



The mission of OPHA is to provide leadership on issues affecting the public's health and to strengthen the impact of people who are active in public and community health throughout Ontario.

**Ontario Public Health Association**  
l'Association pour la santé publique de l'Ontario  
Established/Établi 1949

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Charitable Registration  
Number 11924 8771 RR0001

March 2<sup>nd</sup>, 2010

The Honourable Leona Aglukkaq PC, MP  
Minister of Health  
Health Canada, Brooke Claxton Building,  
Tunney's Pasture, Postal Locator: 0906C  
Ottawa, Ontario K1A 0K9

Dear Honourable Minister Aglukkaq:

I am writing to you on behalf of the Ontario Public Health Association (OPHA), and the OPHA Food Security Workgroup (FSWG). OPHA represents over 3,000 public health practitioners through individual memberships and 10 constituent societies. OPHA's mission is to provide leadership on issues affecting the public's health, and its FSWG advocates for the safety and integrity of our food supply.

Thank you for inviting OPHA to Health Canada's Think Tank on Discretionary Fortification on February 16, 2010. We agree with one of the objectives of the day: to bring Natural Health Products being sold in food format under the Food and Drug Regulatory framework.

We support Dietitians of Canada's February 16, 2010 letter to you in which they state concerns regarding unlicensed Natural Health Products (NHPs) in food format that are being permitted on the retail market while review and approval of their licensing applications are pending. We agree with DC's position that NHPs should not be allowed to be sold in food format and marketed as conventional foods. Therefore, it is considerably more concerning that unlicensed NHPs in food format are allowed to be available to consumers without even the safeguards and regulations to which conventional foods are subject. There are a number of health and safety concerns in allowing unlicensed NHPs in food format to be marketed:

- They can be placed alongside conventional foods but have not been subjected to the same regulations for risk and safety, and the basis for their maximum levels for vitamins and minerals is based on the Upper Tolerable Intake Level (UL).
- They are not subject to nutrition labeling regulations; therefore, consumers lack key information to make informed decisions.
- They may carry claims on the basis of lower standards than are required for conventional foods and which could mislead consumers.

- They are already present in disturbing numbers and that there is potential for this to substantially increase.

Adding to the concerns above relating to unlicensed products being allowed on the market before their applications have been processed are general concerns about allowing NHPs to be sold in food format and marketed as conventional foods.

These over-arching concerns are that consumers will face the following challenges:

- Confusion between dietary supplements and conventional foods and a greater risk of exceeding ULs unless the former are subject to designated labeling.
- Consumption of NHPs that have been added to and marketed as conventional foods yet these products may not be taken into account along with patient medication and supplement histories, raising the risk for nutrient-drug and nutrient-nutrient interactions.
- Purchase and consumption of NHPs sold in food format under the mistaken impressions that they are superior health-promoting products, potentially resulting in further departures from the healthy eating pattern promoted by Canada's Food Guide, as well as further limiting the ability of those on low incomes to afford sufficient quantity and variety of healthy conventional foods.

Given the decision to allow NHPs to be sold in food format, we request that Health Canada continue to consider these general concerns in on-going regulating and monitoring of these products.

For the immediate, we join DC in calling on Health Canada to halt the practice of allowing NHPs in food format on the market before these have undergone appropriate safety assessments and without appropriate information for their safe use. We support DC's concerns about this practice which threatens the safety of our food supply and the confidence that the public places in our regulatory practices.

We would welcome an opportunity to discuss our concerns about Natural Health Products in food format; please contact Tracy Woloshyn, Co-chair of the OPHA Food Security Workgroup, at 905-895-4512 ext. 4352.

Sincerely,



Liz Haugh,  
President

cc: Lynda Corby, Director Public Affairs, Dietitians of Canada