Consumer and Corporate Affairs Canada
Consommation et Corporations Canada

Revised Edition 1988

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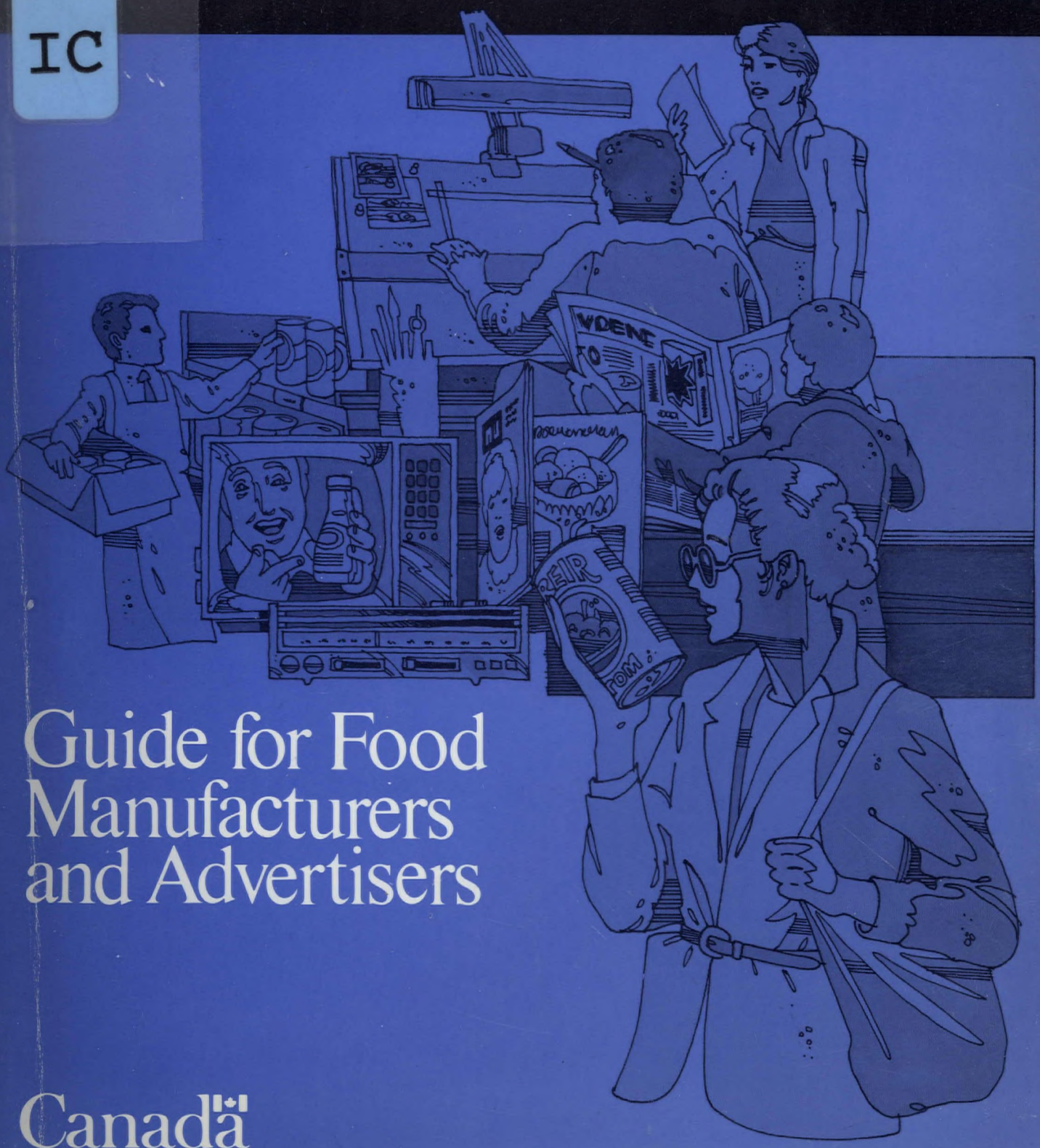

Guide for Food Manufacturers and Advertisers

Canada

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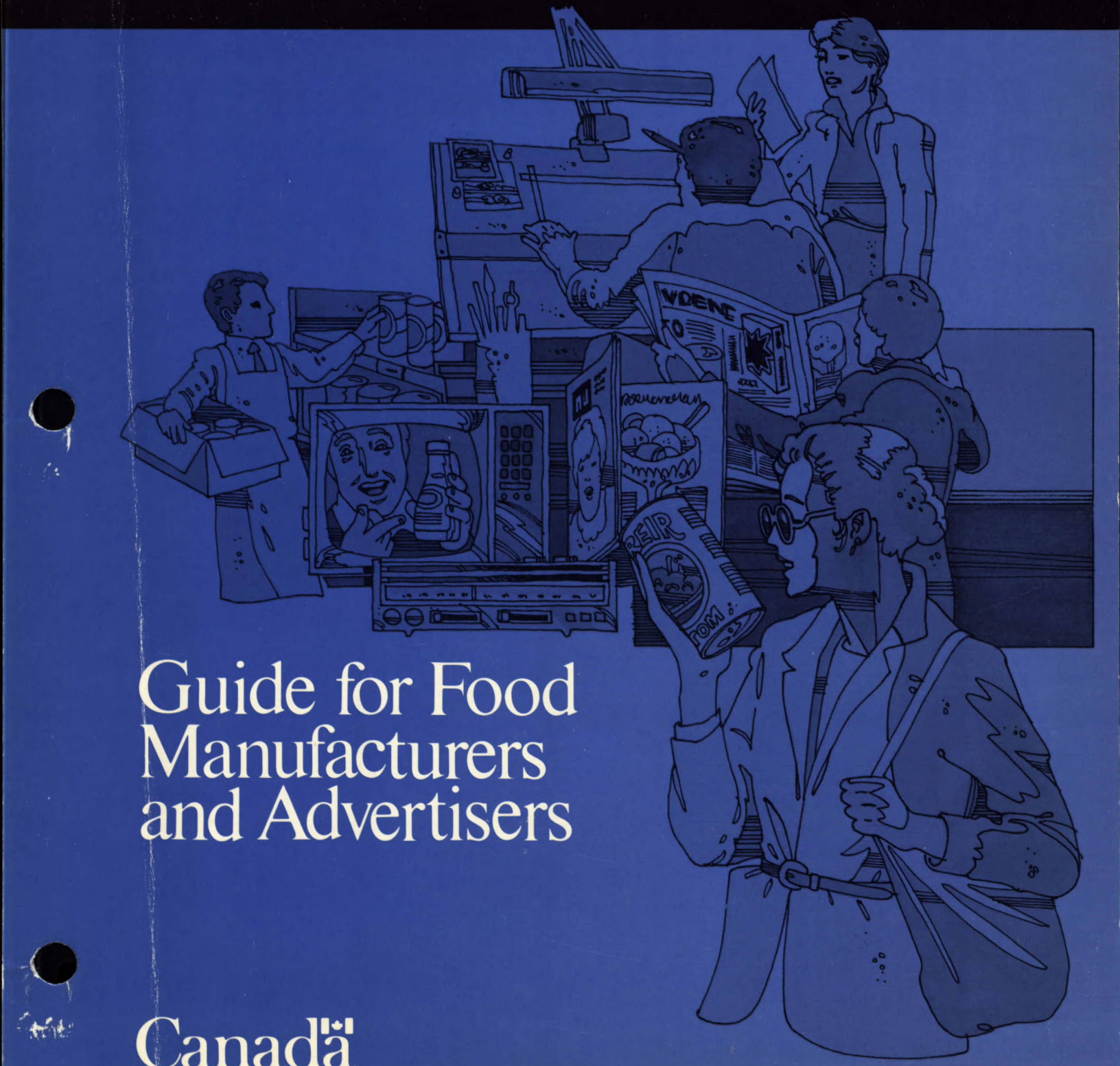

Guide for Food Manufacturers and Advertisers

Canada

GUIDE FOR FOOD MANUFACTURERS AND ADVERTISERS

Produced by

CONSUMER PRODUCTS BRANCH

BUREAU OF CONSUMER AFFAIRS

By authority of

THE MINISTER

OF

CONSUMER AND CORPORATE AFFAIRS

CANADA

1988

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Food advertising and labelling are marketing tools that benefit both the food dealer and the consumer. A food dealer uses advertisements to attract buyers, increase sales, create goodwill and improve understanding between his business and the customer. An advertisement, therefore, should present a positive picture of the firm along with an accurate representation of the food being offered for sale. It also commits the seller, ethically, to provide what is advertised.

Accurate and informative advertisements and labels for foods also benefit consumers by providing facts upon which informed judgements of food economy and quality, including nutritional quality, can be made.

AMENDMENTS, MAILING LIST

Amendments and supplementary letters pertaining to this Guide will be sent to firms on our mailing list.

If you wish to be placed on our mailing list please write to:

Food Division
Consumer Products Branch
Consumer and Corporate Affairs Canada
16th floor, Place du Portage, Phase I
50 Victoria Street
Hull, Quebec
K1A 0C9

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Vous pouvez vous procurer ce document en français.

1. Reason for This Guide

Consumer and Corporate Affairs Canada (CCAC) is often asked for its view in interpreting and administering the Food and Drugs Act and the Consumer Packaging and Labelling Act in matters relating to the advertising and labelling of foods. This guide attempts to provide interpretations of the legislation and regulations which deal with the propriety of statements and claims made for foods. Claims which comply with these guidelines are deemed to comply with the provisions set out in the Food and Drugs Act and Regulations and the Consumer Packaging and Labelling Act and Regulations. Where it has been established that inequity or economic fraud has resulted as a result of non-compliance with these guidelines by a segment of the food industry, the department will take remedial action either by making regulatory proposals or by taking other steps designed to bring about universal compliance.

This Guide has been revised to reflect changes in the Food and Drug Regulations and in policies associated with the implementation of nutrition labelling of foods in Canada.

2. Legislation

The following excerpts from the Food and Drugs Act and Consumer Packaging and Labelling Act are important in regard to food advertising and labelling. There are also other references to these regulations throughout this Guide.

"'Advertise' means to make any representation to the public by any means whatever for the purpose of promoting directly or indirectly the sale of a product" (paragraph 2(a), Consumer Packaging and Labelling Act).

"'Advertisement' includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device" (section 2, Food and Drugs Act).

"No person shall label, package, treat, process, sell or advertise any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety" (subsection 5(1), Food and Drugs Act).

"An article of food that is not labelled or packaged as required by, or is labelled or packaged contrary to, the regulations shall be deemed to be labelled or packaged contrary to subsection (1)" as quoted above (subsection 5(2), Food and Drugs Act).

"No dealer shall apply to any prepackaged product or sell, import into Canada or advertise any prepackaged product that has applied to it a label that contains any false or misleading representation relating to or that may reasonably be regarded as relating to that product" (subsection 7(1), Consumer Packaging and Labelling Act).

"No dealer shall, in advertising any prepackaged product, make any representation as to net quantity except in accordance with this Act and the Regulations" (section 5, Consumer Packaging and Labelling Act).

3. Other Relevant Legislation

There are many federal and provincial acts and regulations that pertain to agricultural practices and to the production, manufacture, composition, packaging, labelling, grading, marketing, storage, advertising, importation and exportation of food products. Other legislation may impose requirements on the advertising of food in addition to those imposed by the Food and Drugs Act and Regulations and the Consumer Packaging and Labelling Act and Regulations.

Manufacturers and advertisers should be aware that the Competition Act, the Trade-marks Act and the Broadcasting Act and Regulations also contain provisions that have some bearing on the advertising and labelling of foods.

The Competition Act, subsection 52.(1) states that :

"No person shall, for the purpose of promoting, directly or indirectly, the supply or use of a product or for the purpose of promoting, directly or indirectly, any business interest, by any means whatever,

(a) make a representation to the public that is false or misleading in a material respect;

(b) make a representation to the public in the form of a statement, warranty or guarantee of the performance, efficacy or length of life of a product that is not based on an adequate and proper test thereof, the proof of which lies on the person making the representation;

(c) make a representation to the public in a form that purports to be

(i) a warranty or guarantee of a product, or

(ii) a promise to replace, maintain or repair an article or any part thereof or to repeat or continue a service until it has achieved a specified result

if the form of purported warranty or guarantee or promise is materially misleading or if there is no reasonable prospect that it will be carried out; or

(d) make a materially misleading representation to the public concerning the price at which a product or like products have been, are or will be ordinarily sold, and for the purposes of this paragraph a representation as to price is deemed to refer to the price at which the product has been sold by sellers generally in the relevant market unless it is clearly specified to be the price at which the product has been sold by the person by whom or on whose behalf the representation is made."

The Competition Act, subsection 53.(1) states that:

"No person shall, for the purpose of promoting, directly or indirectly, the supply or use of any product, or for the purpose of promoting, directly or indirectly, any business interest,

(a) make a representation to the public that a test as to the performance, efficacy or length of life of the product has been made by any person, or

(b) publish a testimonial with respect to the product,

unless he can establish that

(c) the representation or testimonial was previously made or published by the person by whom the test was made or the testimonial was given, as the case may be, or

(d) the representation or testimonial was, before being made or published, approved and permission to make or publish it was given in writing by the person by whom the test was made or the testimonial was given, as the case may be,

and the representation or testimonial accords with the representation or testimonial previously made, published or approved."

The Trade-marks Act, section 7, states that:

"No person shall

(a) make a false or misleading statement tending to discredit the business, wares or services of a competitor;

(b) direct public attention to his wares, services or business in such a way as to cause or be likely to cause confusion in Canada, at the time he commenced so to direct attention to them, between his wares, services or business and the wares, services or business of another;

(c) pass off other wares or services as and for those ordered or requested;

(d) make use, in association with wares or services, of any description that is false in a material respect and likely to mislead the public as to

(i) the character, quality, quantity or composition

(ii) the geographical origin, or

(iii) the mode of the manufacture, production or performance

of the wares or services; or

(e) do any other act or adopt any other business practice contrary to honest industrial or commercial usage in Canada."

4. Advertising and Label Review

There is **no authority** conferred by the Food and Drugs Act or the Consumer Packaging and Labelling Act for Consumer and Corporate Affairs Canada to **approve food advertisements for the print media or to approve labels on foods.** However, the Radio and Television Broadcasting Regulations of the Broadcasting Act specify that radio and television stations shall not broadcast any commercial messages for, or endorsements of a food to which the Food and Drugs Act applies, unless:

i) in the case of an alcoholic beverage which is permitted to be advertised, the script of the commercial message or endorsement has been approved and bears a number assigned to it by the Canadian Radio-Television and Telecommunication Commission (CRTC), or

ii) in the case of all other foods, the script of the commercial message or endorsement has been approved by CCAC and bears a number assigned by that department.

This approval indicates, to the extent that it is possible to indicate on the basis of a script, that a commercial message or endorsement conforming to the approved script complies with the applicable provisions of the Food and Drugs Act and Regulations and Consumer Packaging and Labelling Act and Regulations.

The procedure for submitting food advertisements to be broadcast on radio or television is outlined in Annex K.

Food advertisements appearing in the print media and on labels may be submitted to the regional or district offices of CCAC for an opinion as to whether they are acceptable under the Food and Drugs Act and Regulations and the Consumer Packaging and Labelling Act and Regulations. Advertisements and labels submitted for review will be processed in the order in which they are received. The formulations of foods should be provided along with the proposed labels in order that the list of ingredients may be verified. The addresses of the regional offices of CCAC are provided in Annex B. District offices appear in the blue pages of local telephone directories.

5. Scope

Advertising material and food labels, submitted either voluntarily or under the preclearance programme of the Broadcasting Regulations, are examined by CCAC officials who take into consideration the provisions and requirements of the Food and Drugs Act and of the Consumer Packaging and Labelling Act.

The validity of the advice provided regarding the information or the claims appearing on labels or in an advertisement will, in many cases, depend on the accuracy and completeness of information provided by the advertiser regarding the food labelled or advertised.

A change in the composition of a food subsequent to a review normally invalidates that review and the approval of any commercial for that food under the broadcasting regulations.

A change in regulation would also invalidate the approval of a commercial if the food were no longer in compliance with the amended (1988) regulation. In the case of the new Food and Drug Regulations pertaining to the nutrient content of foods published in Part II of the Canada Gazette on November 23, 1988:

i) Existing labels for imported or domestic food products not in compliance with these regulations but in compliance with the previous requirements should be corrected at the next printing.

ii) Radio and television advertisements presently approved under the Broadcasting Regulations and not in compliance with these regulations should be corrected by December 31, 1990.

iii) All new advertisements and new labels are expected to comply with these regulations.

1. General

In general, mandatory information or claims that are acceptable on a food label may also be used to advertise that food. Unacceptable label information generally is unacceptable in advertising. Manufacturers and advertisers should ensure that their labels comply with federal statutes before developing advertisements for the foods. If food manufacturers request an opinion respecting a label, government officials will review the labels submitted to them. The locations of offices and departments involved in the administration of regulations pertaining to labelling are provided in Annex B.

a) Impressions

The words and visual depictions used in advertisements as well as the impressions they create are important. Exaggeration, depiction of incredible performance or feats, and innuendoes should be avoided if they create false or misleading impressions in the advertisements. Illustrations of scientific equipment and machinery, the size of displays and the relative size of modifying statements should be appropriate.

b) Supply

It is considered deceptive to advertise food products at bargain prices if the foods are not available in sufficient quantities to meet reasonable demand. Merchants must clearly indicate if quantities are limited or restricted to a certain number per customer.

c) Descriptors

Words that have no explicit meaning when used to describe foods create doubt or confusion about the food and often lead to claims that are misunderstood by consumers. Thus, the use of such descriptive words should be avoided in advertisements, unless the meaning of these words is clarified.

d) Language requirements

There are no bilingual requirements under federal statutes concerning food advertising. There are, however, bilingual requirements respecting mandatory statements on the labels of prepackaged products.

2. Labels

Generally, labels depicted in advertisements should be current labels; partial reproductions may be used in advertisements if the information shown is meaningful to consumers and is not misleading or deceptive. Mandatory statements that appear near the common name should not be removed in any partial reproduction of a label. For example, these label statements should not be removed: "previously frozen" and "artificial smoke flavouring added" where applicable for meats and "carbonated" for carbonated mineral waters.

3. Common Name, Coined Names, Trade Names and Brand Names

According to the Food and Drug Regulations, B.01.001, "common name" means, with reference to a food,

"(a) the name of the food printed in bold face type in these Regulations,

(b) the name prescribed by any other regulation, or

(c) if the name of the food is not so printed or prescribed, the name by which the food is generally known" (general trade practice).

Generally:

i) A food should be described in advertisements by its common name, for example, orange juice from concentrate (Food and Drug Regulations, B.11.133) should be described as orange juice from concentrate and not orange juice. After referring to the product by its proper common name at least once in the advertisement, it is acceptable to use the generic term "juice" or the brand name for subsequent or additional references.

ii) A coined name that is trade-marked or is the name of an incorporated company is subject to all provisions of the Food and Drugs Act and the Consumer Packaging and Labelling Act.

iii) Coined and trade names may be acceptable as common names for some unstandardized foods if they are well known to consumers because of long exposure, such as Pepsi-Cola, provided that they do not lead to deception or misdirection.

iv) Common names that incorporate words not justified by the composition of the food may be misleading.

v) It is misleading for names to suggest directly or by phonetic rendering, benefits or results that are not likely to be obtained.

vi) A product must not use directly or by phonetic rendering in a manner likely to deceive, the name of another product it resembles, or of which it is an imitation or substitute.

vii) The common name should not improperly suggest a place of origin. (See section B.44 of this Guide.)

viii) An ingredient mentioned in a common name of a food should be present in a significant proportion. If the name of an ingredient is mentioned in the common name of a product to denote the flavour of the product, this should be clear in the advertisement and on the label.

ix) Mixes that incorporate the name of a standard food into their common name, such as French dressing mix, would be expected to exhibit the characteristics of the named standard food when prepared according to directions, but would not necessarily be required to comply in all respects with the standard for the food, for example, an anticaking agent suitable for use in unstandardized foods would be acceptable in a French dressing mix, although it would not be permitted in the standard for French dressing.

4. Qualified Descriptive Common Names of Standardized Foods

The common name of a standardized food should not be used to describe any food unless that food meets the provisions set in the standard for composition, strength, potency, purity, quality or other property for that food.

Where a standard provides for optional ingredients, or prescribes a range regarding the amount of an ingredient or constituent that may be present in a food, the common name of that standard may be modified to indicate that an ingredient or constituent is absent or is contained at a specific level in the food, for example, "65% vegetable oil mayonnaise"; or "no salt added mayonnaise".

A modified common name of a standardized food may not be used to describe a food that does not meet that standard unless the following conditions are met:

i) It must always be clear to consumers that the food so described does not, in any respect, meet the standard. This is usually established due to general understanding and popular use, for example, root beer, ginger ale, peanut butter, nut-meats.

ii) The consumer is told, in all respects, on the label and in advertisements, the provision(s) which the food does not meet within the standard. This information must always be in evidence in a clear and prominent manner as part of the common name on labels and in advertisements, for example, flavoured shortening, coloured sugar and soy milk.

In some cases, the modified common name of the standardized food is not sufficient to describe the differences between the food so designated and the standardized food. In cases such as light/lite (naming the standard food), information must be shown in a clear and prominent manner on the principal display panel of labels and in advertisements, describing in all respects how the modified food differs from the standardized food. (See section C.15 of this Guide).

Another option is to establish standards for the foods in question, such as light beer, icing sugar, Calorie-reduced margarine, etc.

5. Net Contents

i) Claims such as "big litre", "jumbo litre" and "full litre" should not be used, since they contravene paragraph 7(2)(a) of the Consumer Packaging and Labelling Act which prohibits any qualification of the declared net quantity of a prepackaged product.

ii) Label declarations of net quantity must be in metric units. Qualifiers of the net quantity, such as "average weight" and "net weight when packed" are not acceptable in association with the declaration of net quantity. Subject to the prescribed tolerance, the amount declared must be present. "Minimum weight" and "not less than" are guarantees of at least the declared net quantity being present and void the application of any tolerances. If Canadian volumetric units other than pints, quarts and gallons are stated they must be identified as "fl. oz.". Where U.S. volumetric declarations are

stated, the specification must be identified as "U.S.". Such designations must, as stated earlier, always be accompanied by a metric declaration.

6. Ingredients

Generally, a list of ingredients is required on prepackaged products (Food and Drug Regulations, B.01.008). Ingredients must be declared on the label in descending order of their proportion or by percentage. Both proportion and percentage of ingredients are determined by weight before they are combined to form the prepackaged product. Food additives which must be declared may be shown, grouped together, at the end of the list.

i) Ingredients mentioned in advertising should be designated by their common names.

ii) Any expression, word, figure, depiction, symbol or other device that implies that an ingredient is present when it is not, or that implies an ingredient is not present when it is present, is considered false or misleading (Consumer Packaging and Labelling Act, section 7).

iii) Adjectives used to describe ingredients should be factual and accurate. For example, "fresh" ingredients should not be powdered, canned, preserved, frozen, etc. Except for ingredients claimed to be a source of fibre, the physical form of the ingredients added to a product does not usually have to be described in the list of ingredients, for example, "ground", "diced", "cut", "shredded", etc. However, some processes which substantially change the composition of ingredients must be indicated, for example, concentrated orange juice. (See Annex H of this Guide.)

7. Stressing Particular Ingredients

It is considered to be misleading to over-emphasize the importance, presence or absence of an ingredient or substance in a food because of its desirable or undesirable qualities, or for any other reason. For example, it is misleading to over-emphasize the presence of wheat germ in breakfast cereal when the amount present is the amount normally found in the grain used in making the cereal. Also, it is misleading to over-emphasize the presence of butter in a cake when butter is actually the minor shortening ingredient.

In principle, any emphasis regarding the presence of an ingredient, component or substance should be accompanied by a statement regarding the amount of that ingredient, component or substance present in the food.

8. Minute or Trace Ingredients

On the label of, or in the advertisement for a food, it is objectionable to stress, by analytical tables or otherwise, the presence of elements or substances found in minute or trace quantities. Mineral nutrients in trace quantities in foods should not be declared except in the case of mineral water, where no objection would be taken to a statement of the amount of each "mineral" present, provided this declaration is not overemphasized. (See section B.73 of this Guide.)

9. Statutory Terms

Any terms having a meaning or definition under any statute of the Parliament of Canada should conform with that meaning. In the use of such terms, one must also take into consideration consumer perception of the meanings of the terms, for example, the claim "contains no filler" is subject to the definition of filler (Food and Drug Regulations, B.14.001). Terms such as "ingredient", "durable life", "packaging date", "age of an alcoholic beverage" and "vitamin" are examples of terms defined in the Food and Drug Regulations.

10. References to the Food and Drugs Act and Regulations

Section B.01.013 of the Regulations prohibits any reference, direct or indirect, to the Food and Drugs Act or Regulations on any label of, or in any advertisement for a food unless the reference is specifically required or permitted by the Food and Drugs Act or Regulations.

11. Failure to Disclose

It is considered unacceptable to use partial truths to create a false impression concerning a food. This includes the failure to disclose the essential facts concerning the properties or composition of the food being advertised, particularly when emphasis is given to the more desirable characteristics or to expensive ingredients. For example, it is technically possible to simulate meats, nuts, chocolate, poultry, etc., that have the physical appearance, texture, taste, etc., of the food

simulated. In such cases advertisements that fail to disclose the presence of simulated nuts, meat, poultry or chocolate in foods (especially when the nut, meat, poultry or chocolate content of the food is emphasized) would likely create an erroneous impression that more of the real ingredients are present than is the case. This impression may be created by illustrations as well as by words, which is why any pictorial representation of the product must accurately portray the product itself.

12. Scientific and Technical References

Statistics and references from technical literature are usually unsuitable for commercial advertising. In cases where the subject is controversial or where there are differences of scientific opinion, it is misleading to choose only favourable opinions with no indication that an equally competent authority has given an unfavourable opinion.

13. Scientific and Technical Terms

Many scientific and technical terms are not always properly understood by the public. Therefore, they should be avoided in advertising directed at the general public, unless fully explained. Coined technical terms should not be invented to impress the potential purchaser. No objection is taken to registered trade names such as "NutraSweet" on condition these ingredients are declared by their proper common name in the list of ingredients.

14. Reference to Laboratory

The term "laboratory" suggests scientific personnel, scientific equipment and scientific research. Advertisements should not imply that a company maintains a laboratory unless actual laboratory functions are carried out by or under the direct supervision of qualified scientific personnel.

15. Awards, Seals and Certificates of Approval

Awards, seals and certificates of approval should be used with caution. When the consumer is fully aware of the reasons for which an award was won, or for which a seal or certificate of approval was granted, there is no objection to its use or mention. If the mention of an award gives the impression that the food product is nutritionally superior, or that it was

won for reasons other than those for which it was actually won, then such mention becomes misleading and objectionable. In many cases, an award should not be featured, unless the praiseworthy qualities for which the award was won are also outlined and are still valid for the product. Generally the date of the award should also be mentioned. Similarly, one should be careful not to convey an erroneous impression that a seal or certificate of approval by an approving organization was given to every batch or unit of the product. For example, the claim "official product of the Olympics" should not imply that the product is endorsed by the athletes or by that organization unless it is so endorsed.

16. Certified, Approved and Certificates of Analysis

Descriptive terms such as "certified", "approved" and certificates of analysis, may be misleading unless all the facts pertaining to the claim are known to the consumer or are shown on the label or in the advertisement. The inspection legend under the Meat Inspection Act typifies an acceptable use of certification because it indicates that the product containing the meat ingredient comes from an establishment under the jurisdiction of Agriculture Canada.

17. Professional Endorsements

Professional endorsements for specific foods and diets may be misleading and generally are considered inappropriate for advertising purposes. If used, it is the responsibility of the advertiser to ensure that the endorsers are in fact whom they represent and their representations do not violate the Food and Drugs Act and Regulations or the Competition Act.

18. Personal Opinions, Testimonials and Honest Convictions

Claims in the form of personal opinions, testimonials, honest convictions or alleged new discoveries, are not exempted from the provisions of the Food and Drugs Act and Regulations and are judged in the same manner as other claims. Claims confined to the nature of flavour, texture, taste, appearance, or similar attributes may be acceptable if these claims can be evaluated easily by consumers. (See Annex J of this Guide.)

19. Media Reports and Publications

It is not acceptable in food advertisements to quote from press reports or other publications such as magazines, statements which are prohibited by the Food and Drug Regulations.

Generally, government publications should not be used as a basis for advertising claims or references unless they comply with the Food and Drugs Act and Regulations. Claims in the form of excerpts from such publications may be prohibited or, in some cases, considered as misleading when taken out of context. In some cases the information may be factual, but the wording must be changed to be in compliance with the specific provisions of the Food and Drug Regulations.

20. Scare Advertising

It is improper to create alarm by suggesting that any one food is essential to health or nutritional well-being. Advertisers should not claim that a competitor's product contains harmful or undesirable ingredients or constituents or that other food may not be as nutritious as their own. (See section B.47 of this Guide.)

21. Illustrations

Pictures and charts are common and valuable aids to advertising. They should not, however, be used to exaggerate, mislead or misrepresent the value of a product. Where pictures purport to represent a known person, the actual person concerned should be portrayed in the advertisement. Representations of professional people, laboratories or of scientific apparatus having no direct connection with the product and used to create "atmosphere" should not be used. "Before and after" pictures are to be avoided. Where the picture professes to represent the food offered for sale, the actual marketplace product should be shown. If the product must be prepared, then the product prepared according to the directions should be shown in the picture.

Ingredients that are not present in a food may not be illustrated on the label of the food or in the advertisement for the food unless it is made clear that the ingredient is not, in fact, a part of the food. For example, if pictures of fruit appear on labels or in advertisements of foods containing no fruits, care should be taken not to give the impression that the product contains fruit or fruit constituents. Under the Consumer Packaging and Labelling Regulations, the label of an

artificially flavoured food showing a pictorial representation of the natural source of the flavour, such as a picture of strawberries, is required to carry a statement on the principal display panel that the product is artificially flavoured. This also applies if a combination of both natural and artificial flavouring agents are used (Consumer Packaging and Labelling Regulations, section 34).

22. Use of National Symbols and Standards

The use of the Canadian Coat of Arms and the Canadian Flag are both protected under the Trade-marks Act, section 9(1).

a) Coat of Arms.

The Canadian Coat of Arms cannot be used, unless permission is granted by the Secretary of State. Firms can make application to:

State Ceremonial Directorate
Secretary of State Canada
Ottawa, Ontario K1A 0M5

b) National flag.

The national flag with the eleven point maple leaf and one or two bars cannot be used, unless permission for its use is granted by the Secretary of State. There is no objection, however, to the use of an eleven point maple leaf without bars.

The maple leaf should not be used on an imported food product to give the consumer the false impression that it is of domestic origin.

c) Canada Standard "C.S."

Canada Standard or the initials "C.S." are a national trade mark and are the exclusive property of "Her Majesty" in right of Canada (Section 3 of the National Trade-mark and True Labelling Act).

23. Atmosphere

The creation of a vague, mysterious, provocative or otherwise unusual atmosphere that has no relation to the product or its origin should be avoided.

24. Surveys and Questionnaires

Surveys and questionnaires are used to obtain opinions on foods from selected groups of consumers. Opinions on flavour, texture, taste and appearance of foods are usually not objectionable if the claims can be substantiated and are not derogatory. However, opinions pertaining to nutrition, composition and market share may be objectionable unless expressed in a manner which complies with the Food and Drugs Act and Regulations. Claims such as "Inuits say that Super brand orange juice is the best tasting" must be supported by an adequate survey [Competition Act, subsection 52.(1)]. On the other hand, claims such as "our product is the best tasting" need no substantiation. (See Annex I of this Guide.)

25. Guarantees

Guarantees referring to the quality of foods are generally acceptable, providing that the manufacturer will support the guarantee. If there are conditions under which the guarantee is invalid, such conditions should be stated clearly.

The word "guarantee" is usually associated with an offer to return the purchase price when the consumer is not satisfied with specific characteristics or the performance of a product when these can be readily evaluated.

Guarantees should not be used in conjunction with nutritional or therapeutic claims. The Food and Drugs Act and Regulations do not permit manufacturers or advertisers to guarantee satisfaction nor to give assurances regarding results to be obtained from the addition of vitamins or other nutritional elements to the diet. Thus, a claim such as "Drink Sunlite orange juice every day to be sure that you will never lack vitamin C" would not be allowed in a food advertisement. [Food and Drug Regulations, D.01.012 and D.02.008 and the Competition Act, subsection 52.(1)].

26. Qualifying Statements or Disclaimers

Once introduced, false or misleading statements cannot be corrected by explanations or disclaimers. The use of an asterisk to direct attention to a statement in an obscure location, explaining that a featured statement is not exactly what it appears to be, is unacceptable. However, the use of asterisks to provide additional information which is not mandatory is acceptable.

27. Abbreviations

Abbreviations, including initials, should not be used if they lead to deception. Generally, the Food and Drug Regulations and the Consumer Packaging and Labelling Regulations do not permit the use of abbreviations to provide mandatory labelling information except as specified.

28. Descriptors to Avoid

There are certain words which should be avoided in food claims. Words such as "balanced" or "prescribed" should be avoided as they are often misunderstood and are consequently misleading. Also objectionable are superlatives such as "best", those of unusual emphasis such as "sensational", and comparatives such as "better" and "superior". These words are all likely to be regarded as false, exaggerated, misleading or deceptive, except in certain circumstances where the user may be qualified to use his own judgement or sufficient information is provided to enable the consumer to evaluate the comparison. Words or phrases implying that a food is nutritionally perfect should not be used.

29. Appropriated or Inferred Claims

Making a claim for a product or its use so that the merits of another article, with which it may be associated or used, are directly or indirectly appropriated to the product itself, is deemed to be misleading.

30. Comparisons

As a general rule, foods should be advertised on their own merit and not by comparison with other foods. Comparisons of one food with another or with selected factors of other foods can be misleading if the comparison is not complete or if the foods do not lend themselves to comparison because they are dissimilar in character, composition, etc. The comparison of one food with another should not create doubt about the value of the other food. (See Annex J of this Guide.) One must be very careful:

i) when comparing solid foods with liquid foods either on a mass for mass or volume for volume basis,

ii) when comparing a food consumed in small quantities with one consumed in large quantities, and

iii) when comparing a food eaten occasionally with one that is consumed regularly.

31. Dangling Comparisons

Words such as "better" and "richer", often imply a comparison, without indicating the basis of the comparison. If the claim refers to qualities such as flavour, texture and appearance, it is not usually regarded as misleading unless unduly derogatory. However, if the claim implies a nutritional superiority, without at the same time providing sufficient nutrient content information to judge the value of the products being compared, then it is always objectionable. If the product is an improvement over one previously made by the same firm, this should be clearly indicated and the nature of the improvements should be identified.

32. Negative Statements

A negative statement or claim generally highlights the absence of a particular substance or class of substances in a food. This absence may be due to a substance not being present naturally in, not having been added to or to its having been completely removed from a food.

Consumers are becoming increasingly concerned about the presence of certain substances in their foods, including allergens, preservatives, caffeine, flavour enhancers, etc. It should be noted that the labelling provisions in the Food and Drugs Act and Regulations do not require that all ingredients, components and substances present in a food be declared. Therefore, ingredient listings very rarely provide complete information regarding every substance which has entered into the production of a food, nor do they provide information regarding substances which are present due to physical or chemical transformations in the food. In other instances, the functional common name of an ingredient may include components such as colouring agents or solvents and dispersing agents which need not be declared because they can collectively be declared as "colour" or they perform a function in the foods to which they are added. Statements indicating the absence of certain ingredients or substances may therefore be regarded as informative and are not prohibited on condition that the statements are factual and not misleading.

a) Claims which indicate complete absence of an ingredient/substance

Generally, a negative statement pertaining to the absence of an ingredient or substance in a food is acceptable when the following two conditions are satisfied:

i) The statement is true. The ingredient, substance or class of substances, claimed to be absent, must be totally absent either through origin or its complete removal from the food, for example, soft drinks which do not contain caffeine may be labelled and advertised as "caffeine-free". This means that substances that have been introduced or carried over by means of an ingredient, a component, or as a vehicle, carrier, diluent or lubricant, or by any means, be it intentional or unintentional, cannot be claimed to be absent; and,

ii) The statement is not misleading or deceptive. For example, the regulations permit the addition of ascorbic acid as a dough conditioning agent. Ascorbic acid is also classified as a preservative. The baking process may, however, completely destroy the ascorbic acid. In such a case, section 5(1) of the Food and Drugs Act would prohibit the claim that a "preservative was not added", but would not prohibit a statement to the effect that the bakery product "contains no preservatives" on the condition that no other preservative was present.

b) Claims which indicate non-addition of an ingredient/substance

Generally, a negative statement indicating the non-addition of a substance to a food is acceptable when one of the following two conditions is met:

i) the substance does not occur naturally in the food, has not been added and is not present or detectable in any of the ingredients or components which have been added together to form the food. It would be misleading, for example, to claim that a food contains "no added milk" if one of the components were cheddar cheese; or,

ii) the substance does occur naturally in a food and/or in an ingredient which has been added to the food. In such a case, the amount of the ingredient or substance claimed not to have been added need not be declared if present at a very low level. Thus, the claim "contains no added caffeine" is considered misleading unless the product contains no appreciable amount of caffeine, or the amount of caffeine present in the food is stated.

Note: References to low level and non-appreciable levels for certain substances point out the need for a case-by-case consideration of each situation, since what constitutes a negligible amount in one food may not in another.

c) Claims pertaining to the absence or non-addition of a class of food

The claim "contains no preservatives" (preservative-free) is permitted when the product contains none of the known preservatives, including those defined in the Regulations. This applies to any preservative which is present even for purposes other than preservation. If a preservative is present at a level below that required to preserve the food, or is carried over as an incidental additive by an ingredient, the claim "not preserved" would be appropriate. "Contains no added preservatives" does not have the same meaning as "contains no preservatives". It infers that some naturally occurring preservatives may be present. For example, ascorbic acid, which is classified as a preservative, is a natural constituent of orange juice. If orange juice is used in the manufacture of an orange drink, the drink cannot be described as containing no preservatives. However, "no added preservatives" would be an acceptable claim providing no substance regarded as a preservative was added directly to the drink or to any of its ingredients. In cases where a substantial amount of naturally occurring preservative is carried over, the claim should be clarified by a statement to that effect.

This interpretation holds true for food colours, flavour enhancers, flavouring agents, and other food additives. Such claims are of particular significance to those who are avoiding food additives, especially if the reason for avoidance is based on health concerns.

It should be noted that for purposes of claims in labelling and advertising, salt, sugar, vinegar and lemon juice are not regarded as preservatives.

In general, claims to the effect that a food does not contain any added substance or ingredient are to be accompanied by a statement indicating the amount of that substance or ingredient naturally present in the food when the amount present is significant. Without this additional information, the claim could give the false impression that none or a very little of the ingredient or substance is in the food.

Claims to the effect that a food does not contain an ingredient or substance must be factual as required by subsection 5(1) of the Food and Drugs Act or section 7 of the Consumer Packaging and Labelling Act.

According to the ingredient listing requirements under the Food and Drug Regulations, (B.01.008), all ingredients and their components must be listed on the label of a prepackaged food **except** for any ingredient or component exempted by these Regulations. Therefore the statements "and nothing else" or "and contains nothing else" should not be used in conjunction with the list of ingredients, since they may infer total protection or more protection for persons with allergies or food sensitivities than these statements actually provide. Undeclared (carried-over) ingredients or components in a food, such as certain colours or wheat starch, could be the cause of serious health problems to persons sensitive to particular food ingredients or constituents, when such a food is consumed on the assumption that the allergen or sensitizing agent is not present because it is not declared. (See section C.14.2 of this Guide.)

33. Fresh

The unmodified term "fresh" used to describe food, means unfrozen or unpreserved by any method and offered for sale at the earliest possible time. Foods stored over a long period of time or sold in a frozen or thawed state are not considered "fresh". Unlike frozen and preserved foods, however, refrigerated foods such as meats, fruits and vegetables are usually considered "fresh".

"Fresh frozen" or "freshly frozen" may be used to describe frozen food even though the term is often redundant since manufacturers usually freeze the product at the earliest possible moment after harvesting or processing if they are to be sold as frozen products.

When meats, meat by-products, poultry, poultry by-products, fish or meats from any marine or freshwater animal have been frozen and then thawed before sale, the words "previously frozen" must appear on the label or on a sign close to where the food is sold.

Care should be taken when using expressions such as "fresh daily", "fresh every day", or "freshly made", as in most cases they imply to the consumer that the product being purchased was prepared or baked that same day.

"Freshly squeezed", "freshly extracted" and similar terms when used to describe orange or other juices, suggest that the juice being offered for sale is fresh, has not been frozen or pasteurized, contains no preservatives, and was recently extracted from the fruit. Other terms providing

further information such as freshly squeezed "today", "daily", on "June 15", etc. are more appropriate provided they are true, not misleading and can be substantiated.

"Fresh" should not be used as a descriptor for shell eggs since the quality of eggs is described solely by a grade designated under the Canada Agricultural Products Act. The term "fresh" is allowed, however, in advertising eggs only when it differentiates eggs in the shell from other physical forms of eggs i.e., powdered, frozen and whole liquid eggs. The terms "fresh liquid egg" and "fresh whole egg" may be used in an ingredient listing if the eggs used are cracked open by the manufacturer just before use in manufacturing.

The claim "fresh flavour" or "fresh tasting" may be judged by any consumer and no objection is taken to their use.

34. Home-made

Foods described as "home-made" are not generally understood to be commercially prepared products. For commercially prepared foods, statements such as "home-made style", "like home-made" or "home-style", etc. are considered more appropriate terms to distinguish between specially prepared products and regular product lines if they are true and supportable.

35. Nature, Natural

"Nature", "natural", "Mother Nature", "Nature's Way" are terms often misused on labels and in advertisements.

Advertisements should not convey the impression that "Nature" has, by some miraculous process, made some foods nutritionally superior to others or has engineered some foods specially to take care of human needs. Some consumers consider foods described as "natural" of greater worth than foods not so described.

Foods or ingredients of foods submitted to processes that have significantly altered their original physical, chemical or biological state should not be described as "natural". This includes such changes as the removal of caffeine. A natural food or ingredient of a food is not expected to contain, or to ever have contained, an added vitamin or mineral nutrient, artificial flavouring agent or food additive. A natural food or ingredient of a food is also one which does not have any

constituent or fraction thereof removed or significantly changed. It should be noted, however, that some food additives, vitamins, and mineral nutrients may be derived from natural sources and may, in some cases where these are added to another food, be regarded as natural ingredients. The acceptable claim, in such cases, is that this food contains "natural ingredients". See Annex H for a list of processes that affect the character of foods.

A food containing an ingredient that cannot, according to the above stated guidelines, be described as "natural", should not itself be described by that term. In many cases, some of the ingredients in a food or the process to which the food or the ingredient has been subjected, may more accurately be described as "natural".

In most cases, the claim "natural" is synonymous with the claim of "contains no added food additives, nutrients, flavouring agents, incidental additives or contaminants". (See section B.32 of this Guide.)

With regard to flavour descriptors, one or more substances, whose function is to impart flavour, derived or obtained by any means whatsoever, from a plant or animal source which describes the flavour, may be claimed to be "natural". Any additive, such as preservatives and solvents, added to a flavour preparation to have a technological effect solely on the flavour, does not modify the "natural" status of the flavouring material itself, but does alter the natural status of the foods to which it has been added even though they need not be declared as ingredients on the labels of foods to which the flavour preparation is added. In other words, such foods may not be claimed to "contain only natural ingredients".

Furthermore, acids, bases, salts and sweeteners may be used to impart sour, bitter, salty and sweet tastes in conjunction with natural flavours, without altering the "natural" status of the flavouring material itself; for example, citric acid is not a flavour but acts only as an acidulant when used in conjunction with natural flavours. Such acids, bases, salts or sweeteners contained in any flavour preparation have an effect on the foods to which the flavour preparation is added and, therefore, the list of ingredients of such foods must declare the acids, bases, salts or sweeteners present by their proper common names.

The status of enzymatic flavours, processed flavours, reaction flavours or nature-identical flavours has not been established under these guidelines and, therefore, each one will be examined on a case-by-case basis.

36. Organic

The use of the term "organic" and its derivatives is subject to the prohibitions to be found in section 5 of the Food and Drugs Act and section 7 of the Consumer Packaging and Labelling Act respecting misleading and deceptive representations concerning foods. In order to avoid misuse of these descriptions, the industry has been called on to self-regulate in the absence of any specific legislated requirements.

The following is a résumé of the "code of practice" developed by and for the industry in order to more clearly define and thereby regulate the use of these terms. The department is advised that the "code" represents a broad general consensus of the various interest groups dealing in these foods.

It is to be noted that the "code" has been included in this Guide to assist the industry in regulating the practices of its membership. Its inclusion does not serve to indicate official sanction by the department nor a committment to enforce its provisions. The department, nevertheless, reserves the right to take enforcement action when the above-mentioned Acts are violated.

Industry Code of Practice:

"The description 'organic', 'organically grown', 'organically raised', 'organically produced', 'certified organic', or any other variations or uses of the word 'organic' shall apply only to those foods which satisfy the following conditions, as elaborated and specified by independent organic certification agencies."

Foods described using the term 'organic' or its derivatives are a product of 'organic farming' which is a system of farm design and management practices that seeks to create ecosystems which achieve sustainable productivity, and provide weed and pest control, through a diverse mix of mutually dependent life forms, recycling of plant and animal residues, crop selection and rotation, water management, tillage and cultivation. Soil fertility is maintained and enhanced by a system which optimizes soil biological activity as the means to provide nutrients for plant and animal life as well as to conserve soil resources.

In keeping with soil health and environmental considerations, pest and disease management is attained by means of the encouragement of a balanced host/predator relationship, augmentation of beneficial insect populations, biological and cultural controls and mechanical removal of pests and affected plant parts.

If a production unit has been farmed conventionally, a minimum three-year transition period is required to achieve 'organic' status. During this transition period, strict 'organic' practices must be followed.

'Organic food' production prohibits the use of highly soluble or synthetically compounded mineral fertilizers, synthetically compounded pesticides, fungicides, herbicides, plant and animal growth regulators, antibiotics, hormones, preservatives, colouring or other artificial additives, ionizing radiation and recombinant genetic manipulation of plants or animals.

'Organic livestock' is raised under conditions of minimal stress, including reasonable freedom of movement, lack of crowding and access to sunshine, fresh air and water. All grains, forages and protein supplements fed to the animals must be 'organically' grown. Animal health must be maintained without the use of antibiotics, synthetic growth promoters, hormones or similar products. Slaughtering and processing must be done under humane and sanitary conditions.

'Organic foods' and their ingredients are processed, packaged, transported and stored to retain maximum nutritional value. Packaging must not react with its contents.

All enterprises selling 'organic foods' must maintain an accurate and comprehensive auditable record of production and handling. Records must be retained for a period of three years for all products that are sold as 'organically produced'. These records will be further strengthened by independent third-party (industry) verification of growing, processing, packaging, transportation, warehousing and retailing procedures.

Please refer to the independent organic certification agencies for specific standards. For the location of these agencies or other information please contact:

OFPANA c/o E.A.P.
P.O. Box 191, Macdonald College
21,111 Lakeshore Road,
Ste. Anne de Bellevue, Quebec
H9X 1C0

Telephone: (514) 398-7771
Telex: 05-821788
Fascimile: (514) 398-7895."

37. Pure, 100% Pure, 100%, All

The term "pure" should not be used on the labels of or in connection with an article of food that is a compound, mixture, imitation or substitute. The above prohibition appeared in the Food and Drugs Act before 1952. Although no such regulation exists today, consumers still expect a food described as "pure" or "100% pure" to be uncontaminated, unadulterated and to contain only substances or ingredients that are understood to be part of the food so described.

If the terms "100%", "pure" or "100% pure" describe a food that carries the name of what would seem to be a single-ingredient food, then it would be misleading to use this term to describe that food when the food also contains other ingredients. For example, consumers do not expect a product described as "100% pure corn oil" to contain any substance other than corn oil. It should not contain any preservatives, antifoaming agents or colour even though the standards may permit them. In some cases, this claim is considered to be synonymous with the claim "contains no preservatives". (See section B.32 of this Guide.)

The term "pure" or "100% pure" can be used to modify an ingredient name appearing in the common name of a food such as "pure vegetable oil", or the claim can be worded so as to refer specifically to a named ingredient in the food. In such cases, it is the named ingredient that should meet the guidelines mentioned above and there must be no implication that it applies also to the food. For example, the claim "made with pure corn oil with added preservative" implies that the corn oil used was pure before the preservative was added.

Consumers expect that a product described as "100% pure pork sausage" would contain only meat originating from hogs and that the pork portion would contain no additives or contaminants. The claim "all meat sausage" implies that the product contains only meat; in other words, no other ingredients are added. It is, in fact, synonymous with the negative claim "contains nothing but meat".

For reconstituted orange juice, "pure" or "100% pure" can be used on the label of the reconstituted product to describe the product if only water has been added to the concentrate. "Pure" or "100% pure" cannot be used on the label of a reconstituted product if any ingredient, other than the water such as sodium benzoate, sugar, colour, vitamin C, etc. is incorporated into the concentrate.

Products that are not single-ingredient foods should not be described as "100%", "pure" or "100% pure", for example, the claim "100% pure sausage" is unacceptable.

In a few cases, however, it may be possible to describe a standardized multi-ingredient food as "pure" on condition that none of the optional ingredients permitted by that standard are added to the food, and on condition that the common name allowed and used to describe the food includes the names of all the ingredients of the food, for example, "pure sweet milk chocolate" would be expected to be made only with pure sugar, pure fluid whole milk and pure chocolate.

In all cases, the terms "all", "pure" or "100% pure" should be used with care. If these terms are used in such a way as to imply that other similar products are adulterated or not "up to standard", then the use of these terms would be misleading.

38. True, Real, Genuine

Terms such as "true", "real", "genuine" and the like should be used with care. Such terms should not be used to describe foods or ingredients which are imitations or substitutes, nor should they be used in a manner which suggests that any product is an exclusively true, real or genuine article.

39. Absolutely, Completely, Entirely

Although these terms are redundant in the context of their normal usage, they may, nevertheless, alter the meaning of statements and claims. Claims may be made when the food meets legislated criteria (which usually recognize a tolerance). However, when such claims are modified by these terms, the tolerance, in effect, ceases to exist. For example, "made entirely in Canada" means that no imported sugar may be used to make a candy so described. "Completely fat-free", may not be used unless the product contains no detectable fat.

40. Imitations, Substitutes

The terms "imitation" and "substitute" may be used to describe a food. Certain foods are described as "imitation (naming the food imitated)" or "(naming the food) substitute". In advertising, the descriptive word "imitation" or "substitute" is required to appear as part of the common name. An imitation food resembles the food imitated in flavour, texture, appearance and nutritional value while a substitute food is not required to physically resemble the product replaced. It should, however, have the

nutritional qualities of the food for which it is a substitute. In the advertisement of imitation or substitute foods, the foods should be promoted on their own merits and should not highlight the qualities of the foods they replace, unless they also have these qualities.

Many foods that are imitations of or substitutes for another food are described by "coined names". These names should not make use of words or expressions that might lead the consumer to conclude that the imitation or substitute is the genuine food.

41. New, Improved

Foods are often described as "new" or "improved". If a food is described as "new", it is implied that such a food was never before offered for sale by the manufacturer, or that it has been substantially altered. In many cases, such terms are used to describe the packaging, the labelling, or such factors as a new flavour. "Improved" implies that the food, or some aspect of the food, has been modified to make it better than before. In all cases, such claims are valid for a period of one year or less in the region where they are made. When such claims are made, the way in which a food is new or is improved should be stated on the label and in the advertisements, unless the reason for this claim is perfectly clear.

42. Concentrated, Concentrate, Condensed, Strength, and Reconstituted

These terms should be restricted to their correct usage and should not be employed in a manner that would imply nutritional superiority. In general, the terms "concentrated", "concentrate" or "condensed" may be used to describe products still in the liquid state after a substantial amount of water has been removed. The terms "dehydrated", "dried" or "powdered" are more appropriate when the removal of the water results in a product that is no longer in a liquid state. "Concentrated milk" and "powdered milk" are examples of correct usage.

A claim that a food is "concentrated" or "condensed" and a statement pertaining to "strength" should be made only when there is a recognized standard with which to compare the product. "Concentrated orange juice" or "double strength vinegar for manufacturing purposes" are examples of correct usage. Foods restored to their original moisture content should be described as "reconstituted" or as "made from concentrate". These terms should be part of the common name of these products. Dehydrated fruits and vegetables and products such as soup mixes or bases are not regarded as "concentrates" or as being concentrated. A manufactured

product, requiring dilution as directed on the label before it is in a form ready to be consumed, may be described, under special circumstances, as "concentrated", "concentrate" or "condensed", even though no water has been removed during processing. Products such as concentrated liquid infant formula and condensed soup fall within this category.

Some common names, by definition, have a connotation of "concentration" or "strength". Such names should not be further modified by words such as "concentrated" or "condensed". For example, instant coffee or instant tea should not be further described as being concentrated. Similarly, syrups are better described by a declaration of the actual amount of sugar present rather than by the terms "concentrated" or "strong" that are much less informative.

A product is not necessarily "strong" or "concentrated" because it contains a relatively large amount of one constituent. A pudding, for example, is not "concentrated" merely because its new formula now calls for 15% milk solids instead of 5%. Nor is cheese a "concentrated milk" just because it is made from milk.

A powdered product is not a concentrate solely because it has been made to occupy less volume than the similar product it replaces. There can be no effect of concentration, when, based on mass, the same amount of each product is needed to reconstitute or prepare for normal use. Agglomerated instant coffee, for example, is not "concentrated instant coffee".

43. Claims Regarding Grades

Grade names and standards have been established for food products such as butter, milk powder, eggs, fresh and processed fruits and vegetables, honey, maple products and beef carcasses, under the authority of the Canada Agricultural Products Act and various provincial acts. These grade names must be declared in advertisements when a price is declared and more than one grade of the food is available at retail. Grade names must not, however, be used to describe products which have not been graded.

Since grades have not been established for retail meat cuts, advertisements may include only an indication of the grade of carcass from which the retail cut was derived, if they include the words "cut from" or other words which do not give the impression that the retail cut was graded.

The actual grade names vary from one type of product to another, for example, Canada No. 1; Canada A; Canada Fancy. It is illegal to describe products by an improper grade designation or by any words or symbols that could be mistaken for a legally established grade description.

In cases where a food product is imported, the grade assigned to the product by a grading authority established under the laws of the country from which the food was imported, may be used in any advertisements for that product.

Note: The label of a meat product which has been health inspected and passed for human food must be marked with the "meat inspection legend" established under the federal Meat Inspection Act. This legend, in the form of the word "Canada" within a circle or an ellipse, is not an indication of grade or that the product has been graded.

44. Imported, Product of Canada, Made in Canada, Country of Origin

When a food product is described as "**imported**", it is understood that the food, as a unit, has been brought into Canada from another country and is sold in Canada without modification to the food itself.

Exceptions to this general ruling are provided for in the Food and Drug Regulations, and include imported Scotch whisky, Irish whisky, rum and brandy. These products may be sold as imported products when specific processing is done in Canada, namely blending with other imported named spirits, adjustment of the alcohol strength with distilled water or other purified water, and standardization of colour with caramel addition. When a food contains a mixture of imported and domestic ingredients, only the imported ingredients may be described as being imported.

Both "**made in Canada**" and "**product of Canada**" imply that the food was manufactured in this country. However, these statements do not necessarily mean that **all of the ingredients** used are domestic.

For wines, "product of Canada" and "Canadian wine" have been accepted as clear indications of the country of origin as required by section B.02.108 of the Food and Drug Regulations, provided that at least 75% of the finished wine originates in Canada. This means that at least 75% of the grape juice is from Canadian grown grapes and must be fermented, processed, blended and finished in Canada. (This policy is under review.)

For rum, Canada is regarded as the country of origin if it contains not more than 9.09% of imported rum. If it contains 98.5% imported rum or more, then the label may indicate that the rum has been imported. All other blends must carry a statement that the rum is a blend of Canadian and imported rum, or of imported rum and Canadian rum depending on which predominates.

Up to 1.5% rum manufactured in Canada may be blended with rum manufactured in one or more Commonwealth Caribbean countries. The resulting product may be identified on its label as being a product of the Commonwealth Caribbean country(ies), on condition that the name and address of the Commonwealth manufacturer(s) or the Canadian bottler appears on the label of the blended product.

It is possible, at least in some instances, to use more appropriate and explicit terms than "made in Canada" to describe the process that the food has undergone. For example, "roasted and blended in Canada", to describe coffee since the coffee beans are always imported; "fermented and bottled in Canada from Canadian and imported grapes", to describe wine when more than 25% of the grape juice or the grapes are imported; "packaged in Canada", to describe food which is imported in bulk and packaged in Canada; "processed in Canada", to describe a food such as peanut butter when the peanuts are imported. Advertisers are encouraged to use more explicit terms such as these instead of simply "made in Canada". The term "made in Canada" should not be used to describe foods when it is only the label or container that is made in Canada.

Finally according to the Consumer Packaging and Labelling Regulations, subsection 31(2), if a prepackaged product has been wholly manufactured or produced in a country other than Canada, and the identity and principal place of business of the person in Canada for whom the prepackaged product was manufactured or produced for resale appears on the label, then the identity and principal place of business shall be preceded by the words "imported by" or "imported for", unless the geographic origin of the product is stated on the label.

45. Geographical Terms

The use of geographical adjectives and illustrations indicates that the foods are bona fide products of the place named or shown, except in cases in which the geographical term has lost its significance, for example, hamburg steak, Spanish onion, Boston beans.

When the foods do not originate from the place named or illustrated and when such descriptions may be considered deceptive or misleading, the product should be advertised in such a way as to remove any possible deception. For example, if city, region or country names are used to describe products that do not originate from the place mentioned, these names should be accompanied by a qualifier such as "style" unless the information provided clearly indicates the geographical origin.

46. Kosher Foods

In the labelling, packaging and advertising of a food, the Regulations prohibit the use of the word "kosher" or any letter of the Hebrew alphabet, or any other word, depiction, sign, symbol, mark, device or other representation that is likely to create an impression that the food is kosher if the food does not meet the requirements of the Kashruth applicable to it.

47. Health, Healthful, Health Food

No single food, with the exception of specially formulated foods such as infant formulae and formulated liquid diets, will maintain health for a prolonged period. Therefore, descriptions such as "health food" and "healthful" should be avoided where one might infer that health will be obtained and/or maintained through consumption of individual products. Some foods may be better nutritionally than others, but none on its own will give, restore or ensure health. Foods may be described, however, as "wholesome" or "nutritious" when such claims are valid. The claim "it's good for you" has often been used to describe the nutritional value of a food in a general way. Consumers usually infer from such a claim that the product is a good source of at least some nutrients. This claim can be misleading unless it can be shown that the food in question is, in fact, a good source of nutrients. This claim should not be used to describe a food whose nutritional benefits are not generally acknowledged, unless it is accompanied by a specific, valid nutritional claim that appears in the advertisement.

48. Balanced

No single food can be thought of as "balanced" or of being able to balance a meal or a diet. Nutritional "balancing" probably can occur only over a reasonable period of time. Nutritious foods may help contribute to a balanced diet, but the use of the term in this way should be made with caution.

49. Beverages for Athletes, Isotonic

a) Beverages for Athletes

Beverages represented for use by athletes are subject to the requirements for foods in general and there are no special provisions for the addition of any vitamins, mineral nutrients (including electrolytes), or amino acids to them.

Any claims made for such beverages should be restricted to those referring to the replacement of fluid (water) losses and, in the case of beverages containing a source of carbohydrates, to the provision of carbohydrate as a source of food energy. (See section C.20 of this Guide.) Claims regarding any specific functions of carbohydrate in these products will be examined on a case-by-case basis.

b) Isotonic

The term "isotonic", in reference to a beverage, denotes a solution having the same concentration of electrolytes and non-electrolytes as another solution with which it is being compared. For example, a beverage could be isotonic with perspiration, serum, etc. There is no objection to the use of this term when the claim is accurate and the comparison appropriate.

50. Tonic Foods

The term "tonic" food has been used to describe a class of foods believed to have the power to restore a normal degree of vigour or to restore good health. No food can be described as an effective tonic. There are exceptions, however, such as "tonic water" where therapeutic properties are not implied, and the word "tonic" indicates a flavour.

51. Medicated

A product should not be sold as a food if it is described as "medicated" since this is a term used to describe products containing an added medicinal substance to treat or prevent a disease. Such foods would be considered to be drugs under the Food and Drugs Act and must be labelled and advertised as drugs as required by the Food and Drug Regulations.

52. Digestibility

Digestibility in its popular sense refers to the ease or comfort with which a food is assimilated and to the absence of distressing effects after consumption. References in technical literature to a coefficient of digestibility have quite a different meaning and cannot be used to connote the digestibility of food.

53. Laxative/Laxation Claims

Products represented as laxatives are considered as drugs. The very mention of "laxative effect" or "relief of constipation" on a label or advertisement characterizes the product as a drug. The term "laxation" and the action of "promoting laxation", on the other hand, are not considered to be drug claims when used in connection with a food. The term "laxation" is accepted as referring to the normal softness and bulking of the stool resulting from such factors as increased undigested residue or bacterial mass, trapping of gases, or water retention.

54. Essential

Individual foods should not be described as "essential" to the diet. Health and Welfare Canada and professional associations periodically issue nutrition recommendations for Canadians, designated for use in education programs to assist the public in selecting an appropriate diet. Such recommendations should not be used to justify the use of this term.

55. Dietary Standards

Advertisements should not use official or quasi-official dietary standards that list or suggest intakes of specific nutrients to recommend the consumption of specific foods. Such dietary standards deal with total dietary needs and were not designed for the promotion of one food or a class of foods. For example, it would be considered misleading to claim that 100% of the "recommended daily intake" of a nutrient could not be met unless a specific food were consumed.

56. Treatment for Schedule A Diseases

Subsection 3(1) of the Food and Drugs Act states that "No person shall advertise any food, drug, cosmetic or device to the general public as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states referred to in Schedule A". (See Annex C of this Guide.)

This subsection 3(1) of the Food and Drugs Act was enacted to prevent claims directed to the general public concerning serious health problems which should be diagnosed and treated by a medical practitioner.

57. Treatment of Other Diseases

Although there is no specific prohibition against the advertising of a food(s) for the prevention or cure of diseases other than those shown under Schedule A, any food for which such claims are made is considered to be a drug under the Food and Drugs Act, section 2, which defines a drug as "any substance or mixture of substances manufactured, sold or represented for use in

(a) the diagnosis, treatment, mitigation or prevention of a disease, disorder, abnormal physical state, or the symptoms thereof, in man or animal,

(b) restoring, correcting or modifying organic functions in man or animal..."

58. Obesity: Diet Plans

Since obesity is included in Schedule A of the Food and Drugs Act, foods may not be advertised to the general public as a treatment, preventative or cure for this condition. However, a distinction has been made between being obese and being overweight. For the purposes of Schedule A, anyone weighing in excess of 130% of ideal body weight (ie. 30% above ideal body weight) is considered to be suffering from obesity. The only foods allowed to be advertised for use in weight reduction plans are specially formulated meal replacements and specially formulated prepackaged meals, as described under Division 24 of the Food and Drug Regulations.

The labels of meal replacements not making up the entire diet and pre-packaged meals for weight reduction must include in the directions for use

a 7-day menu plan which, if followed, would result in a daily energy intake of at least 900 Calories (3770 kJ).

The advertisement for a meal replacement or a prepackaged meal is required by regulation to state that adherence to the directions for use may reduce energy intake which is a requirement for weight loss.

Testimonials claiming rapid weight loss, which is considered hazardous to health, and testimonials for weight reduction by people who were obese, are unacceptable. (See Annex C of this Guide.)

59. Infant Foods and Infant Formulae

i) Infant foods are subject to maximum sodium levels. It is an offense to sell or advertise for sale an infant food that contains more sodium than that provided for in the Regulations.

ii) No person shall sell or advertise for sale an infant formula that, as normally consumed, does not comply with the compositional requirements set out in the Food and Drug Regulations for infant formulae.

iii) No person shall sell or advertise for sale an infant formula that when prepared according to directions, requires the addition of a nutritive substance other than water, a source of carbohydrates or both.

iv) Other than identifying the quantity of iron on the labels of infant formulae, no person shall make any claim with respect to the iron content of an infant formula unless it contains at least 1 mg of iron per 100 available Calories.

v) No person shall sell a food that is labelled or advertised for consumption by infants if the food contains a food additive. Certain exemptions from this requirement are made by the Regulations.

vi) Very explicit labelling requirements exist in Division 25 of the Food and Drug Regulations for infant formulae.

60. Milk and Milk Products

Milk, unless otherwise designated, is taken to mean cow's milk. The standards for fluid milks are set and enforced by municipal and provincial

authorities. Types of milk that meet these standards should not be described in more glowing terms than "whole milk".

Terms such as "creamy" may be used to describe milk products that are substantial sources of milk fat (for example, thick, creamy egg nog). It is incorrect to refer to milk products by other than their common names, for example, "skim milk powder" should not be referred to as "milk" or "powdered milk", nor should "chocolate partly skimmed milk" be referred to as "chocolate milk". Trade names are acceptable, however, provided that the products are clearly identified by their common names as well. It is acceptable to refer to Guernsey Partly Skimmed Milk containing 2% butter fat by a trade name such as "Guernsey Glo 2%" if the product is clearly designated on its label and in its advertisement as "partly skimmed milk". Names such as "2% milk" constitute an improper use of the common name "milk" and should not be used, unless accompanied by the common name "partly skimmed milk".

Milk is found to be palatable and easily digested by most individuals. Therefore, except for products prepared for individuals with a milk intolerance, difficulty in digesting milk should not be implied in an effort to promote the sale of treated or modified milk products.

There is a reasonable limit to the daily quantity of milk or milk products that should normally be consumed. The inclusion in one's diet of very large quantities of milk may result in the displacement of other important foods from the diet. Therefore, the advice "drink more milk" should not be carried to the extreme.

61. Milk Modifiers

The Food and Drug Regulations pertaining to vitamins and mineral nutrients permit flavoured beverage mixes and bases recommended for addition to milk to be fortified with specified vitamins and mineral nutrients. Allowable claims for vitamins, mineral nutrients and protein are discussed in section C.12 of this Guide. Nutrition information may be given for the milk used as a vehicle for these products. Milk modifiers should not be promoted for the purpose of reducing, maintaining or gaining body weight. These are functions determined by the entire diet and it would be misleading to attach these specific functions to one food.

62. Butter, Cream, Creamy

Care should be exercised in the use of the words "butter" and "cream" in the name of a food or in descriptions relating to that food. They should not be used to describe a food that is or has been made, in part, of cream or butter, unless the food contains an amount of cream or butter which is sufficient to characterize the product. (See section B.7 of this Guide.)

The following is offered as a guide regarding the use of the word "butter" as part of the common name of a food when butter is present in the food:

i) if butter is the sole shortening agent, the term "all butter" may be used as part of the common name (for example, "all butter cake");

ii) if butter is the major shortening agent employed, the term "butter" may be used as part of the common name; however, the impression should not be given that the product contains solely "butter" as the shortening agent (for example, "butter cake" is acceptable).

iii) if butter is a minor shortening agent but is still present the term "butter" alone should not be used as part of the common name. However, "butter flavour(ed)" may be used (for example, "butter flavoured cake") or the amount of butter present may be stated.

When it is clear that the terms "butter", "cream" or "creamy" refer to texture, form, colour and the like and not to the butter or cream content of a food, their use would be acceptable. Peanut butter, cream eggs, bavarian cream pie, apple butter, butter tarts and chocolate creams are examples of common names that have been accepted.

63. Malted

A food is not properly described as "malted" simply because malt extract has been added. "Malted" means that the carbohydrate has been modified by suitable treatment with the diastase of malt. Unless such treatment has been given, "malt flavoured" is the appropriate term to use.

64. Advertisements for Bulk Beef, Veal, Pork and Lamb

The Food and Drug Regulations (B.14.018) apply to the advertising of beef, veal, pork and lamb carcasses and portions thereof of 7 kilograms or more as follows:

Where a carcass of beef or veal or a portion thereof that weighs 7 kilograms or more is advertised for sale, the advertisement must include an indication of the grade assigned to the carcass by a Canadian or foreign grading authority, or, if no grade has been assigned to the carcass, an indication that the carcass has not been graded.

Where a carcass of beef, veal, pork or lamb or a portion thereof that weighs 7 kilograms or more is advertised for sale and a selling price is stated in the advertisement, the advertisement

i) shall contain the words "price per kilogram is based on carcass weight prior to cutting, boning and trimming" or the words "price per kilogram is based on the weight of the meat after cutting, boning and trimming", whichever words are applicable; and

ii) if, in addition to the selling price, a charge is payable for cutting boning, trimming, wrapping or freezing the carcass or portion thereof, shall indicate

- the amount of the additional charge, and

- if the additional charge is payable on a price per unit weight basis, whether the additional charge is based on the weight of the carcass or portion thereof before or after the carcass has been cut, boned and trimmed.

Note: Mandatory statements required by this subsection to appear in the advertisement must be located immediately adjacent to the selling price without any intervening written, printed or graphic matter.

65. Simulated or Extended Meats and Poultry Products

a) Simulated Meats/Poultry Products

In advertisements for simulated meat/poultry products, the common name "simulated (naming the meat/poultry)" should always appear. These products do not contain any meat/poultry, but have the physical and nutritive characteristics of meat/poultry. Consumers must not be misled as to the true nature of these products.

Insofar as vitamin and mineral nutrient claims are concerned, simulated meat/poultry products are required by the Food and Drug Regulations to contain certain amounts of vitamins and mineral nutrients.

The phrase "contains no meat/poultry" is required to appear on the labels of such meat/poultry products. (Food and Drug Regulations, B.01.100).

b) Meat/Poultry Product Extenders and Extended Meat/Poultry Products

"Meat/poultry product extenders" are foods in which the protein, vitamin and mineral nutrient contents are subject to compositional requirements under the Food and Drug Regulations. These products are used to extend various meat or poultry mixtures, such as fresh sausage, cooked sausage, meat loaves, luncheon meats, ground beef, etc.

"Extended meat or poultry products" are meat or poultry products to which extenders are added. These extended products usually have approximately the same nutrient content as the product to which the extender was added. For example, pork sausage extended with soy would, on a weight basis, have approximately the same nutritive value as unextended pork sausage.

66. Meat Extracts

It is false and misleading to claim or suggest that an edible extract derived from meat has the properties of meat or is nutritionally equivalent to meat.

67. Flour, Bread, and Specialty Breads

Flour, white flour, enriched flour and enriched white flour are the acceptable options for the common name of the same food. This food must contain added thiamine, riboflavin, niacin and iron at the levels prescribed by the Regulations (B.13.001). In advertising flour, the claim may be made that it contains added thiamine, riboflavin, niacin and iron (Food and Drug Regulations, D.01.004 and D.02.002). In addition, vitamin B_6, folic acid, d-pantothenic acid, magnesium and calcium may also be added at the prescribed levels (Food and Drug Regulations, B.13.001). When any of these nutrients is added to flour, a claim may be made to that effect in advertising and on the package label.

White bread and enriched bread are both made from enriched flour. Enriched bread is required to contain two parts by mass of skim milk solids, or four parts by mass of dried whey powder, or sufficient protein from peas or soy beans to provide 0.5 parts by mass of protein per 100 parts of flour, and a prescribed amount of thiamine, riboflavin, niacin and iron. In addition, enriched bread will contain the vitamin B_6, folic acid, d-pantothenic acid, magnesium and calcium which are added to the

flour. The minimum levels for all these nutrients in enriched bread are those that result from the use of flour enriched according to the Regulations. The addition of vitamins and mineral nutrients directly to bread is not permitted.

When enriched bread is advertised, the advertisement may make the claim that thiamine, riboflavin, niacin or niacinamide and/or iron are added and also that vitamin B_6, folic acid, d-pantothenic acid and magnesium and/or calcium are added, if this is the case. When enriched flour is used as an ingredient in any food, however, the vitamin and mineral nutrient components may be declared, as permitted in sections D.01.007 and D.02.005 of the Food and Drug Regulations, within parentheses immediately following the words "enriched flour" included in the list of ingredients.

The purpose of adding vitamins and mineral nutrients to flour is to restore some of the nutrients lost from this staple food during processing. The resulting levels of vitamins and mineral nutrients are sufficient to permit claims pertaining to the action of these nutrients for bread and unstandardized bakery products made with enriched flour (Food and Drug Regulations, D.01.006 and D.02.004).

A separate standard exists for specialty breads (Food and Drug Regulations, B.13.029) which provides for the use of ingredients not permitted by the general standard for bread such as fruits, nuts, seeds, and a variety of flours and starches and flavourings, and permits the use of other ingredients in greater amounts than in the general standard for bread. The inclusion of these ingredients in the formula may alter the nutritive value of the bread. For example, "protein bread" is a specialty bread wherein the quality and quantity of the protein content has been increased to the point where the protein rating is 20 or more. It should be noted that if a specialty bread also complies with one of the other bread standards in Division 13 of the Food and Drug Regulations, then it must be labelled by the common name prescribed by that standard.

In some instances, a fibre source is added to bread to increase its fibre content. In cases where this fibre source is not permitted in bread, such products cannot be described as bread. However, no objection would be taken to the common name "bread with added (name of the fibre source)" on condition the qualifier appears in letters not less than half the size of "bread" in a reasonable contrasting colour.

In the past some advertisers and manufacturers have claimed that thinly sliced bread is reduced Calorie bread. The labels and advertisements for such products should not infer that any specialty bread is "low in Calories" or is "Calorie-reduced" simply because it is thinly sliced.

There is no bread on the market that contributes, on the basis of mass, not more than half the Calories of ordinary white bread. Thus, dietetic bread does not exist and bread cannot legally be recommended for Calorie-reduced diets. The use of measuring tapes on packages and in advertisements suggests weight reduction, and is therefore misleading and deceptive.

The following table lists some of the common specialty breads and indicates the minimum content of the specialty ingredients:

Specialty Breads

Type of Bread	Specialty Ingredient	Minimum Amount of Specialty Ingredients as % of Wheat Flour
Graham Bread	Graham Flour	150
Milk Bread	Milk Solids	6
Potato Bread	Potato Flour	5
Honey Bread	Honey	5
Cheese Bread	Cheese	12
Oatmeal Bread	Oats	20
Cracked Wheat Bread	Cracked Wheat	20
Wheat Germ Bread (Bread with Wheat Germ)	Wheat Germ	2
Egg Bread	Whole Egg Solids	1.5
Fruit Bread or Fruit Loaf	Fruit	40
Triticale Bread	Triticale Flour	20
Rye Bread	Rye Flour	20
Raisin Bread	Seedless raisins or Raisins Currants	50 35 15

Bran Bread - an intake of 150 grams of bran bread contributes at least 18 grams of bran.

Protein Bread - must have a protein rating of 20 or more.

68. Breakfast Cereals

The term "cereals" is used to describe grains that are milled sufficiently to be a) palatable when cooked, b) prepared breakfast cereals or c) flours used in baking.

Because of different degrees of milling, cereal products and flours vary greatly in their nutritive value. Some milled or processed whole grain cereals, such as rolled oats and cracked wheat, retain most of their original nutritive value and are described as "whole grain cereals" or "whole (name of the grain) cereal". Others, such as farina, corn meal, white rice, corn flakes and puffed cereals, have been subjected to more extensive milling and heat and are called "refined cereals". The claim "made from (name of the grain)" should not be used to describe a breakfast cereal that does not contain the whole grain and most of the original nutritive value of the whole grain.

Breakfast cereals may contain added thiamine, niacin, vitamin B_6, pantothenic acid, folic acid, iron and magnesium, and are considered to be good sources of food energy. An advertisement for a breakfast cereal may make such claims as "30 grams of the named cereal with 125 millilitres of milk is a good source of protein or contributes (a stated) amount of protein", when the combination of these foods has a protein rating of not less than 20 (Food and Drug Regulations, B.01.305). (See section C.14.1 of this Guide.)

Advertisers should be careful when producing breakfast cereal advertisements, especially television commercials which are intended for children, since any false or inaccurate nutritional information is often accepted by children without question. Nutritive claims, energy claims and physical actions, exaggerated beyond the limits of credibility, are considered particularly unacceptable when directed at children. Depictions of physical action in games requiring more skill than actual physical energy are not usually considered as violations, provided there is no suggestion that such actions are the result of consuming the product.

Breakfast cereals are only one part of a good breakfast, and commercials should not give the impression that they constitute the whole meal or that they are the most important part of that meal.

The promotion of a special "breakfast" as an aid in weight reduction may be misleading when the breakfast cereal advertised is not a low-Calorie or Calorie-reduced food which meets the requirements of the Food and Drug Regulations pertaining to dietetic foods. In some cases, the promotion

of a special breakfast as an aid in weight maintenance may not be misleading on condition that all factors relevant to such a program are mentioned.

69. Instant Breakfast, Instant Lunch

An adequate breakfast normally should supply one-quarter to one-third of an individual's total nutrient intake for the day. A basic breakfast or meal should include selections from at least two food groups as designated in Canada's Food Guide. More specifically, it must consist of at least one average-sized serving of:

i) meat, fish, poultry, legumes, nuts, seeds, eggs, or milk or other dairy products (excluding butter, sour cream, ice cream, ice milk and sherbet) and

ii) vegetables, fruits or cereal products (Food and Drug Regulations, B.24.201).

A breakfast replacement such as "instant breakfast" does not adequately replace a good breakfast and cannot, over an extended period of time, be counted on to provide a good variety of all the nutrients which should be contributed by well-planned breakfast meals. One should recognize that section B.01.053 of the Food and Drug Regulations prescribes a minimum nutrient profile for a product described as instant breakfast, but one should not conclude or imply that such recognition is an endorsement by government that the product represents an adequate breakfast for continuous use.

The amount and type of food eaten day after day and year after year, has a cumulative effect on the general health, for better or for worse, of the individual. Thus, advertisements for meal replacements should be prepared with care. No attempt should be made to persuade the general public to change good dietary habits by the use of scare advertising or by over-emphasis of nutritional claims.

Advertisements for meal replacements should not imply that these products adequately replace a regular meal. Such foods, however, may be promoted as food supplements, provided this use is not overemphasized.

If used on a continuous basis, meal replacements will not provide sufficient nutrients to sustain a person until the next meal. They may be a convenience for persons who occasionally do not have time to sit down to a good nutritious meal, but they should not become a nutritional habit.

Instant breakfast may not be promoted as a dinner or lunch replacement, nor as a part of a diet plan. No product should be represented as a lunch, meal, instant lunch or instant meal, or in any other way which suggests that it is a complete meal, if it does not provide the combination of foods indicated above.

70. Oil Content

The claim "contains (naming the percentage) (naming the oil)" in advertisements for margarine should always be based on the percentage of oil by weight. In addition, if the specific source of one oil is named, all sources of all the oils used in making the margarine should be named. As an example, if a margarine is made from a mixture of corn oil, cotton seed oil and soy bean oil, it would be considered misleading to refer only to the corn oil content in an advertisement for the margarine. On the other hand, the mixture of oils could be correctly referred to as "vegetable oils".

71. Chocolate and Cocoa Products

Chocolate and cocoa are distinctly different products, with chocolate having a considerably higher cocoa butter content than cocoa. It should not be implied that products containing cocoa contain chocolate. There is no objection to the use of the word "chocolate" to indicate flavour when cocoa is used, so as long as it is made clear that the product contains chocolate flavour and that consumers are not deceived by the use of the term "chocolate". Advertisers are reminded that under subsection 7(2) of the Consumer Packaging and Labelling Act, a "false or misleading representation" includes any representation that implies, or may reasonably be regarded as implying, that a prepackaged product contains any matter not actually contained in it.

Compound coatings, which are products having the appearance but not the composition of chocolate, are often used as an outside layer or coating for biscuits and frozen confections. There should be no indication in the advertisements for these products that the coatings are chocolate. However, "chocolate flavoured", "chocolate-like" and "chocolaty" have been accepted as appropriate descriptions of such coatings.

72. Cyclamate and Saccharin Sweeteners

There is no provision in the Food and Drug Regulations for the use of saccharin or cyclamates as ingredients or components of foods. There is provision, however, for the sale of these products as sweetening agents per se for consumer use.

The Regulations dealing with cyclamate and saccharin sweeteners prohibit any advertising to the general public that makes any representation other than with respect to the name, price and quantity of the sweetener.

Cyclamate and saccharin sweeteners are not allowed by the Food and Drug Regulations to be added to prepackaged foods.

73. Mineral Water and Spring Water

Potable water obtained from an underground source other than a public community water supply and represented as "mineral water" or "spring water" must meet the requirements of the standard for "mineral water" or "spring water". However, it need not meet the mineral or spring water standard requirements if it is described and represented as "bottled water", "table water", or by any other acceptable term.

Mineral water which does not have its composition modified through the use of chemicals may be described as "natural mineral water". A mineral water containing carbon dioxide which originated underground may, upon emergence from the source, have carbon dioxide added to it provided that:

i) the carbon dioxide added originates from the decarbonation of the water upon its emergence from the underground source; and

ii) the carbon dioxide is not added to a level greater than was naturally occurring underground.

The above mineral and spring water may be described as "natural" or "naturally carbonated."

When carbon dioxide (other than that originating from decarbonation of the water upon emergence of the water from the underground source) is added to the water, the word "carbonated" must appear first as part of the English common name. The same is true if the carbon dioxide obtained from the decarbonation of the water at emergence is present in the bottled product in a quantity greater than was present originally in the underground water.

An "underground source", for the purposes of the Regulations, is considered to be a water-bearing formation which is below that zone which is saturated with surface water, the upper part of which is known as the water table.

A statement of the geographic location of the source of the mineral or spring water is required on the label. Geographic location means the name of the closest commonly recognized locality near or in which the source is located. Vignettes should not be used to misrepresent geographic locations. For example, it is misleading to imply that the source is situated in the mountains by depicting mountains on the label if, in fact, the source is situated on the prairies.

The common name of a manufactured product made by adding mineral salts to water should be chosen carefully to fully distinguish it from the standard product. An appropriate name would be "water flavoured with mineral salts". Such a product should not be described as mineral water or spring water and the label of such products must carry a complete list of ingredients.

If the product is represented as containing a mineral nutrient for use in human nutrition, it must meet the requirements of Part D of the Food and Drug Regulations pertaining to mineral nutrients. No therapeutic or prophylactic claims may be made for mineral water. However, no objection is taken to a quantitative label declaration of the ions present if no nutritive claims are made for the product, such as the emphasis of any one ion present.

74. Beverages or Beverage Mixes Identified with the Name of a Fruit

Beverages identified with the name of a fruit must be labelled and advertised to distinguish them clearly from the standardized juice. If fruit juice is present in a significant quantity in a beverage, its mention is deemed appropriate and therefore allowable. The statement that the beverage is flavoured or is made in part with fruit juice is acceptable when the amount of juice present is stated.

When only artificial flavours are used, claims must not give the impression that the flavour is a result of the presence of juice or true fruit flavours. Where true fruit flavours are used, the product may be described as containing true fruit flavours or flavours derived from fruit and may be represented as tasting like fruit.

If flavour claims such as "has the taste of freshly squeezed orange juice" are used in a way so as to confuse consumers about the true flavouring agent used in the products, such claims may be misleading and objectionable under subsection 5(1) of the Food and Drugs Act.

In many cases, it may be misleading or deceptive to mention a food in the common name of a product when such a food is not an ingredient of that product, for example, "cherry" ice cream to describe a product containing no cherries or "strawberry" milk to describe a product containing no strawberries. The Department will be monitoring such practices more closely to eliminate consumer deception.

75. Alcoholic Beverages: Age

a) Whisky

Claims for the age of whisky are restricted to the period during which the whisky was stored in small wood (casks or barrels of not greater than 680 litres capacity). Where whisky has been aged in small wood for at least 3 years, any period not exceeding 6 months during which that whisky was held in other containers may be claimed with respect to the age, for example, whisky aged in small wood for 3 1/2 years and at least 6 months in other containers may claim an age of 4 years.

b) Rum

Claims for the age of rum are restricted to the time the rum was stored in small wood. Where rum has been aged in small wood for not less than 2 years, any period not exceeding 6 months during which the rum was held in other containers may be claimed as part of its age.

c) Brandy, Fruit Brandy

Claims regarding the age of brandy are restricted to the time the brandy was stored in small wood.

No person shall sell brandy unless it has been aged and held in small wood for at least two years.

d) Beer

It is recognized that aging plays a key role in the traditional brewing process. If increasing the time taken for the manufacturing process results in definite taste characteristics, some claims relating to this aging process would be acceptable.

When materials introduced during processing contribute detectable characteristics to the final product, references to taste may also be made (for example, Beechwood aged taste).

76. Alcoholic Beverages: Dry

In alcoholic beverages, the term "**dry**" by itself is not regarded as a claim regarding sugar content for the purpose of section B.01.300. In relation to **wines**, the term "dry" refers to a low residual sugar content in the wine i.e., most of the sugar has been fermented into alcohol. The term "dry", therefore, means the product has little or no sugar. There is however, a large measurable range in the sugar content of wines. The actual sugar content of what would be perceived and described as a "dry" wine varies with the specific type of wine, for example, a dry sherry wine would have more residual sugar than a dry table wine.

In relation to **gin**, the term "dry" connotes that no sugar has been added. The standard for gin provides for the addition of sugar, whereas the standard for dry gin does not.

If there is no provision for the addition of sugar, as in **vodka**, the description "dry" could be misleading and must not be used.

In **rum** and **whisky**, where sugar could be added indirectly as part of the flavouring, the range of residual sugar content is very small and is not readily detectable. Thus, the use of the term "dry" could be misleading.

In **liqueurs** the minimum sugar content required by the Regulations is 2.5%. Although the level in many liqueurs is often well beyond this minimum, it is questionable whether the term "dry" is a meaningful description.

GENERAL GUIDELINES

1. Recommended Daily Intakes

The "recommended daily intakes" for vitamins and mineral nutrients, listed in the tables to Divisions 1 and 2 of Part D of the Food and Drug Regulations are intended to be used as a reference standard for the purpose of nutrient declarations only. They are based on the **Recommended Nutrient Intakes for Canadians**. A recommended intake is defined as the level of dietary intake thought to be sufficiently high to meet the requirements of almost all individuals in a group with specified characteristics (e.g., age, sex, body size, physical activity, type of diet). The reference values for the "recommended daily intakes" are based on the highest recommended intake for a nutrient where such values exist, omitting supplemental needs for pregnancy and lactation. Therefore, the recommended nutrient intake exceeds the actual requirements of almost all individuals in a group having similar characteristics. Furthermore, the recommended nutrient intakes are given as average amounts per day to be obtained over periods of days or weeks. Therefore, claims which interpret the "recommended daily intakes" as referring to the nutritional requirements of individual consumers or as referring to an amount that must be consumed every day, are considered to be misleading. (See Annex E of this Guide.)

2. U.S. Recommended Daily Allowances (U.S. RDA's)

Declarations of the vitamin and mineral nutrient content of a food expressed as percentages of the U.S. Recommended Daily Allowances (U.S. RDA's) are not permitted.

3. Educational Advertising

The main purpose of advertising claimed to be educational should be to inform the public regarding the presence of nutrients in foods in general. All statements designed to promote the consumption or sale of a food are considered to be advertising and, therefore, are subject to the Food and Drugs Act and Regulations, section 7 of the Consumer Packaging and Labelling Act, subsection 52(1) and subsection 53(1) of the Competition Act, and section 7 of the Trade-marks Act. When developing educational material which may be used in an advertisement, the objective should be to ensure that it contains no false or misleading claims and that all statements comply with the above-mentioned Acts and Regulations.

Many food companies issue booklets concerning the nutritional composition of foods. These booklets should be accurate and should not give any false impressions. Educational advertising designed to demonstrate the necessity or desirability of certain foods should not be biased. Educational advertisements for food manufacturing associations are regarded as advertising for the products produced by the manufacturers represented by that association. In most cases, information regarding nutrient content expressed on a percentage basis triggers a declaration of the amount contributed or the percent of the "recommended daily intake", contributed per stated serving of the food. (See section C.6 of this Guide. See also section A.2 for a definition of advertising.)

4. References to Canada's Food Guide

Canada's Food Guide (see Annex D) contains recommendations to assist Canadians in adopting nutritious food habits. If a food belongs to one of the four food groups in Canada's Food Guide, a general reference may be made to the guide in advertisements for that food. The following is an example of a permissible statement: Canada's Food Guide recommends that you eat a variety of foods every day including (two servings of meat or meat alternates) to which (peanut butter) belongs.

It should be noted that the publication 'Canada's Food Guide Handbook' is not the same as 'Canada's Food Guide'. The former is a publication which was prepared to explain Canada's Food Guide to health professionals and educators, and the information it contains may not be in a format suitable for use on labels and in advertisements.

REGULATORY REQUIREMENTS

5. Nutrition Information in Support of a Claim

In general, when statements or claims are made for the nutritional properties of a food, the specific nutrient that is mentioned in the claim is the only one for which the amount of nutrient is required to be declared. Thus, when a statement or claim is made concerning protein, fat, carbohydrate, sugars, sorbitol, mannitol, xylitol, starch, dietary fibre or amino acids, the total amount in the food of the substance which is the subject of the claim is to be declared in grams per serving of stated size (Food and Drug Regulations, B.01.300).

Similarly, when a statement or claim is made for a vitamin or mineral nutrient, the amount of that particular vitamin or mineral nutrient (except sodium and potassium) is to be declared as a percentage of the "recommended daily intake" in a serving of stated size (Food and Drug Regulations, D.01.004 and D.02.002). The set of "recommended daily intakes" for vitamins and mineral nutrients listed in the tables to Divisions 1 and 2 of Part D of the Regulations is a reference standard developed for the purpose of nutrient declarations only. (See section C.1 of this Guide.)

Requirements relating to statements or claims for fatty acids and cholesterol, sodium and potassium, and foods for special dietary use, are exceptions to the principle that the nutrient for which a statement or claim is made is the only nutrient for which the level need be declared (Food and Drug Regulations, B.01.303, B.01.302, Division 24).

6. Manner of Declaration of Nutrient Content

a) Presentation on a per serving basis and declaration of serving size

Nutrient quantities are to be declared on the basis of a serving of stated size of the food as sold (Food and Drug Regulations, B.01.300-B.01.303, B.01.306, B.01.310, D.01.004, D.01.005, D.02.002, D.02.003). The quantity of the serving is to be declared in grams or in millilitres consistent with the units used in the net quantity declaration on the package [Food and Drug Regulations, B.01.002A, D.01.001(2)].

In the case of foods which require preparation before consumption, e.g., beverage mixes, the "serving" would be the amount of the food as sold which is used to prepare the serving as consumed. In the case of foods customarily used only as an ingredient in the preparation of another food, such as flour, the serving is regarded as a convenient unit of measure, e.g., household measure, expressed in the same units as the net quantity declaration of the food.

Once a serving size has been chosen, that serving size should be used consistently on all formats of the label and in advertisements. In the case of single serving packages, the amount of the serving is to be equal to the net quantity of the food (Food and Drug Regulations, B.01.002A). A list of suggested serving sizes is included in Annex F of this Guide.

b) Units, nomenclature

Energy value is to be declared in Calories or Cal and kilojoules or kJ (Food and Drug Regulations, B.01.301) and vitamins and mineral nutrients are to be declared as a percentage of the "recommended daily intake" (Food and Drug Regulations, D.01.004, D.01.005, D.02.002, and D.02.003). As stated above, the amount of protein, fat, carbohydrate, sugars, mannitol, xylitol, starch, dietary fibre and amino acids are to be declared in grams. The amounts of cholesterol, sodium, and potassium are to be declared in milligrams.

For the purpose of quantitative declarations, vitamins and mineral nutrients must be referred to by the names listed in sections D.01.002 and D.02.001 of the Food and Drug Regulations, respectively. For declarations of cis-methylene interrupted polyunsaturated fatty acids, cis-monounsaturated fatty acids and saturated fatty acids, the nomenclature to be used is polyunsaturates, monounsaturates, and saturates, respectively (Food and Drug Regulations, B.01.303).

c) Bilingual

All mandatory nutrient declarations on labels of foods must be shown in both official languages.

d) Abbreviations

In providing mandatory nutrient declarations, certain abbreviations may be used. For example, the term "Calories" may be abbreviated to "Cal". Also the term "recommended daily intake" may be abbreviated to "RDI" provided it is written in full immediately before or after the declaration(s) of the content in the food of vitamins and mineral nutrients.

7. Location of Mandatory Nutrition Information on Labels

Mandatory declarations of nutrient content must appear:

i) grouped with other mandatory information not required to appear on the principal display panel (main panel) such as the list of ingredients, or

ii) on any part of the label (except the bottom of the package) provided it is grouped together with and given equal prominence as a declaration of energy value, protein, fat, and carbohydrate content of the food, i.e. the core list of nutrition labelling (See Annex E and Food and Drug Regulations, B.01.310).

Thus, if mandatory (i.e. triggered) nutrient information is included in the nutrition labelling format, this mandatory information does not need to be placed next to other mandatory declarations, such as the list of ingredients. When included in the nutrition labelling format, nutrient declarations should be made in a manner which complies with the guidelines in Annex E of this Guide.

When a statement or claim relating to the nutrient content of a food is made on one format of a label, the triggered information must appear on all formats of the label.

8. Location of Nutrition Information in Advertisements

When a statement or claim regarding the nutritional properties of a food is made in an advertisement, the mandatory supporting information is to appear in a prominent and readily discernible manner in the advertisement, if it does not appear on all formats of the label (Food and Drug Regulations, B.01.304, D.01.013, D.02.006).

9. Claims Relating to Protein Content

Statements or claims with respect to proteins or amino acids, collectively or by name, are permitted, provided that a reasonable daily intake of the food as defined in Schedule K of the Food and Drug Regulations has a protein rating of 20 or more (Food and Drug Regulations, B.01.305). The official method for establishing the protein rating of a food is available from Consumer and Corporate Affairs or Health and Welfare Canada.

The above does not apply with respect to the following:

i) the word "protein" when used as part of the common name of an ingredient;

ii) the declaration of amino acids in a list of ingredients;

iii) single amino acid preparations that may be sold as foods;

iv) the statements required by the Food and Drug Regulations, paragraphs B.01.014(c) and B.01.015(b);

v) foods represented for use in gluten-free diets;

vi) foods represented for use in protein-restricted diets;

vii) foods represented for use in low-(name of the amino acid) diets; or

viii) a statement of the amount of protein contained in a food.

A statement or claim relating to the protein content of a food requires that a declaration of the protein content expressed in grams per serving of stated size appear as described above for labels and advertisements. Similarly, a statement or claim respecting the amino acid content of a food triggers a declaration of the amino acid content of the food in the prescribed manner.

10. Claims Relating to Fat, Fatty Acid, and Cholesterol Content

Statements or claims respecting the polyunsaturated, monounsaturated or saturated fatty acid content, or the cholesterol content of a food, trigger a declaration of both the total amount of fat, and the amount of polyunsaturates, monounsaturates, and saturates expressed in grams, and cholesterol expressed in milligrams, per serving of stated size (Food and Drug Regulations, B.01.303). No statements or representations are permitted for any individual fatty acid other than for linoleic acid or for any group of fatty acids other than polyunsaturates, monounsaturates or saturates [Food and Drug Regulations, B.01.306(1)]. If a statement or claim for linoleic acid is made, a declaration of total fat, the above-mentioned groups of fatty acids, and cholesterol, is required in addition to the linoleic acid content [Food and Drug Regulations, B.01.306(2)].

The Regulations define the following claims:

a) Low-fat (Food and Drug Regulations, B.01.309)

A food may be described as low in fat or a **"low-fat"** food if it contains no more than 15% fat on a dry weight basis (0.15 g fat/g dry matter) and a serving of stated size contains no more than 3 g fat.

b) Low-saturates (Food and Drug Regulations, B.01.306.1)

A food may be described as low in saturated fatty acids or a **"low-saturates"** food if it contains no more than 2 g of saturated fatty acids per serving of stated size and it derives no more than 15% of its energy value from saturated fatty acids.

c) Low-cholesterol (Food and Drug Regulations, B.01.307)

A food may be described as low in cholesterol or a **"low cholesterol"** food if it contains no more than 20 mg cholesterol per 100 g and per serving of stated size. Also, the food must not contain more than 2 g of saturated fatty acids per serving of stated size and must not derive more than 15% of its energy value from saturated fatty acids.

d) Cholesterol-free (Food and Drug Regulations, B.01.308)

A food may be described as **"cholesterol-free"** if it contains no more than 3 mg cholesterol per 100 g. Also, the food must not contain more than 2 g of saturated fatty acids per serving of stated size and must not derive more than 15% of its energy value from saturated fatty acids.

11. Claims Relating to Salt, Sodium or Potassium Content

Claims for either sodium or potassium trigger declarations of the content of both nutrients in milligrams per serving of stated size [Food and Drug Regulations, B.01.302(1)]. A claim pertaining to the salt content of a food is considered to be a claim pertaining to the sodium content [Food and Drug Regulations, B.01.302(2)].

12. Claims Relating to Vitamin and Mineral Nutrient Content

a) Vitamins and mineral nutrients eligible for claims

The vitamins and mineral nutrients eligible for claims are limited to those for which "recommended daily intakes" have been established [Food and Drug Regulations, D.01.004(1)(a), D.02.002(1)(a); and the tables to Divisions 1 and 2 of Part D)], and which are present at 5% or more of the "recommended daily intake" in a serving of food [Food and Drug Regulations, D.01.004(1)(b), D.02.002(1)(b)]. Quantitative declarations included in the nutrition labelling format (see Annex E of this Guide) are not considered to be claims under paragraphs D.01.004(1)(b) and D.02.002(1)(b) and are permitted for vitamins and mineral nutrients present at a level below 5% of the "recommended daily intake" per serving.

b) Manner of declaring vitamin and mineral nutrient content in support of claims

The total amount of the vitamin or mineral nutrient contained in the food is to be declared on the label or in the advertisement as a percentage of the "recommended daily intake" in a serving of stated size when a claim pertaining to its presence in the food is made (except in the case of sodium or potassium, as noted in section C.7 of this Guide). [Food and Drug Regulations, D.01.004(1)(c), D.02.002(1)(c).]

Reference standards ("recommended daily intakes") have been established by Regulation, for infants and children less than two years of age, and for persons two years of age or older. (See Annex E of this Guide.) The basis for determining the quantity of a vitamin in a food prior to calculating the percentage of the "recommended daily intake" is given in section D.01.003 of the Food and Drug Regulations.

c) Declaration of added vitamins and mineral nutrients

Where a vitamin or mineral nutrient is added to a food, the total content of that vitamin or mineral nutrient in the food, including both naturally occurring and added, is required to be declared on the label. In the case of those nutrients for which a "recommended daily intake" is established, the quantity is to be expressed as a percentage of the "recommended daily intake" for that nutrient per

serving of stated size [Food and Drug Regulations, D.01.005(a), D.02.003(a)]. Otherwise, the quantity of the nutrient is to be expressed in milligrams per serving of stated size [Food and Drug Regulations, D.01.005(b), D.02.003(b)].

The vitamin and mineral nutrient levels of preparations, which are sold solely for use as a source of vitamins or mineral nutrients in the manufacture of other foods, are to be declared in the units listed in the tables to Divisions 1 and 2 of Part D of the Food and Drug Regulations, per 100 grams, per 100 millilitres, per gram or per millilitre of the food.

d) Vitamins and mineral nutrients as components of ingredients

When declared as a component of an ingredient of a prepackaged product, a vitamin or mineral nutrient must be declared by its common name within parentheses immediately following the declaration of the ingredient. All other components of the ingredient must be declared within the same parentheses and, in addition, the total content of the vitamin or mineral nutrient in the prepackaged product must be declared in the manner outlined in section C.12(c) above. Where the ingredient is enriched flour, the vitamin and mineral nutrient components may be declared but other components, and the total content of the vitamin and mineral nutrients in the preprepackaged product, need not be declared.

e) Non-permitted vitamin and mineral nutrient declarations

No mention may be made of vitamins and mineral nutrients for which no "recommended daily intakes" have been established (Food and Drug Regulations, D.01.004, D.02.002) with the following specific exceptions:

i) declarations or claims relating to the contents of sodium and potassium;

ii) the declaration of the content of copper if added to a meat or poultry product extender or a simulated meat or poultry product (Food and Drug Regulations, B.14.073, B.14.085 to B.14.090, B.22.027, B.22.029);

iii) the declaration of the contents of biotin, copper and manganese on the labels of meal replacements [Food and Drug Regulations, B.24.202(a)(iii)];

iv) the declaration of the content of **chloride** on the label of a meal replacement, if chloride is added to the food (Food and Drug Regulations, D.03.002); and

v) the declaration of the content of total **fluoride ion** expressed in parts per million on the label of prepackaged water and ice (Food and Drug Regulations, B.12.002(c) and B.12.008).

Except as noted in v) above, the quantities of these nutrients are to be declared in milligrams per serving of stated size [Food and Drug Regulations, D.01.005(b), D.02.003(b)].

13. Foods for Special Dietary Use (Food and Drug Regulations, Division 24)

The composition and labelling requirements for "foods for special dietary use" contained in the Regulations are detailed and explicit. It is recommended that proposed labels be submitted to company legal advisors or to CCAC officials at regional offices for an opinion on whether they are acceptable under the Food and Drugs Act and Regulations and Consumer Packaging and Labelling Act and Regulations before any advertising is planned. The following provides an outline of Division 24 requirements:

13.1. General Requirements

i) A food that does not meet the requirements prescribed by Division 24 should not be represented in a manner likely to create the impression that it is a food for special dietary use (Food and Drug Regulations, B.24.003). (However, foods may be represented as containing less fat, salt, sodium, sugar or carbohydrates or as providing less energy under specific conditions described under section C.15 of this Guide regarding comparative claims for the nutritional properties of foods.)

ii) A food described as "**low in sodium**", "**low-sodium**", "**light in salt**", or any synonymous claim must meet the requirements set in section B.24.008 of the Food and Drug Regulations. Therefore, a non-dietetic food may not be described as "low-sodium". [See section C.13.2(e) regarding the statements "unsalted", "made without (added) salt".]

iii) A food described as **"Calorie-reduced"**, **"low in energy"** or by any other synonymous claim must meet the requirements of a food for special dietary use as described in sections B.24.006 and B.24.007 of the Food and Drug Regulations. Therefore, a **non-dietetic food** may not be described as "low-Calorie", "low in energy", "low-energy", "Calorie-reduced", "energy-reduced", etc. For claims such as "reduced in Calories by __%", see section C.13.2(c) of this Guide. An advertisement or label for a "low-Calorie" or "Calorie-reduced" food must not imply that the food itself has any weight-reducing properties, either by the use of suggestive trade names, coined names, graphic matters or other indirect methods. "Trim with Slimmer's Delight", "Stay Slim with Trim" are examples of unacceptable claims.

iv) A food should not be represented in a manner likely to create the impression that it is for use in a **"weight reduction diet"** unless it is a **"meal replacement"** or **"prepackaged meal"** designated for that purpose as specified in the Regulations. However, note that "Calorie-reduced" and "low-Calorie" foods meeting the specifications of the Regulations must be recommended for "Calorie-reduced diets" both on their labels and their advertisements (Food and Drug Regulations, B.24.011, B.24.012).

v) Weight control, be it reduction in body weight, weight maintenance or weight gain, is a function of the total diet. Therefore, no one food can be claimed to be effective in weight control.

13.2. Specific Requirements

a) Carbohydrate-reduced food (Food and Drug Regulations, B.24.004 and B.24.009)

A **"carbohydrate-reduced"** food is a food,

i) that would, if it were not carbohydrate-reduced, derive at least 25% of the Calories in that food from its carbohydrate content; and

ii) that, when ready-to-serve, contains not more than 50% of the carbohydrate content and provides no more Calories than would be present in the food if it were not carbohydrate-reduced.

The label of, and any advertisement for, a carbohydrate-reduced food are required to carry a statement that the food is suitable or recommended for "carbohydrate-reduced diets".

b) Sugar-free food (Food and Drug Regulations, B.24.005 and B.24.010)

A **"sugar-free"** food is a carbohydrate-reduced food that, when ready to serve must contain not more than 0.25% available carbohydrate, as determined by an acceptable method, and provides (except in the case of chewing gum) not more than one Calorie per 100 g or per 100 ml of that food.

The claim "sweet without sugar" and other similar claims imply that the product contains no added or naturally occurring sugars and is synonymous with "sugar-free" and "sugarless". Chewing gum, so described, may contain hexitols. For the purpose of this claim, "sugar" includes any food for which a standard is provided in Division 18 as well as any monosaccharide or dissacharide or combination of these.

The label of, and any advertisement for, a sugar-free food must carry a statement that the food is suitable or recommended for "carbohydrate-reduced diets".

c) Calorie-reduced food (Food and Drug Regulations, B.24.006 & B.24.011)

A **"Calorie-reduced"** food is a food that, when ready to serve, provides not more than 50% of the Calories that would be normally provided in that food if it were not Calorie-reduced.

The label of, and any advertisement for, a "Calorie-reduced" food are required to carry a statement that the food is suitable or recommended for "Calorie-reduced diets". (See section C.15 of this Guide.) These foods should not be represented for use in a weight reduction diet.

d) Low-Calorie food (Food and Drug Regulations, B.24.007 & B.24.012)

A **"low-Calorie"** food is a Calorie-reduced food that, when ready to serve, provides not more than 15 Calories per average serving and not more than 30 Calories in a reasonable daily intake of that food.

The label of, and any advertisement for, a "low-Calorie" food are required to carry a statement that the food is suitable or recommended for "Calorie-reduced diets". (See section C.15 of this Guide.)

e) Low-sodium food (Food and Drug Regulations, B.24.008 & B.24.013)

A **"low-sodium" food** is a food that, except in the case of salt substitutes, contains no added sodium salt and, when ready to serve, provides:

i) not more than 50% of the sodium that would be present if it were not reduced in sodium;

ii) other than in the case of fish, meat, poultry, and cheddar cheese, not more than 40 mg of sodium per 100 g of food;

iii) not more than 80 mg of sodium per 100 g of food in the case of fish, meat, poultry;

iv) for cheddar cheese, not more than 50 mg of sodium per 100 g.

The label of, and any advertisement for, a "low-sodium" food are required to carry a statement that the food is suitable or recommended for "sodium-restricted diets".

f) Formulated liquid diets (Food and Drug Regulations, B.24.100, B.24.103)

A **"formulated liquid diet"** is a food that, when ready to serve, is a complete substitute for the total diet in meeting a person's nutritional requirements.

These foods are not permitted to be advertised to the general public and are not to be confused with infant formulae. (See section B.59 of this Guide.)

g) Meal replacements for weight reduction diets (Food and Drug Regulations, B.24.200, B.24.204)

A meal replacement is defined in the Regulations (section B.24.001) as a single food that is sold or advertised as a replacement for one or more daily meals and may be represented for use in a weight reduction

diet. Section B.24.200 of the Regulations sets out the nutritional requirements for meal replacements including a minimum energy requirement of 225 Calories per meal. With respect to the labelling of meal replacements represented for use in weight reduction diets:

i) The label of a meal replacement which is recommended for use in place of all the daily meals must carry directions for use which would result in the intake of at least 900 Calories per day (section B.24.200(3)).

ii) The label of a meal replacement which is recommended as a replacement for only some of the daily meals must include, as part of the directions for use, a sample seven-day menu plan in which the meal replacement is used. Section B.24.204 of the Regulations sets out requirements for these seven-day menu plans which include minimum (900 Calories per day) and maximum (1500 Calories for females, 1800 Calories for males) energy requirements.

iii) The label of a meal replacement for weight reduction must carry a statement to the effect that adherence to the directions for use may result in decreased energy intake which is necessary for weight loss.

iv) The label of a meal replacement for weight reduction must not create the impression that consumption of any vitamin or mineral nutrient supplement must or should be part of a weight reduction diet or make any direct or indirect reference to any vitamin or mineral nutrient supplement.

h) Prepackaged meals for weight reduction diets (Food and Drug Regulations, B.24.201-B.24.205)

A prepackaged meal is a prepackaged selection of foods that requires no preparation other than heating and is represented for use in a weight reduction diet for one individual. It must contain at least one average-sized serving of meat, fish, poultry, legumes, nuts, seeds, eggs or milk or other dairy products (excluding butter, cream, sour cream, ice cream, ice milk and sherbet), and one average-sized serving of vegetables, fruits or cereal products.

With respect to the labelling of prepackaged meals represented for use in weight reduction diets:

i) The label of a prepackaged meal must include, as part of the directions for use, a sample seven-day menu plan in which the prepackaged meal is used. Section B.24.204 of the Regulations sets out requirements for these seven-day menu plans which include a minimum daily requirement of 900 Calories and a maximum energy requirement of 1500 Calories for women and 1800 Calories for men.

ii) The label of a prepackaged meal for weight reduction must carry a statement indicating that adherence to the directions for use may reduce energy intake, a factor necessary for weight loss.

iii) The label of a prepackaged meal for weight reduction must not create the impression that consumption of any vitamin or mineral nutrient supplement must or should be part of a weight reduction diet or make any direct or indirect reference to any vitamin or mineral nutrient supplement.

i) <u>Meal replacements or prepackaged meals not represented for use in weight reduction</u>

Meal replacements or prepackaged meals which are not represented for use in weight reduction are exempted from the requirements respecting the statements set out in sections B.24.202(b) and B.24.203(b) and the seven-day menu plan.

TYPE OF CLAIMS

14. Descriptive Terms

Descriptive terms for the levels of nutrients in foods such as **"good source of"**, **"high in"**, **"low in"** and **"free"** may assist consumers in identifying foods with particular nutritional properties. However, consumers may become confused or be misled if the quantity represented by a descriptive term is inappropriate or varies from food group to food group. Therefore, consistency in terminology and use is necessary. In the following sections, terminology and quantitative criteria are outlined for the use of positive and negative claims. As indicated in section C.5, all such claims require that the amount of the nutrient(s) be disclosed to the consumer.

14.1. Positive Descriptive Terms

a) Source of, high in, etc.

Positive claims such as **"good source"** and **"high in"** are generally associated with nutrients that consumers wish to consume more of, such as protein, vitamins, and mineral nutrients. The Food and Drug Regulations stipulate minimum levels for these claims as follows:

i) Protein

A claim may not be made for protein or amino acids collectively or by name unless a reasonable daily intake of the food, as defined in Schedule K of the Food and Drug Regulations, has a protein rating of 20 or more.

ii) Vitamins and mineral nutrients

A claim may not be made for a vitamin or mineral nutrient, unless a serving of the food contains at least 5% of the "recommended daily intake". At these minimum levels, a statement that a food **"contains"** or is **"a source of"** a particular nutrient is considered appropriate. However, more emphatic claims such as **"high in"** and **"a good source"**, or **"very high in"** and **"an excellent source"** should be applied only to foods with higher levels of nutrients.

The following **minimum** levels of protein, vitamins and mineral nutrients have been established as a result of an evaluation of the distribution of these nutrients in foods and current usage:

Protein

Minimum Levels for Claims

Claim	Protein Rating*
1) "contains", "source of" "good source" or "high"	20
2) "excellent source", "very high"	40

* Determined by Official Method FO-1, Determination of Protein Rating

Vitamins and Mineral Nutrients

Minimum Levels for Claims

Claim	Vitamins and Mineral Nutrients** (except Vitamin C)	Vitamin C
	% Recommended Daily Intake	
1) "contains", "a source of"	5	5
2) "a good source of" "high"	15	30
3) "an excellent source of", "very high"	25	50

** Vitamins and mineral nutrients for which "recommended daily intakes" have been established.

Currently, there are no specific criteria regarding potassium claims. The Health Protection Branch of Health and Welfare Canada has advised that the following criteria can be used for descriptive claims on an interim basis:

"contains", "a source of" - at least 200 mg potassium per serving

"a good source of", "high" - at least 350 mg potassium per serving

"an excellent source of", "very high" - at least 550 mg potassium per serving

The terms "good source" and "excellent source" are considered acceptable since these are the descriptors which have been used traditionally and are familiar to consumers. The terms "high in" and "very high in" are also deemed appropriate. Other terms will be evaluated on a case-by-case basis. In general, these other terms will be considered to imply nutrient levels associated with "excellent source" and "very high".

A general statement indicating that a food is "a **source of nutrients**" without identifying the specific nutrients, requires that a serving of the food so described contain the minimum levels of vitamins, mineral nutrients and protein outlined in this section, and triggers full nutritional labelling (ie. energy, protein, fat, carbohydrate, sodium, potassium and all vitamins and mineral nutrients for which there are established "recommended daily intakes" and which are present at a level of 5% of the recommended daily intake or more per serving of stated size). For claims such as "contains 8 essential nutrients" the minimum level of 5% of the "recommended daily intake" for each of the eight vitamin and mineral nutrients must be present in a serving of the food so described and declarations of the content of these nutrients in the prescribed manner are required.

b) Fortified, enriched and vitaminized

The Food and Drugs Act and Regulations specify the nutrients which may be "added" to foods as well as the levels of these nutrients that may be present in such foods. Under these controlled conditions, no objection has been taken to claims such as **"enriched with..."**, **"fortified with.."** or **"vitaminized with"** when the nature of the addition is specified and the content in the food of the nutrient is declared as % of "recommended daily intake" as required by the Regulations. Thus, there is no objection to claims such as "vitamin C enriched", "vitaminized with riboflavin" or "fortified with iron".

However, the terms "fortified" or "enriched" are not acceptable when they refer to the addition or increase of an ingredient or component to a food, even though that ingredient or component may be a source of a nutrient, for example; "fortified with milk".

c) Sweet, sweetened, salted

Terms such as **"sweet"**, **"sweetened"**, and synonymous claims trigger a declaration of the content of sugars (all mono and disaccharides) in grams per serving of stated size of the food (Food and Drug Regulations, B.01.300). Likewise, the claim **"salted"** requires a declaration of sodium and potassium in milligrams per serving of stated size of the food (Food and Drug Regulations, B.01.302.)

14.2. Negative Descriptive Terms

a) Low, free

Negative or avoidance claims such as **"low"** or "free" are generally associated with energy and nutrients which consumers want to consume less of (such as fat, sugar and sodium). Certain of these are considered to be claims for special dietary use and are controlled by Division 24 of the Regulations as indicated in the following table. For the unregulated claims, criteria are outlined based on a consideration of the distribution and levels of these substances in foods and, where appropriate, current usage. In line with traditional practice, the levels selected for the term "low" do afford the greatest protection to the vulnerable consumer such as one who is following a therapeutic diet. In the case of "free", the levels selected are considered to be nutritionally insignificant. Therefore, the use of the terms "low" or "free" or equivalent terms is to be limited to foods which contain no more than the quantities of the nutrient per serving of stated size in the following table.

For the specific labelling and advertising requirements applying to foods represented as **"sugar-free"**, **"low-Calorie"**, and **"low-sodium"**, see Food and Drug Regulations B.24.005 and B.24.010; B.24.007 and B.24.012; and B.24.008 and B.24.013, respectively, and section C.13.2 of this Guide.

Negative Claims

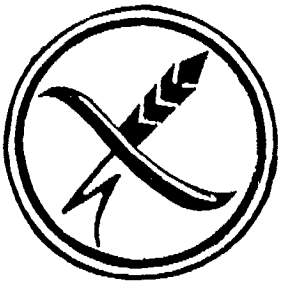
Levels for "Low", "Free" Claims

Claim	Energy	Fat	Sugar	Sodium/Salt
1) "low" or "light in"	(R*) 50% reduced in Calories and not more than 15 Cal/serving and 30 Cal/reasonable daily intake	(R*) not more than 3 g/serving and 15 g/100 g on dry basis	not more than 2 g/serving and 10 g/100 g on dry basis	(R*) 50% reduced in sodium and not more than 40 mg sodium/100 g (except: cheddar cheese, not more than 50 mg/100 g; and meat, fish, poultry, not more than 80 mg/100 g) and except for salt substitutes, no added salts of sodium
2) "free"	not more than 1 Cal/100 g	not more than 0.1 g/100 g	(R*) not more than 0.25 g/100 g and 1 Cal/100 g	not more than 5 mg sodium/100 g

(R*) - Regulatory requirement - Food and Drug Regulations.

b) Gluten-free

The term "gluten-free" may be applied to a food which does not contain any wheat, oats, barley, rye or triticale, or any parts thereof. A product meeting this definition may carry the following symbol on the principal display panel of the label



TM

provided approval is first obtained by writing to the:

Canadian Celiac Association
6519-B Mississauga Road
Mississauga, Ontario
L5N 1A6

Tel.: (416) 567-7195

c) Non-addition

Claims which indicate **non-addition** often imply that the nutrient claimed may not be present in the food. Such claims would not be valid if the said nutrient were added indirectly to the food through another ingredient, except as a naturally occurring low-level constituent of that ingredient.

Generally, a negative statement indicating the non-addition of a nutrient to a food is acceptable when one of the following two conditions is met:

- the nutrient **does not occur naturally** in the food, has not been added and is not present or detectable in any of the ingredients or components which have been added together to form the food; or,

- the nutrient does occur naturally in a food and/or at a very low level in an ingredient which has been added to the food.

Note: In both cases mentioned above, the total amount of nutrient present in the food must be declared in the manner prescribed by the Regulations.

i) No sugar added, unsweetened

For purposes of labelling and advertising, the expressions **"no sugar added"** and **"unsweetened"** generally mean that no sugar (sucrose) or other types of sugars, such as honey, molasses, fructose, glucose or other monosaccharides or disaccharides have been added directly to the food. In addition to the above, if any one ingredient contributes **a significant amount** of sugar or sugars to a food, whether added or naturally occurring in the ingredient or component, then the food to which the ingredient or component is added is considered to contain added sugar.

The following are conditions under which the claim "no sugar added" can be used:

- Sugar is to be added to a food by consumers before it is consumed, e.g., fruit drink mixes. When the claim "no sugar added" is made, a statement indicating that sugar should be added during the preparation of the foods should accompany the claim to inform consumers that the product is not sweet. A statement such as "sweeten to your own taste" would meet this requirement.

- If the statement "no sugar added" is used to describe a food sweetened with some other product, such as honey, molasses or juice, and if the expression is intended to indicate the non-addition of sucrose rather than the non-addition of other sugars, i.e., monosaccharides or other disaccharides, there would be no deception if this expression is accompanied, **in equal prominence**, by an indication of the replacement sweetener, e.g. "contains no added sugar (sucrose), sweetened with honey".

Note: Both "no sugar added" and "unsweetened" require that the content of sugars (all mono and disaccharides) be declared in grams per serving of stated size of the food (Food and Drug Regulations, B.01.300).

ii) **No salt added, unsalted**

For purposes of labelling and advertising, the expressions **"contains no added salt"** or **"unsalted"** mean that no salt (NaCl), or any other salts of sodium, have been added directly to the food. If any one ingredient or component contributes a significant amount of sodium to a food, whether added or naturally occurring in the ingredient or component, then the food to which the ingredient or component is added is considered to contain added salt.

The claims "no salt added" and "unsalted" trigger a declaration of sodium and potassium content in milligrams per serving of stated size of the food (Food and Drug Regulations, B.01.302).

d) <u>Lean</u>

The term **"lean"**, when applied to a food, implies that the food so described is moderately low in fat.

"Lean" may be used to describe meat, poultry, fish, and shellfish products which contain no more than 10% fat except for ground beef and ground pork. **Lean ground beef** may contain up to 17% fat (Food and Drug Regulations, B.14.015B and the Meat Inspection Regulations, section 1(c) of schedule 4). Ground pork described as "lean" should also not contain more than 17% fat.

The claim "lean" triggers a declaration of fat content in grams per serving of stated size of the food (Food and Drug Regulations, B.01.300). For **lean ground beef** and **lean ground pork**, a fat declaration on a percentage basis (e.g. 14% fat/matières grasses) is an acceptable alternative to a declaration of fat in grams per serving providing it appears grouped with the common name on the principal display panel in a prominent and readily discernible manner. **Medium ground beef** and **regular ground beef** must also carry a declaration of fat content which may be given on a percentage basis and which must appear on the principal display panel next to the common name. A regulatory proposal permitting this declaration on a percentage basis, as opposed to grams per serving for these products, will be made at a later date.

Notwithstanding the above, "lean" may be employed in trade, brand or fanciful names of prepackaged meals for weight reduction satisfying the requirements of Division 24 of the Food and Drug Regulations, providing it is not used in manner which may be construed as a reference to the fat content of the product.

These guidelines will be further reviewed in view of comments received in response to the Interdepartmental Consultation Letter of February 2, 1989 regarding proposed amendments to Regulations under the Food and Drugs Act and Meat Inspection Act pertaining to compositional and labelling requirements for prepared meat products. Copies of this letter are available from Mr. B. Smith, Health and Welfare Canada. (See Annex B for his address.)

14.3. Descriptive Terms for Fatty Acids and Cholesterol

Under the Food and Drug Regulations, descriptive claims are permitted for linoleic acid, polyunsaturated fatty acids, monounsaturated fatty acids, saturated fatty acids and cholesterol provided that a declaration of the content of total fat, polyunsaturates, monounsaturates and saturates in grams per serving, and of cholesterol in milligrams per serving, is given on the label (or in the advertisement where the claim appears in the advertisement and these declarations do not appear on the label). The claims "low-cholesterol", "cholesterol-free" and "low in saturated fatty acids" are controlled by the Regulations as indicated in the table which follows. For other fatty acid claims, such as "a source of polyunsaturates", criteria have been developed as shown in this table. These criteria take into consideration: i) the recommended intake of linoleic acid for the general population, ii) the usual recommended level of intakes of groups of fatty acids for individuals with high blood cholesterol following special diets and iii) the availability of food sources.

DESCRIPTIVE TERMS

Positive Claims for Fatty Acids

Claim	Polyunsaturates (Minimum Level)	Linoleic Acid (Minimum Level)
1) "source of" or "contains"	2 g/serving	2 g/serving

Negative Claims for Cholesterol and Groups of Fatty Acids

Claim	Saturates (Maximum Level)	Cholesterol (Maximum Level)
1) "low"	(R*) maximum of: 2 g/ serving and 15% of total energy from saturated fatty acids	(R*) maximum of: 20 mg cholesterol/100 g and per serving **and** maximum of: 2 g saturated fatty acids per serving and 15% of total energy from saturated fatty acids
2) "free"	maximum of 0.1 g/ 100 g	(R*) maximum of: 3 mg cholesterol/100 g **and** maximum of: 2 g saturated fatty acids per serving and 15% of total energy from saturated fatty acids

(R*) - Regulatory requirement - Food and Drug Regulations

15. Comparative Claims

Comparative claims are those which compare directly or indirectly the nutritional properties of two or more foods. For the purpose of these guidelines, the food for which the claim is made is the **advertised food** and the food to which it is compared is the **reference food**.

Comparative claims may refer to the positive characteristics of a food, for example, "contains 50% more protein than...", "increased in...", "contains as much as...", "contains the most..."; or the potentially negative characteristics, for example, "contains 25% less fat than...", "reduced in...", "lower in...". Although claims such as "low in" and "high in" may sometimes imply a comparison, these expressions are considered as referring to absolute amounts and, thus, are reserved for foods in which the nutrient is present at a specific level.

Comparative claims are potentially misleading unless i) they involve similar foods, ii) clearly identify the foods being compared and the differences between them, iii) are based on differences which are both nutritionally and analytically significant, and are accompanied by other relevant nutrition information regarding the compared foods. Therefore, when a comparative claim is made, the following conditions apply:

i) **The foods being compared should be similar.**

They should either be different versions of the same food such as skim milk and partly skimmed milk; substitute foods such as margarine and butter, or at minimum, should be in the same group in Canada's Food Guide. It is not appropriate to compare foods from different food groups of Canada's Food Guide, since each food group has its own particular pattern of nutrients. The food groups are not interchangeable; daily consumption of foods from each group is recommended. For example, it is not appropriate to compare the protein content of a hamburger with that of an orange or, conversely, to compare the vitamin C content of an orange with that of a hamburger.

ii) **The advertised and reference foods are to be clearly identified, and a statement of the amount of difference in nutrient or energy content is to be given.**

The following information must be part of, or appear in close proximity to, the comparative claim:

- **the amount of difference**, expressed as a percentage, fraction, or an absolute amount. If the quantities (servings) of food being compared are not equal, these quantities (servings) must also be indicated.

- **the identity of the reference food(s)**. The reference food(s) is(are) to be described in such a manner that it (they) can be readily identified by consumers.

Incomplete, vague comparisons such as **"less fat"** or **"less salt"** are considered to be misleading. Examples of acceptable statements include:

- "at least 40 fewer Calories per 120 g serving than brand X fish sticks";

- "33% less sodium than our regular potato chips".

iii) **The comparison is to be based on a significant difference between the advertised and reference foods.**

Reductions or increases in energy value or nutrient content of less than 25% from the reference value are of questionable nutritional significance. Comparative claims which do not meet these minimum levels are, therefore, to be avoided. In the case of small portions or where the level of the nutrient in the unaltered or reference food is initially low, a difference of 25% may not result in a significant absolute difference. For example, if the fat content of partly skimmed milk were reduced from 2% to 1.5% this would constitute a 25% reduction in fat content, but the actual amount of difference in the fat content of a serving of 250 ml would be only 1.25 g. Hence, in addition to a minimum 25% difference, there must also be a significant absolute difference.

Furthermore, when a food is claimed to be the **"highest"** in a particular nutrient or in energy value, this food should have **at least 25% more** of that nutrient or energy value than the food with the next highest level of that nutrient or energy value. Similarly, a food claimed to be the **"lowest"** in a particular nutrient or in energy value is to have **at least 25% less** of that nutrient or 25% less energy value than the food with the next lowest level of that nutrient or energy value.

Finally, manufacturers are to take into consideration the variability of the nutrients in both the advertised and the reference foods before making a comparative claim. Where there are wide variations in nutrient and energy values, the values for some of the items of the advertised food could be the same as, or may overlap the values for the reference food. The extent of this variability will depend upon the nature of the food, the nutrients involved, the precision of the formulation and the processing method used. Claimed differences are, therefore, to be based on statistically defensible analytical data. Comparison with the values provided in tables of food composition, such as the Canadian Nutrient File, is to be avoided since these values may not be representative of products currently on the market.

iv) **The comparison is to be accompanied by relevant nutrition information regarding the compared foods.**

Emphatic comparative claims for particular nutrients can lead consumers to believe that the advertised food is nutritionally superior overall to the reference food. Since this is not usually the case, these claims may be deceptive. For example, it can be misleading to claim that a food is lower in sodium than a reference food when the consumer is not aware or made aware that the advertised food is also higher in fat and cholesterol. Manufacturers should ensure that such deception does not occur by providing sufficient information regarding the nutrient profiles of both advertised and reference foods.

16. Light/Lite

Unqualified use of the term "light/lite" to describe foods, their constituents, or properties is a growing trend in the food industry. A wide range of "light" products is currently available in the market place, each with its own meaning of "light" which is not always made clear to consumers.

In most instances, the promotion of "light" foods is directed toward Calorie-conscious consumers who expect "light" foods to be lower in Calories.

In order to achieve a meaningful and consistent use of "light/lite" and to avoid misleading consumers, the following guidelines have been developed. In general, the use of "light/lite" to describe a food will require complete qualifying information to appear on the label or in the advertisement of the food, grouped together with the most prominent claim which states the food is "light".

a) Historical uses of light/lite

Objection will not be taken to a claim associated with the use of the term "light", when it is clearly understood by consumers through long established practice. For example, "light" in relation to rum is historically recognized as a reference to colour and/or flavour.

b) Use of light/lite to refer to energy reduction

No objection is taken to the use of "light/lite" on labels or in advertisements for foods meeting the compositional and labelling requirements of **"Calorie-reduced"** and **"low-Calorie"** foods (Food and Drug Regulations, B.24.006, B.24.007, B.24.011, and B.24.012.) (See sections C.13.2(c) and C.13.2(d) of this Guide.)

For foods which do not meet the requirements for "Calorie-reduced" and "low-Calorie" foods, but which have a 25% reduction in energy value, the conditions for use of comparative claims in Section C.15 of this Guide are to be met. Note that the reference food must be an **identically named** food(s) not described as "light", or when these do not exist, a similar food or foods not so described. Examples of acceptable claims include:

- "Heavenly Light Frozen Dairy Dessert has 1/3 fewer Calories than (naming the brand) frozen dairy dessert".

- "Heavenly Light Frozen Dairy Dessert has 33% less Calories than our regular frozen dairy dessert".

i.e. the basis for "light" should be a reduction in Calories as compared with frozen dairy dessert not described as "light" and not as compared with another product such as ice cream.

c) Use of light/lite with respect to other nutritional characteristics

i) A food may be described as "light/lite" if it is **low** in a particular nutrient providing:

- a statement indicating the nutrient in which the food is low is grouped in a prominent and discernible manner with the most prominent claim which states the food is "light", and

- the food meets the criteria for "low (naming the nutrient)", (See section C.14.2 of this Guide.)

ii) A food may be described as "light/lite" if it is **lower** or **reduced** in a particular nutrient(s) provided that:

- the content of that nutrient(s) is at least 25% lower, and the energy value of the food is no greater than that of an identically named food(s) not described as light or when these do not exist, than that of a similar food(s) not so described, and

- a statement of the amount of difference in the content of that nutrient(s) and a clear identification of the "non-light" reference food is grouped in a prominent and discernible manner with the most prominent claim which states the food is "light".

Notwithstanding c)i) and c)ii) above, "light" may be used to describe the following alcoholic beverages which contain the alcohol levels indicated below:

Beer, Ale, Porter, Stout	2.5 - 4.0 alc./vol. R*
Cider	4% alc./vol. or less
Wine	9% alc./vol. or less
Whisky	25% alc./vol. or less

In the case of the above alcoholic beverages, it is assumed that through long established practice, most consumers understand "light" to be a reference to a lower alcohol content. No further qualification of "light" is required on labels and in advertisements of these products provided that the declaration of the percentage of alcohol by volume appears prominently on the principal display panel of the label, and that "light" is not used to refer to some other aspect or characteristic of these products.

R* (Food and Drug Regulations, B.02.134)

d) Use of light/lite to refer to sensory or physical characteristics

No objection is taken to claims such as "light in texture", "light tasting", etc. when these are factual descriptions. However, the term "light/lite" should not be used in the common, trade or brand name of a food whose only "light" attribute is a sensory or physical characteristic unless this characteristic is also included in the name(s) in which the term "light/lite" appears.

e) Use of light/lite to describe a meal

A meal, meeting the compositional requirements of section B.24.201 of the Food and Drug Regulations and containing a maximum of 300 Calories, may be described as "light/lite" provided a declaration of the energy value of the meal is grouped together with the most prominent claim which states the food is "light".

The following table summarizes conditions for the various uses of "light/lite".

USE OF "LIGHT/LITE" TO DESCRIBE A FOOD

Constituent or characteristic that "light" refers to	Information to be grouped with the most prominent "light" claim	Information required by the Food and Drug Regulations	Compositional requirements
1) Energy	a) low-Calorie	- energy value in Calories and kilojoules per serving of stated size and the expression "low-Calorie" on main panel in close proximity to and in the same type size as the common name - for other labelling requirements see B.24.012	(R*) 50% reduced in Calories and not more than 15 Calories/average serving and not more than 30 Calories/ reasonable daily intake
	b) Calorie-reduced	- energy value in Calories and kilojoules per serving of stated size and the expression "Calorie-reduced" in close proximity to and in same type size as the common name - for other labelling requirements see B.24.011	(R*) 50% reduced in Calories

Constituent or characteristic that "light" refers to	Information to be grouped with the most prominent "light" claim	Information required by the Food and Drug Regulations	Compositional requirements
	c) (naming the % or fraction) less or fewer Calories than (naming the reference food)	Calories and kilojoules per serving of stated size	minimum 25% and significant absolute reduction in energy from reference foods*
2) Fat	a) low-fat, **or**	fat in grams per serving of stated size	(R*) maximum of 3 g fat per serving and 15% fat on dry basis, **or**
	b) (naming the % or fraction) less fat than (naming reference food)	"	minimum of 25% and significant absolute reduction in fat and no increase in energy from reference food
3) Sugar	a) low-sugar, **or**	sugar in grams per serving of stated size	maximum of 2 g/ serving **and** 10% on a dry basis, **or**
	b) (naming the % or fraction) less sugar than (naming the reference food)	"	minimum 25% and significant absolute reduction in sugar **and** no energy increase reference food

Constituent or characteristic that "light" refers to	Information to be grouped with the most prominent "light" claim	Information required by the Food and Drug Regulations	Compositional requirements
4) Salt (sodium)	a) low-salt/ sodium, or	- sodium and potassium in milligrams per serving of stated size, and the expression "low-sodium" on main panel in close proximity to and in the same type size as the common name - for other labelling requirements see B.24.013	(R*) 50% reduced in sodium and not more than 40 mg/ 100 g (except cheddar cheese, not more than 50 mg/100 g and meat, fish and poultry, not more than 80 mg/100 g) and except for salt substitutes, no added salts of sodium, or
	b) (naming the % or fraction) less salt or sodium than (naming the reference food)	milligrams of sodium and potassium per serving of stated size.	minimum 25% and significant absolute reduction in salt or sodium from the reference and no energy increase from reference food
5) Sensory or physical characteristic (e.g., texture, flavour, colour, etc.)	a) statement of what characteristic the food is light in e.g., "light textured", "light tasting", etc. to be included with all mentions of the term "light" in the common, trade and brand name		

Constituent or characteristic that "light" refers to	Information to be grouped with the most prominent "light" claim	Information required by the Food and Drug Regulations	Compositional requirements
6) A Meal	declaration of energy value of the meal	energy value in Calories and kilojoules per serving of stated size	- maximum of 300 Calories for meal - "meal" must meet compositional requirements of section B.24.201 of the Food and Drug Regulations

* Reference food - identically named food not described as "light" or if this does not exist, similar food not described as "light".

(*R) Regulatory requirement - Food and Drug Regulations.

f) Light (naming a standardized food)

In addition to satisfying the foregoing conditions, when "light (naming a standardized food)" is used to refer to food that does not comply with all of the provisions of the standard for the food named in the common name, it must be accompanied by a statement(s) identifying all the factors which make the food so described compositionally different from the standard. Furthermore, in providing this information, it must be made clear to consumers that the food so described does not comply with the standard. To meet the above conditions this statement or statements should appear on the **principal display panel** of the label and in any advertisement for the food in a prominent and readily discernible manner.

Note that where a standard for a food has been prescribed by the Regulations, section 6 of the Food and Drugs Act makes it an offence to label, package, sell or advertise any article in such a manner that it is likely to be mistaken for such food unless the article complies with the prescribed standard. Furthermore, if consumers

are not informed in a clear and prominent manner of all the factors in which the food described as "light (naming the standardized food)" does not comply with that standard, they are likely to be misled. For example, it is considered misleading under subsection 5(1) of the Food and Drugs Act to describe a particular brand of "light French dressing" as containing 25 % less fat than another brand of French dressing without further divulging that marine oil has been substituted for vegetable oil, if that were the case.

When a food, which is modified to the point where it no longer complies with one standard, complies with another standard, then the common name prescribed by the standard with which it complies must be used to describe the food, for example, "skim milk" cannot be described as "light-milk".

17. Biological Role of Nutrients

Under the Food and Drugs Act and Regulations, (B.01.311, D.01.006, D.02.004) claims are permitted for the action or effects of the following nutrients:

protein
fat
carbohydrate
sugars (all monosaccharides and disaccharides)
sorbitol
mannitol
xylitol
starch
dietary fibre
amino acids
linoleic acid
cis-methylene interrupted polyunsaturated fatty acids
cis-monounsaturated fatty acids
saturated fatty acids
vitamins and mineral nutrients listed in tables 1 and 2 of Part D of the Regulations

under the following conditions:

i) the claim may not refer directly or indirectly to the treatment, mitigation or prevention of any disease, disorder, or abnormal physical state, or symptoms of same, nor may it refer

directly or indirectly to correcting, restoring or modifying organic functions; (See section B.57 of this Guide for the definition of a drug.)

ii) the claim may not refer directly or indirectly to the treatment, prevention or cure, of diseases listed in Schedule A of the Food and Drugs Act [subsection 3(1)];

iii) the claim must be limited to the generally recognized function(s) of the nutrient which is a factor in or aids in maintaining good health and normal growth and development.

The generally recognized functions of nutrients may be found in the Recommended Nutrient Intakes for Canadians issued by Health and Welfare Canada.

Examples of acceptable claims include:

Thiamine helps release energy from carbohydrates.

Vitamin C helps to keep teeth and gums healthy.

Protein is needed for the maintenance and repair of body tissues.

Iron aids in red blood cell formation.

Examples of unacceptable claims include:

Calcium fights bone diseases such as osteoporosis.

Protein builds muscles and makes you stronger.

iv) the claim triggers a declaration of the nutrient content in a serving of stated size of the food.

v) a minimum level of the nutrient is to be present in the food, for the following: in the case of protein, a reasonable daily intake must have a protein rating of at least 20; in the case of vitamins and mineral nutrients, a serving of stated size must contain at least 5% of a "recommended daily intake" of the nutrient.

vi) the claims for the action or biological role of nutrients should not imply that consumption of the food, by itself, will have the effect attributed to the nutrient.

An example of an **acceptable** claim is:

> Milk is an excellent source of calcium which helps build strong bones and teeth.

An example of an **unacceptable** claim is:

> Milk helps build strong bones and teeth.

Note: For claims pertaining to the action or effects of dietary fibre, see section C.21 of this Guide.

18. Combinations of Foods

Claims relating to the nutrient content of combinations of foods are acceptable providing the following conditions are satisfied:

i) the total content of the nutrient(s) to which the claim refers is declared per stated serving of combined foods;

ii) the claim is limited to foods which are usually consumed together, e.g. cereal and milk, bread and peanut butter;

iii) the food sold contributes at least one third of the total content of the nutrient for which a combination claim is made, except where the combination statement is itself a declaration included in the nutrition labelling format.

Examples of **acceptable** claims include:

> A serving of 2 slices of white bread with 35 g of peanut butter provides 22% of the recommended daily intake of folacin.
>
> A serving of 30 g of (naming the breakfast cereal) with 125 ml of milk is a good source of protein

In the latter example, the quantities of breakfast cereal and milk mentioned must have a protein rating of at least 20 [Food and Drug Regulations, B.01.305(1)(a)].

19. Testimonials and Guarantees Regarding Vitamins and Mineral Nutrients

In an advertisement or on a label of a food that is represented as containing a vitamin or mineral nutrient, it is prohibited to give any assurance or guarantee of any kind with respect to the result that may be, has been or will be obtained by the addition of the vitamin or mineral nutrient to a person's diet. Also, it is prohibited to refer to, reproduce, or quote any testimonial. (Food and Drug Regulations, D.01.012, D.02.008.)

20. Energy

Energy claims for foods are not always understood by the public, and in many cases the advertiser himself misunderstands the terminology and principles involved.

Muscular contraction takes place as a result of a discharge of chemical energy stored in the muscle. This energy is replaced only after the action has taken place. The energy value of a food, on the other hand, is a scientific concept that has nothing to do with the popular concept of "energy" in the sense of being energetic, having pep, vitality, vigour, activity or power, or strength and endurance. Some advertisers have extended this popular concept of energy to embrace astuteness, keen intellect, success at school and/or games and prevention of or relief from fatigue. Technically, all foods provide "food energy" from their content of carbohydrate, protein, fat and alcohol in terms of which fat is the most concentrated source of Calories or kilojoules per unit weight (1 Calorie = 4.184 kilojoules). Carbohydrates are metabolized first and used as a source of food energy.

If used appropriately, the terms "energy", "food energy" and "quick food energy" are acceptable. Energy claims such as "helps provide food energy", "helps provide energy", "helps give a lift", "for people on the go", "helps give you go" or a simple declaration of the amount of Calories or kilojoules contributed by a stated serving of food or per 100 grams or 100 millilitres of food are acceptable and not misleading if the claims do not imply that:

i) the food in question provides "instant" pep, vitality, vigour, power or strength;

ii) the food provides all the food energy necessary to carry one through certain physical activities or recovery from these; and

iii) the food provides all the food energy necessary to carry one through until the next meal.

Also, it should be noted that the above-mentioned claims trigger a declaration of the energy value of the food in Calories and kilojoules per stated serving.

When a claim is made that a food consisting predominantly of carbohydrates helps provide quick food energy, there should be no attempt to suggest that the food energy lasts over many hours of hard work or play.

A claim to the effect that a food is "a source of energy" should not be made unless the food provides at least 100 Calories per serving of stated size.

21. Dietary Fibre

a) Definitions

"Dietary fibre" has been defined* as being the endogenous components of plant material in the diet which are resistant to digestion by enzymes produced by man; they are predominantly non-starch polysaccharides and lignin. The composition varies with the origin of the fibre, and includes soluble and insoluble substances.

"Novel fibre or novel source" has been defined* as a food that has been manufactured to be a source of dietary fibre, and

i) that has not traditionally been used for human consumption to any significant extent, **or**

ii) that has been chemically processed, for example, oxidized, or physically processed, for example, very finely ground, so as to modify the properties of the fibre, **or**

iii) that has been highly concentrated from its plant source.

* These definitions were recommended by the Expert Advisory Committee on Dietary Fibre.

The **safety** of novel fibre sources must be established before they may be used as ingredients in foods.

The **efficacy** of novel fibre sources as dietary fibre must be established before they may be used as sources of dietary fibre in foods.

Once a novel fibre source has been successfully tested for efficacy, it may be considered an acceptable dietary fibre source. Otherwise, it is considered an unproven novel fibre and, if safe, may be used in foods but not as a source of dietary fibre (see paragraph c).

(Manufacturers considering the use of novel fibre sources and wishing further guidance in this regard are advised to contact the Health Protection Branch.)

b) Dietary fibre sources in the list of ingredients

In the case of ingredients manufactured to be sources of dietary fibre, such as novel fibre sources, the common name of the fibre ingredient in the list of ingredients should include:

i) the name of the plant which is the origin of the fibre,

ii) the specific part of that plant, and

iii) the form of the fibre.

c) Declaration of dietary fibre content

The dietary fibre content of a food may be declared in grams per serving. Dietary fibre analyses should be carried out by a method deemed appropriate by Health and Welfare Canada.

If a food contains an unproven novel fibre source, the amount of "fibre" contributed by this ingredient should not be included in the declaration of the dietary fibre content. (See Annex E, section 9(f) regarding methods of analysis for dietary fibre.)

d) Descriptive claims

No claim should be made regarding the fibre content of a food unless the food contains at least 2 g of dietary fibre per serving.

Foods (except meal replacements and formulated liquid diets) containing a minimum of 2 g of dietary fibre per serving may be described as a **"source"** of dietary fibre or as containing **"moderate"** amounts of dietary fibre.

Foods (except for meal replacements and formulated liquid diets) containing a minimum of 4 g of dietary fibre per serving may be described as containing **"high"** amounts of dietary fibre.

Foods (except for meal replacements and formulated liquid diets) containing at least 6 g of dietary fibre per serving may be described as containing **"very high"** amounts of dietary fibre.

The terms "good" and "excellent" should not be used to describe the amount of dietary fibre contained in a food since they imply a judgement as to the nature and value of the fibre in addition to quantity.

Descriptive claims may be made for fruits, nuts, vegetables, legumes and cereal products containing naturally occurring fibre and for any food containing an acceptable dietary fibre source. Consistent with paragraph (c) above, if a food contains an unproven novel fibre source, the amount of "fibre" contributed by this ingredient should not be used in qualifying the food for decriptive claims.

e) Comparative claims

Quantitative comparisons of the fibre content of foods of proven fibre value are considered to be misleading unless the fibres are:

i) derived from the same plant sources and parts,

ii) in similar physical forms, and

iii) incorporated into compositionally similar foods or

iv) can be shown by the manufacturer to have similar physiological actions.

f) Claims for physiological effects

Claims for the promotion of **"laxation"** or **"regularity"** are acceptable for foods which contain a minimum of 7 g of dietary fibre from **coarse wheat bran** in a reasonable daily intake. Such claims may be made for **other foods** provided that the claim is substantiated by evidence from clinical studies that a reasonable daily intake of the foods has a laxation effect and no adverse effects. If a reasonable daily intake is made up of **several servings**, the amount of the food required to produce the laxation effect and the number of servings it comprises should be declared as part of the claim.

Claims that a food is a "laxative" or that a food will prevent or treat "constipation" or claims to the effect that a food or fibre will reduce blood lipids or cholesterol, affect blood glucose levels or aid in weight reduction or appetite control, are considered to be drug claims and are not acceptable.

g) Fibre supplements

Foods represented as (dietary) fibre supplements should contain at least 2 g of dietary fibre per serving.

h) Fibre as a source of energy

When calculating the energy value of dietary fibre, each gram should be considered as contributing 17 kilojoules/4 Calories unless there are specific Merrill and Watt energy conversion factors relating to the fibre source or there is other experimental evidence to the contrary. (See Annex E, section 9(a).)

i) Fibre in meal replacements and formulated liquid diets

It is considered to be misleading to represent a meal replacement or a formulated liquid diet as containing fibre unless the food has been demonstrated to be safe and to have the beneficial effects associated with the dietary fibre ingredient(s). Inasmuch as these foods may constitute the entire diet, it is inappropriate to apply to them the criteria for claims set out for individual foods which are combined to make up the day's meals.

ANNEX A: THE DIVISION OF LABELLING RESPONSIBILITIES AMONG GOVERNMENT DEPARTMENTS

The main federal acts and regulations governing the labelling of foods in Canada are the:

1. Consumer Packaging and Labelling Act and Regulations
2. Food and Drugs Act and Regulations
3. Fish Inspection Act and Regulations
4. Meat Inspection Act and Regulations
5. Canada Agricultural Products Act and Regulations

   i) Beef Carcass Grading Regulations
   ii) Veal Carcass Grading Regulations
   iii) Dairy Products Regulations
   iv) Egg Regulations
   v) Processed Egg Regulations
   vi) Fresh Fruit and Vegetable Regulations
   vii) Honey Regulations
   viii) Maple Products Regulations
   ix) Processed Products Regulations
   x) Processed Poultry Regulations

The labelling responsibilities under the Food and Drugs Act and Regulations and the Consumer Packaging and Labelling Act and Regulations are, in general, administered by Consumer and Corporate Affairs Canada. However, other legislation administered by other departments, such as the Fish Inspection Act, which is administered by Fisheries and Oceans, the Meat Inspection Act and Canada Agricultural Products Act, which are administered by Agriculture Canada, may have more specific or more onerous labelling requirements than the Food and Drugs Act and Regulations. In this instance, the most demanding legislation must be satisfied by the label.

Normally, both Agriculture Canada and Fisheries and Oceans will, when examining labels, provide advice regarding the requirements of the Food and Drugs Act and Regulations. Manufacturers who require such advice should ensure that covering letters specifically ask if the labels submitted comply with the above Regulations and Acts.

Following is a list of major products and the department responsible for them:

FISH AND SHELLFISH PRODUCTS

Fisheries and Oceans Canada is responsible for:

> whole fish and shellfish and products where the fish and shellfish are in discrete pieces, all fresh and frozen fish and shellfish, pickled, salted and comminuted fish, canned fish and shellfish, fish cakes, fish balls, fish and shellfish pastes, fish puddings, creamed fish and shellfish, fish à la King, lobster newburg, fish and shellfish cocktail, fish and chips, fish and shellfish dinners, fish patties, fish sticks, fish sausages, fish roe, caviar, shellfish powders (seasoning), sea snails, marine plants, fish protein.

Consumer and Corporate Affairs Canada is solely responsible for the labelling of the following:

> fish soups and chowders, Chinese specialty products (fish chow-mein, shrimp fried rice, etc.), powdered oysters in capsules, products containing fish or shellfish in condimental quantities, land snails (escargots), products containing fish protein.

Fisheries and Oceans Canada and Consumer and Corporate Affairs Canada share responsibility for the following areas:

Fisheries and Oceans Canada is responsible for administering and enforcing the Fish Inspection Act and Regulations and, for expediency, by informal agreement, for providing advice concerning labelling matters under the Consumer Packaging and Labelling Act and Regulations and the Food and Drugs Act and Regulations, which apply to products falling under the Fish Inspection Act.

Since Consumer and Corporate Affairs Canada is responsible for retail inspections, the Department's retail inspectors are responsible for monitoring the labels of marine products at the retail level.

AGRICULTURAL PRODUCTS

FRESH FRUIT AND VEGETABLES

Agriculture Canada is responsible under Canada Agricultural Products Act for fruits and vegetables grown in significant commercial volume in Canada, such as apples, blueberries, grapes, peaches, beans, beets, corn, lettuce, peas, potatoes, etc.

Consumer and Corporate Affairs Canada is responsible under the Food and Drugs Act and the Consumer Packaging and Labelling Act for the same products.

PROCESSED FRUITS AND VEGETABLES

Agriculture Canada is responsible for the following:

canned and frozen fruits and vegetables, including those in sauce, pickles, relishes, prepared mustard, jams, jellies, dehydrated fruits and vegetables, beans with pork, infant foods where the fruit or vegetable is the major ingredient, heat-treated hermetically sealed single-strength juices, apricot, peach, pear, and prune (water extract) nectars, honey and maple products, sauerkraut and flavoured sauerkraut, pie fillings except citrus pie fillings, pie fruits.

Consumer and Corporate Affairs Canada is responsible for the following:

spiced and flavoured fruits, infant and junior foods where the fruit or vegetable portion is not the major ingredient, reconstituted and concentrated juices other than grape and apple, sun and atmospheric dried fruits and vegetables, fried or French-fried vegetables other than potatoes, for example, French-fried onion rings, and specialty products such as oriental specialties, dehydrated instant potatoes which usually contain added ingredients and additives such as emulsifiers. If nothing is added to the dehydrated potatoes, they are the responsibility of Agriculture Canada.

OTHER PRODUCTS

Consumer and Corporate Affairs Canada is solely responsible for:

frozen fruit and vegetable products where no standard or grade is prescribed, frozen potatoes au gratin, frozen escalloped apples, frozen spinach soufflé;

jams, jellies, marmalades and preserves made with wine or liquor, conserves, pie fillings (other than fruit), syrups, etc., ginger conserve, lemon curd, lemon cheese, quince paste, spiced cherry preserves, cinnamon-flavoured apple jelly, coconut jam, chutneys, citrus pie fillings, prune butter, apple butter, fruit juice syrups (with more than 15% added sugar), fountain syrups, (naming the flavour) honey for example cinnamon honey;

products not hermetically sealed, fruit juices requiring refrigeration, fruit cocktails, salads and fruit salads requiring refrigeration, citrus fruits requiring refrigeration, dietetic fruit and vegetable products sweetened without sugars.

DAIRY PRODUCTS

Agriculture Canada is responsible for the following:

butter, cheese, butter oil, condensed and evaporated milk, evaporated partly skimmed milk, evaporated skim milk, powdered milk, powdered partly skimmed milk, powdered skim milk, canned sterilized milk, canned cream, ice cream, sherbet, ice cream mix, processed cheese, powdered buttermilk, cottage cheese and creamed cottage cheese, cream cheese, cream cheese spread, cold pack cheese food, cold pack (naming the variety) cheese, whey cheese, ice milk, ice milk mix, ice milk novelties.

Consumer and Corporate Affairs Canada is responsible for:

fluid buttermilk, fermented whey beverages, flavoured milk drinks (chocolate, strawberry), fluid milk: whole milk, skimmed milk, partially skimmed milk, partly skimmed milk with added milk solids, skim milk with added milk solids; (naming the flavour): milk, skim milk, partially skimmed milk, partially skimmed milk with added milk solids, skim milk with added milk solids, skim milk with added milk solids;

liquid and powdered whiteners for coffee, milk puddings, milk to which a bacterial culture has been added, whey, whipped cream (including aerosols), whipping cream, yogurt.

MEAT AND MEAT PRODUCTS

Agriculture Canada is responsible for the following:

all foods containing meat, meat by-products or meat derivatives, meat binders and fillers that are exported, imported or sold in interprovincial trade or are from a federally inspected establishment.

Consumer and Corporate Affairs Canada is responsible for the following:

those meats, meat by-products or meat derivatives which do not enter into interprovincial trade but are processed and sold in the same province. Provinces also have jurisdiction in plants not under federal inspection.

1. CONSUMER AND CORPORATE AFFAIRS CANADA OFFICES

HEADQUARTERS STAFF

Food Division
Consumer Products Branch
Department of CCAC
Place du Portage
Phase I, 16th Floor
50 Victoria Street
Hull, Québec
K1A 0C9

Telecopier: (819) 953-2311

CHIEF	TELEPHONE
Mr. G. Reasbeck	(819) 997-1591

FOOD PROGRAMS SECTION

Mr. I. Campbell (head)	(819) 953-5644
Mr. R. Fiset	(819) 953-4070
Ms. D. Fournier	(819) 953-5641
Mr. F. Joyce	(819) 953-5640
Mr. B. LeBlanc	(819) 997-4868
Ms. S. McDiarmid	(819) 997-4868
Ms. R. Reevie	(819) 997-4868
Ms. S. Spiegelberg	(819) 953-2581
Mr. J. Stanger	(819) 953-5639
Ms. M. Zarkadas	(819) 953-5646

FOOD POLICY AND LEGISLATION SECTION

Ms. P. Steele (head)	(819) 953-5643
Ms. C. Avery	(819) 953-5647
Ms. L. Crapigna	(819) 997-1204
Mr. R. Gilchrist	(819) 953-5645

SECRETARIES

Ms. C. Charette	(819) 997-1591
Ms. D. McCooeye	(819) 997-1593

CLERKS (radio and television commercials)

Ms. S. Lacasse	(819) 997-4868
Ms. A. Tkachik	(819) 997-4868

1. CONSUMER AND CORPORATE AFFAIRS CANADA OFFICES (contd.)

REGIONAL OFFICES

Consumer Products Branch
Department of CCAC
1489 Hollis Street, Suite 1500
Halifax, Nova Scotia
B3J 3M5
Telephone: (902) 426-7835
Telecopier: (902) 426-6094

Consumer Products Branch
Department of CCAC
Guy-Favreau Complex, Suite 502
200 René-Lévesque Blvd. West
Montréal, Québec
H2Z 1X4
Telephone: (514) 283-3092
Telecopier: (514) 283-3096

Consumer Products Branch
Department of CCAC
Federal Building, 6th Floor
4900 Yonge Street
Willowdale, Ontario
M2N 6B8
Telephone: (416) 224-4050
Telecopier: (416) 224-3830

Consumer Products Branch
Department of CCAC
260 St. Mary Avenue
Winnipeg, Manitoba
R3C 0M6
Telephone: (204) 983-3699
Telecopier: (204) 983-3159

Consumer Products Branch
Department of CCAC
300 Burrard Street, Suite 1400
Vancouver, British Columbia
V6Z 2H8
Telephone: (604) 666-5036
Telecopier: (604) 666-7981

NOTE: CCAC label reviews are carried out by the above regional offices.

2. AGRICULTURE CANADA

Agriculture Canada
Food Inspection Directorate
Dairy, Fruit and Vegetable Division or
Meat Hygiene Division (whichever is applicable)
Halldon House
2255 Carling Avenue
Ottawa, Ontario
K1A 0Y9
(613) 995-5433

3. FISHERIES AND OCEANS

Fisheries and Oceans
Inspection Services Directorate
200 Kent Street
Ottawa, Ontario
K1A 0E6
(613) 993-4296

4. HEALTH AND WELFARE CANADA

Dr. M. C. Cheney
Chief, Nutrition Evaluation Division
Health and Welfare Canada
Health Protection Branch Building
Room 209B
Tunney's Pasture
Ottawa, Ontario
K1A 0L2
(613) 957-0352

Mr. Barry Smith
Chief, Food Regulatory Affairs Division
Health and Welfare Canada
Health Protection Branch Building
Room 200
Tunney's Pasture
Ottawa, Ontario
K1A 0L2
(613) 957-1748

ANNEX C: SCHEDULE A DISEASES FROM THE FOOD AND DRUGS ACT

Alcoholism
Alopecia
Anxiety state
Appendicitis
Arteriosclerosis
Arthritis
Bladder disease
Cancer
Convulsions
Depression
Diabetes
Disease of the prostate
Disorder of menstrual flow
Dysentery
Edematous state
Epilepsy
Gall bladder disease
Gangrene
Glaucoma
Gout
Heart disease
Hernia
Hypertension
Hypotension
Impetigo
Influenza
Kidney disease
Leukemia
Liver disease
Nausea and vomiting of pregnancy
Obesity
Pleurisy
Pneumonia
Poliomyelitis
Rheumatic fever
Septicemia
Sexual impotence
Tetanus
Thrombotic and embolic disorders
Thyroid disease
Tuberculosis
Tumor
Ulcer of the gastro-intestinal tract
Vaginitis
Venereal disease

From **Canada's Food Guide**, Health and Welfare Canada, 1983, and reproduced with permission of the Minister of Supply and Services Canada.

Canada's Food Guide Handbook is not **Canada's Food Guide**. The handbook contains information suitable for educators and assumes knowledge of nutrition on the part of the reader. Information therein is not necessarily in a form suitable for use in promoting the sale of food products.

Canada's Food Guide

Eat a variety of foods from each group every day

milk and milk products

Children up to 11 years 2-3 servings

Adolescents 3-4 servings

Pregnant and nursing women 3-4 servings

Adults 2 servings

meat, fish, poultry and alternates 2 servings

breads and cereals 3-5 servings

whole grain or enriched

fruits and vegetables 4-5 servings

Include at least two vegetables.

Health and Welfare Canada

Santé et Bien-être social Canada

Cat. No. H58-32/1983-2E

Canada

Canada's Food Guide

Variety

Choose different kinds of foods from within each group in appropriate numbers of servings and portion sizes.

Energy Balance

Needs vary with age, sex and activity. Balance energy intake from foods with energy output from physical activity to control weight. Foods selected according to the Guide can supply 4000 – 6000 kJ (kilojoules) (1000 – 1400 kilocalories). For additional energy, increase the number and size of servings from the various food groups and/or add other foods.

Moderation

Select and prepare foods with limited amounts of fat, sugar and salt. If alcohol is consumed, use limited amounts.

milk and milk products

Children up to 11 years	**2-3 servings**
Adolescents	**3-4 servings**
Pregnant and nursing women	**3-4 servings**
Adults	**2 servings**

Skim, 2%, whole, buttermilk, reconstituted dry or evaporated milk may be used as a beverage or as the main ingredient in other foods. Cheese may also be chosen.

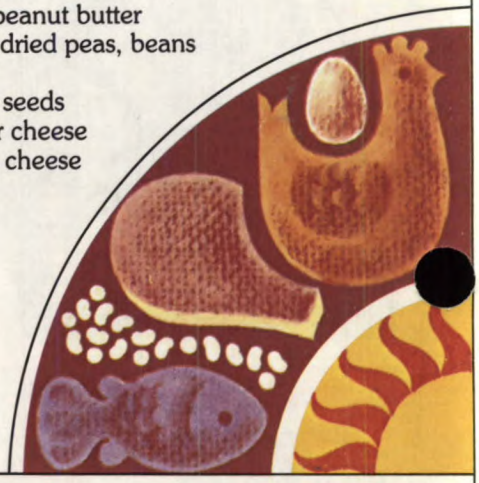
Some examples of one serving
250 mL (1 cup) milk
175 mL (¾ cup) yoghurt
45 g (1½ ounces) cheddar or process cheese

In addition, a supplement of vitamin D is recommended when milk is consumed which does not contain added vitamin D.

meat, fish, poultry and alternates

2 servings

Some examples of one serving
60 to 90 g (2–3 ounces) cooked lean meat, fish, poultry or liver
60 mL (4 tablespoons) peanut butter
250 mL (1 cup) cooked dried peas, beans or lentils
125 mL (½ cup) nuts or seeds
60 g (2 ounces) cheddar cheese
125 mL (½ cup) cottage cheese
2 eggs

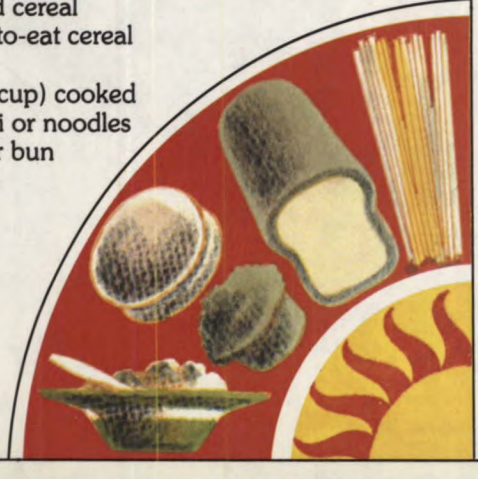


breads and cereals

3-5 servings

whole grain or enriched. Whole grain products are recommended.

Some examples of one serving
1 slice bread
125 mL (½ cup) cooked cereal
175 mL (¾ cup) ready-to-eat cereal
1 roll or muffin
125 to 175 mL (½ – ¾ cup) cooked rice, macaroni, spaghetti or noodles
½ hamburger or wiener bun



fruits and vegetables

4-5 servings

Include at least two vegetables.

Choose a variety of both vegetables and fruits — cooked, raw or their juices. Include yellow, green or green leafy vegetables.

Some examples of one serving
125 mL (½ cup) vegetables or fruits – fresh, frozen or canned
125 mL (½ cup) juice – fresh, frozen or canned
1 medium-sized potato, carrot, tomato, peach, apple, orange or banana

THE GUIDELINES ON NUTRITION LABELLING*

Nutrition labelling is a standardized presentation of the nutrient content of a food. The purpose of these Guidelines is to set out a uniform system of nutrition labelling to be used in Canada.

The nutrition labelling format consists of the following: the heading; a statement of the serving size; a statement of the energy value and of the content of protein, fat and carbohydrate (core list), plus optional nutrients in a standardized order. Its use is discretionary. When applied, however, voluntary compliance with these guidelines is expected.

Compliance with the regulated aspects of nutrient declaration (the **Food and Drug Regulations**), namely, nomenclature, units of expression and the per serving basis of declaration is mandatory. It should be noted that Subsection B.01.012(2) of the Regulations requires that all mandatory information be shown on the label in both official languages.

These guidelines do not apply to formulated liquid diets (Section B.24.103), human milk substitutes (infant formulae) and foods represented as containing a human milk substitute (Section B.25.057), for which detailed labelling requirements already exist.

It should also be noted that the provisions in Division 3 of Part D of the Regulations controlling the addition of vitamins, mineral nutrients and amino acids to foods will remain.

In the guidelines that follow, the relevant Regulations are identified by numbers in parentheses.

1. Heading and Position

The declaration of nutrient information is to carry the heading **"Nutrition Information"** and, in French, **"Information Nutritionnelle"** or in a bilingual format **"Nutrition Information Nutritionnelle"**. The nutrition labelling format may appear anywhere on the label except the bottom of the container, provided the statements are grouped together and given equal prominence (Section B.01.310).

* Health Protection Branch
Department of National Health and Welfare
November 23, 1988

2. Presentation on a Per Serving Basis and Declaration of Serving Size

A declaration of the serving size is to be placed directly under the heading. The quantity of the serving is to be declared in grams, or in milliliters, consistent with the units used in the net quantity declaration on the package [Section B.01.002A, Subsection D.01.001(2)]. The equivalent household measure or common unit should also be given. The serving size should be an amount which would reasonably be consumed at one sitting, and will be established by the manufacturer.

In the case of a food used only in the preparation of other foods, (e.g. flour), the serving size should be an appropriate unit of measure (expressed in the same units as the net quantity declaration). The serving size will be subject to review under Subsection 5(1) of the Food and Drugs Act. A list of usual serving sizes is contained in this Guide (see Annex F). In the case of single serving packages, the amount of the serving is to be equal to the net quantity of the food [Section B.01.002A, Subsection D.01.001(2)].

Nutrient quantities are to be declared on the basis of a serving of stated size of the food as sold (Sections B.01.300-B.01.303, B.01.306, B.01.310, D.01.004, D.01.005, D.02.002, D.02.003). This applies equally to foods which are consumed in the form in which they are sold and to foods requiring preparation before consumption e.g. beverage mixes. In this latter case, the "serving" would be the amount of the food as sold which is used to prepare the serving as consumed. In addition, information should be given on the nutrient content of the food as prepared for consumption following directions for use.

3. Core List

The "core list" comprising energy, protein, fat and carbohydrate is to be given in all cases where nutrition labelling is applied, with the other nutrients listed as desired.

The energy value is to be declared in both Calories (or Cal) and kilojoules (or kJ) and preceded by the word "energy" (Section B.01.301). Kilojoules should be rounded to the nearest 10 kJ.

The contents of protein, fat and carbohydrate are to be listed in grams (Section B.01.300), and rounded to the nearest tenth of a gram for quantities less than 10 g and to the nearest whole number for quantities of 10 g or more. If any of the macronutrients is not present in the food, its absence is to be indicated as zero.

4. Fatty Acids and Cholesterol

Following the fat declaration, polyunsaturates, monounsaturates, saturates, and cholesterol may be listed, subject to the following conditions (Section B.01.303):

i) The contents of cis-methylene interrupted polyunsaturated fatty acids, cis-monounsaturated fatty acids, and saturated fatty acids are to be declared in grams and cholesterol in milligrams, when any one of the above is declared.

ii) The nomenclature to be used is as follows:

Polyunsaturates
Monounsaturates
Saturates
Cholesterol

The content of linoleic acid may also be listed. If declared, it is to be given in grams and accompanied by a declaration of the contents of cis-methylene interrupted polyunsaturated fatty acids, cis-monounsaturated fatty acids, and saturated fatty acids expressed in grams and of cholesterol in milligrams [Subsection B.01.306(2)].

Specific fatty acids other than linoleic acid and specific groups of fatty acids other than polyunsaturates, monounsaturates and saturates may not be declared [Subsection B.01.306(1)].

5. Carbohydrate Components

The declaration of carbohydrate content is to be based on the total carbohydrate (carbohydrate including dietary fibre). The declaration of one or more of the carbohydrate components, including sugars (total monosaccharides and disaccharides), sorbitol, mannitol, xylitol, starch and dietary fibre may follow the declaration of carbohydrate. The content is to be declared in grams (Section B.01.300).

6. Sodium and Potassium

If sodium and potassium are listed, their declaration is to follow the core list. If either one is declared, both are to be declared, in milligrams [Subsection B.01.302(1)].

7. Vitamins and Mineral Nutrients (other than Sodium and Potassium)

Any vitamin or mineral nutrient for which a "recommended daily intake" has been established may be declared, provided the amount present in the food is expressed in terms of a percentage of the "recommended daily intake" (Table II, page 113) contained in a serving of stated size (Sections D.01.004, and D.02.002). The term "percentage of recommended daily intake" is to be written in full and the percentage amounts expressed in whole numbers. The vitamins and mineral nutrients are to be listed using the names (Sections D.01.002 and D.02.001) and order shown in Table I (page 112) following the carbohydrate declaration or, if sodium and potassium are listed, following the potassium declaration.

No mention may be made of vitamins and mineral nutrients without "recommended daily intakes", (D.01.004, D.02.002) with the following specific exceptions:

i) the declaration of the content of **copper** if added to a meat or poultry product extender or a simulated meat or poultry product in fulfilment of the requirements of Sections B.14.073, B.22.027, B.14.085 - B.14.090 and B.22.029;

ii) the declaration of the contents of **biotin**, **copper** and **manganese** on the labels of meal replacements [Subparagraph B.24.202(a)(iii)];

iii) the declaration of the content of **chloride** on the label of a meal replacement if chloride is added to the food (Section D.03.002); and

iv) the declaration of the content of total **fluoride ion** expressed in parts per million on the label of prepackaged water and ice as required by Sections B.12.002 and B.12.008.

Except as noted in paragraph (iv), the quantities of these nutrients are to be declared in milligrams per serving of stated size [Paragraphs D.01.005(b) and D.02.003(b)] and should follow the listing of vitamins and mineral nutrients with "recommended daily intakes".

8. Order of Listing

The nutrients should be listed in a column in the order shown in Table I using the required nomenclature and units as indicated. Examples of nutrition labelling formats are presented in Figure I.

9. Basis for Declared Values

The basis for calculation of the nutrients is as follows:

a) Determination of Energy Value

The amount of energy should be calculated by the Atwater method, using specific factors in the latest revisions of USDA Agriculture Handbook No. 8: **Composition of Foods**. Details of the derivation are outlined in A.L. Merrill and B.K. Watt, **Energy Value of Foods - Basis and Derivation** USDA Handbook 74 (1955). The following general factors may be used in their place provided that the energy values are in reasonable agreement with the more accurate values determined according to Merrill and Watt:

Protein	4 Cal*/g	17 kJ/g
Fat	9 Cal/g	37 kJ/g
Carbohydrate**	4 Cal/g	17 kJ/g
Alcohol	7 Cal/g	29 kJ/g

b) Fat

The amount of fat should be calculated as total lipid, i.e. including, in addition to triacylglycerol (triglyceride), polar lipids such as phospholipids, cholesterol, and phytosterols.

c) Fatty Acids

Unsaturated fatty acids are to include "cis" isomers only (Section B.01.303).

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* 1 Cal = 1 Calorie = 1 kcal (kilocalorie) = 4.184 kJ (kilojoules)

** It is considered inappropriate to subtract the weight of dietary fibre from the weight of carbohydrate prior to applying the factor of 4 in the absence of accurate energy values for the source(s) of fibre in the food. A value of less than 4 Cal (17 kJ) per gram may be used for the dietary fibre content if a specific energy value is available for the fibre source.

d) Carbohydrate

The amount of carbohydrate may be determined by subtracting the content of protein, fat, ash and moisture from the weight of the product. Dietary fibre and sugar alcohols such as sorbitol are included in the total amount declared.

e) Sugars

The amount of sugars includes all monosaccharides and disaccharides (Section B.01.001).

f) Dietary Fibre

The amount of total dietary fibre may be determined by one of the following analytical methods or by methods which yield equivalent values:

i) Mongeau, R. and Brassard, R. A rapid method for the determination of soluble and insoluble dietary fibre: comparison with AOAC total dietary fibre procedure and Englyst's method. J. Food Sci. 51: 1333-1336, 1986.

ii) Prosky, L., Asp, N-G, Furda, I., DeVries, J.W., Schweizer, T.F. and Harland, B.F. Determination of total dietary fibre in foods and food products: collaborative study. J. Assoc. Off. Anal. Chem. 68: 677-679, 1985.

iii) Englyst, H., Wiggins, H.S. and Cummings, V.H. Determination of the non-starch polysaccharides in plant foods by gas-liquid chromatography of constituent sugars as alditol acetates. Analyst 107: 307-318, 1982, or revisions thereof.

g) Vitamins

The bases for determining the amounts of vitamins (to be used to calculate percentages of the "recommended daily intake" except when indicated otherwise) are set out in Section D.01.003. These are as follows:

i) The amount of vitamin A is based on the content of retinol and its derivatives and beta-carotene, all expressed as retinol equivalents (RE) on the basis of the following relationships:

1 RE = 1 microgram retinol = 6 micrograms beta-carotene
(To translate international units (IU) of vitamin A into retinol equivalents, the following formula is used:

RE = (IU retinol/3.33) + (IU beta-carotene/10).

ii) The amount of vitamin D is based on the content of cholecalciferol and ergocalciferol, expressed in micrograms (1 microgram of either = 40 IU).

iii) The amount of vitamin E is based on the content of d-alpha-tocopherol and dl-alpha-tocopherol and their derivatives, expressed in milligrams on the basis of the following relationships:
1 milligram d-alpha-tocopherol = 1 milligram vitamin E,
1 milligram dl-alpha-tocopherol = 0.74 milligram vitamin E.

iv) The amount of vitamin C is based on the content of L-ascorbic acid and L-dehydroascorbic acid and their derivatives, calculated in milligram equivalents of L-ascorbic acid and expressed in milligrams.

v) The amount of thiamine and its derivatives is based on the content of thiamine expressed in milligrams.

vi) The amount of riboflavin and its derivatives is based on the content of riboflavin expressed in milligrams.

vii) The amount of niacin is based on the content of niacin and its derivatives calculated in milligrams of nicotinic acid, plus the content of tryptophan calculated in milligrams and divided by 60, and this total expressed as niacin equivalents (NE). The content of tryptophan is to be estimated on the basis that it constitutes 1.5% of protein originating from egg, 1.3% of protein originating from milk, meat, poultry or fish, and 1.1% of protein from other sources or from mixed sources.

viii) The amount of vitamin B_6 is based on the content of pyridoxine, pyridoxal and pyridoxamine and their derivatives, calculated in milligram equivalents of pyridoxine and expressed as milligrams.

ix) The amount of folacin is based on the content of folic acid (pteroylmonoglutamic acid) and related compounds exhibiting the biological activity of folic acid, calculated in microgram equivalents of folic acid and expressed in micrograms.

x) The amount of vitamin B_{12} is based on the content of cyanocobalamin and related compounds exhibiting the biological activity of cyanocobalamin, calculated in microgram equivalents of cyanocobalamin and expressed in micrograms.

xi) The amount of pantothenic acid or pantothenate is based on the content of d-pantothenic acid and expressed in milligrams.

xii) The amount of biotin is based on the content of biotin expressed in milligrams.

10. Compliance

It will be the responsibility of the manufacturers to ensure that the information concerning nutrient levels in their products is valid. The Health Protection Branch will assist industry in evaluating the appropriateness of data for nutrition labelling. Compliance will take cognizance of the nature of the food and the inherent variability of nutrient levels.

TABLE I - NUTRITION LABELLING: NOMENCLATURE, UNITS AND ORDER OF LISTING

Heading	Nutrition Information	
Serving Size	Serving size = g or mL = (cup, item, package)	
Energy, Nutrients and Units	* Energy	Calories or Cal kilojoules or kJ
	* Protein	g
	* Fat	g
	Polyunsaturates[1]	g
	Monounsaturates[1]	g
	Saturates[1]	g
	Cholesterol[1]	mg
	* Carbohydrate	g
	Sugars	g
	Sugar alcohols (e.g. sorbitol)	g
	Starch	g
	Dietary fibre	g
	Sodium[2]	mg
	Potassium[2]	mg
		Percentage of Recommended Daily Intake
	Vitamin A	%
	Vitamin D	%
	Vitamin E	%
	Vitamin C	%
	Thiamine or Vitamin B_1	%
	Riboflavin or Vitamin B_2	%
	Niacin	%
	Vitamin B_6	%
	Folacin	%
	Vitamin B_{12}	%
	Pantothenic Acid or Pantothenate	%
	Calcium	%
	Phosphorus	%
	Magnesium	%
	Iron	%
	Zinc	%
	Iodine	%

* - core list nutrient
1 - if one of these lipid components is listed, all four must be listed
2 - if either sodium or potassium is listed, both must be listed

TABLE II - REFERENCE STANDARD FOR NUTRITION LABELLING

Column I Nutrient	Units**	Recommended Daily Intake* Column II Persons 2 years of age or older	Column III Infants and children less than 2 years of age
vitamin A	(RE)	1000	400
vitamin D	(mcg)	5	10
vitamin E	(mg)	10	3
vitamin C	(mg)	60	20
thiamine	(mg)	1.3	0.45
riboflavin	(mg)	1.6	0.55
niacin	(NE)	23	8
vitamin B_6	(mg)	1.8	0.7
folacin	(mcg)	220	65
vitamin B_{12}	(mcg)	2	0.3
pantothenic acid	(mg)	7	2
calcium	(mg)	1100	500
phosphorus	(mg)	1100	500
magnesium	(mg)	250	55
iron	(mg)	14	7
zinc	(mg)	9	4
iodide	(mcg)	160	55

Source: Tables to Divisions 1 and 2, Part D.

* based on the Recommended Nutrient Intakes for Canadians

** where RE means retinol equivalents, mg means milligrams, mcg means micrograms, and NE means niacin equivalents

FIGURE I. EXAMPLES OF NUTRITION LABELLING FORMATS, WHOLE WHEAT ROLL

Core List

NUTRITION INFORMATION per 35 g serving (1 roll)		
Energy	90	Cal
	380	kJ
Protein	3.5	g
Fat	1.0	g
Carbohydrate	18	g

Core list + carbohydrate constituents, sodium and potassium

NUTRITION INFORMATION per 35 g serving (1 roll)		
Energy	90	Cal
	380	kJ
Protein	3.5	g
Fat	1.0	g
Carbohydrate	18	g
Sugars	1.1	g
Starch	16	g
Dietary Fibre	1.2	g
Sodium	190	mg
Potassium	95	mg

Core list + vitamins and minerals

NUTRITION INFORMATION per 35 g serving (1 roll)		
Energy	90 380	Cal kJ
Protein	3.5	g
Fat	1.0	g
Carbohydrate	18	g
PERCENTAGE OF RECOMMENDED DAILY INTAKE		
Thiamine	9	%
Riboflavin	3	%
Niacin	8	%
Vitamin B_6	4	%
Folacin	9	%
Calcium	3	%
Magnesium	12	%
Iron	6	%
Zinc	7	%

ANNEX F: SUGGESTED SERVING SIZES FOR THE DECLARATION OF NUTRIENT CONTENT

The serving sizes set out in the following table are suggested for use in the declaration of nutrient content, including nutrition labelling. They are based primarily on food consumption data from the Nutrition Canada National Survey and take into account serving sizes suggested in Canada's Food Guide, current market units and consumption practices. In many cases, ranges are provided for greater flexibility.

The "typical serving sizes" are given in rounded metric units, either in grams (mass) or, in the case of liquids, in millilitres (volume). In addition, approximately equivalent household measures (metric and Canadian) or common units of food are given in parentheses. Raw and cooked values are given for a number of foods, which may be sold in either form.

An exception to these serving sizes is made in the case of a food sold in a single serving unit. In this situation, the mass or volume, as appropriate, of the single serving unit is to be used as the basis for nutrient declarations (section B.01.002A of the Food and Drug Regulations). Similarly, if a food is sold in multiple portions of a size fixed by the manufacturer (e.g., bread rolls) or in units of fixed size which are combined to form a portion (e.g., soda crackers), the total weight of an appropriate number of units should be used as a basis for declarations.

It should be emphasized that these serving sizes are intended to be suggestions only. Industry and individual manufacturers will have the flexibility to determine the serving size for a given product provided that it is reasonable, and is used in a fair and consistent manner. A reasonable serving size is considered to be an amount of food which would reasonably be consumed at one sitting by an adult. Except where permitted by the Regulations, it is considered misleading and deceptive to use more than one serving size to declare the nutrient content of a given product.

Agreement within the food industry on the serving size of a food is essential for nutrition labelling and claims to be informative, and to allow for meaningful comparisons.

ANNEX F: SUGGESTED SERVING SIZES FOR THE DECLARATION OF NUTRIENT CONTENT (cont'd.)

TABLE: Usual Serving Sizes for Various Foods

Column I Name and description	Column II Serving Size	(Metric and Canadian Household Measure or Unit of Food - Approximate Equivalent to Serving Size)
Bread, Cereals and other Grain Products		
Biscuits and crackers		
Sweet biscuits or cookies	30- 40 g	(3-5 cookies)
Soda biscuits, cream crackers	15- 25 g	(4-8 crackers)
Crispbreads, rye crisp, melba toast, savoury crackers	20- 40 g	(2-5 crispbreads)
Breads, rolls, buns, bagels	25- 60 g	(1 or 2 slices, 1 or 2 rolls, 1 bagel, 1 English muffin, 1 hamburger bun)
Cakes	80-110 g	(1/12 of 23 cm diameter cake)
Doughnuts, pastries	60- 80 g	(1 doughnut, 1 Danish pastry)
Cereals, ready-to-eat	30 g	(75-375 mL, 1/3 cup - 1½ cups)
Cereals, oatmeal or rolled oats, dry	30 g	(75 mL, 1/3 cup or 2/3-1 cup cooked)
Cereals, puffed, other than presweetened	15 g	(250 mL, 1 cup)
Flour, all purpose, whole wheat, cake flour	60-140 g	(125-250 mL, ½-1 cup)
Muffins	40-100 g	(1 muffin)
Pancakes, waffles	60- 90 g	(2-3 pancakes, 1 or 2 waffles)
Pasta (macaroni, noodles, spaghetti)		
dry	45- 85 g	
cooked	90-150 g	(150-250 mL, 2/3-1 cup)
Pies	100-160 g	(1/8-1/6 of 23 cm diameter pie)
Rice		
dry	30- 40 g	
cooked	90-120 g	(125-175 mL, 1/2-3/4 cup)

ANNEX F: SUGGESTED SERVING SIZES FOR THE DECLARATION OF NUTRIENT CONTENT (cont'd.)

Eggs		
Egg, without shell	50-100 g	(1-2 eggs)
Simulated egg products	50-100 g	(50-125 mL, ¼-½ cup)
Fats and Oils		
Butter, margarine	5- 10 g	(5-10 mL, 1-2 tsps.)
Dressings for salads	15 g	(15 mL, 1 tbsp.)
Vegetable oils	5- 10 g	(5-10 mL, 1-2 tsps.)
Fish and Shellfish		
Fish		
raw, fresh, frozen	90-130 g	
cooked, canned, frozen	60-100 g	(1 fillet, 125 mL or ½ cup canned)
Shellfish		
raw	100-120 g	
meat, cooked	70- 90 g	(125 mL or ½ cup, 11 fried shrimp, 7 scallops)
Fruits and Related Products		
Fruits, raw, edible portion other than berries	110-160 g	(1 apple, 1 banana, 1 orange, 1 peach, ¼ cantaloupe, ½ grapefruit)
Berries, raw	70- 90 g	(125-175 mL, 1/2-3/4 cup)
Fruits, canned (solids and 25 mL liquid), frozen (solids and 25 mL liquid)	120-150 g	(125-150 mL, 1/2-2/3 cup)
Fruit, dried	30- 40 g	(4 prunes, 2 figs, 10 apricot halves, 1 small box raisins)
Fruit juices, fresh, frozen, canned	175 mL	or 1 single serving container
Fruit-flavoured drinks and beverages	175 mL	or 1 single serving container
Lemon juice, lime juice	30 mL	(2 tbsp)
Legumes, Nuts and Seeds		
Legumes		
Beans, common white, kidney beans, chick peas, lentils		
raw, dried	40- 80 g	
cooked	100-200 g	(125-250 mL, ½-1 cup)

Nuts	50 g	(75-125 mL, 1/3-1/2 cup)
Peanut butter	35 g	(30 mL, 2 tbsp)
Seeds	75 g	(125 mL, ½ cup)
Tofu	90 g	(7 x 6 x 2 cm piece)

Meat, Poultry and Related Products

Meat and poultry meat		
Beef, boneless, lean and fat		
raw	90-130 g	
cooked	60-100 g	(2 medium slices roast, 1 hamburger patty)
Game, boneless, lean and fat		
raw	90-130 g	
cooked	60-100 g	
Lamb, boneless, lean and fat		
raw	90-130 g	
cooked	60-100 g	
Pork, fresh, boneless, lean and fat		
raw	90-130 g	
cooked	60-100 g	(2-3 slices roast)
Pork, cured		
Bacon, side		
raw	80 g	(3 slices)
cooked	25 g	(3 slices)
Bacon, back		
raw	70 g	(2 slices)
cooked	40 g	(2 slices)
Ham		
raw	120 g	
cooked	60-100 g	(2-3 slices)
Poultry, boneless (chicken or turkey)		
raw	90-130 g	
cooked	60-100 g	(2-3 slices)
Veal, boneless, lean and fat		
raw	90-130 g	
cooked	60-100 g	
Organ and glandular meats (heart, kidney, liver, tongue, sweetbreads)		
raw	90-130 g	
cooked	60-100 g	

ANNEX F: SUGGESTED SERVING SIZES FOR THE DECLARATION OF NUTRIENT CONTENT (cont'd.)

Prepared meat and prepared meat by-products		
Liver paste, meat paste, meat spread, potted meat	30- 40 g	(30-45 mL or 2-3 tbsps.)
Luncheon meat, meat loaf	60 g	(2 slices)
Sausage, fresh		
raw	120-160 g	(2-4 links regular, 1-2 links large)
cooked	60-100 g	(2-4 links regular, 1-2 links large)
Sausage, cooked		
Bologna, salami, other cooked sausage products	60 g	(2 slices)
Wieners	40- 80 g	(1-2 wieners)
Prepared poultry meat and prepared poultry meat by-products	30- 60 g	
Extended meat products		
Extended meat product other than extended meat product that resembles fresh sausage, cooked sausage, luncheon meat, meat loaf, liver paste, meat paste, meat spread, potted meat		
raw	90-130 g	
cooked	60-100 g	
Extended meat product that resembles fresh sausage		
raw	120-160 g	
cooked	60-100 g	
Extended meat product that resembles cooked sausage, luncheon meat, meat loaf	60-100 g	
Extended meat product that resembles liver paste, meat paste, meat spread, potted meat	30- 40 g	
Extended poultry products		
raw	120 g	
cooked	90 g	

ANNEX F: SUGGESTED SERVING SIZES FOR THE DECLARATION OF NUTRIENT CONTENT (cont'd.)

Simulated meat products		
Simulated meat product other than simulated meat product that resembles bacon (side and back), fresh sausage, cooked sausage, luncheon meat, meat loaf, liver paste, meat paste, meat spread, potted meat		
raw	90-130 g	
cooked	60-100 g	
Simulated meat product that resembles side bacon		
raw	80 g	
cooked	25 g	
Simulated meat product that resembles back bacon		
raw	70 g	
cooked	40 g	
Simulated meat product that resembles fresh sausage		
raw	120 g	
cooked	60 g	
Simulated meat product that resembles cooked sausage, luncheon meat, meat loaf	60 g	
Simulated meat product that resembles liver paste, meat paste, meat spread, potted meat	40 g	
Simulated poultry products		
raw	120 g	
cooked	90 g	
<u>Milk Products</u>		
Cheese, processed cheese, processed cheese food, processed cheese spread	30- 45 g	(30-45 mL, 2-3 tbsps.)
Cheese, cottage, creamed	120 g	(125 mL, ½ cup)
Cream, whipping, table or coffee cream, sour cream	30 g	(30 mL, 2 tbsp)
Evaporated milk, evaporated skim milk, evaporated partly skim milk	125 mL	(250 mL, 1 cup reconstituted)
Ice cream, ice milk, sherbet, frozen desserts	70- 90 g	(125 mL, ½ cup)

ANNEX F: SUGGESTED SERVING SIZES FOR THE DECLARATION OF NUTRIENT CONTENT (cont'd.)

Milk, skim milk, partly skimmed milk, sterilized milk, flavoured milk, buttermilk	200 mL or 250 mL	
Milk powder, skim milk powder	25 g	(75 mL or 1/3 cup; 250 mL, 1 cup reconstituted)
Milk puddings	140 g	(125 mL, ½ cup)
Yoghurt, plain and fruit varieties	125-175 g	(125-175 mL, 1/2-3/4 cup)

Mixtures

Beans and pork, beans and wieners, chili con carne	250 g	(250 mL, 1 cup)
Combinations of pasta with sauce, cheese or meat	375 g	(375 mL, 1½ cups)
Hamburger, 2 oz with bun, no condiments	110 g	(60 g patty, 50 g bun)
Wiener with bun	100 g	(50 g wiener, 50 g bun)
Meat, poultry or fish stew	230 g	(250 mL)
Meat or poultry pie	160-230 g	(1 individual pie or sector)
Pizza	70-150 g	(¼ of 35 cm diameter pizza)
Quiche	100 g	(1/6 of 23 cm diameter quiche)
Rice combinations	180 g	(250 mL, 1 cup)
Tourtière	140 g	(1/6 of 23 diameter pie)

Soups

Soups (meats, fish, chicken, legumes, vegetables and/or cereals)		
ready-to-serve	180-250 g	(175-250 mL, 3/4-1 cup)
condensed, canned	125 g	(250 mL, 1 cup, ready-to-serve)
dehydrated, dry form	15 g	(250 mL, 1 cup, ready-to-serve)

Sugar and Sweets

Candies, caramels, candy bars	30 g	(3-6 pieces, 1 bar)
Chewing gum	5 g	(1 stick)
Dessert sauces	35 g	(30 mL, 2 tbsp)
Gelatin dessert, powder	15 g	(125 mL, ready-to-serve)
Honey, molasses	20 g	(15 mL, 1 tbsp)
Syrups, maple, table blends	50 g	(50 mL, 1/4 cup)
Jams, jellies, preserves, marmalade	20 g	(15 mL, 1 tbsp)
Soft drinks	250-280 mL	(250 mL, 1 cup or 1 single serving container)

Vegetables and Related Products

Tomato juice, vegetable juice, vegetable drink	125-175 mL	or single serving container
Vegetables, raw, edible portion	30- 70 g	(75-250 mL, 1/3-1 cup, 1 carrot, 1 stalk celery, 1/2 cup shredded cabbage, 1 cup lettuce, 1/3 cup green peppers)
Tomatoes, raw	60-100 g	(1 small to medium)
Vegetables, cooked, canned, frozen, drained (including string beans, beets, broccoli, brussels sprouts, cabbage, carrots, cauliflower, corn, greens, mushrooms, parsnips, peas, spinach, squash, etc.)	70-110 g	(125 mL, 1/2 cup)
Potatoes, cooked	110-150 g	(1 potato, medium)
french fried	70-110 g	(15-25 large strips)
Green salad without dressing	65 g	(1 cup)

Miscellaneous

Flavoured beverage mixes and bases for addition to milk	10 g	(250 mL, 1 cup reconstituted)
Gravy	25- 50 g	(15-50 mL, 2-4 tbsp)
Mustard (prepared), relish (sour and sweet)	15 g	(15 mL, 1 tbsp.)
Olives, pickles	20 g	(1 gherkin, 2 pickles, 5 olives)
Snacks (potato chips, corn chips, popcorn, pretzels)	15- 40 g	(12 potato chips or 1 small bag chips, 2 cups popcorn, 6 pretzels)
Tacos, cheese	50 g	(1 taco)
Tomato catsup	15 g	(15 mL, 1 tbsp)

ANNEX G: FOODS TO WHICH VITAMINS, MINERAL NUTRIENTS OR AMINO ACIDS MAY BE ADDED

	COLUMN I Food	COLUMN II Vitamin, Mineral Nutrient or Amino Acid
1.	Breakfast cereals	Thiamine, niacin or niacinamide, vitamin B_6, folic acid, pantothenic acid, magnesium and iron.
2.	Fruit nectars, vegetable drinks, bases and mixes for vegetable drinks and a mixture of vegetable juices	Vitamin C.
2.1	Fruit flavoured drinks that meet all the requirements of section B.11.150	Vitamin C, folic acid, thiamine, iron, potassium.
2.2	Bases, concentrates and mixes that are used for making fruit flavoured drinks and that meet all the requirements of section B.11.151	Vitamin C, folic acid, thiamine, iron, potassium.
3.	Infant cereal products	Thiamine, riboflavin, niacin or niacinamide, calcium, phosphorus, iron, iodine.
4.	Margarine and other similar substitutes for butter	Vitamin A, vitamin D, alpha-tocopherol.
5.	Alimentary pastes	Thiamine, riboflavin, niacin or niacinamide, iron.
6.	Infant formulae and formulated liquid diets	Amino acids: alanine, arginine, aspartic acid, cystine, glutamic acid, glycine, histidine, hydroxyproline, isoleucine, leucine, lysine, methionine, phenylalanine, proline, serine, taurine, threonine, tryptophan, tyrosine, valine;

ANNEX G: FOODS TO WHICH VITAMINS, MINERAL NUTRIENTS OR AMINO ACIDS MAY BE ADDED (cont'd.)

	COLUMN I Food	COLUMN II Vitamin, Mineral Nutrient or Amino Acid
		Minerals: calcium, chloride, chromium, copper, iodide, iron, magnesium, manganese, molybdenum, phosphorus, potassium, selenium, sodium, zinc; Vitamins: alpha-tocopherol, biotin, d-pantothenic acid, folic acid, niacin or niacinamide, riboflavin, thiamine, vitamin A, vitamin B_6, vitamin B_{12}, vitamin C, vitamin D, vitamin K.
7.	Flavoured beverage mixes and bases recommended for addition to milk	Vitamin A, thiamine, niacin or niacinamide, vitamin C, iron.
8.	Simulated meat products, simulated poultry meat products, meat product extenders and poultry product extenders	Thiamine, riboflavin, niacin or niacinamide, pyridoxine, d-pantothenic acid, folic acid, vitamin B_{12}, iron, magnesium, potassium, zinc, copper, histidine, isoleucine, leucine, lysine, methionine, phenylalanine, threonine, tryptophan, valine.
9.	Subject to item 9.1, meal replacements that meet all the requirements of B.24.200 whether or not they are sold or represented for use in a weight reduction diet	Minerals: calcium, chloride, copper, iodine, iron, magnesium, manganese, phosphorus, potassium, sodium, zinc Vitamins: alpha-tocopherol, biotin, d-pantothenic acid, folic acid, niacin or niacinamide, thiamine, vitamin A, vitamin B_6, vitamin B_{12}, vitamin C, vitamin D, riboflavin.
9.1	Ready breakfast, instant breakfast and other similar breakfast replacement foods however described	Vitamin A, thiamine, riboflavin, niacin or niacinamide, vitamin C, iron.

ANNEX G: FOODS TO WHICH VITAMINS, MINERAL NUTRIENTS OR AMINO ACIDS MAY BE ADDED (cont'd.)

	COLUMN I Food	COLUMN II Vitamin, Mineral Nutrient or Amino Acid
10.	Condensed milk, milk, milk powder, sterilized milk, (naming the flavour) milk	Vitamin D.
11.	Skim milk with added milk solids, partly skimmed milk with added milk solids, (naming the flavour) skim milk, (naming the flavour) partly skimmed milk, (naming the flavour) skim milk with added milk solids, (naming the flavour) partly skimmed milk with added milk solids, skim milk, partly skimmed milk, skim milk powder	Vitamin A, vitamin D.
12.	Evaporated milk	Vitamin C, vitamin D.
13.	Evaporated skim milk, concentrated skim milk, evaporated partly skimmed milk, concentrated partly skimmed milk	Vitamin A, vitamin C, vitamin D.
14.	Apple juice, reconstituted apple juice, grape juice, reconstituted grape juice, pineapple juice, reconstituted pineapple juice, concentrated fruit juice, apple and any juice described in section B.11.132	Vitamin C.
15.	Flour, white flour enriched flour or enriched white flour	Thiamine, riboflavin, niacin or niacinamide, vitamin B_6, folic acid, d-pantothenic acid, calcium, iron, magnesium.

ANNEX G: FOODS TO WHICH VITAMINS, MINERAL NUTRIENTS OR AMINO ACIDS MAY BE ADDED (cont'd.)

	COLUMN I Food	COLUMN II Vitamin, Mineral Nutrient or Amino Acid
16.	Enriched vitamin B white flour	Thiamine, riboflavin, niacin or niacinamide, iron.
17.	Table salt, table salt substitutes	Iodine.
18.	Dehydrated potatoes	Vitamin C.
19.	Products simulating whole egg	Vitamin A, thiamine, riboflavin, niacin or niacinamide, vitamin B_6, d-pantothenic acid, folic acid, vitamin B_{12}, alpha-tocopherol, calcium, iron, zinc, potassium.
20.	Foods for fat-modified diets meeting the requirements of B.24.015(d)(i) and (ii)	Alpha-tocopherol.
21.	Goat's milk, goat's milk powder	Vitamin D.
22.	Partly skimmed goat's milk, skimmed goat's milk, partly skimmed goat's milk powder, skimmed goat's milk powder	Vitamin A, vitamin D.
23.	Evaporated goat's milk	Vitamin C, vitamin D, folic acid.
24.	Evaporated partly skimmed goat's milk, evaporated skimmed goat's milk	Vitamin A, vitamin C, vitamin D, folic acid.
25.	Pre-cooked rice as defined in sub-section B.13.010.1(1)	Thiamine, niacin or niacinamide, vitamin B_6, folic acid, pantothenic acid, iron.
26.	Mineral water, spring water, water in sealed containers, prepackaged ice	Fluorine.

Processes Which Produce a MINIMUM of Physical, Chemical or Biological Changes

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Aeration
Ageing
Agglomeration (without chemical change or addition)
Blending
Centrifugation
Chilling (including refrigerating and freezing)
Chopping
Churning
Cleaning*
Concentration (without chemical change)
Cutting
Deboning (manual)
Defatting (without chemical change)
Degerming
Dissolving
Drying, dehydration, desiccation evaporation, freeze-drying
Emulsifying (without synthetic chemical addition)
Extrusion
Fermentation*
Filtering* and clarifying
Finning, finishing (without chemical change)
Flaking
Flocculation (without chemical addition)
Forming
Fumigation
Grating
Grinding
Heating (including baking, blanching, boiling, canning, cooking, frying, microwaving, pasteurizing, sterilizing, parboiling, roasting)
Homogenization
Maturation* (without chemical addition)
Melting, thawing
Milling
Mixing, blending
Packaging, canning
Peeling (without chemical change)
Pressing
Puffing
Reconstitution (without chemical addition)
Ripening* (other than by chemical means)
Separating (including screening, clarifying, centrifugation, decanting, extraction, filtering, shelling, trimming)
Shredding
Smoking (without direct chemical addition)
Soaking
Treatment with inert gases (nitrogen pack)
Treatment with toxic gases (with no chemical change)

* using micro-organisms

ANNEX H: LIST OF PROCESSES AFFECTING THE NATURAL CHARACTER OF FOODS (cont'd.)

Processes Which Produce a MAXIMUM of Physical, Chemical or Biological Changes

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Anion exchange
Bleaching (with chemical addition)
Cation exchange
Conversion (with chemical addition or synthesis)
Curing (with chemical addition)
Deboning (mechanical)
Decaffeination (with chemical addition)
Denaturation (with chemical change)
Enzymolysis (with chemical addition)
Esterification
Hormonal action
Hydrogenation
Hydrolysis (with chemical addition)
Interesterification
Oxidation (with chemical addition)
Reduction (with chemical addition)
Smoking (with chemical addition)
Synthesis (chemical)
Tenderizing (with chemical addition)

ANNEX I: GUIDELINES FOR THE USE OF RESEARCH AND SURVEY DATA IN SUPPORT OF ADVERTISING CLAIMS

The Advertising Standards Council has published a pamphlet outlining the criteria for research and survey data in support of advertising claims; which includes types of claims, research methods for consumer studies and documentation required to support a claim.

Copies of this pamphlet entitled **"Guidelines for the Use of Research and Survey Data in Comparative Food Commercials"** may be obtained from the:

Advertising Standards Council
Suite 402
350 Bloor Street East
Toronto, Ontario
M4W 1H5 (416) 961-6311

or

Advertising Standards Council
Suite 130
4823 Sherbrooke Street West
Montreal, P.Q.
H3Z 1G7 (514) 931-8060

The Advertising Standards Council has prepared a publication which presents criteria for comparative advertising in food commercials along with practical guidelines for the use of these criteria.

Copies of this pamphlet entitled **"Guidelines for the Use of Comparative Advertising in Food Commercials"** may be obtained from the:

Advertising Standards Council
Suite 402
350 Bloor Street East
Toronto, Ontario
M4W 1H5 (416) 961-6311

or

Advertising Standards Council
Suite 130
4823 Sherbrooke Street West
Montreal, P.Q.
H3Z 1G7 (514) 931-8060

Radio and Television Commercial Messages

The Broadcasting Regulations state that no commercial message for, or endorsement of, a food to which the Food and Drugs Act applies, may be broadcast unless the script for the commercial message or endorsement has been approved by the Minister of Consumer and Corporate Affairs (CCAC), and the script bears the script number assigned to it by the Canadian Radio Television and Telecommunications Commission (CRTC), in the case of an alcoholic beverage, or by the Minister of CCAC in the case of any other food.

The CRTC is responsible for the application of regulations and policy rulings promulgated under the authority of the Broadcasting Act. Advertising legislation covering foods is administered by CCAC. This latter Department examines all food commercials intended for broadcast on radio and television.

Clearance Procedure

The following procedures apply to scripts for commercial messages or endorsements for foods (other than alcoholic beverages).

1) Three copies of the script and preferably a story board, if available, of the food commercial message or endorsement are to be submitted not less than two weeks in advance of intended use to:

Consumer and Corporate Affairs Canada
Consumer Products Branch
Food Division
Advertising Section
Place du Portage, Phase I
50 Victoria Street, 16th Floor
Hull, Quebec
K1A 0C9

Telex No.: 0533694
Telecopier No.: (819) 997-2721

2) The following information should accompany each submission:

a) the title assigned to the commercial or endorsement;

b) the name of the person (company) responsible for the food(s) advertised;

c) the name and address of person and company to which the commercial is to be returned;

d) the last script number of the commercial if it is being returned for re-approval or has been amended since the last approval, and

e) the label of food product advertised if the food has not been advertised on radio or television before or if the food or its label has been modified since it was last advertised.

3) The following information elements would be helpful but are not always essential:

a) the phone number and name of the person responsible for the submission;

b) the substantiation of claims when the rationale or justification for the claims is not evident;

c) the proposed airing date.

4) Commercials will be returned by mail unless otherwise provided for in the incoming correspondence.

Scripts pertaining to alcoholic beverages are to be submitted to the CRTC as per the procedures outlined in CRTC circular No. 329.

Scripts submitted for approval will be returned stamped "APPROVED" or "REFUSED". A number will also be assigned to each script. The first six digits of the number indicate the expiration date of the commercial (the first two digits represent the month, the second two the day and the third two the year) followed by a five digit identification number assigned by CCAC. The complete eleven digit number is the "script number".

Example: 01 - 01 - 90 - 00001
Month Day Year Identification Number

Any changes to a script by this Department will result in the number being suffixed with the letter "C". This will identify a script which is approved provided that all of the suggested changes are implemented and that the commercial is broadcast verbatim, as approved. A number suffixed with the letter "R" will identify a script which is not approved and cannot be broadcast.

Food commercials will be approved for a one-year period unless otherwise stated on the approved script. Any changes to an approved script by the advertiser, including any addition or deletion, will render the approval invalid.

Advertising copy is usually examined on a first come, first serve basis.

In the case where no food, drug or medical device is offered for sale, advertisers and broadcasters are reminded that under the Broadcasting Regulations, stations cannot, in any broadcast, make recommendations for the prevention, treatment or cure of a disease or ailment unless the script making such recommendations has been approved by a representative of the Department of National Health and Welfare. This applies to commercial messages where claims pertaining to the prevention or treatment of any diseases or disorders such as cancer or obesity are made. CCAC inspectors monitor advertisements aired on radio and television stations and have been designated by the Commission to inspect stations to determine whether or not records are kept in accordance with the Broadcasting Regulations. Any infraction will be communicated directly to the station by the inspector, for remedial action.

It should also be noted that all commercials for foods, drugs, cosmetics and medical devices are required to be submitted for approval before broadcast and that the regulations do not, at present, provide for any exception, administrative or otherwise.

Broadcasting Regulations

Sections 7(2)-7(7) of the Television Broadcasting Regulations (1987) state: "A licensee shall not, after March 31, 1987 broadcast,

(a) a commercial message for, or any endorsement of, a drug, cosmetic or device, other than a veterinary biologic, to which the **Food and Drugs Act** applies unless

(i) the script of the commercial message or endorsement has been approved by the Minister of National Health and Welfare to indicate, to the extent that it is possible to so indicate on the basis of a script, that a commercial message conforming to the approved script would comply with the applicable provisions, administered by that Minister, of the **Food and Drugs Act**, the **Narcotic Control Act** and regulations made pursuant to those Acts or to the **Department of National Health and Welfare Act**, and

(ii) the script bears the script number assigned to it by that Minister;

(b) a commercial message for, or an endorsement of, a food to which the **Food and Drugs Act** applies unless

(i) the script of the commercial message or endorsement has been approved by the Minister of Consumer and Corporate Affairs to indicate, to the extent that is possible to so indicate on the basis of a script, that a commercial message conforming to the approved script would comply with the applicable provisions, administered by that Minister, of the **Consumer Packaging and Labelling Act**, the **Food and Drugs Act** and regulations made pursuant to those Acts, and

(ii) the script bears the script number assigned to it by the Commission, in the case of an alcoholic beverage, or by that Minister, in the case of another food; or

(c) a recommendation for the prevention, treatment or cure of a disease or ailment unless

(i) the script of the recommendation has been approved by the Minister of National Health and Welfare to indicate, to the extent that is possible to so indicate on the basis of a script, that a commercial message conforming to the approved script would comply with the applicable provisions, administered by that Minister, of the **Food and Drugs Act**, the **Narcotic Control Act** and regulations made pursuant to those Acts or to the **Department of National Health and Welfare Act**, and

(ii) the script bears the script number assigned to it by that Minister,

(3) Where a licensee broadcasts a commercial message, an endorsement or a recommendation referred to in subsection (1) or (2), the licensee shall keep and retain a record of the script for a period of one year after the date of the broadcast, which record shall contain

(a) the name of the product to which the script relates;

(b) the name of the sponsor or advertising agency that submitted the script for approval; and

(c) the script number referred to in subsection (1) or (2).

(4) A registration number assigned by the Commission pursuant to section 19 of the **Television Broadcasting Regulations** shall, for a period of one year from the date on which it was assigned, be considered to be a script number for the purposes of subsection (2).

(5) A script number referred to in subsection (1) shall, for a period of one year from the date on which it was assigned, be considered to be a script number for the purposes of subsection (2).

(6) A licensee shall furnish the record required by subsection (3) to the Commission or an inspector designated pursuant to the Food and Drugs Act where the Commission or the inspector so requests.

(7) The approval of the script of a commercial message, endorsement or recommendation referred to in subsection (1) or (2) does not indicate that the commercial message, endorsement or recommendation complies with the applicable legislation."

The **Radio Regulations** (A.M. and F.M.) contain similar provisions in Sections 3(2), 5(3), 5(4), 5(6) and 5(7).