

**November 26, 2019.**

**Re: Proposed amendments to the Food Premises Regulation 493/17 under the Health Protection and Promotion Act**

Ontario Dietitians in Public Health (ODPH) is the independent and official voice of Registered Dietitians working in local public health units. ODPH provides leadership in public health nutrition by promoting and supporting member collaboration to improve the health of Ontario residents through the implementation of the Ontario Public Health Standards. Dietitians in public health work to improve food environments, build food literacy, improve public understanding about healthy eating, and drive changes that help make it easier for Ontarians to adopt healthy eating behaviours, through partnership-building, collaboration, and capacity-building with stakeholders from various fields and sectors.

Ontario boards of health are required to support communities with their health needs related to healthy eating and food safety<sup>1</sup>. In addition, new guidelines for healthy eating for all Canadians emphasize the importance of ensuring publicly-funded institutions review their practices, processes and policies to remove barriers for Canadians to make healthy food choices in the environments in which they live, work and play<sup>2</sup>.

The proposed amendments to the Ontario Food Premise Regulations have the potential to protect the public from foodborne illness, as well as contribute to the prevention of conditions that are linked to unhealthy diets.

ODPH expresses overall support for the proposed exemptions as they would alleviate current challenges expressed by food premises, such as schools and other local community organizations, that operate with limited human and financial resources and/or typically provide food and beverages to at-risk populations (e.g. students, low-income residents, mental health) including:

- Limited facilities and equipment required to meet current food premise regulation requirements
- Challenges related to ensuring a certified food handler is on premise during all hours of operation
- Operating on limited budgets, or relying on food donations and fundraising activities

In addition to the proposed amendments, ODPH recommends:

1. The inclusion of specific requirements for publicly-funded institutions (such as schools, municipalities, Early-ON centers, etc.) that this amended regulation would apply to.

2. The identification of what foods are considered low-risk and healthy. Currently, low-risk foods are generally considered to be pre-packaged foods that provide excess nutrients of concern (sodium, free sugars and/or saturated fats), as defined by Federal Dietary Guidelines. Emphasis on selecting low-risk foods that minimize nutrients of concern should be prioritized
3. That the Ministry of Health (MOH) work collaboratively with Ontario public health units and the appropriate professional disciplines (i.e. Registered Dietitians, Public Health Inspectors) to create a guidance document or implementation tool that:
  - Defines the publicly-funded institutions that must meet these amended Food Premises requirements;
  - Identifies a list of acceptable, low-risk, high nutrient foods that can be served at these limited food premises (e.g. vegetables and fruits)
  - Defines preferred pre-packaged foods such as healthy pre-packaged, individually wrapped foods, and pre-washed whole fruits and vegetables;
  - Considers environmental impacts associated with an over-reliance on pre-packaged, individually wrapped foods and provides mitigation strategies.

### **Additional unintended consequences for consideration**

#### **Food Rescue Initiatives**

- While food-rescue may reduce waste at the organizational level, it is not an evidence-based solution to food insecurity (ODPH, 2015). Food insecurity refers to worrying about running out of food due to financial constraints. Research supports the need for income-based solutions to address the underlying causes of food insecurity (Tarasuk, 2017). Food rescue initiatives, especially when positioned as a solution to hunger and food insecurity, may have the potential to distract from the need for income-based solutions.

#### **Vegetable and Fruit Consumption Implications**

- Vegetables and fruits should be included as low-risk foods because they are essential requirements of a high quality diet. Pre-packaged, ready-to-eat items are often higher in sodium, sugars and saturated fats, and thus of lower nutritional value. Canada's food guide recommends limiting pre-packaged foods. An unintended consequence of increasing ease of serving ready-to-eat, pre-packaged processed foods is reduced access to more nutritious foods like vegetables and fruits, especially for priority/vulnerable populations including children and youth, people with low incomes, and others.

#### **School and Childcare Settings**

- Before and after school programs offered in schools and childcare centres often aim to include [food literacy](#) as part of their programming. There is potential that these programs will revert to "low-risk" food offerings to reduce equipment needs and lower food related costs. This could result in potentially fewer food literacy-

building experiences for children (e.g., if programs no longer have cleaning and sanitizing equipment, running food literacy programs such as You're the Chef may not be possible).

**References:**

<sup>1</sup>Ministry of Health and Long Term Care (2018). Ontario Public Health Standards. Accessed November 19, 2019.

[http://www.health.gov.on.ca/en/pro/programs/publichealth/oph\\_standards/docs/protocols\\_guidelines/Ontario\\_Public\\_Health\\_Standards\\_2018\\_en.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/docs/protocols_guidelines/Ontario_Public_Health_Standards_2018_en.pdf).

<sup>2</sup>Health Canada (2019). Canada's Dietary Guidelines for Health Professionals and Policy Makers. Accessed November 4, 2019. <https://food-guide.canada.ca/en/guidelines/what-are-canadas-dietary-guidelines/>.