



June 13, 2023

Health Canada

Via email: [bpia-bpaii@hc-sc.gc.ca](mailto:bpia-bpaii@hc-sc.gc.ca)

**Re: Amendments to the *Food and Drug Regulations* (Restricting the Advertising to Children of Prescribed Foods Sodium, Sugars and Saturated Fat)**

First Call Child and Youth Advocacy Society (First Call) is a registered charity working in partnership with a non-partisan, cross-sectoral network of over 100 affiliate organizations, individuals and local communities who share the belief that children and youth should have “first call” on our province’s resources. We have been a member of the Stop Marketing to Kids Coalition for many years and are pleased to offer our feedback on the recent policy update on restricting advertising of certain foods that is primarily directed at children.

We appreciate that the update contains clear information on the negative health impacts of advertising unhealthy foods to children and youth and therefore the purpose and importance of implementing restrictive regulations.

While we wholly support targeting the proposed regulations to the range of TV and digital media listed in the update, we question the omission of the other venues and methods by which children and youth are exposed to advertising. As identified in your update, commercial advertising actively targets children through point of sale, product packaging, schools, child care and recreational settings, and sponsorships, among other avenues. We know purchasing decisions are heavily influenced by marketing in retail settings.

**We therefore recommend that the draft regulations restrict point-of-sale advertising, and that these restrictions be implemented at the same time as the TV and digital restrictions.**

It is disappointing that the policy update does not meet the policies defined by Health Canada in its December 2018 guidance document, nor does it reflect M2K international best practices from the WHO, Chile and the UK.

**We therefore recommend that the draft regulations must be made consistent with the international M2K best practices and, at a minimum base standard, reflect the policies outlined in Health Canada’s December 2018 M2K guidance document.**

Children and teens are in school settings five days a week most of the year and are definitely exposed to marketing of unhealthy food and drinks in their school buildings, during sporting events and through fundraising activities. Rather than monitor this for another 5 years, the time to regulate these activities is now.

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**We therefore recommend that physical settings where children frequent are included, as is defined in the 2018 Health Canada M2K guidance document where 'child directed settings' included 'places, events or activities'.**

**We also recommend that the regulations stipulate a reasonable implementation period - ideally 6 months, but no more than 1 year. The industry voluntary code is supposed to be in place by summer 2023 (2 years after its introduction), so their ability to come into compliance within this time frame should not be in question.**

We note that Health Canada identified this policy update as a 'start' but did not define when or how further phases would be implemented.

**We therefore recommend that the regulations commit Health Canada to a phased approach to address policy gaps in the regulations dependent on the outcome of monitoring activity and emerging research on marketing to kids. Regulations should be subject to review in a timely manner, e.g., every 2 years.**

Thank you for your consideration of these recommendations which we believe will strengthen the protection from predatory commercial marketing of unhealthy food and drink that Canada's children and youth deserve.

Sincerely,



Adrienne Montani  
Executive Director

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