



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

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.

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Constituent Societies

Alliance for Healthier Communities

Association of Public Health
 Epidemiologists in Ontario (APHEO)

Association of Supervisors of
 Public Health Inspectors of Ontario
 (ASPHIO)

Canadian Institute of Public Health
 Inspectors (Ontario Branch) (CIPHIO)

Community Health Nurses'
 Initiatives Group (RNAO)

Health Promotion Ontario (HPO)

Ontario Association of Public
 Health Dentistry (OAPHD)

Ontario Association of Public Health
 Nursing Leaders (OAPHNL)

Ontario Dietitians in Public Health
 (ODPH)

Ontario Society of Physical Activity
 Promoters in Public Health (OSPAPPH)

Charitable Registration
 Number 11924 8771 RR0001

Policy, Planning and International Affairs Directorate
 Graham Spry Building
 Health Canada
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 Ottawa, Ontario
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Dear Sir/Madame

RE: Guide to the Application of Child Health Protection Act (Bill S-228)

The Ontario Public Health Association (OPHA) is a member-based, non-partisan and non-profit organization committed to promoting public health and wellbeing. For nearly 70 years, OPHA has been providing evidence-informed public health expertise on a diverse range of provincial and federal policy initiatives. Over the last 20 years, we have been the home of the Nutrition Resource Centre which strengthens the capacity of health professionals involved in healthy eating and nutrition.

OPHA and its Nutrition Resource Centre commend the federal government's multi-pronged approach to supporting Canadians in making healthier food choices. Specifically, we applaud the federal government's commitment to the development of a Healthy Eating Strategy, which includes restrictions on marketing to children as outlined in the *Child Health Protection Act* (Bill S-228.) OPHA strongly supports Bill S-228 and urges its quick passage.

In this letter, we reiterate the importance of restricting food and beverage marketing to children to promote healthy food choices and protect health. Further, we offer recommendations regarding the provisions set out in the *Guide to the Application of Child Health Protection Act* (Bill S-228). These recommendations align with those put forward by the [Stop Marketing to Kids Coalition](#) and aim to strengthen the impact of Bill S-228. These recommendations are underpinned by [The Ottawa Principles](#), an evidence-based consensus policy recommendation for protecting children from food and beverage marketing developed by nationally-recognized health opinion leaders, professionals and researchers.

Importance of Bill S-228 to Protect and Promote Children's Health

Marketing of unhealthy food and beverages has been identified as a major contributor to chronic disease in children, including childhood obesity. Research indicates that commercial marketing has a powerful impact on children's food preferences, purchase requests and consumption patterns of unhealthy food and beverages. This influence can occur very early on with toddlers and children; at a

time when children begin developing eating behaviours and patterns that span a lifetime. Public health evidence substantiates the vulnerability of both children and teens to marketing influence. Young children cannot distinguish advertisements from regular television and are unaware that advertisements are intended to market products. Therefore, the marketing of unhealthy food and beverages to children is considered unethical and government intervention is warranted. OPHA strongly supports the prohibition of marketing unhealthy food and beverages to children as an important strategy to promote nutrition, healthy eating choices and children's health.

Recommendations

OPHA and its Nutrition Resource Centre are encouraged by the federal government's commitment to restricting commercial marketing of unhealthy food and beverages to children through Bill S-228. We support *The Ottawa Principles*, the gold standard for ensuring that policies protect children from food and beverage marketing, around which Bill S-228 was designed. We recommend that, in order to strengthen the provisions set out in the *Guide to the Application of Child Health Protection Act* (Bill S-228), the federal government adopt:

- 1. An evidence-based, stringent definition of “unhealthy” food and beverages that adopts the 5% Daily Value (%DV) as the defining threshold for “unhealthy” with regard to nutrients of public health concern (e.g., sodium, sugar, and saturated fat.)**

The % DV nutrient thresholds are evidence-informed clearly defined by Health Canada; in line with various components under the federal Healthy Eating Strategy, such as the Nutrition Facts Table. This is a more stringent approach that will increase the frequency in which advertising restrictions occur for foods and beverages that are high in nutrients of concern, thus decreasing children's exposure to unhealthy food and beverage marketing and better protecting vulnerable children

- 2. A robust and comprehensive ban on marketing of “unhealthy” foods and beverages to children that includes all types of marketing methods and media; all child- and family-centred settings; and stringent audience thresholds.**

Research, related to restrictions on tobacco, has shown that partial bans or restrictions are significantly less effective than robust, evidence-based, comprehensive requirements. To best protect children from both the power of and exposure to unhealthy commercial advertisements, restrictions must capture all types of marketing methods and media; all child- and family-centred settings; and stringent audience thresholds.

- 3. A broad and clearly articulated definition of “advertisement directed at children under 13”, with specific recommendations for all types of marketing methods and media, all child- and family-directed settings, and stringent media audience thresholds.** More specifically, OPHA recommends that restrictions:

- a. Cover ALL types of marketing methods and media; specifically,** restriction criterion should align with the lists of marketing techniques and communication channels (e.g., television ad, websites, machines, score boards, menu boards, etc.) outlined in the World Health Organization's publication, [“A framework for implementing the set of recommendations on the marketing of foods and non-alcoholic beverages to children.”](#)
- b. Apply to all child- and family-directed settings,** including but not limited to, sports arenas/facilities and amusement parks.

- c. **Uphold stringent media audience thresholds** that adequately capture when and where children are exposed to marketing that extend restrictions to capture **all daytime and non-school daytime viewing times** (e.g., until 10 pm) to minimize children’s exposure to commercial marketing on all TV channels and on channels with specialty children’s programming.

These measures are important to reduce both the power of the advertisement (marketing techniques or methods that make the product more appealing to the child) and exposure (how frequently children are exposed to unhealthy messaging) in order to maximize the impact of marketing restrictions.

4. A robust, resourced and enforced monitoring and evaluation system.

An independent and well-resourced monitoring system will be critical to ensuring compliance with regulations and allow for an adequate assessment of the extent to which objectives of marketing restrictions are achieved.

Conclusion

OPHA and its Nutrition Resource Centre appreciate the opportunity to provide comments on the *Guide to the Application of Child Health Protection Act* (Bill S-228). The restriction of commercial marketing of unhealthy food and beverages to children is a critical part of Canada’s Healthy Eating Strategy. Promotion of nutrition and healthy dietary habits in children from a young age can contribute to reductions in society’s chronic disease burden and translate to improved health outcomes at the population level. Further, prohibition of marketing unhealthy food and beverages to children is an important measure in protecting children from unethical industry practices.

Thank you for your consideration of the above comments. We welcome the opportunity to collaborate on this and other guideline documents pertaining to the Healthy Eating Strategy and Bill S-228.

Sincerely,



Pegeen Walsh
Executive Director, OPHA

More about the Ontario Public Health Association

We are a member-based charity that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public’s health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including promoting public dialogue and education on healthy public policy, capacity building, research and knowledge exchange. Our membership brings together many different disciplines and sectors working together to achieve our shared vision of optimal health for all. For the last 20 years, we have hosted a Nutrition Resource Centre that provides evidence-based resources to support program and policy development and capacity building in healthy eating and nutrition among health intermediaries.