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National Advisory Committee for Standardization
Mexican Ministry of Economy
Pachuca Street No. 189, Floors 7 & 12
Colonia Nápoles, Cuauhtémoc
06140, CDMX, México

December 6, 2019

To Whom It May Concern:

Oldways and its Whole Grains Council would like to thank the Ministry of Economy for giving our organization the opportunity to offer feedback on its Draft Modification to the Official Mexican Standard NOM-051-SCFI / SSA1-2010. As our organization has been involved in labeling and regulatory standards not only in the United States but in many other regions and countries, we would like to share our experience and input, in the hope that it's helpful.

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 61 countries and helps shoppers easily identify products which contain significant amounts of whole grain ingredients.

The Whole Grain Stamp has been used in Mexico since 2008. Currently, 479 products have been approved to use the Whole Grain Stamp in Mexico. These products are produced by 9 companies based in Mexico and 35 multi-nationals based outside Mexico.

Standards for Using the Whole Grain Stamp

The Whole Grain Stamp has three versions: the 100% Stamp (shown on the left), the 50%+ Stamp (shown in the middle), and the Basic Stamp (shown on the right).



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 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.

Companies interested in using the Whole Grain Stamp on their products pay an annual administrative fee, on a sliding scale according to company size. This fee gives them the right to use the Stamp on qualifying, approved products; surplus fees are used to fund the Oldways Whole Grains Council’s educational programs, which target consumers and promote the consumption of whole grain foods. For each product, companies must submit information about the formulation and nutritional profile for WGC review and must receive approval before using the Stamp publicly on their products.

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, products must meet this standard in order to be approved to use the 100% Stamp.

In line with dietary recommendations around the world, Mexico’s 2015 Dietary and Physical Activity Guidelines in the Context of Overweight and Obesity in the Mexican Population¹ encourages an increased consumption of whole grains. It recommends “the consumption of

¹ Instituto Nacional de Salud Pública, *Guías Alimentarias y de Actividad Física para Población Mexicana*, 2015, Accessed at: <http://guiasalimentacionyactividadfisica.org.mx/pgps>.



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whole grain foods such as corn tortillas, oats, amaranth, whole wheat bread, brown rice, and whole wheat pasta.” Our Whole Grain Stamp symbol helps consumers meet these recommendations by helping them identify which foods contain whole grains and telling them how many grams of whole grain they are getting per serving so they can easily increase their intake.

Comments on Your Proposed Standard

1. Front-of-Pack Warning Labeling

We applaud the Ministry of Economy’s efforts to target public health and address nutrition education through the creation of new guidelines and regulations. Clear, reliable labeling standards can increase consumer trust and confidence and help them to navigate their product options more easily, which is often the first step toward making healthier choices. That said, we fear that the proposed warning labels put forth in the Draft Modification to the Official Mexican Standard do not give consumers the full story, and could lead to significant confusion.

Foods are not just good or bad

Giving consumers nutrition information on the front-of-pack makes it easy for them to compare products and make quick decisions. We worry, however, that highlighting only those nutrients which are meant to be limited in the diet (saturated fat, sugar, sodium, etc.) does not give consumers the full picture. It is just as important for consumers to understand the beneficial contributions that a product will make to their overall diet as it is to warn of them of the more negative nutritional attributes of that product. Most foods are not just good or bad, and often have a mix of both beneficial and detrimental ingredients. These can be great “bridge foods” as people move along their journey to better health. Nutrition change is almost always incremental, and we urge the Ministry of Economy not to let the perfect be the enemy of the good.

Consumers respond better to positive nutrition messaging

[Research shows](#)² that consumers respond better to health and nutrition messages that are framed in positive ways, rather than messaging that focuses on what consumers shouldn’t do and shouldn’t eat. The negative messaging of the warning labels and the absence of any positive messaging to balance it, leaves us concerned about the impact this approach will have. According to PAHO³, the warning label approach is expected to impact 85% of the packaged food and beverage products currently available. Without messaging that guides consumers toward foods and ingredients they *should* eat, it is easy to imagine that

² Zahid, A., and M. Reicks, *Gain-Framed Messages Were Related to Higher Motivation Scores for Sugar-Sweetened Beverage Parenting Practices than Loss-Framed Messages*, *Nutrients*, Volume 10, Issue 5, Page 625, May 2018, Accessed at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5986504/>

³ Pan American Health Organization, *Nutrient Profile Model*, 2016, Accessed at: http://iris.paho.org/xmlui/bitstream/handle/123456789/18621/9789275118733_eng.pdf

consumers will end up overwhelmed and confused by the new labeling standards, without a clear sense of how to make better nutritional choices.

Healthy diets are about more than single foods or nutrients

People eat foods and nutrients in combination, not in isolation, and it's the total sum of the diet that makes the difference. For that reason, we advocate for a nutrition framework that is focused on food groups and overall diet patterns rather than being strictly nutrient-focused, with a formula for what makes a particular food item a good choice or not. No matter what combination of nutrient criteria regulations might mandate as healthy, it's inevitable that a reductionist approach will result in efforts to "game" the system with fortified manufactured foods, while some whole, natural foods may fail to qualify. The healthfulness of many foods is dependent on both portion size and consumption frequency, as well as the makeup of the rest of the diet. What we consume and what we don't consume both matter in achieving health outcomes. It's the totality of a person's food choices that make up their diet and determine its healthfulness, not a single food or nutrient.

For these reasons, we discourage the adoption of front-of-pack warning labels that are not accompanied by any balancing information about the positive nutritional contributions that a food might make.

2. Prohibition of the Use of Graphics like the Whole Grain Stamp on Products that Display at Least One Warning Label

We note that Section 4.1.4 of the Draft Modification to the Official Mexican Standard prohibits manufacturers from displaying any "written, graphic, or descriptive" messaging that recommends the "products, their use, its ingredients, or any other feature" if the product is required to display even one warning label. We understand this to mean that the Whole Grain Stamp, and other similar certifications, would not be allowed on products that exceeded the threshold for calorie content, saturated fat content, etc., despite the fact that whole grain ingredients themselves do not contribute to these excess nutrient levels.

Eating whole grains is a simple way to support health and longevity, but intake continues to fall well below recommended levels globally. In fact, [research demonstrated](#)⁴ that replacing refined grains with whole grains globally could reduce the burden of chronic disease more than any other change – more than reducing sodium, eliminating trans fats or even cutting sugar-sweetened beverages. We introduced the Whole Grain Stamp in the United States in 2005, and in Mexico in 2008, in an effort to increase consumer awareness and consumption of whole grain foods, and it continues to provide consumers with critical whole grain content information that is not otherwise available on packaged food labels.

⁴ GBD 2017 Diet Collaborators, *Health Effects of Dietary Risks in 195 Countries, 1990-2017: A Systematic Analysis for the Global Burden of Disease Study 2017*, The Lancet, Volume 393, Issue 10184, Pages 1958-1972, May 2019, Accessed at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(19\)30041-8/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(19)30041-8/fulltext)

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Oldways has diligently worked in nutrition education for almost 30 years, and we know that nutritional change is always incremental. With its three-tiered approach, the Whole Grain Stamp system helps consumers “start on the bottom step of the ladder” (with products bearing the Basic Stamp) and then gradually and easily transition to the fuller, nuttier taste of whole grains (with products using the 50%+ and 100% Stamps). Our [survey data](#)⁵ indicate that 83% of consumers trust the Whole Grain Stamp to be accurate. The Stamp, and the marketing advantage it offers companies, encourages healthy competition between manufacturers to maximize whole grain content in their formulas leading to better products.

We fear that a move to prohibit Whole Grain Stamp use on a large number of products contributing meaningful amounts of whole grain to the diet would be a huge setback for whole grain momentum in Mexico. Without the Stamp, consumers will be unable to identify products that contain significant amounts of whole grain. Manufacturers may also be less incentivized to create a wide range of whole grain products if they are not able to readily “get credit for” their whole grain content by calling attention to it with the Stamp or other similar package messaging.

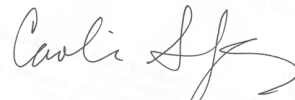
We understand that the Ministry of Economy’s goal is to create regulations that support healthier consumer choices, but we fear that the unintended consequences of this particular proposal could be quite detrimental to achieving that goal. Even whole grain products that contain sugar or sodium can contribute significantly to increasing overall whole grain consumption in the diet. Recognizing that the Whole Grain Stamp program helps consumers increase their whole grain intake, highlighting a food group for which most diets fall short of recommendations, we urge the Ministry of Economy to reconsider the prohibition of graphics like the Whole Grain Stamp on products that bear a warning label.



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⁵ Whole Grains Council, *Our 2018 Consumer Survey Results Are Here... and the Momentum toward Whole Grains is Stronger than Ever*, September 2018, Accessed at: <https://wholegrainscouncil.org/blog/2018/09/our-2018-consumer-survey-results-are-here-and-momentum-toward-whole-grains-stronger>