

Making Healthier Choices Act 2015: Feedback from Dietitians of Canada (Ontario)

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Dietitians of Canada (Ontario) appreciates the opportunity to provide recommendations to strengthen the Making Healthier Choices Act. As the professional association representing dietitians, we advocate for healthier food environments, and have been engaged in menu labeling discussions in Ontario for several years. Although the Act has several parts, our comments are confined to Schedule 1, the Healthy Menu Choices Act.

Many of the issues that require attention will be dealt with through regulations. We look forward to working with the Ontario government in the development phase. We also propose three major recommendations that warrant inclusion in the Act itself—public education, sodium disclosure, and evaluation.

Dietitians of Canada (Ontario) Recommendations for Inclusion in the Making Healthier Choices Act:

1. Public Education and Contextual Statement

Many consumers will require assistance to use the required posted information to support healthy eating. The Healthy Menu Choices Act should incorporate a requirement for a public education campaign to inform consumers that nutrition information is required to be available, and where they can find more information about nutrition and healthy eating. Dietitians of Canada and EatRight Ontario already provide information and resources to consumers about healthy eating and determining their nutrition needs, including free tools such as eaTracker and My Menu Planner. Many stakeholders should be involved in public education, including public health units, foodservice operators, the Nutrition Resource Centre, and other health professionals. EatRight Ontario (ERO) is well-positioned to advise consumers and health professionals on making sense of calorie and sodium information on labels, and to support

operators in implementation of the policy. As demonstrated with the implementation of PPM150 (Ontario's School Food and Beverage Policy) and Fresh from the Farm: Healthy Fundraising for Ontario Schools, ERO has the expertise and infrastructure in place to support policy and program implementation.

In addition to the public education campaign, a contextual statement such as "the average person needs about 2000 calories (and less than 2300 mg sodium) per day" must be required along with the calorie posting. Although the requirement for a contextual statement could be incorporated in regulations through the development of regulations under Section 2 (1) or 2 (6) in the Act, the importance of this information warrants adding it directly into the legislation.

2. Sodium Disclosure

Many groups have been advocating for sodium content, as well as calories, to be required on menus. The rationale for including sodium in menu labeling includes factors such as the following:

- high intakes of sodium are linked to many health issues, and restaurant meals are usually high in sodium
- sodium content of any food item is difficult to judge based on the description alone
- sodium content does not have a direct association with caloric content, so having caloric information will not help consumers to estimate sodium content
- menu item reformulation to reduce calories, a possible action in response to mandatory calorie posting, would not assure that levels of sodium would remain the same or be lowered/raised, while mandating sodium disclosure could inspire reformulation to decrease sodium content

Although evidence is limited at this time as to consumers' use of sodium information when posted on menus, a study at the University of Toronto¹ found that posting both calorie and sodium information led consumers to purchase items with significantly lower sodium levels, suggesting that providing both calorie and sodium information is helpful and would be used by consumers.

¹

Mary J. Scourboutakos, Paul N. Corey, Julio Mendoza, Spencer J. Henson, Mary R. L'Abbe. *Restaurant menu labelling: Is it worth adding sodium to the label?* Canadian Journal of Public Health, 105(5), 2014.

3. Evaluation

Continued research is needed to evaluate the effects of calorie and sodium labeling on various subsets of the population, including the effects on food intake and nutrition knowledge, and on menu item reformulation. A coordinated and resourced evaluation strategy should be developed for baseline data collection and post-implementation, to inform further policy development. The evaluation strategy should encompass at least:

- consumer awareness of information
- consumer use of information (including impact on: food items ordered and consumed, food intake at home or other locations, foods ordered for children, and frequency of dining out)
- operators' reformulation of menu items and overall menu changes
- financial and operational impact on operators

Developing Regulations

Dietitians of Canada looks forward to participation in stakeholder engagement when regulations provided for in the Act are being developed. Below, we suggest some considerations to be taken into account within the regulatory provisions.

1. Additional Nutrients

To make informed decisions on healthy eating, consumers should be able to access full nutrition information on menu items. At minimum, the 13 core nutrients required in the Nutrition Facts table should be *available* to consumers in some format (poster, pamphlet, trayliner, etc). Information should be formatted to be consistent with the requirements of the Informed Dining program, a voluntary nutrition information program endorsed by Restaurants Canada (formerly known as the Canadian Restaurant and Foodservices Association), to give some consistency with other provinces that have adopted this program.

2. Determination of Nutrient Content and Evaluation of Compliance

There are two aspects of monitoring and enforcement—one of ensuring the information is posted as required, and monitoring the accuracy of the information. The first task of ensuring the information is posted could be accomplished through Public Health Inspectors during their routine inspections of foodservice establishments. Documentation that describes how the nutrient analysis was obtained (e.g. certificate from lab or contracted analyst) could become part of the implementation process. Consideration must then be given to the steps to be taken if the operation is not in compliance (education, warning, fines).

The second type of monitoring and enforcement involves the accuracy of the information provided. This requires more specialized expertise and resources, and consideration must be given to the parameters (e.g., number of units and menu items randomly selected? What laboratory analyses to be used? How much variation is considered reasonable between posted values and values obtained by analysis?). Given the natural variability of many food products, recipe analysis would be greatly enhanced by having an up-to-date and comprehensive database populated with manufacturer's food items.

Access to a single accurate database of Canadian foods that includes retailers and manufacturer's food products would help greatly in supporting monitoring and compliance. Beyond Health Canada's Canadian Nutrient File database, which is primarily made up of generic foods, there is currently no single accurate database in place in Canada that includes branded food products. Such a database could potentially support implementation, monitoring and compliance of a menu labelling initiative and other initiatives such as school nutrition guidelines.

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