food and explaining these characteristics to the consumer (MACHADO, 2005).

Brazilian food inspection, in turn, is carried out by several agencies, including ANVISA, MAPA - Ministry of Agriculture - and Health Surveillance. The main role of these institutes is to guarantee food security and promote the health of the population and the sustainability of the ecosystem through environmental, procedural and technological inspections that are associated with food production, all in accordance with Brazilian legislation.

However, even with their presence, Brazil's quality assurance system is not fully effective. Due to the lack of investment, structural problems, such as insufficient inspectors, the system is deformed and becomes flawed, far from the excellence it should perform.

#### 2.4 The Reality of Traceability in Brazil

Along with the innovations of the 21st century, there is a greater interest from consumers regarding food safety. As a result, government agencies note the need to adopt measures that reinforce safety and contribute to increasing the quality of food and health of the population. This movement, of course, triggered changes in legislation (ANDRADE, 2013: 184-191).

The traceability system in Brazil takes place, specifically, in the meat market. This is because the international trade in the export of Brazilian meat requires strict control, with accurate and quick identification. Thus, in view of the increase in the export of Brazilian meat, the government of the country adopted the traceability system so that the identification of the bovine productive chain was as easy and safe as possible.

The demand for meat traceability on the part of the European Community, brought great concern to exporting countries and in particular to Brazil, due to the size of the herd, the conditions of cattle breeding, the extension of the Brazilian territory and the lack of use of the meat. technology by the vast majority of producers not yet used to the use of information technology or management and controls integrated into their daily activities (LOPES, 2007: 515-520).

Thus, traceability in Brazilian beef started, mainly, by the need for its export to the European market. This is a positive point, as it also allowed consumers to have detailed access to the animals' health and nutritional status, and to control their fit into pre-established quality standards. Not enough, the traceability of cattle still allowed us to realize that, highlighting the stages of its productive system, it becomes much easier to locate possible diseases propagated by poor animal management.

Still, regarding the livestock system, it was possible to know traceability methods much more reliable, safe and sustainable than those traditionally used in herds, such as earrings, hot iron and necklaces, which, in addition to being susceptible to fraud, could suffer transcription errors, difficulty in visualization, among others.

In Brazilian bovine traceability, identification is carried out electronically, and is permanent and irreplaceable, made by means of a microchip or by electronic ear tag.

Despite its development in the livestock sector, there is also talk of traceability when it comes to GMO foods (genetically modified), this is because, transgenic foods have much longer production stages and uncertain about the resistance of the food and its effects collateral for human health.

It is clear, therefore, that recording the path taken by food is extremely important and brings visible signs of product quality to the consumer. It is interesting to note that, Brazilian traceability had its first steps due to a demand for export standards, and presented positive results in the meat sector.

However, unfortunately, the discussion regarding the implementation of this mechanism in other sectors, both in the food sector and in the market as a whole, is still scarce.

### **3 Differences With the American System**

#### **3.1 Standards**

In the United States of America, traceability began in 2002, when President George W. Bush signed the so-called Public Health Security and Bioterrorism Preparedness Act, requiring all food establishments to register the administration of their products, as well as to keep documentation indicating the immediate source and subsequent recipient of the food.

Food security in the United States of America stands out for its vigilance, mainly in the control and containment of diseases and epidemics, for meeting the requirements of the international market, isolating the origin and extent of food security problems and for the greater effectiveness of crisis management protocols. As in Brazil, in the United States there are also regulatory agencies for food security. The main ones are: the USDA - United States Department of Agriculture, responsible for the inspection of products of animal origin, and the FDA - Food and Drug Administration - linked to the Department of Health and Human Services, in charge of inspecting 80% of fresh food and industrialized.

These bodies guarantee due compliance with the laws and regulations that order imported foods, such as the Federal Food Act.

The FDA acts with a role similar to that of ANVISA, regulating and ensuring food within the quality standards of its nation. However, the FDA has the most authority to detain any type of food if, in its inspection / investigation, it is found that there is a threat to the health of humans or even animals, a little different from our National Health Surveillance Agency, which it has less autonomy and immediacy.

Still, in the United States, President Barack Obama, on January 4, 2011, signed the Food Safety Modernization Act, which sought to ensure that the food supply in the United States was safe in order to move to a position of preventing contamination. . This law includes preventive controls for Human and Animal Feed, contains specific requirements for Food suppliers and Foreign Importers, in addition to identifying qualified individuals in preventive controls.

In the meantime, the FDA had, for the first time, a legislative mandate to require comprehensive, science-based preventive controls throughout the food chain, consistent with mandatory preventive controls for food installation, in addition to implementing mandatory safe production standards for suppliers.

It granted the FDA authority the duty to ensure that products imported into the United States meet the standards set by the country and are safe, with specific requirements for checking foreign suppliers.

In addition, the aforementioned Law recognized that the FDA must have the ability to track product, in an enhanced manner. In addition, the law provides the FDA with unprecedented authority to ensure that imported products meet United States standards and are safe for consumers.

The Act further recognizes that all food safety agencies must work together in an integrated manner to achieve public health objectives.

#### **3.2 Labeling**

Labels in the United States are subject to the Fair Packing and Labeling Act. This law requires all consumer products to be properly labeled and to disclose their net weight, the identity of their merchandise, the name and location of the manufacturing, packaging or distributor sector. The law also admits additional information, such as ingredient descriptions, to help consumers in their comparative choice.

The United States also requires that specific indications appear on the labeling of genetically modified foods only when the transgenic process used involves adding a genetic load that may have an allergenic content or that changes nutritional data.

In view of our labeling system, both demands are concerned with demonstrating the minimum specifications of the food such as the amount of fibers, carbohydrates, proteins, etc., allowing the label to more abrasively bring nutritional advertisements, for example “zero sugar” in bigger letters.

### **3.3 Bioterrorism**

After the September 11, 2001 attack, all of the security of the United States was enhanced and included the food sector. In the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, specifically in Title III, there is protection for the security and supply of food and medicines.

The law requires that all facilities, regardless of their size, what they manufacture, process, pack or store, the type of food they produce, including dietary supplements, and beverages, must be registered with the FDA and maintain records of prior source identification. The food passed through. This registration is the responsibility of the owners, operators or agents in charge of the facilities that manufacture, process, pack or store the products.

This information provided to the FDA helps to identify and locate, promptly, those in charge of food processing, or any other establishment that, in case of accidents in the contamination in the food, may be responsible.

In 2003, the FDA announced advances in the use of modern technology for a new form of food protection. An online access registration system was designed to reinforce the safety and protection of the country's food. A report was then issued to Congress on the progress of the rapid, easy and inexpensive development of tests to detect contaminated food.

Because of this rigid system, initiated by the Bioterrorism Act, the FDA has an official foreign and domestic food facility, allowing timely notifications and responses in the event of a threat to food supplies.

At the end of 2004, the FDA also issued a final rule, and began to require that all food companies keep records that would allow effective tracking to be carried out to protect human food.

### **3.4 The Reality of the American System**

It is possible to see that the most developed area of traceability in the USA is in the private sector. The food companies develop and implement the mapping system through improvements in the management and supply and supply of food, ease in knowing the previous path passed by the product to increase its safety and, also, differentiate and commercialize foods with different qualities and attributes.

For G. S. Bennet, "Consequently, firms across the US food supply system have developed varying amounts and kinds of traceability. Firms determine the necessary breadth, depth, and precision of their traceability systems depending on characteristics of their production process and their traceability objectives" (BENNET, 2008: 36).

It should be noted that American companies use the traceability system as an instrument to manage domestic production. Therefore, it is a mechanism that helps companies to function properly.

That said, it is worth saying that when it comes to food traceability, the American system is more organized and advanced than the Brazilian system, however, it cannot be said whether it is the best that exists among developed countries.

Currently, there is no standard procedure in the USA to identify and trace the trajectory of the goods. This is because, as shown above, traceability is already widely and voluntarily adopted by private companies, which have independently developed distinct and unique ways of approaching food tracking. Bennet says of this: "Despite this, and even though the US has typically set the operating standard for international food handling, the US food industry has been lagging in regards to food traceability. There is currently no standard process that identifies a traceable product, nor brand or social equity product" (BENNET, 2008: 53).

In the USA, it is argued that the traceability system alone does not guarantee food safety, however, when combined with a safe, effective and quality food management system, it can reduce the production of questionable foods and increase consumer confidence through transparency of production.

A quality management system is not to be confused with traceability, although they are constantly moving together. This is because, traceability makes it possible to follow any food item through its stages of production, processing, transportation and distribution. The food quality management system, on the other hand, assists in the identification and localization of the product and facilitates its recall when it does not comply with safety and quality standards, which will only be possible with traceability. Therefore, one depends on the other.

In the USA, there is an estimated annual expenditure of US \$ 5-10 billion on diseases originating from food products. Adopting techniques for tracking the food production line and chain, they fix and reduce errors in distribution and unsafe or low quality food, disseminating information that streamlines the process of locating and removing the addicted product from the market. In this way, there is also a reduction in the costs of both the distribution of bad foods and the diseases they cause. Effective basic consumer rights, such as transparency and advertising, and even more so, traceability ends up reducing the proportion of liability of suppliers for the sale of food that causes harm to the consumer.

Traceability is just one section within the large set of discussions around food security. The quality control of food with the intention of delivering safety to its consumers is common to all countries, as in Rosa Teresa Moreira Machado's diction: "The legislation of developed countries is increasingly harsh and requires the adoption of good management practices the quality of the International Standard for Quality Management Systems (ISO) and the principles of the Hazard Analysis of Critical Points (HACCP) system throughout the food chain, as a fundamental measure of quality control and safety" (MACHADO, 2005).

It is noteworthy that throughout the present century, there has been a growing concern with food and nutritional quality, which also converges to an increase in the importance of nutritional traceability and its use as an aid tool for a healthy life, since it provides the buyer information about the characteristics, qualities and, primarily, the origin and development of the food (ALVES, 2015: 170-182).

### **Conclusion**

Not only food scarcity, but food security itself, as it should be, is a constant concern of countries in the beginning of the 21st century. Governmental, parastatal, private and third sector institutions unite to implement this basic consumer right.

When it comes to traceability of food, identifying its origin and the path taken, not only is food security enhanced. Rights related to the life of the population, basic hygiene, transparency, information, choice and awareness are touched.

Norms of the Brazilian legal system protect consumers of harmful food, and hold negligent parties responsible. The question is: is what we have enough or can we go further?

According to the studies carried out, seeking to analyze the traceability systems between Brazil and the United States, it is clear that, while in Brazil there is still a skimpy exercise of the practice, in the USA, despite its pragmatic validity, it turns to the private sector and to meet their internal company specifications.

In Brazil, there are several agencies responsible for maintaining safe and quality food for the population. However, the traceability system is not widely used. The sector in the country that makes use of the tool most frequently is livestock. The Brazilian meat market started to use traceability because its presence is essential for export to European countries. For this reason, traceability started to develop in the bovine chain, through microchips and electronic earrings that record all the steps that the meat goes through until reaching its final destination, in a safe way, with the online data technology.

In the USA, in turn, it is noted that the traceability system is more present, especially in the private sector. The companies, on their own account, develop their own mechanisms that facilitate their purchase and sale, mainly in retail. Traceability is especially geared to companies' internal and private practices, exercising an internal management function, seeking to facilitate their production and trade.

Thus, the practice of tracking in the USA differs from what has been imposed, until then, in Brazil, considering that the intention in that country would be that the tracking of food would be at the service of the consumer and not of the producer.

Further research is needed in this area. Preventive actions, such as traceability of origin and food production help everyone, protect the consumer, the environment and promote dignified life, the mother principle that governs the Brazilian Federative Republic.

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