



Word to the Wise

Canada needs a smarter food regulatory system that keeps up with industry demands

As well as resenting that we have the best hockey team in the world right now, Toronto – home of most of Canada's large food manufacturers – has always resented Ottawa for being the home of the federal food regulatory system, a system many manufacturers believe has consistently undermined their competitiveness and innovation. Food companies insist that the Ottawa regulatory system is just not nimble enough to keep up with the growth and pace of change in the food industry.

However, I'm pleased to report that I have detected a more flexible approach lately, and two recent announcements indicate that Ottawa is committed to modernizing the system.

New additives (or new uses for existing additives) cannot be used by the food industry without a full regulatory change. That would involve formal consultations, drafting a new regulation, preparing a comprehensive Regulatory Impact Analysis Statement, going to cabinet for authority to publish in the Canada Gazette Part I, a further consultation period followed by review and analysis, going to cabinet a second time and then publication in Canada Gazette Part II. This process can take more than three years after the completion of a safety assessment even for very modest and non-controversial matters. The food industry has long complained that this unnecessarily cumbersome process is badly outdated and significantly weakens its competitiveness and innovation.

Health Canada has now announced that it must "develop a more efficient and responsive regulatory framework to minimize delay" for the pre-market approval of such products as additives, novel foods and infant formulae. The ministry will complete consultations this spring on a pilot project that will "increase responsiveness, predictability and efficiency while maintaining consumer protection and the safety of the food supply" and, in its own words, provide "consumers with more timely access to innovative food products." The target for Gazette Part II is fall 2007. Critics will say that it's about time, that it shouldn't have taken a decade to recognize the problem, and it shouldn't take until fall 2007 to implement. However, at least now there is a clear articulation of the problem and a written commitment to

reform with specific target dates.

Similarly, in October 2001, Health Canada released an interesting consultation document, "Product-Specific Authorization of Health Claims for Foods," that sought feedback from industry and consumers. Now, more than four years later, the ministry is carrying out additional consultations (scheduled for January and February) to develop a comprehensive new Regulatory Framework that will set out the conditions for issuing, on a product-by-product basis, certain types of structure-function claims and disease risk reduction claims currently considered drug claims and therefore unallowable. The announcement admits that "the range of health claims currently permitted for foods is limited under the Food and Drugs Act/Regulations. Consequently, food manufacturers are not able to deliver messages about the health benefit of their products using food labels or advertising."

While it's still not clear how this scheme will be organized, there's no doubt that this initiative has significant potential, and that Health Canada deserves credit for making it a priority. The modernization of our food regulatory system will improve competitiveness, innovation and investment. And both from a public health point of view and from a financial perspective, surely we would all be better off if more Canadians lowered their cholesterol by eating more fibre, for example, than by taking an expensive pill every day.

But more needs to be done. With this in mind, the Conference Board of Canada has organized a conference for March 21 and 22 in Ottawa to bring government, industry and consumers together to discuss smarter food regulation. The conference should also identify other areas for reform, while keeping pressure on Health Canada to stick to its timeframes.

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Ronald L. Doering, BA, LL.B, MA, LL.D, practises food law in the Ottawa offices of Gowling Lafleur Henderson LLP. He can be reached at: ronald.doering@gowlings.com