



# Preparing for new sodium, trans fat and labeling requirements in Canada

With a new, more activist government in Ottawa, there are several nutrition-related regulatory threats on the horizon that Restaurants Canada members should be aware of. This briefing note is to review the federal Minister of Health mandates, which reflect platform promises, as they relate to restaurants and foodservice, and to highlight other federal and provincial initiatives on the nutrition front.

## SODIUM

The federal Minister of Health has been mandated to “bring in tougher regulations to eliminate trans fat and to reduce salt in processed foods, similar to those in the United States”.

Currently there are no regulatory requirements to reduce sodium in the US. The New York City Health department has mandated the posting of a salt shaker beside menu items with a sodium content of 2,300 mg or higher but this requirement is currently being challenged in court.

To fulfill its mandate, it is expected the Canadian government will bring in some form of sodium posting requirement.

In addition the assessment of progress in reducing sodium levels in Canada’s food supply will happen in late 2016. Food manufacturers are lobbying to have the government assess their sodium reduction results for their retail destined products only because they have been unsuccessful in influencing sodium reduction in their foodservice destined products.

Health Canada has not decided how they will assess sodium reduction progress in foodservice yet but it is likely Health Canada will assess progress by comparing nutritionals pulled from chain restaurant websites in 2011 against nutritionals posted on websites at the end of 2016.

Restaurants Canada has identified the potential for brand and restaurant sector reputational risk without more evidence of sodium reduction progress.

## What Restaurants Canada is Doing

- encouraging chain restaurants to accelerate sodium reduction in menu items by the end of 2016, particularly for ingredients/food where benchmarks have been achieved for equivalent retail-destined products.
- developing a credible process for demonstrating progress in sodium reduction. This can only be achieved with the active participation of chains.
- encouraging government to undertake a comprehensive public education campaign to help Canadians understand the issue before introducing regulatory requirements.
- participating in meetings with Food and Consumer Products of Canada and Health Canada on the development of a strategy to proactively communicate industry progress on sodium reduction ahead of criticisms that targets have not been met. A sodium forum is being planned by Health Canada this spring.

## TRANS FAT

As noted above the Minister of Health has been mandated to bring in tougher regulations to eliminate trans fat, similar to those in the United States.

Last year the Food and Drug Administration (FDA) in the US withdrew approval of partially-hydrogenated oils or industrially-produced trans fat as a "Generally Recognized as Safe" (GRAS) food additive.

This means that unlike in Canada, which has determined safe minimum levels of trans fat, the US approach can be more restrictive.

## What Restaurants Canada is Doing

- educating the Minister and her staff about the industry's outstanding success in removing hydrogenated oils from menu items and the country's success in reducing average intakes of trans fat by Canadians from 3.7% of energy to close to the 1% level of energy recommended by the World Health Organization (WHO).
- pushing for a national regulatory framework limiting trans fats in accordance with the Trans Fat Task Force report recommendations, which have already been achieved by the vast majority of foodservice operators.

## MENU AND MENU BOARD LABELING

The only reference to labeling in the Minister of Health's mandate letter pertains to processed food. Specifically the minister is mandated to improve food labels to give more information on added sugars and artificial dyes.

However, the long-awaited Senate Report on Obesity, released on March 1<sup>st</sup> included a recommendation that "*the Minister of Health encourage nutrition labeling on menus and menu boards in foodservice establishments*".

This report also recommends a "front-of-package labeling" approach such as a red-yellow-green traffic light system and encourages the use of this system by retailers and foodservice establishments.

The report included a number of other recommendations to overhaul Canada's labeling system including revisions to % daily values, serving size, nutrition claims, and free sugars.

### Ontario

Ontario was the first jurisdiction to mandate the posting of nutrition information on menus and menu board which will go into effect on January 1, 2017. For more information on the requirements go to Restaurants Canada [briefing note](#) on member's only portal

### British Columbia

Following an evaluation of the voluntary Informed Dining program in British Columbia the Minister of Health wants to strengthen the program. Restaurants Canada met with BC officials at the end of February and were told that the Minister has directed:

- Increasing the prescribed size of the directional statement and logo;
- Requiring signage at multiple locations such as entrances;
- Removing the "upon request" from standards i.e. require information to be available;
- Development of an Informed Dining App and accompanying social media strategy;
- Improving the readability of nutrition information by exploring reducing the number of nutrients listed and increasing font size.

It was noted at this meeting that the Minister is pleased with the mandated health care implementation of the program which includes more prominent and frequent logo placement and nutrition information automatically provided and that the Minister has not taken regulation off the table.

#### **What Restaurants Canada is Doing**

- seeking information on where the new government stands on menu and menu board labeling and will re-engage Informed Dining participants and broader industry stakeholders in discussions on next steps toward a national, common standardized approach to the provision of nutrition information in chain restaurants.

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## OTHER REGULATORY THREATS

### Prohibiting Marketing to Children

The Minister of Health has also been mandated to *"introduce new restrictions on the commercial marketing of unhealthy food and beverages to children"*.

This was also the second of 21 recommendations in the Senate obesity report. (The first was to create and implement a National Campaign to Combat Obesity in conjunction with the provinces and territories.)

### Sugar Sweetened Beverage Tax

The Senate report's third recommendation is to *"assess the options for taxation levers with a view to implementing a new tax on sugar-sweetened as well as artificially-sweetened beverages"*.

In February the Dietitians of Canada released a position statement calling for *"an excise tax of at least 10-20% applied to sugar-sweetened beverages sold in Canada given the negative impact of these products on the health of the population and the viability of taxation as a means to reduce their consumption."*

#### What Restaurants Canada is Doing

- Will support the lead of other national associations such as the Food and Consumer Products Association of Canada and the Beverage Association of Canada on these two issues.

## FEDERAL DECISION-MAKERS ON NUTRITION ISSUES

It is also important to note that the decision makers on health have changed in Ottawa.

The Standing Committee on Health consists of:

- Two (2) medical doctors – Doug Eyolfson (L-Man.) an emergency room doctor; and Kellie Leitch a pediatric orthopedic surgeon (C-Ont.);
- One chiropractor – Colin Carrie (C-Ont.);
- A registered cardiology technologist and diabetes educator – Sonia Sidhu (L-Ont.);
- One with pre-medical degree – Darshan Singh Kang (L-Alta.); and
- A former provincial deputy minister of health – John Oliver (L-Ont.)



In addition the Minister of Health, the Hon. Jane Philpott, is a medical doctor.

***For more information on nutrition-related issues please contact Joyce Reynolds at [jreynolds@restaurantscanada.org](mailto:jreynolds@restaurantscanada.org) or (416) 649-4219.***

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