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LAW N°. 20.869

OF ADVERTISING ON FOOD

Considering that the H. National Congress has approved the following

Bill:

"Article 1°.- Advertising that leads to consumption of the food mentioned in the first paragraph of Article 5 of Law No. 20.606, on nutritional composition of foods and their advertising, is prohibited, which by their graphical presentation, symbols and characters used is aimed to children under fourteen, particularly attracting their attention.

No food advertising may claim that these products satisfy by themselves the nutritional needs of a human being. In addition, they must not use violence or aggression and can not associate minors with alcoholic beverages or tobacco.

It is prohibited the offering or free distribution of foods mentioned in the first paragraph, for promotion or advertising purposes for children under fourteen.

Article 2°.- All those advertising actions to promote the consumption of foods mentioned in the first paragraph of Article 5 of Law No. 20.606, on nutritional composition of the food and advertising, in all television and cinema services, may only be broadcasted in the media between 22:00 and 6:00 hours, as long as they are not directed to children under fourteen.

Exceptionally, it would be possible to perform advertising actions on foods previously mentioned in athletic, cultural, artistic or social welfare events, outside the established schedule in the preceding paragraph, if the following conditions are met:

- a) That the event or show is not organized or exclusively financed by the company interested in advertising or its affiliates.
- b) That the advertising is not aimed or targeted, directly or indirectly, to children under fourteen.
- c) That the advertising does not show consumption situations that induce this

consumption or the promoted product.

d) That the advertising is bounded to the display of the brand or product name.

Article 3°. - Add in the 6th article of the law Not 20.606, on nutritional composition of the food and advertising, the following final subsection:

"In all those dispositions of this law where the expression "minors of age" is used, it should be understood to refer to children under fourteen."

Article 4°. - The regulations issued on advertising and marketing of foods shall be issued by the President of the Republic through the Ministry of Health.

Article 5°. - Any advertising of breast-milk substitutes is prohibited. It is understood by breast-milk substitutes "starter formula" and "follow-on formula" up to twelve months of age, as established in the Food Sanitary Regulation, contained in Presidential Decree No. 977, from the Ministry of Health, enacted in 1996 and published in 1997.

The professional who requires to indicate these formulas must ensure that the user is provided with the necessary information to properly select the appropriate formula, indicating in the prescription the generic name of it, that is, starter or follow-on formula, and the age of the boy or girl who will receive it.

Infringements on the provisions of this Article shall be punished according to the Tenth Book of the Health Code."

And because I have seen fit to approve and sanction; therefore enacted and take effect as a Republic Act.

Santiago, November 6, 2015.- MICHELLE BACHELET JERIA, President of the Republic.- Carmen Castillo Taucher, Minister of Health.- Luis Felipe Céspedes Cifuentes, Minister of Economy, Development and Tourism.

Transcribed for your information Law No. 20.869 of 06-11-2015.- Sincerely, Jaime Burrows Oyarzún, Undersecretary of Public Health.