



266 Beacon Street, Suite 1 • Boston, MA 02116 • 617-421-5500 • www.oldwayspt.org

May 5, 2020

Antonio Barra Torres
Director-Presidente Substituto
Diretoria Colegiada da Agência Nacional de Vigilância Sanitária

Dear Mr. Antonio Barra Torres:

Oldways and its Whole Grains Council thank you and your team for giving our organization the opportunity to offer feedback on your Consulta Pública N° 811. We applaud the proposed whole grain definitions your team has put forth for both raw ingredients and composite foods, and we are writing to offer this letter of support.

We previously submitted comments in response to ANVISA's Alimentos à Base de Cereais Integrais Documento de base para discussão regulatória and were very impressed with ANVISA's thorough consideration of the issues, and with the document's high level of transparency and detail. This new draft reflects equally clear and well-reasoned regulatory proposals, and we are very pleased to see your updates. Our organization has been involved in whole grain labeling and standards in the United States and in many other regions and countries for 15 years, and we hope our comments and experience will be helpful to your team.

About Oldways, the Whole Grains Council, and the Whole Grain Stamp

Oldways is a 501(c)3 educational nutrition nonprofit, founded in 1990 and dedicated to inspiring good health through cultural food traditions. We are perhaps best known worldwide for creating the Mediterranean Diet Pyramid in 1993 with the Harvard School of Public Health and for our work promoting whole grains and creating the Whole Grain Stamp.

The Oldways Whole Grains Council is an Oldways program, initiated in 2003, with the threefold mission of (1) helping consumers find whole grain foods and understand their health benefits, (2) helping manufacturers and restaurants create delicious whole grain products and meals, and (3) helping the media write accurate, compelling stories about whole grains. We fulfill this mission through our many educational programs, and through our administration of the Whole Grain Stamp program. Our iconic Stamp packaging symbol appears on more than 13,000 products in 62 countries and helps shoppers easily identify products which contain significant amounts of whole grain ingredients.

The Whole Grain Stamp has been used in Brazil since 2010. Currently, 691 products have been approved to use the Whole Grain Stamp in Brazil. These products are produced by 17 companies based in Brazil and 7 multi-nationals based outside Brazil.

Standards for Using the Whole Grain Stamp

The Whole Grain Stamp has three versions: the 100% Stamp, the 50%+ Stamp, and the Basic Stamp. The 50%+ Stamp was a new addition to our family of Stamps in January 2017 and today about three-quarters of the products available worldwide qualify for either the 50%+ Stamp or 100% Stamp.

The 100% Stamp

If a product bears the 100% Stamp, then *all* its grain ingredients are whole grain. There is a minimum requirement of 16 grams of whole grain per labeled serving for products using the 100% Stamp.



The 50%+ Stamp

If a product bears the 50%+ Stamp, then at least half of its grain ingredients are whole grain. There is a minimum requirement of 8 grams of whole grain per labeled serving for products using the 50%+ Stamp.

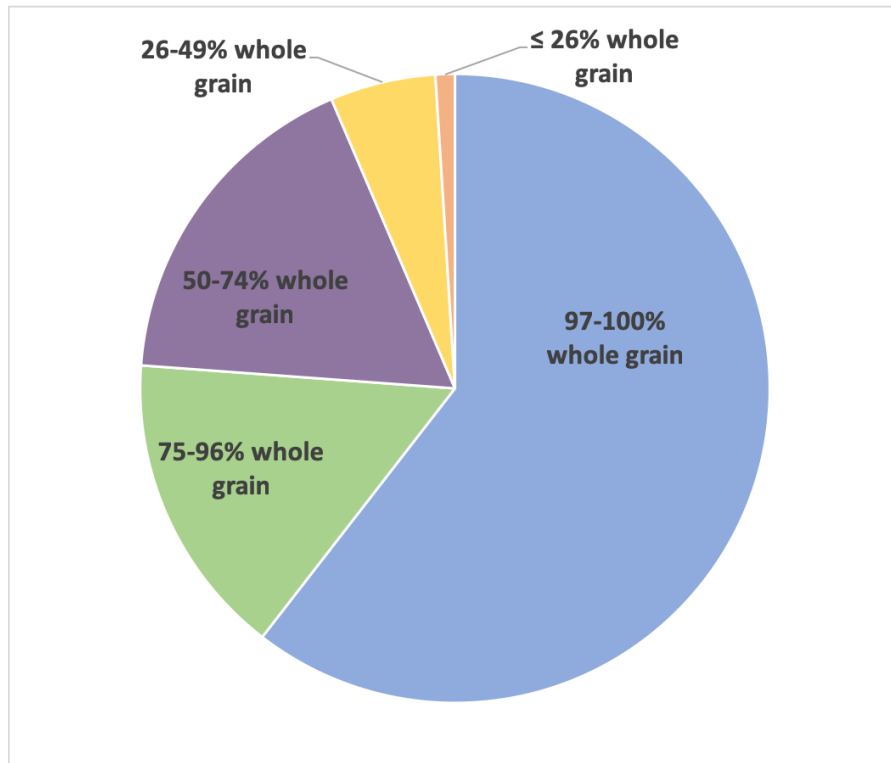
The Basic Stamp

If a product bears the Basic Stamp it contains at least 8 grams of whole grain per serving, but the product may contain more refined grain than whole grain.

In your 2019 Whole Grain Based Foods Document you stated that, “the quantitative declaration of whole ingredients on product labeling received broad support... presenting itself as a way of providing greater clarity about the composition of the product, encouraging competitiveness between manufacturers and stimulating consumption by the population.” We completely agree with this evaluation and that’s why each of our Stamp symbols also specifies the number of grams of whole grain content per serving (portion).

The standards for the Whole Grain Stamp are modified to align with local whole grain labeling regulations in specific countries. For example, in Canada local law requires that products labeled “100% whole grain” must have all their ingredients be whole grains (no salt, oil, or any other ingredients may be included), so in Canada that is the standard we use for approving products to use the 100% Stamp.

The vast majority of products that use the Whole Grain Stamp worldwide already make at least half their grain whole grain, with only 6% of products falling beneath this threshold. We expect that almost all products currently using the Whole Grain Stamp in Brazil would continue to qualify for whole grain labeling under the proposed definitions outlined in your recent draft.



Three-quarters of products using the Whole Grain Stamp worldwide have 75% or more of their grain as whole grain, as shown above.

Comments on Your Proposed Standards and Definitions

1. Whole Grain Ingredient Definition

We recognize that the whole grain ingredient definition you're proposing is derived from New Zealand and Australia regulations and from the definition established by AACCI. While we think that this definition is a great starting point, we highly recommend that you consider the [HealthGrain Forum](#) and [Whole Grain Initiative](#) definitions, as they both take into account additional specifics of standard milling practices that are consistent with safety and quality, thereby improving on the basic AACCI definition.

2. Whole Grain Composite Food Definition

We are enthusiastic about your choice of composite food definition, which outlines three very important things. (1) This definition sets a minimum whole grain content level (30%) which is both meaningful and attainable, (2) by requiring that at least half the product's grain be whole grain, it ensures that a product labeled "whole grain" will not contain more refined grain than whole, and (3) the content level is determined based on the product's dry weight, which allows many different foods to take part on even footing, regardless of moisture content.



266 Beacon Street, Suite 1 • Boston, MA 02116 • 617-421-5500 • www.oldwayspt.org

In addition to these requirements, we recommend that ANVISA establish a minimum whole grain gram amount so that, for instance, products containing less than 8g of whole grain per serving (or a similar, significant quantity) would not qualify for whole grain labeling. This will safeguard against products with very small serving sizes making whole grain claims despite offering extremely minimal quantities of whole grain.

3. Distinguishing Between Recombination and Reconstitution

Article 3 of Consulta Pública N° 811 describes the requirements for using and labeling reconstituted flour. We find that it is helpful to explicitly define recombination (the widely-prevalent milling practice of separating endosperm, bran, and germ during processing before recombining these components at the mill where the inclusion of all original parts of the grain can be ensured) compared with reconstitution (wherein a manufacturer sources each component part—endosperm, bran, and germ—and must approximate the grain’s original proportions). We believe it is appropriate to require that reconstituted flour be labeled as such on the ingredients list, but that recombined flour—which makes up a huge portion of the whole grain flour supply and is much more exact in its component proportions—should simply be listed as “whole grain flour” or “whole wheat flour.” We recommend that ANVISA makes this explicitly clear in its final guidance document.

Please don’t hesitate to reach out via email if we can be of any further assistance or provide additional resources or information.

Respectfully yours,

A handwritten signature in blue ink that reads "Sara Baer-Sinnott".

Sara Baer-Sinnott
President
Oldways
Sara@oldwayspt.org

A handwritten signature in blue ink that reads "Kelly Toups".

Kelly Toups
Director of Nutrition
Oldways
Kelly@oldwayspt.org

A handwritten signature in blue ink that reads "Caroline Sluyter".

Caroline Sluyter
Program Director
Oldways Whole Grains Council
Caroline@oldwayspt.org