

ORDINANCE No. 1274, 7 OF THE 2016 JULY

It provides for the promotion of actions of Adequate Food and Healthy in the Workplace, to be taken as a reference in health promotion and quality of working life under the Ministry of Health and related entities.

HEALTH MINISTER, using the powers conferred by section I of the sole paragraph of art. 87 of the Constitution, and

Considering the Constitutional Amendment No. 64 of February 4, 2010, amending art. 6 of the Federal Constitution, to enter the food as a social right;

Considering Law No. 11.346, of September 15, 2016, establishing the National System of Food and Nutritional Security (SISAN) with a view to ensuring the human right to adequate food and other provisions;

Considering Decree No. 7272 of August 25, 2010, which regulates Law No. 11.346, of 2006 creating the SISAN in order to ensure the human right to adequate food, establishing the National Policy on Food and Nutritional Security (PNSAN) establishes the parameters for the elaboration of the National Plan for Food and Nutrition Security, and other matters;

Considering Decree No. 8553 of November 3, 2015, establishing the National Pact for Healthy Eating;

Considering Ordinance No. 2715 / GM / MS, of 17 November 2011, which updates the National Food and Nutrition;

Considering the Resolution RDC No. 216 / ANVISA, of September 15, 2004, establishing the Technical Regulation of Good Practices for Food Services;

Considering the Marco Food and Nutrition Education Reference for Public Policy, which guides the various actions of Food and Nutrition Education;

Considering the Food Guide for the Brazilian population, which presents the official dietary guidelines for the population, and guides that food should be based on natural foods and minimally processed, limiting the consumption of processed foods and avoiding the consumption of food ultraprocessados;

Considering the phenomenon of food and nutritional transition that has reached the Brazilian population, with significant increase in overweight and obesity in all age and income groups, as well as the significant reduction in malnutrition throughout the country;

Considering the need to implement effective and integrated strategies to reduce morbidity and mortality caused by chronic non-communicable diseases related to food and nutrition; and

Considering the Intersectoral Prevention Strategy and Control of Obesity, which guides and organizes intersectoral actions aimed at reducing the prevalence of overweight and obesity, and proposes as action axis the promotion of healthy lifestyles in the various environments and territories in which it operates the working environment, resolves:

Art. 1 This Ordinance provides for the promotion of actions of Adequate Food and Healthy in the Workplace, to be taken as a reference in health promotion and quality of working life under the Ministry of Health and related entities.

Art. 2 is understood to be adequate and healthy food a basic human right that involves ensuring the permanent and regular access, socially just, the proper feeding practices to biological and social aspects of the individual and should:

I - be in accordance with the special dietary needs;

II - be referenced by the food culture and the dimensions of gender, race and ethnicity;

III - be accessible physical and financial point of view;

IV - are harmonious in quantity and quality, taking into account the principles of variety, balance, moderation and pleasure; and

V - it is based on adequate and sustainable production practices.

Art. 3 The Promotion of shares of Adequate Food and Healthy in the Workplace aim to contribute to the promotion of workers' health, as well as events on participating individuals promoted by the agency or entity, contributing to the reduction of injuries related to Diseases chronic Non-communicable diseases (CNCD) and their modifiable risk factors, especially overweight and obesity and inadequate nutrition.

Art. 4. Promotion of adequate food and the Healthy Work Environments has as principles:

I - promotion of the human right to adequate food;

II - food and nutrition education as a field of knowledge and continuous and permanent practice, transdisciplinary, intersectoral and multidisciplinary, which aims to promote independent and voluntary practice healthy eating habits;

III - fostering access to and availability of quality food and adequate amount, considering the food diversity and social and cultural aspects of workers;

IV - encouraging the adoption of healthy dietary practices appropriate to their biological and socio-cultural aspects as well as the sustainable use of the environment, valuing the consumption and use of food in the region;

V - encouraging the acquisition and consumption of organic food and agro-ecological base;

VI - creation environment conducive for proper and healthy eating practices;

VII - transversal development and inter actions to be performed continuously and seamlessly; and

VIII - adequate and healthy food as a criterion for providing, marketing and supply of meals under the Ministry of Health and related entities.

Art. 5 The Promotion of adequate food and Healthy in the Workplace has the following implementation strategies:

I - monitoring of workers' health situation, with an emphasis on food and nutritional approach integrated with the other actions of promotion and health protection;

II - definition of strategies for prevention and control of overweight and obese workers with carrying out activities that encourage self-care;

III - exclusive and varied range of food "in natura" and minimally processed and culinary preparations that include all food groups such as cereals, roots and tubers, vegetables, fruits, nuts and other oilseeds, dairy products, meat, eggs and fish, according to the recommendations of the Food Guide for the Brazilian population, the Ministry of Health, by establishments located within the Ministry of dependencies of Health and related entities in the organized events, as well as by companies contracted to provide meals in events held by the Ministry of Health or linked entity, such as "coffee breaks", cocktails, lunches and "brunch";

IV - must offer at least one fruit option preferably the station and the local or regional production, whole or in pieces, being prohibited the replacement of the natural fruit for juices or similar, soft drinks or candy;

V - taking measures to reduce the supply of processed foods (canned food, jam, fruit and candied fruit, meat added salt, etc.);

VI - prohibition of direct sales, promotion, advertising, food advertising ultraprocessados with excessive amounts of sugar, fat and sodium ready for consumption;

VII - the implementation of food and nutrition education activities in an integrated manner in order to guide the healthy food choices;

VIII - encouragement of dining rooms equipped with sufficient number of tables and chairs as well as premises and equipment necessary for temporary storage and further preparation of food brought by servers, respecting the physical and budget availability; and

IX - encouraging the establishment of breastfeeding support rooms, in order to promote friendly and suitable for the collection and storage of human milk environment.

§ 1 The acquisition and supply of food "in natura" and minimally processed and your culinary preparations should prioritize, whenever possible, organic food and agro-ecological base.

§ 2 For purposes of this Ordinance, are considered ultraprocessados foods with excessive amounts of sugar, fat and sodium industrial formulations made entirely or mostly extracted from food substances derived from food constituents or synthesized in the laboratory based on organic materials such as oil and coal, which have the following nutrient profile:

I - greater than or equal to one (1) 1 mg sodium per kcal (one kilocalorie);

II - greater than or equal to 10% (ten percent) of total free energy from sugars;

III - greater than or equal to 30% (thirty percent) of total energy from total fat;

IV - greater than or equal to 10% (ten percent) of the total energy from saturated fat; and

V - greater than or equal to 1% (one percent) of the total energy from trans fats.

§ 3. In exceptional cases, the use of ultraprocessados food will be allowed only in culinary preparations containing mostly food "in natura" or minimally processed.

Art. 6. To carry out the promotion of adequate food and the Healthy Work Environments, will be developed actions that concern the availability and food marketing by the companies that will be contracted to provide meals within the Ministry of units

Health and related entities, including the establishment of criteria for hiring food service operating on the premises of the units of the Ministry of Health and related entities, as well as for hiring companies to provide meals for events held, according with the provisions of art. 5.

Art. 7 For use of granting institutional facilities for the operation of the restaurant or diner, contracts for the provision of food services observe the provisions of art. 5, as well as the recommendations of the Food Guide for the Brazilian population and other instruments of food and nutrition education, ensuring the quality of the meals provided.

Single paragraph. Companies contracted to provide food services shall comply with the Brazilian health legislation, especially the Good Technical Regulation Practices for Food Services, mentioned in Resolution RDC No. 216 / ANVISA, of 15 September 2004 in order to ensure food security to the meals provided.

Art. 8 The contracts, references Terms and other instruments to be concluded for hiring catering services at events held by the Ministry of Health and related entities will contain details on the types of foods and meals that will be provided, ensuring that the provisions of article . 5 of this Ordinance is observed, as well as the recommendations of the Food Guide for the Brazilian population, the Healthy Meal Preparation Guide in the Ministry of Health and other related events guiding instruments.

Single paragraph. For the purposes of the "caput", the areas of the Ministry of Health and related authorities responsible for preparing contracting instruments of catering companies, both for being of workers and for events, will qualify for the adjustment of the instruments contractual, based on the Food Guide for the Brazilian Population and Development Healthy Dining Guide at the Ministry of Health Events.

Art. 9 The projects and activities Promotion of adequate food and the Healthy Work Environments should be permanent.

Art. 10. The process of Continuing Education and Continuing serve as a substrate for cultural change according to the new trends, such as the generation of desirable management practices, attention and relationships with employees, in order to comply with the Promotion actions Adequate Food and Healthy Work Environments in.

Art. 11. This Decree shall enter into force on the date of its publication.

RICARDO BARROS