



DAIRY FARMERS OF CANADA SUBMISSION TO THE STANDING COMMITTEE ON HEALTH:

Proposed Changes to Canada's Food Guide under the Healthy Eating Strategy

June 21st, 2018

Dairy Farmers of Canada (DFC) welcomes the opportunity to share our perspectives on the proposed changes to Canada's Food Guide, as well as on other related initiatives falling under the Healthy Eating Strategy, including Front of Package labelling and new restrictions around marketing to children.

DFC is a national non-profit organization representing Canadian dairy farmers who produce the basic ingredient that is used in the manufacturing of Canadian dairy products - milk. DFC and its team of registered dietitians are committed to increasing the understanding of the nutritional value and benefits associated with milk products as part of a healthy, balanced diet. DFC supports nutrition research and develops nutrition education programs for health professionals, the education sector and consumers in collaboration with a variety of health promotion organizations.

Canadian dairy farmers care deeply about the health of Canadians, and are supportive of the broad goals of the *Healthy Eating Strategy*: to help consumers make informed, healthier choices – and to reduce chronic diseases. Milk products contain up to 16 essential nutrients, and are widely recognized as a part of a healthy, balanced diet. Health Canada's own evidence review notes their beneficial impact on many chronic diseases, including those prioritized by the policies under the Healthy Eating Strategy, such as cardiovascular disease, some cancers, type 2 diabetes, and musculoskeletal disease.

The Healthy Eating Strategy is best viewed as a framework covering several interrelated regulatory proposals, including: revisions to Canada's Food Guide, Front-of-Package labelling, and new regulations around restricting marketing to children. Each of these proposed initiatives are linked by the fact that they would treat all foods that happen to contain 15% or more of the daily value (DV) for sodium, sugar, and saturated fat as 'unhealthy' - whether or not they contain other beneficial nutrients, or contribute to reducing chronic diseases.

Unfortunately, the policies under the Healthy Eating Strategy suffer from a critical lack of nuance, and fail to consider the best available scientific evidence. Such an approach will only serve to confuse Canadians about the overall value of many nutritious foods, including milk products, and create a policy framework that does not reflect the best and most up-to-date scientific evidence available.

Revisions to the Canada Food Guide

When it comes to the Food Guide, according to the published Guiding Principles of the new Canada Food Guide consultation¹, Health Canada is considering actively advocating that Canadians shift towards consuming more plant-based foods and beverages, instead of those that are animal based.

Health Canada's own evidence review highlights that milk products are underconsumed and are associated with improved bone health and reduced risk of several diseases such as hypertension and stroke, to name a few. The report also states that Canadians do not consume enough of the following eight nutrients: vitamin D, calcium, magnesium, zinc, potassium and vitamin A, vitamin C and fibre. It is important to note that milk is a valuable source of six of these nutrients.

The changes Health Canada is proposing could serve to worsen the underconsumption of milk products, despite the fact that scientific evidence showing that milk products are associated with a reduced risk of

¹ Health Canada. Guiding principles. <https://www.foodguideconsultation.ca/guiding-principles-detailed>. Accessed December 6, 2017.

heart disease, type 2 diabetes and colorectal cancer is as strong if not stronger than it is for vegetables, fruit, whole grain and plant-based protein foods.

Prioritizing plant-based sources of protein as the main source of protein over animal based foods such as dairy products is not supported by evidence. Research continues to confirm that milk proteins rank as some of the most complete and highest quality proteins available, and are particularly important for growing children and preserving healthy bones and muscles in aging adults. Moreover, unlike milk products, the vast majority of plant-based sources of protein given as examples by Health Canada in the context of this policy do not even have enough protein to meet Federal requirements to be called “source of protein” on their packaging!

The focus on plant-based foods and beverages could also encourage parents of young children to choose other protein-poor fortified plant-based beverages, such as almond and rice beverages, over milk. This could put their children’s health at great risk, according to a recent news release by the Dietitians of Canada and the Canadian Paediatric Society². Other than soy-fortified beverages, plant-based drinks are not nutritionally adequate for young children, even if they are fortified with vitamins and minerals because of their poor protein content³. A recent Canadian study also reported that the consumption of plant-based beverages, including soy, was associated with lower childhood height⁴.

Summary of DFC’s Requests on the new Canada Food Guide:

- If the format of the new Food Guide includes food groups, the Government should maintain the Milk and Alternatives group.
- The nutritional and health benefits of milk products must continue to be recognized adequately and featured prominently in the revised Food Guide.
- The Food Guide must not inappropriately discourage nutrient-rich animal-based protein sources while disproportionately encouraging those that are plant-based.
- The Food Guide should focus on moderation, a balanced diet, and the consumption of nutrient-rich foods -- instead of on limiting sodium, sugar, and saturated fats.

Concerns with Front-of-Package Labelling

As part of Health Canada’s *Healthy Eating Strategy*, Health Canada is proposing to impose a FOP label on prepackaged foods containing 15% or more of the Daily Value (DV) of sugar, saturated fat, and/or sodium – regardless of their nutritional value, or impact on reducing chronic diseases. In the case of prepackaged meals and main dishes, the thresholds would be 30% of the DV.

According to the Regulatory Impact Analysis Statement (RIAS) conducted by Health Canada, in total, 37,600 stock keeping units (SKUs) will be affected by the proposed regulation. Of these 37,600 SKUs, DFC calculates that 19,269 will be dairy products, which represents up to 89% of all dairy SKUs. It is incomprehensible that in a policy designed to promote healthy eating, over 50% of all affected SKUs will

² Dietitians of Canada. 2017. Dietitians, paediatricians advise parents to exercise caution with plant-based beverages. <https://www.dietitians.ca/Media/News-Releases/2017/PlantBasedBeveragesChildren.aspx>. Accessed December 6, 2017.

³ Fenton T. Plant-based beverages – Are they really healthier for young children? *PEN* 2017.

⁴ Morency ME et al. Association between noncow milk beverage consumption and childhood height. *Am J Clin Nutr* 2017;106:597-602.

be dairy products, in spite of their widely recognized nutritional benefits and beneficial impacts on chronic non-communicable diseases (NCDs), **including those prioritized by the Healthy Eating Strategy: cardiovascular disease, some cancers, type 2 diabetes, and musculoskeletal disease.**

DFC has expressed our concerns in a submission to the Canada Gazette 1 process on Front-of-Package labelling. What follows are some of the highlights of that submission.

Milk Products Are A Key Source of Priority Nutrients

Health Canada's 2015 Evidence Review for Dietary Guidance confirms that Canadians do not consume enough of the following eight nutrients: vitamin D, calcium, magnesium, zinc, potassium, vitamin A, vitamin C and fibre.⁵ Not getting enough of these nutrients can have a significant impact, as they play multiple key roles in ensuring the maintenance of good health, growth and development. For example, among other things, inadequate intakes of calcium, vitamin D, and other nutrients present in milk products can compromise musculoskeletal health. Unfortunately, under the proposed approach, foods such as yogurt and cheese, which we know are a source of many of these essential nutrients, including vitamin A (cheese), magnesium (yogurt), potassium (yogurt), zinc and calcium (cheese and yogurt), would require a FOP label. **Meanwhile, snack foods, such as most chips and all diet sodas, would not.**

Any health policy framework that would exempt (by omission) chips and diet soft drinks is obviously flawed, and could lead Canadians to make unhealthy choices.

Evidence Supports the Beneficial Impacts of Nutritious Milk Products on Health

DFC's submission examines the best available scientific evidence, which calls into question Health Canada's approach – both in terms of its focus on three target nutrients as the sole determinants of the overall healthfulness of a food, as well as on each of the chosen nutrients themselves. The submission also shows that such an approach is particularly problematic when applied to milk products, whose nutritional and health value go far beyond their sodium, sugar, and saturated fat content. **Health Canada must reconsider its emphasis on each of these target nutrients, and ensure that the complex relationship between nutritious dairy products (i.e. milks, cheeses, yogurts and other cultured milk products) and these nutrients is reflected in this policy.**

In addition, the approach proposed by Health Canada is inconsistent with its previous positions. The submission examines the strong evidence base, including Health Canada's own 2015 Evidence Review,⁶ which clearly demonstrates the many ways in which milk products support Health Canada's goal for chronic disease risk reduction – **especially those prioritized by the Healthy Eating Strategy.**

When it comes to reducing chronic NCDs, current scientific evidence emphasizes the importance for dietary guidance to be based on foods rather than focused on nutrients to limit (sodium, sugars and saturated fat) because the food matrix (i.e. all the nutrient and non-nutrient components of a given food and their interactions with one another) has a major impact on the ability of these nutrients to affect health. This is especially true in the case of milk products. Furthermore, strong evidence shows that when it comes to reducing the risk of NCDs, nutritious milk products, even those containing sodium, saturated fats and sugars, are part of the solution. Therefore, the consumption of milk products should

⁵ Health Canada. Evidence review for dietary guidance. Technical report 2015. 2016.

⁶ Health Canada. Evidence review for dietary guidance. Technical report 2015. 2016.

be encouraged rather than discouraged, especially considering that the under-consumption of Milk and Alternatives has worsened over the past decade.

Some of the additional highlights found in DFC's submission are summarized below.

Key Highlights

- Total saturated fat intake is not associated with increases in cardiovascular disease (CVD) or coronary heart disease (CHD).
- **Saturated fat derived from dairy has been associated with reduced CVD risk.**
- Based on the totality of the strongest available scientific evidence, there is no rationale for targeting saturated fat, **especially those found in dairy products**, as a nutrient of concern for Canadians.
- While public health experts generally agree that consuming excess added sugars, especially those found in non-nutritious sources, has a detrimental impact on weight and type 2 diabetes risk; **there is no evidence linking naturally occurring intrinsic sugars with harmful health effects.**
- There is no rationale or scientific evidence for targeting total sugars as a nutrient of concern for Canadians, or nutrient-rich foods that contain added sugar such as sweetened milk and yogurt.
- Salt (sodium chloride) is an integral part of the cheese-making process, and is essential for controlling moisture content and **ensuring food safety.**
- With an average consumption of 3,400 mg of sodium per day, Canadians' sodium intake falls within the currently proposed optimal range according to the sum of the most current scientific evidence.
- Current evidence does not support that reducing sodium intake to less than 3,000 mg per day is effective on disease prevention, or safe.

A holistic review of the scientific evidence does not support Health Canada's approach in isolating sodium, sugar, and saturated fats – while ignoring the numerous benefits of nutritious milk products. **Moving forward with this biased approach to policy-making without taking into account the best available evidence is not responsible.**

It is critical that Health Canada be inclusive of **all available scientific evidence** when it comes to the continued development of any FOP labelling regulations. If it is not possible to inject the appropriate nuance distinguishing between nutrient-dense and nutrient-deficient foods into this policy, **Health Canada must re-think its approach.**

Milk Products and Musculoskeletal Health

In addition to prioritizing musculoskeletal disease within the Healthy Eating Strategy, Health Canada specifically recognizes that vitamin D is of significant importance to reducing the burden of this disease – and that in Canada, 20% of Canadians are currently at risk of vitamin D inadequacy and 8% are at risk of deficiency. Health Canada also recognizes that there are few efficient delivery systems of vitamin D – while noting specifically that **milk products are among the most efficient of these few.**

For these reasons, within the RIAs, Health Canada proposes enhanced fortification policies for vitamin D, including increased levels in milk and permitted fortification of yogurt at the same level as milk. As

part of Phase 1 B of the Vitamin D Fortification Strategy, in addition to the fortification of yogurt, and considering milk consumption is on the decline,⁷ **DFC encourages Health Canada to also consider prioritizing the fortification of other cultured milk products (e.g. kefir, drinkable yogurt, etc.), as well as cheese as additional vehicles for vitamin D.**

Canada's Concerns about FOP Labels at the World Trade Organization

The submission makes note of several interventions made by the **current Canadian Government** at the World Trade Organization (WTO) Trade Barriers committee on the Chilean model for Front-of-Package labelling, upon which the Canadian model is based. Chief among the concerns expressed by the current Government is that the Chilean model, which also focuses on sodium, sugar, and saturated fat, **is not based on science**. It is incomprehensible that Health Canada has elected to base the Canadian regulation on the same model.

Problems with the Cost-Benefit Analysis

Finally, and notwithstanding the lack of supporting scientific evidence, and impacts that this flawed approach could have on the health of Canadians, the submission shows that within RIAS for Front-of-Package Labelling, Health Canada has failed to make a thorough accounting of the costs of this policy. Although a series of selected and questionable assumptions were used to calculate the “benefits” of this policy over 10 years, the costs of this policy were only pegged at a one-time fee for implementation. While the RIAS acknowledges that there could be other significant costs, including those associated with market loss, it deems such costs as being “not quantifiable”. This represents a drastic underestimation of the true costs of this policy. Furthermore, in relation to FOP labelling, at no time did Health Canada reach out to the dairy sector in the development of the RIAS to assess what information was available.

In order to demonstrate clearly that potential market loss linked to Front-of-Package labelling is quantifiable, DFC has submitted an initial estimate to the Treasury Board Secretariat with a request for further study. A thorough, industry-wide cost-benefits analysis is essential before any further steps are taken on this policy.

Exemptions for Nutritious Milk Products

Health Canada must not solely define the overall healthfulness of a food for any policy under the *Healthy Eating Strategy* by its levels of sodium, sugar, or saturated fat alone. This approach is unbalanced, not based on current scientific evidence, and risks confusing consumers by unfairly vilifying nutrient-rich milk products.

In the Canada Gazette Part I (CG1) document for Front-of-Package labelling, the list of full exemptions has been expanded to include foods like 2% and whole milk from the requirement to display a FOP label, because there is scientific evidence for a protective effect on health. As mentioned in the CG1 document, *“these are foods which Health Canada does not want to discourage consumption”*. By exempting 2% and whole milk from this proposed policy, Health Canada recognizes the scientific evidence demonstrating the nutritional value of milk as a key contributor to the health of Canadians.

⁷ Statistics Canada. 2015 Canadian community health survey – Nutrition. Specific analyses requested by DFC.

Therefore, given that:

- Milk products are associated with a reduced risk of cardiovascular disease, hypertension, stroke, type 2 diabetes, colorectal cancer, and musculoskeletal disease; and,
- That these diseases are among those prioritized by this policy; and,
- That Health Canada recognizes that Canadians do not consume enough of the following eight nutrients: vitamin D, calcium, magnesium, zinc, potassium, vitamin A, vitamin C and fibre; and,
- That up to six of these nutrients (vitamin D, calcium, magnesium, zinc, potassium, vitamin A) are found in milk and milk products; and
- That reducing instances of musculoskeletal disease is one of the chief goals of this policy; and,
- That due to the nutrients they contain, milk, cheese, yogurt and other cultured milk products together contribute significantly to the promotion of bone health and prevention of musculoskeletal disease; and,
- That Health Canada prioritizes combatting vitamin D deficiency; and,
- That Health Canada recognizes that fortifying milk products, including yogurt, with vitamin D is one of the most effective ways to achieve this; and
- That milk, including flavoured milk, is an excellent source of vitamin D; and
- That along with yogurt, other cultured milk products such as kefir and yogurt drink can be fortified with vitamin D; and
- That cheese can also be fortified with vitamin D;

Health Canada must acknowledge that, in addition to 2% and whole milk, broad exemptions should be granted to other nutritious milk products, including **flavoured milk, all types of yogurts and other cultured milk products, as well as cheese, due to their protective impacts on health.**

Marketing to Children

On September 27, 2016, Bill S-228, restricting the marketing of ‘unhealthy’ food to children, was introduced in the Senate by Senator Nancy Greene-Raine. To be clear, DFC has no problem with the principles behind this Bill – all of its marketing initiatives already comply with regulations in place in Quebec. However, our chief concern lies in the fact that the restrictions introduced by this Bill **would require the Government to define what foods are ‘unhealthy’.**

Defining ‘Unhealthy Foods’

As described on [Health Canada’s website](#), they are now considering a model to define ‘unhealthy’ food as food:

- Having a Front-of-Package Symbol; or
- Exceeding the Threshold for the Nutrient Claim “low in sodium”, “low in saturated fat” and/or “low in sugars.

As shown in **Figure 1** below, the addition of the “low in” claim as a threshold is significantly lower in all cases than the threshold for Front-of-Package labelling, and would result in as many as 91% of dairy product SKUs being defined as ‘unhealthy’.

Figure 1: “Low in” Claim vs. Front-of-Package labelling

	Threshold for “Low in” Claims	Threshold for Front-of-Pack
Sodium	140 mg	350 mg
Saturated fat	2 g	3 g
Sugar	5 g	15 g

That Health Canada would legally define up to 91% of dairy product SKUs as ‘unhealthy’, for any reason, is incomprehensible, outrageous, and contrary to all available scientific evidence.

Given that DFC’s marketing initiatives already comply with the Quebec regulations, and that the overwhelming body of evidence supports their nutritional and health benefits, particularly in the context of children’s optimal growth and development, **DFC requests that dairy products be exempt from any regulation or legislation that would miscategorize or define them as ‘unhealthy’.**

Conclusion

DFC supports Health Canada’s overall goal to help Canadians make the informed, healthier choice. The policies under the Healthy Eating Strategy, including the Canada Food Guide, Front-of-Package labelling, and restrictions to Marketing to Children, will not only confuse Canadians about the overall healthfulness of a food – it could lead to them making unhealthy choices and thus fail to improve the health of Canadians. It is imperative that Health Canada take the necessary time to rethink these flawed policies.

Milk products are not part of the problem, they are part of the solution!