



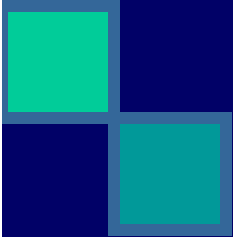

Food Labels, Laws and Limits: Reading our way to better health?

Dr. Don Buckingham
Justice Canada, Ottawa
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“You are what you eat: Food and Public Health Law”
13:15 - 14:45



Overview of presentation

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- More than meets the eye – a quick look at a food label...
 - It's a war out there – managing different objectives in labelling food...
 - Reading for better health – focusing on a label's health information...
 - Stop in the name of the law - legal regulation requiring health information
 - You can't quite get there from here - limitations on the ability of food labelling laws to empower consumers to improve their health...
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We eat (buy) first with our eyes.

- How many bits of information are on this food label?
- Answer: 12
- For whose benefit: consumer and producer
- Labels increase the cost of food; what's the cost/benefit for this information?



Food labelling objectives



- Producer objectives
 - Sell, sell, sell
 - Setting marketplace standards and fraud prevention
 - Protection of product value
- Consumer objectives
 - Health information
 - Quality information
 - Value information (qualité/prix)
 - Social conscience information




Food labelling requirements in Canada

- Sources of food labelling law
 - Food laws - Food and Drugs Act and Regulations
 - Consumer laws - Consumer Packaging and Labelling Act and Regulations
 - Agricultural trade laws - Acts and regulations regulating production and processing of meat, fish, grain and agricultural products
 - Commercial laws - Weights and Measures Act, the Trade-marks Act
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Focusing on health information on the food label

- Avoiding negative health outcomes from food choices
 - Information available
 - Time horizon
 - Certainty of effect
 - Risk profile
 - Example: allergens vs. transfats vs. excessive salt
 - Embracing positive health outcomes from food choices
 - Information available
 - Time horizon
 - Certainty of effect
 - Risk profile
 - Example: eating more fibre to reduce risk of colon cancer
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Mandatory Canadian labelling requirements promoting health

- Name of product
- List of ingredients
- Weight or volume of product in package
- Production and/or best before date
- Nutritional facts and chemical composition
- Health or nutritional claims
- Process and production claims



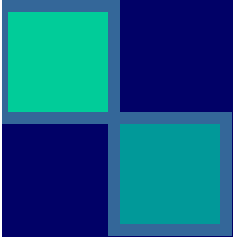

Nutrition Fact labelling requirements in Canada

- Standard form
- Amounts of basic nutrients (13 required nutrients + calories)
- Serving size
- 10 of 14 elements (except calories, cholesterol, sugar and protein) expressed in weight and DV%

Nutrition Facts	
Per 125 mL (87 g)*	
Amount	% Daily Value**
Calories 80	
Fat 0.5 g	1 %
Saturated 0 g + Trans 0 g	0 %
Cholesterol 0 mg	
Sodium 0 mg	0 %
Carbohydrate 18 g	6 %
Fibre 2 g	8 %
Sugars 2 g	
Protein 3 g	
Vitamin A 2 %	Vitamin C 10 %
Calcium 0 %	Iron 2 %




Nutrition and Health Claims

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- Nutrition and Health Claims allowed since 2003 but are closed lists
 - Nutrition claims must meet standards (only 47 approved)
 - Examples: Light, low, fat free, high fibre, source of omega-3 polyunsaturates
 - Health claims (only 5 approved)
 - Example: "A healthy diet containing foods high in potassium and low in sodium may reduce the risk of high blood pressure, a risk factor for stroke and heart disease. (Name your food) is sodium-free."
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Limitations on the ability of food labels to improve human health

- Enforcement by Canadian authorities
 - International trade obligations
 - Disconnects between the information on the labels and consumers exercising healthy food choices
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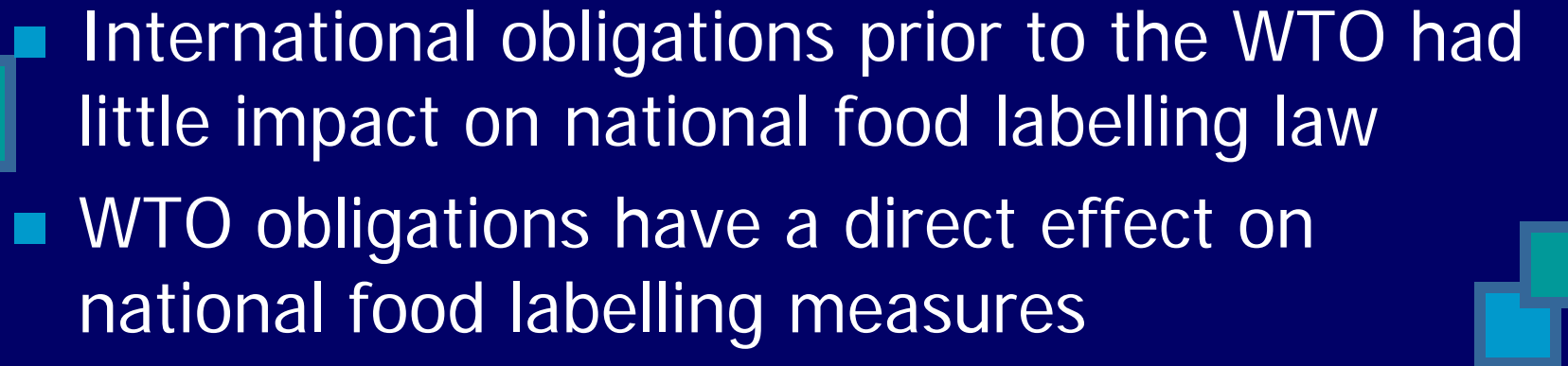


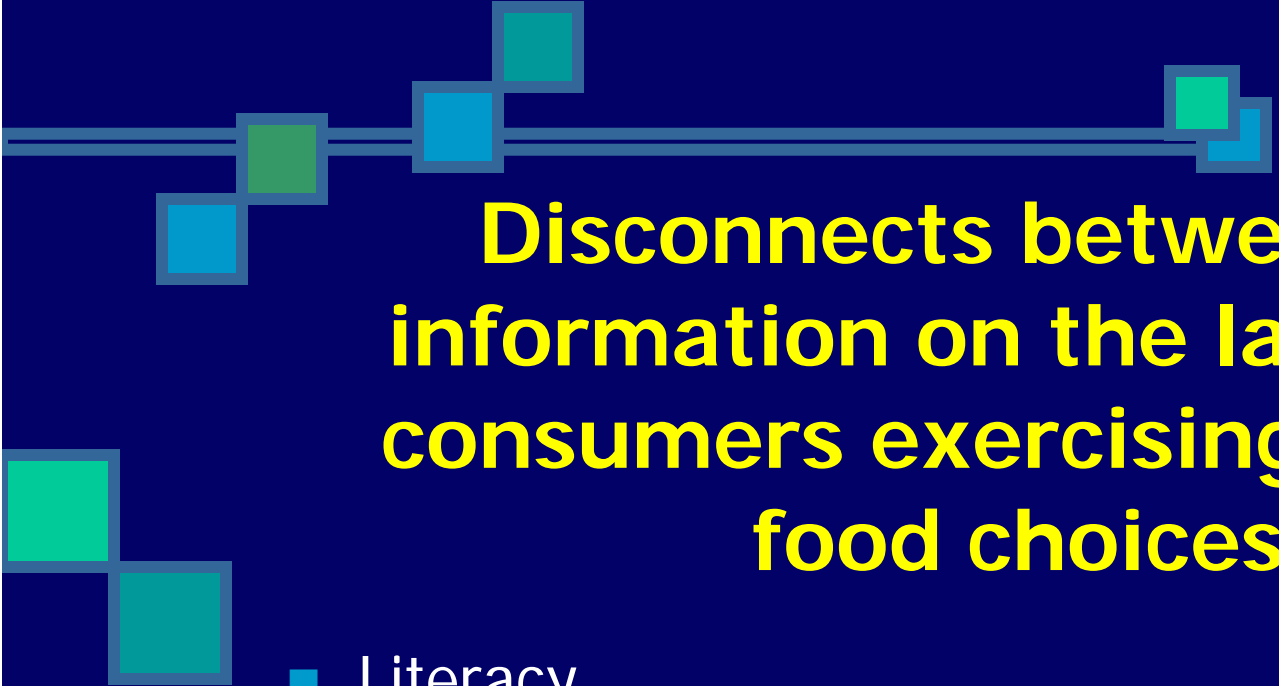
Enforcement of food labelling violations in Canada

- History has been in trade regulation and food safety
 - Model adopted has not been post occurrence enforcement route but rather upstream controls: inspections; preapprovals; and recalls
 - Enforcement for labelling offences (other than for undeclared allergens) are rare in Canada; compare with situation in France
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International Food Labelling

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- International obligations prior to the WTO had little impact on national food labelling law
 - WTO obligations have a direct effect on national food labelling measures
 - Some aspect of health-related aspects labelling issues could be seen as unnecessary trade barrier
 - Examples: sardines and nutritional labelling




Disconnects between the information on the labels and consumers exercising healthy food choices

- Literacy
 - Other pressures on contents of food labelling
 - Space available on label – size matters!
 - Comprehensibility of health information on labels
 - Gap from knowing the right thing to do and doing it
 - Consumer choice will always entail CHOICE
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The future of the regulation of food labelling

- Mandatory food label health information has its limits (technology may expand this – talking labels)
 - Other legal instruments possible:
 - Fiscal tools: sin tax or “good-for-you” subsidies
 - Mandatory health education required of retailers, producers, processors at point of sale
 - Bans on certain kinds of foods
 - More systematic enforcement
 - Education initiatives are imperative for basic literacy and interpretation of food label information
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Thank you for your attention. Next time for a good read, don't go to Chapters, go to Loblaws.



Questions?