



Sustento del uso justo  
de Materiales Protegidos  
derechos de autor para  
fines educativos



**UCI**

Universidad para la  
Cooperación Internacional

UCI  
Sustento del uso justo de materiales protegidos por  
derechos de autor para fines educativos

El siguiente material ha sido reproducido, con fines estrictamente didácticos e ilustrativos de los temas en cuestión, se utilizan en el campus virtual de la Universidad para la Cooperación Internacional – UCI – para ser usados exclusivamente para la función docente y el estudio privado de los estudiantes pertenecientes a los programas académicos.

La UCI desea dejar constancia de su estricto respeto a las legislaciones relacionadas con la propiedad intelectual. Todo material digital disponible para un curso y sus estudiantes tiene fines educativos y de investigación. No media en el uso de estos materiales fines de lucro, se entiende como casos especiales para fines educativos a distancia y en lugares donde no atenta contra la normal explotación de la obra y no afecta los intereses legítimos de ningún actor.

La UCI hace un USO JUSTO del material, sustentado en las excepciones a las leyes de derechos de autor establecidas en las siguientes normativas:

a- Legislación costarricense: Ley sobre Derechos de Autor y Derechos Conexos, No.6683 de 14 de octubre de 1982 - artículo 73, la Ley sobre Procedimientos de Observancia de los Derechos de Propiedad Intelectual, No. 8039 – artículo 58, permiten el copiado parcial de obras para la ilustración educativa.

b- Legislación Mexicana; Ley Federal de Derechos de Autor; artículo 147.

c- Legislación de Estados Unidos de América: En referencia al uso justo, menciona: "está consagrado en el artículo 106 de la ley de derecho de autor de los Estados Unidos (U.S, Copyright - Act) y establece un uso libre y gratuito de las obras para fines de crítica, comentarios y noticias, reportajes y docencia (lo que incluye la realización de copias para su uso en clase)."

d- Legislación Canadiense: Ley de derechos de autor C-11– Referidos a Excepciones para Educación a Distancia.

e- OMPI: En el marco de la legislación internacional, según la Organización Mundial de Propiedad Intelectual lo previsto por los tratados internacionales sobre esta materia. El artículo 10(2) del Convenio de Berna, permite a los países miembros establecer limitaciones o excepciones respecto a la posibilidad de utilizar lícitamente las obras literarias o artísticas a título de ilustración de la enseñanza, por medio de publicaciones, emisiones de radio o grabaciones sonoras o visuales.

Además y por indicación de la UCI, los estudiantes del campus virtual tienen el deber de cumplir con lo que establezca la legislación correspondiente en materia de derechos de autor, en su país de residencia.

Finalmente, reiteramos que en UCI no lucramos con las obras de terceros, somos estrictos con respecto al plagio, y no restringimos de ninguna manera el que nuestros estudiantes, académicos e investigadores accedan comercialmente o adquieran los documentos disponibles en el mercado editorial, sea directamente los documentos, o por medio de bases de datos científicas, pagando ellos mismos los costos asociados a dichos accesos.

# Food Safety Modernization Act (FSMA)



About 48 million people in the U.S. (1 in 6) get sick, 128,000 are hospitalized, and 3,000 die each year from foodborne diseases, according to recent data from the Centers for Disease Control and Prevention. This is a significant public health burden that is largely preventable.

**[The FDA Food Safety Modernization Act \(FSMA\) \(/food/food-safety-modernization-act-fsma/full-text-food-safety-modernization-act-fsma\)](#)** is transforming the nation's food safety system by shifting the focus from responding to foodborne illness to preventing it. Congress enacted FSMA in response to dramatic changes in the global food system and in our understanding of foodborne illness and its consequences, including the realization that preventable foodborne illness is both a significant public health problem and a threat to the economic well-being of the food system.

FDA has finalized several rules to implement FSMA, recognizing that ensuring the safety of the food supply is a shared responsibility among many different points in the global supply chain for both human and animal food. The FSMA rules are designed to make clear specific actions that must be taken at each of these points to prevent contamination.

## **Rules and Programs**

### **Rules**

- **[Produce Safety \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-produce-safety\)](#)**
  - **[Agricultural Water \(proposed revision to Subpart E of the Produce Safety Rule\) \(/food/food-safety-modernization-act-fsma/fsma-proposed-rule-agricultural-water\)](#)**
- **[Accredited Third-Party Certification \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-accredited-third-party-certification\)](#)**

- [Food Traceability \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-requirements-additional-traceability-records-certain-foods\)](/food/food-safety-modernization-act-fsma/fsma-final-rule-requirements-additional-traceability-records-certain-foods)
- [Foreign Supplier Verification Programs \(FSVP\) for Importers of Food for Humans and Animals \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-foreign-supplier-verification-programs-fsvp-importers-food-humans-and-animals\)](/food/food-safety-modernization-act-fsma/fsma-final-rule-foreign-supplier-verification-programs-fsvp-importers-food-humans-and-animals)
- [Laboratory Accreditation for Analyses of Foods \(LAAF\) \(Final Rule\) \(/food/food-safety-modernization-act-fsma/laboratory-accreditation-analyses-foods-laaf-program-final-rule\)](/food/food-safety-modernization-act-fsma/laboratory-accreditation-analyses-foods-laaf-program-final-rule)
- [Mitigation Strategies to Protect Food Against Intentional Adulteration \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-mitigation-strategies-protect-food-against-intentional-adulteration\)](/food/food-safety-modernization-act-fsma/fsma-final-rule-mitigation-strategies-protect-food-against-intentional-adulteration)
- [Preventive Controls for Human Foods \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-preventive-controls-human-food\)](/food/food-safety-modernization-act-fsma/fsma-final-rule-preventive-controls-human-food)
- [Preventive Controls for Animal Food \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-preventive-controls-animal-food\)](/food/food-safety-modernization-act-fsma/fsma-final-rule-preventive-controls-animal-food)
- [Sanitary Transportation of Human and Animal Food \(Final Rule\) \(/food/food-safety-modernization-act-fsma/fsma-final-rule-sanitary-transportation-human-and-animal-food\)](/food/food-safety-modernization-act-fsma/fsma-final-rule-sanitary-transportation-human-and-animal-food)

[Additional Rules \(/food/food-safety-modernization-act-fsma/fsma-rules-guidance-industry\)](/food/food-safety-modernization-act-fsma/fsma-rules-guidance-industry)

## Programs

- [Accredited Third-Party Certification Program \(/food/importing-food-products-united-states/accredited-third-party-certification-program\)](/food/importing-food-products-united-states/accredited-third-party-certification-program)
- [Foreign Suppliers Verification Programs \(FSVP\) - List of Participants \(/food/importing-food-products-united-states/foreign-suppliers-verification-programs-fsvp-list-participants\)](/food/importing-food-products-united-states/foreign-suppliers-verification-programs-fsvp-list-participants)
- [Foreign Suppliers Verification Programs \(FSVP\) - Importer Portal for Records Submission \(/food/importing-food-products-united-states/foreign-suppliers-verification-programs-fsvp-importer-portal-records-submission\)](/food/importing-food-products-united-states/foreign-suppliers-verification-programs-fsvp-importer-portal-records-submission)
- [Laboratory Accreditation for Analyses of Foods Program \(LAAF\) \(/food/food-safety-modernization-act-fsma/laboratory-accreditation-analyses-foods-laaf-program-final-rule\)](/food/food-safety-modernization-act-fsma/laboratory-accreditation-analyses-foods-laaf-program-final-rule)
- [Voluntary Qualified Importer Program \(VQIP\) \(/food/importing-food-products-united-states/voluntary-qualified-importer-program-vqip\)](/food/importing-food-products-united-states/voluntary-qualified-importer-program-vqip)

### **Full Text of FSMA Related Rules**

[Searchable list of all FSMA related Rules \(/food/food-safety-modernization-act-fsma/fsma-rules-guidance-industry#rules\)](/food/food-safety-modernization-act-fsma/fsma-rules-guidance-industry#rules)

## **Guidance Documents**



[Searchable list of FSMA related Guidance \(/food/food-safety-modernization-act-fsma/fsma-rules-guidance-industry#guidance\)](/food/food-safety-modernization-act-fsma/fsma-rules-guidance-industry#guidance)

## **Training and Technical Assistance**

- [Federal/State Integration \(/food/food-safety-modernization-act-fsma/federalstate-integration\)](/food/food-safety-modernization-act-fsma/federalstate-integration)
- [Food Safety Preventive Controls Alliance \(/food/food-safety-modernization-act-fsma/food-safety-preventive-controls-alliance\)](/food/food-safety-modernization-act-fsma/food-safety-preventive-controls-alliance)
  - [FSPCA Preventive Controls for Animal Food \(https://www.ifsh.iit.edu/fspca/fspca-preventive-controls-animal-food\)](https://www.ifsh.iit.edu/fspca/fspca-preventive-controls-animal-food) [↗ \(http://www.fda.gov/about-fda/website-policies/website-disclaimer\)](http://www.fda.gov/about-fda/website-policies/website-disclaimer)
  - [FSPCA Preventive Controls for Human Food \(https://www.ifsh.iit.edu/fspca/fspca-preventive-controls-human-food\)](https://www.ifsh.iit.edu/fspca/fspca-preventive-controls-human-food) [↗ \(http://www.fda.gov/about-fda/website-policies/website-disclaimer\)](http://www.fda.gov/about-fda/website-policies/website-disclaimer)
  - [Foreign Supplier Verification Programs \(FSVP\) \(https://www.ifsh.iit.edu/fspca/courses/foreign-supplier-verification-programs-fsvp\)](https://www.ifsh.iit.edu/fspca/courses/foreign-supplier-verification-programs-fsvp) [↗ \(http://www.fda.gov/about-fda/website-policies/website-disclaimer\)](http://www.fda.gov/about-fda/website-policies/website-disclaimer)
  - [Intentional Adulteration \(https://www.ifsh.iit.edu/fspca/courses/intentional-adulteration\)](https://www.ifsh.iit.edu/fspca/courses/intentional-adulteration) [↗ \(http://www.fda.gov/about-fda/website-policies/website-disclaimer\)](http://www.fda.gov/about-fda/website-policies/website-disclaimer)
- [Training Framework \(/food/food-safety-modernization-act-fsma/fsma-training\)](/food/food-safety-modernization-act-fsma/fsma-training)
- [Frequently Asked Questions on FSMA \(/food/food-safety-modernization-act-fsma/frequently-asked-questions-fsma\)](/food/food-safety-modernization-act-fsma/frequently-asked-questions-fsma)
- [FSMA Collaborative Training Forum \(/food/food-safety-modernization-act-fsma/fsma-collaborative-training-forum\)](/food/food-safety-modernization-act-fsma/fsma-collaborative-training-forum)
- [FSMA Technical Assistance Network \(TAN\) \(/food/food-safety-modernization-act-fsma/fsma-technical-assistance-network-tan\)](/food/food-safety-modernization-act-fsma/fsma-technical-assistance-network-tan)
- [Produce International Partnership \(PIP\) \(http://international.jifsan.umd.edu/catalogue/course/pip\)](http://international.jifsan.umd.edu/catalogue/course/pip) [↗ \(http://www.fda.gov/about-fda/website-policies/website-disclaimer\)](http://www.fda.gov/about-fda/website-policies/website-disclaimer)
- [Produce Safety Alliance \(https://producesafetyalliance.cornell.edu/\)](https://producesafetyalliance.cornell.edu/) [↗ \(http://www.fda.gov/about-fda/website-policies/website-disclaimer\)](http://www.fda.gov/about-fda/website-policies/website-disclaimer)
- [Produce Safety Network \(/food/food-safety-modernization-act-fsma/produce-safety-network\)](/food/food-safety-modernization-act-fsma/produce-safety-network)
- [Sanitary Transportation Carriers Training Module \(/food/food-safety-modernization-act-fsma/training-carriers-covered-sanitary-transportation-human-and-animal-food-rule\)](/food/food-safety-modernization-act-fsma/training-carriers-covered-sanitary-transportation-human-and-animal-food-rule)

- [Sprout Safety Alliance \(/food/food-safety-modernization-act-fsma/sprout-safety-alliance\)](/food/food-safety-modernization-act-fsma/sprout-safety-alliance)

## **Compliance and Implementation Tools**

- [Application Portal \(https://www.access.fda.gov/\)](https://www.access.fda.gov/)
- [FDA Food Code \(/food-code\)](/food-code)
- [Fees \(/food/food-safety-modernization-act-fsma/fees\)](/food/food-safety-modernization-act-fsma/fees)
- [Small Business \(/food/food-safety-modernization-act-fsma/fda-fsma-and-small-business\)](/food/food-safety-modernization-act-fsma/fda-fsma-and-small-business)
- [International Capacity Building \(/food/food-safety-modernization-act-fsma/international-capacity-building\)](/food/food-safety-modernization-act-fsma/international-capacity-building)
- [Food Defense Plan Builder \(/food/tools-educational-materials/food-defense-plan-builder\)](/food/tools-educational-materials/food-defense-plan-builder)
- [Food Safety Plan Builder \(/food/food-safety-modernization-act-fsma/food-safety-plan-builder\)](/food/food-safety-modernization-act-fsma/food-safety-plan-builder)
- [Data Dashboard \(/fda-data-dashboard\)](/fda-data-dashboard) (Inspections, Compliance Actions, Recalls, and Imports)
- [Duns Portal \(https://fdadunslookup.com/\)](https://fdadunslookup.com/)  (<http://www.fda.gov/about-fda/website-policies/website-disclaimer>)
- [Product Tracing \(http://wayback.archive-it.org/7993/20171114142634/https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm270851.htm\)](http://wayback.archive-it.org/7993/20171114142634/https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm270851.htm)  (<http://www.fda.gov/about-fda/website-policies/website-disclaimer>) [ARCHIVED]
- [Key FSMA Compliance Dates \(/food/food-safety-modernization-act-fsma/compliance-dates\)](/food/food-safety-modernization-act-fsma/compliance-dates)
- [Pasteurized Milk Ordinance \(/food/guidance-documents-regulatory-information-topic-food-and-dietary-supplements/milk-guidance-documents-regulatory-information\)](/food/guidance-documents-regulatory-information-topic-food-and-dietary-supplements/milk-guidance-documents-regulatory-information)
- [Supplier Evaluation Resources \(https://datadashboard.fda.gov/ora/fd/fser.htm\)](https://datadashboard.fda.gov/ora/fd/fser.htm)
  - [Industry Resources on Third-Party Audit Standards and FSMA Supplier Verification Requirements \(/food/food-safety-modernization-act-fsma/industry-resources-third-party-audit-standards-and-fsma-supplier-verification-requirements\)](/food/food-safety-modernization-act-fsma/industry-resources-third-party-audit-standards-and-fsma-supplier-verification-requirements)
  - [Accredited Third-Party Certification Program Voluntary Audit Templates \(/food/importing-food-products-united-states/accredited-third-party-certification-program-voluntary-audit-templates\)](/food/importing-food-products-united-states/accredited-third-party-certification-program-voluntary-audit-templates)

*Additional tools and resources for industry listed on the rule and program pages above.*

## **FSMA Background**

- [What's New in FSMA \(/food/food-safety-modernization-act-fsma/whats-new-fsma\)](/food/food-safety-modernization-act-fsma/whats-new-fsma)

- [Reports & Studies \(/food/food-safety-modernization-act-fsma/reports-studies\)](/food/food-safety-modernization-act-fsma/reports-studies).
- [Operational Strategy for Implementing FSMA \(/food/food-safety-modernization-act-fsma/operational-strategy-implementing-fda-food-safety-modernization-act-fsma\)](/food/food-safety-modernization-act-fsma/operational-strategy-implementing-fda-food-safety-modernization-act-fsma).
- [Background on FSMA \(/food/food-safety-modernization-act-fsma/background-fda-food-safety-modernization-act-fsma\)](/food/food-safety-modernization-act-fsma/background-fda-food-safety-modernization-act-fsma).

## **FSMA's Impact on Public Health**

- [The FDA Food Safety Modernization Act at 10: Reflecting on Our Progress and the Path Forward \(/news-events/fda-voices/fda-food-safety-modernization-act-10-reflecting-our-progress-and-path-forward\)](/news-events/fda-voices/fda-food-safety-modernization-act-10-reflecting-our-progress-and-path-forward)
- [FDA Commissioner Addresses State Agriculture Commissioners: Announces New Steps to Enhance Collaboration with States and Ensure Farmers Are Prepared for FSMA \(/food/constituent-updates/fda-commissioner-addresses-state-agriculture-commissioners-announces-new-steps-enhance-collaboration\)](/food/constituent-updates/fda-commissioner-addresses-state-agriculture-commissioners-announces-new-steps-enhance-collaboration)
- [Q&A Conversation - CFSAN's Senior Science Advisor Aims to Build Bridges to Advance Produce Safety \(/food/food-safety-modernization-act-fsma/cfsans-senior-science-advisor-aims-build-bridges-advance-produce-safety\)](/food/food-safety-modernization-act-fsma/cfsans-senior-science-advisor-aims-build-bridges-advance-produce-safety)
- [Q&A Conversation - FSVP: What Do Importers Need to Know? \(/food/food-safety-modernization-act-fsma/what-do-importers-need-know-about-fsvp\)](/food/food-safety-modernization-act-fsma/what-do-importers-need-know-about-fsvp)
- [Q&A Conversation - Outlining the Benefits of the Voluntary Qualified Importer Program \(/food/food-safety-modernization-act-fsma/outlining-benefits-voluntary-qualified-importer-program\)](/food/food-safety-modernization-act-fsma/outlining-benefits-voluntary-qualified-importer-program)
- [Q&A Conversation - Protecting the Food Supply from Intentional Adulteration, such as Acts of Terrorism \(/food/food-safety-modernization-act-fsma/protecting-food-supply-intentional-adulteration-such-acts-terrorism\)](/food/food-safety-modernization-act-fsma/protecting-food-supply-intentional-adulteration-such-acts-terrorism)
- [Q&A Conversation - Taking a Modern, Integrated Approach to Advancing the Safety of Imported Food \(/food/food-safety-modernization-act-fsma/taking-modern-integrated-approach-advancing-safety-imported-food\)](/food/food-safety-modernization-act-fsma/taking-modern-integrated-approach-advancing-safety-imported-food)
- [Q&A Conversation - The Produce Safety Network: Supporting Regulators and Growers Across the Country \(/food/food-safety-modernization-act-fsma/supporting-regulators-and-growers-across-country-produce-safety-network\)](/food/food-safety-modernization-act-fsma/supporting-regulators-and-growers-across-country-produce-safety-network)
- [Q&A Conversation - What to Expect Now That Larger Farms Must Comply with the FSMA Produce Safety Rule \(/food/food-safety-modernization-act-fsma/what-expect-now-larger-farms-must-comply-fsma-produce-safety-rule\)](/food/food-safety-modernization-act-fsma/what-expect-now-larger-farms-must-comply-fsma-produce-safety-rule)
- [Q&A Conversation - What to Expect with the Next Compliance Dates for the FSMA Preventive Controls for Animal Foods Rule \(/food/food-safety-modernization-act-fsma/what-expect-next-compliance-dates-fsma-preventive-controls-animal-foods-rule\)](/food/food-safety-modernization-act-fsma/what-expect-next-compliance-dates-fsma-preventive-controls-animal-foods-rule)

## Spotlight!

[FDA Launches the FDA-TRACK: Food Safety Dashboard to Track FSMA Progress \(/food/cfsan-constituent-updates/fda-launches-fda-track-food-safety-dashboard-track-fsma-progress\)](/food/cfsan-constituent-updates/fda-launches-fda-track-food-safety-dashboard-track-fsma-progress)