

PROPOSAL TO CONSULTATION ON CHANGES TO THE SANITARY REGULATION OF FOOD

SEEN: the provisions of Law No. 20,606, in Articles 2 and 9 letter c) and the Fourth and Tenth Books of the Health Code, approved by Decree Law No. 725 of 1967, of the Ministry of Health, in Decree No. 977 of 1997 of the Ministry of Health in Decree No. 77 of 2004, the Ministry of Economy, Development and Reconstruction, in Articles 4 and 7 of the Law Decree No. 1 of 2005, the Ministry of Health and considering the powers conferred on me by section 32 N ° 6 of the Political Constitution of the Republic, and

WHEREAS:

- The need to regulate the provisions of Law No. 20,606, on nutritional composition of foods and their advertising.
- That it is necessary to warn the public about the content of the foods they eat, so that they can control the unnecessary excesses intake that leads to these problems of obesity and non-communicable diseases resulting from this,

DECREE:

1. **Amend** Decree No. 977 of 1997 of the Ministry of Health, approving the Food Health Regulations in the form below follows:

1) Article 106 adds the following definitions:

34) Critical nutrient: fat, saturated fat and trans fat, sodium (salt), sugars and energy in food.

35) Warning message: the term, word or phrase accompanied or not, by a symbol, which notes or prevents the consumer about the excessive content of critical nutrient in food.

2) Change the letter a) of Article 115 as follows:

A. – Replaces the first paragraph with the following:

"A) Energy value or energy expressed in calories (kcal expression unit), the amounts of protein, total fat, saturated fat, hydrates of carbon available or carbohydrates available and total sugars in grams (g expression unit) and sodium in milligrams (mg expression unit)."

B. - Introduces the following paragraph as the second paragraph, the current second, third, fourth and fifth paragraphs become to be third, fourth, fifth and sixth,

"In those products whose total saturated fat content is equal to or less than 0.5g per serving of regular consumption, it may alternatively be claimed that the food is not containing more than 0.5 g of saturated fat per serving".

C. - The last paragraph is replaced, fifth paragraph before, current sixth paragraph by:

"In those food products in which the quantity of available carbohydrates or total sugars content is equal or less than 2 g per serving customarily consumed, you can optionally declare the total sugar content by placing the nutritional information:

- a) the symbol \leq (less than or equal) followed by the value of available carbohydrate, for the sugar content per 100 g and per serving of regular consumption, or
- b) the symbol \leq (less than or equal) followed by the value of total sugars corresponding to the sugar content per 100 g and per serving, if known.

3) Hereby added to article 120 the following final subsections:

"The processed packed foods that, as a result of a production process, have been modified in their content of critical nutrients, resulting in contents of energy, saturated fat, sugars or sodium in an amount equal to or greater than those mentioned in the table below, per customarily consumed serving, must necessarily include a warning message with the phrase: "High in" followed by the name of the critical nutrient and followed by the phrase "Ministry of Health". Both phrases must be entered in the middle of an octagonal icon, which will occupy not less than 20% of the main face of the package and must be located in the upper right corner. However, the icon must be of a size not less than 4 centimeters square.

The letters of the message and the words "Ministry of Health", will be white on a black background. If the package has a black background, the letters will be white in a red background. The icon is bounded on its perimeter by a white border.

The warning message for the sodium nutrient, must say "High in SALT", the one for energy must say "High in CALORIES", the sugar one must say: "High in SUGARS", and the saturated fat should say "High in SATURATED FAT".

When a food should have a warning label on more than one critical nutrient, it will inscribe the name of each one on the octagonal icon, with the phrase "High on" followed by the name of the respective nutrients, observing the same graphic characteristics indicated above.

The above mentioned warning message should fully occupy the octagon area with proportionately sized letters that are shown in the following figure:



LIMITS FOR CRITICAL NUTRIENTS				
Energy Kcal/serving	Sodium mg/serving	Total sugars g/serving	Saturated fat g/serving	
General Limit Values equal to or greater than:	200	300	18	3
Specific limits to which the General Limits does not apply. Values greater or equal to:				
Whole milk, semi-skimmed, skimmed, evaporated and cultivated, with and without the addition of sugars and/or flavorings.	200	300	14	5
Cheese	200	300	18	5
Fish and seafood	260	300	18	5
Rice, noodles, pastas, stuffed pastas and/or with sauce	450	500	18	3
Burgers	200	460	18	5
Sausages	200	460	18	3
Pâté	200	120	18	3
Mortadella	200	190	18	3
Other sausages (meats , overwhelmed, salami, other)	200	270	18	3
Dehydrated soups and broths	200	350	18	3
Margarine and butter	200	300	18	2,5
Confectionery goods, farinaceous to cocktail (Snacks), cookies, pastries, ice cream and other similar.	150	150	8	2
Chocolate	150	150	16	7
Breakfast cereals	200	150	8	3
Packaged bread	350	450 -> 400(in	18	3

and biscuits such as soda, water or integrals.		year 2014)		
Dry fruits (peanut, nuts, almonds and others)	300	150	9	3
Dehydrated fruit (raisins, prunes and others)	300	150	45	3
Fruit juice	300	300	25	3
Prepared meals	500	500	18	3
Powdered jelly, powdered soft drinks and other nonalcoholic drinks	200	300	7	3
Sauces and dressings (mayonnaise, ketchup, mustard, other)	50	150	8	3

In cases where the labeled serving is of equal or smaller size than the serving of reference, the calculation of the critical nutrients is performed on the basis of the serving of reference. If the labeled serving is larger than the reference serving, the calculation of critical nutrients is performed on the basis of the labeled serving.

The Ministry of Health, through the issuance of a technical rule, will determine the size of the usual servings of reference, which shall be treated as binding for the purpose of calculating the limits of critical nutrients and labeling warning messages.

Foods that contain critical nutrients above the limits defined by the Ministry of Health, will not be able to be sold, marketed, promoted or advertised in pre-school, primary and secondary educational establishments."

4) Hereby added to Article 465, the following sentence immediately before the end point: "and are able to form by themselves a lunch or dinner, or be the main dish in this meal times".

5) Hereby added to Article 468 the words "saturated fat and total sugars" between the words "fat" and " in grams".

6) Hereby added to Article 468 the following final paragraph:

In those food products where the amount of available carbohydrates or total sugars content is equal or less than 2 g per serving customarily consumed, you can optionally declare the total sugar content by placing nutritional information:

- a) the symbol \leq (less than or equal to) followed by the value of available carbohydrate, for the sugar content per 100 g and per serving customarily consumed
- b) the symbol \leq (less than or equal to) followed by the value of total sugars corresponding to the sugar content per 100 g and per serving customarily consumed, when this is known.

7) Hereby added in Article 489 the following sentence immediately before the end point, "and will be excluded from labeling warning messages referred to the Article 120".

8) Hereby added to Article 534, the following new final paragraph: "Dietary supplements may not be sold, marketed, promoted or advertised in the pre-school, primary and secondary educational establishments".

9) Hereby added to Article 539, the following new final paragraph: "Sports Food may not be sold, marketed, promoted or advertised in pre-school, primary and secondary educational establishments".

TRANSITIONAL ARTICLES

ARTICLE 1°. - Pre-school, primary and secondary establishments, public and private, and school feeding programs and preschool, that to the date of entry into force of this Decree, have already celebrated contracts for the provision of food to school or preschool establishments or their beneficiaries of such programs, must comply with the provisions of this decree once the contracts are completed.