



Canadian Cancer Society
Société canadienne
du cancer

Canadian Cancer Society Submission to the Senate
Standing Committee on Social Affairs, Science and
Technology study on Bill C-252

November 15, 2024



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Recommendation

The Canadian Cancer Society recommends that the Senate Standing Committee on Social Affairs, Science and Technology pass bill C-252 unamended.



About CCS

The Canadian Cancer Society (CCS) works tirelessly to save and improve lives. We fund the brightest minds in cancer research. We provide a compassionate support system for all those affected by cancer, across Canada and for all types of cancer. As the voice for people who care about cancer, we work with governments to shape a healthier society. No other organization does all we do to make lives better today and transform the future of cancer forever.

The issue in Canada

Eating well is an important part of reducing cancer risk. Findings from the CCS-funded Canadian Population Attributable Risk of Cancer (ComPARE) study show that a diet low in vegetables and fruit, and any red or processed meat, independent of body weight and physical inactivity, increases cancer risk.¹ Each year, about 12,500 new cancer cases in Canada are due to this pattern of eating.²

Dietary patterns are often formed in childhood and can increase the risks of many chronic diseases later in life.³ Data show that children in Canada have vegetable and fruit intakes that are below government nutrition recommendations and that the majority of intakes classified as meat and alternatives are foods that Canada's Food Guide recommends to "choose few of."⁴ Children ages 9 to 13 are getting nearly 60% of their daily calories from ultra-processed foods which are often high in nutrients of concern like saturated fat, sugars and sodium.^{5,6} When eaten often, nutrients of concern can increase the risk of many chronic diseases, including cancer.^{7,8,9}

The food environment is a critical influencer of food choices and dietary habits.¹⁰ Many children in Canada are growing up in a food environment that is fraught with foods that are nutrient-poor, energy dense and high in nutrients of concern.¹¹ Children in Canada are exposed to high levels of food and beverage marketing, over 90% of which is for products high in saturated fat, sugars and sodium.^{12,13} Children are uniquely vulnerable to marketing as their brains are still developing; it has been shown that food and beverage marketing influences children's food preferences, beliefs about food and food purchases.^{14,15} This can have a serious impact on children's health now and in the future.

The cost of not meeting Canadian food recommendations is estimated at \$13.8 billion, including \$5.1 billion in direct healthcare costs, per year.¹⁶ Prevention is less expensive than treatment; restrictions on food and beverage marketing will protect children and support healthier eating habits better aligned with Canada's Food Guide, leading to improved public health and significant savings in healthcare costs.^{17,18}

Why a law is important

In 2021, the voluntary, self-regulatory Code for the Responsible Advertising of Food and Beverage Products to Children was launched, developed by the Association of Canadian Advertisers, the Canadian Beverage Association, Food, Health & Consumer Products of Canada and Restaurants Canada.¹⁹ The Code guides advertising directed to children across all media, providing marketers with information to advertise food and beverage to children in a responsible way.

Previously, Canada (excluding Quebec) relied on a voluntary, industry-led approach through the Children's Food and Beverage Advertising Initiative (CAI) formed in 2007.^{20,21} However, evidence shows that voluntary, self-regulatory approaches to reducing children's exposure to marketing in Canada led by industry have not protected children from the influence of food and beverage marketing.^{22,23} Participation is voluntary and therefore non-participating companies are exempt from following guidelines with no penalties.²⁴ Further, companies create their own nutrition thresholds, definitions of child-directed marketing and scope of marketing tactics included in the guidelines, which means criteria may be weak and ineffective.²⁵

Children continue to see food and beverage marketing in homes, schools, grocery stores, restaurants and more. A 2011 study found that CAI companies were responsible for significantly more food and beverage



promotions high in sugars, sodium, fats and energy per 100 grams, were considered “less healthy” and used media characters more frequently than non-CAI companies.²⁶ In a study of 22 countries, Canada had the highest level of television advertising to children of foods not permitted to be advertised by the World Health Organization Nutrient Profile Model at nearly 10 ads per hour per station.²⁷

Evidence-informed mandatory restrictions are the most effective way to adequately protect children by reducing exposure to, and the power of, food and beverage marketing. Since 1980, Quebec, under the *Quebec Consumer Protection Act* (QCPA), has prohibited all commercial marketing to children under 12 years when children make up 15% of viewership and the advertised product is designed for, or appeals to, children. A 2012 study found fewer Quebec ads for foods high in saturated fat, sugars and sodium (HFSS) compared to English Quebec and Ontario.²⁸ People in Quebec also have the highest fruit and vegetable consumption in Canada.²⁹

International experience

In Chile, advertising directed to children under the age of 14 of food in the “high in” categories for calories, saturated fat, sugars and sodium is restricted.³⁰ Advertising targeted to children is defined using an audience threshold of greater than 20% children on television or websites and according to the design of the advertisement.³¹ Marketing tactics such as cartoons, animations and toys are included in the ban, as is advertising of food in schools. After implementing regulations, the percentage of television advertisements for HFSS foods decreased from 41.9% to 14.8%.³² Exposure to advertising of HFSS foods decreased by an average of 44% and 58% among preschoolers and adolescents, respectively, following mandatory restrictions.³³

In the UK, HFSS food and beverage advertising was initially banned both on dedicated children’s channels and in and around broadcast programs that appeal to children under 16 years as determined by the child audience composition.³⁴ Following mandatory restrictions in 2008, exposure to television advertisements for HFSS foods decreased by 51% among children ages 5 to 9 and 23% among children ages 10 to 15.³⁵ Even with these improvements, the government announced that current advertising restrictions as of 2021 were not enough and introduced a Bill that further banned advertising less healthy food and drink between 5:30 a.m. and 9:00 p.m. on television and restricts paid-for advertising of these products online.

In the United Kingdom (UK) in 2021 the government announced further restrictions on HFSS advertising that include a 9:00 p.m. to 5:30 a.m. watershed on television. This means advertising for HFSS products will not be seen on television or via on-demand programs outside of these hours, including during children’s peak viewing hours between 6:00 p.m. and 9:00 p.m. and on channels or during programs not primarily intended for children. These new restrictions also apply to paid-for advertising online, regardless of the primary audience of the website (excluding brands’ owned media spaces). It is estimated that these new restrictions could remove up to 7.2 billion calories from children’s diets per year in the UK.³⁶ These regulations better protect children by eliminating advertising that is not only directed to children but also in broader settings where marketing is frequently viewed or engaged with by children. Only limiting “child-directed” advertising is a dated approach, whereas best practice is to reduce exposure by broadening the period when HFSS food advertising is restricted as per the approach in the UK.

Further areas of concern

Physical settings frequented by children: HFSS marketing has been reported in and around schools using tactics like featuring specific products or brands, animated characters, celebrities or premium offers.³⁷ Emerging research from other jurisdictions also noted that the density of food and beverage advertising is greater within 250 metres of settings frequented by children, particularly around schools in areas of low socioeconomic status.³⁸ This is concerning as only 26.9% of individuals at the lowest income quintile eat fruits or vegetables 5 or more times a day compared to 32% of individuals at the highest



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income quintile.³⁹ Schools are a setting where children spend a significant amount of time and should be an environment that promotes healthy food choices.

Product packaging: an analysis of over 15,000 Canadian packaged food and beverage products found about 4.9% of products had child-directed packaging and fell under the categories: desserts, sugars and sweets, bakery products, snacks, dairy products, and dessert toppings and fillings.⁴⁰ It is also known that children's food preferences are influenced by product packages, particularly when they feature child-appelling characters. A 2016 systematic review and meta-analysis found that children exposed to marketing had a higher risk of choosing the advertised product, especially when the product was associated with recognizable licenced characters or logos.⁴¹

Branding or the promotion of brands predominantly associated with products that do not meet the nutrition criteria: a 2009 review on food marketing to children found that young people are important to food companies because they spend money, affect what adults buy and develop brand loyalties early in life.⁴² A 2022 Cancer Research UK survey found that young people show a high ability to recall brands, correctly identifying the company names of over 10 out of 12 logo snippets they were shown, and identifying whether they were associated with HFSS products even when they could not name the brand.⁴³ Some young people expressed concern that high brand awareness could limit the impact of marketing restrictions on consumption habits.⁴⁴ As a result, brand marketing has the potential to be a major loophole in regulations.

Conclusion

CCS commends MP Lattanzio for moving forward with this important legislation and we urge the Senate Standing Committee on Social Affairs, Science and Technology to pass C-252 unamended so that it may proceed to third reading prior to the holiday break.

Following royal assent, CCS urges Health Canada to align regulations with international best practices, commit to a phased approach to address policy gaps, and implement restrictions on a broader range of media including point-of-sale advertising.

It is important to act quickly to protect the health of children in Canada and support parents in making better food and beverage choices for their kids.

CCS will continue working to help people reduce their risk of cancer, support healthy living and advocate for policies that protect the health of all people in Canada.

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