

June, 2019

▶ ENTRY INTO FORCE OF THE LAST STAGE OF LAW NO. 20,606

On June 26th, the third and final stage of the progressive implementation of Law No. 20,606 on the "Nutritional Composition of Foodstuff and their Advertisement" will enter into force.

This stage marks the completion of the application of this regulation in Chile.

The main aspects of this last stage are:

I. *Definition of the maximum thresholds of nutrient concentrations*

With this third and final stage, the definitive maximum thresholds of nutrient concentration for the qualification of a foodstuff as "High in" one or more of the critical nutrients are set. Hence, the definitive maximum concentrations table will be the following:

Content thresholds for energy, sodium, total sugars and saturated fats for **solid foodstuff**

Nutrient or energy	Threshold
Energy kcal/100 g	275
Sodium mg/100 g	400
Total sugars g/100 g	10
Saturated fats g/100 g	4

Content thresholds for energy, sodium, total sugars and saturated fats for **liquid foodstuff**

Nutrient or energy	Threshold
Energy kcal/100 g	70
Sodium mg/100 g	100
Total sugars g/100 g	5
Saturated fats g/100 g	3



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II. *Transversal application of the obligation to label the descriptor “High in”*

The end of the progressive implementation process of Law No. 20,606 and its regulation entails that all of the obligations set forth therein will be fully applicable to any entity or individual that offers foodstuff products that are “High in” sugars, sodium, saturated fats and/or calories in Chile, regardless of its size.

This is due to the end of the vacancy period set forth in this regulation. According to said vacancy period, during the first 36 months from the entry into force of the regulation of Law No. 20,606 (Decree 13/2015), “micro” and “small” businesses would be exempt from the obligation of labeling the descriptor “High in” (through the corresponding black “warning sign”), when their products exceeded the maximum thresholds of critical nutrients set forth therein.

Accordingly, the equality among the different products on the foodstuff market that qualify as “High in” will be consolidated, considering that all of them will have to label the corresponding descriptors if they exceed one or more of the maximum concentration levels (unless, any of the exceptions set forth in article 120 bis of the Sanitary Foods Regulation applies).

Therefore, the entry into force of this third “stage” or “phase” will allow the consolidation of this regulation and will provide more legal certainty to the actors in the foodstuff market, since it will no longer be necessary to design and implement modifications every year.