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# NEW DECREE THAT MODIFIES THE SANITARY FOODS REGULATION

Decree N°13 is the long awaited regulation of Law N°20,606 on the Nutritional Composition of Foodstuff and its Advertisement. This Decree was published in the Official Gazette on June 26th, 2015, and will enter into force 12 months after said date of publication.

The main objective of this Decree is to establish a special labeling system for foodstuff with high levels of ("high in") sugar, sodium, saturated fats and energy, according to the limits set forth for such ingredients every 100 grams of the corresponding product.

All foodstuffs which are not specially exempt by Decree N°13 (e.g. foodstuff sold at bulk, foodstuff for special alimentation regimes, among others), and that exceed the established values, thus considered as "high in", shall comply with the following requirements:

**1. Advertisement**

"Advertisement" is defined as any form of promotion, communication, recommendation, advertisement, information or action aimed to promote the consumption of a particular product.

**"High in" foodstuff may not contain elements that appeal to children (14 years old or younger) in their advertisement.** Advertisement will be considered as addressed to children of 14 years of age or younger when it contains, among other elements, characters, children's figures, animations, cartoons, toys, music for children, presence of people or animals, fantastic statements or arguments regarding the product or its effects, voices of children, childlike language or expressions or situations that represent children's everyday life (e.g. school, break, child's play, among others).

**"High in" products may not be advertised on television shows or websites addressed to children 14 years old or younger,** or when such have an audience of 20% or higher of this age group, nor in advertisement segments, between or immediately before or after airing of such TV shows or websites. Moreover, "high in" products

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may not be advertised through interactive applications, games, raffles or similar elements.

**Trade and advertisement of “high in” products is forbidden in educational institutions.**

Mass media advertisement of “high in” products shall contain a message promoting healthy life habits. The characteristics of this message will be determined by the Ministry of Health by Supreme Decree.

Foodstuff that do not have added sugar, honey, syrups, sodium or saturated fats, are exempt from these rules regarding advertisement.

**2. Labeling**

**The label of “high in” products shall contain information regarding added nutrients.**

Decree N°13 is applicable to both solid and liquid foodstuff, distinguishing between them by way of measuring the proportions for their qualification as “high in”, in grams and milliliters, respectively.

**3. Symbology**

**The manner in which to highlight the nutritional characteristics of the product will be through a warning sign shaped as an octagon, with a black background and white borders, with the words “ALTO EN” inside** , followed by the name of the corresponding nutrient and, in the lower part of the sing, the text “Ministerio de Salud”. If the packaging is smaller than 30 cm² the warning shall be labeled in the bigger packages containing the smaller ones.

The warning signs shall be included on the main face of the product’s label. If the packaging has an area of more than 30 cm² and less than 60 cm², the warning sign may be included in a face different than the main one.

Decree N°13 **suggests** placing the warning signs on the upper right corner of the main face of the label. Foodstuff that shall include more than one warning sign must do so according to the layout options established in Decree N°13.

The size of the warning sign will depend on the area of the main face of the label, according to the following table:

| Area of the main face of the label | Sizing of the symbol (height and width) |
|---|---|
| Less than 30 cm2 | Label in the largest package that cont... |
| Between 30 and less than 60 cm2 | 1.5 x 1.5 cm |
| Between 60 and less than 100 cm2 | 2.0 x 2.0 cm |
| Between 100 and less than 200 cm2 | 2.5 x 2.5 cm |
| Between 200 and less than 300 cm2 | 3.0 x 3.0 cm |
| Equal to or larger than 300 cm2 | 3.5 x 3.5 cm |

### 4. Entry into force

Decree N°13 will enter into force 12 months after its publication in the Official Gazette, this is, on June 26th, 2016. The content limits for energy, sodium, total sugars and saturated fats will progressively enter into force, as set forth in the following tables:

- Solid foodstuff:

| Nutrient or Energy | Date of entry int... | 24 months after ... | 36 months after ... |
|---|---|---|---|
| Energy | 350 | 300 | 275 |
| Sodium mg/100 ... Kcal/100... | 800 | 500 | 400 |
| Total Sugars g/1... | 22,5 | 15 | 10 |
| Saturated fats g/... | 6 | 5 | 4 |

- Liquid foodstuff:

| Nutrient or Energy | Date of entry int... | 24 months after ... | 36 months after ... |
|---|---|---|---|
| Energy Kcal/100... | 100 | 80 | 70 |
| Sodium mg/100 ... | 100 | 100 | 100 |
| Total Sugars g/1... | 6 | 5 | 5 |
| Saturated fats g/... | 3 | 3 | 3 |

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