

REPORTS

**Item No. 7 Reducing Trans Fats in Winnipeg Restaurants
Files EH-1 and EH-1.6**

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That the City of Winnipeg Environmental Health Services collaborate with the Winnipeg Regional Health Authority, Manitoba Health, Health Canada, and other industry stakeholders in order to develop and implement collaborative education approaches with respect to healthy nutrition (including the reduction of trans fats) in Winnipeg food service establishments.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Agenda - Standing Policy Committee on Protection and Community Services - April 7, 2008

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On January 11, 2008, the Standing Policy Committee on Protection and Community Services directed the Winnipeg Public Service to report back within 90 days on the feasibility of restricting trans fats in restaurants in the City of Winnipeg and/or requiring City restaurants to disclose the amount of trans fats in food.

RE: Reducing Trans Fats in Winnipeg Restaurants

FOR SUBMISSION TO: Standing Policy Committee on Protection and Community Services

ORIGINAL REPORT SIGNED BY: Clive Wightman, Director
Community Services

REPORT DATE: March 14, 2008

RECOMMENDATION(S):

1. That the City of Winnipeg Environmental Health Services collaborate with the Winnipeg Regional Health Authority, Manitoba Health, Health Canada, and other industry stakeholders in order to develop and implement collaborative education approaches with respect to healthy nutrition (including the reduction of trans fats) in Winnipeg food service establishments.
2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Report Summary

Key Issues:

- A regulatory approach for the reduction of trans fats in food service establishments in the City of Winnipeg is not recommended at this time, due to the following:
 - Health Canada has implemented a trans fat reduction strategy for the Canadian food supply, which includes the reduction of trans fats in food service establishments.
 - *In early 2005, the Trans Fat Task Force (TFTF) was formed in response to the passage of an opposition motion introduced in the House of Commons (in November 2004) calling on Health Canada and the Heart and Stroke Foundation of Canada to co-chair a multi-stakeholder task force. The Trans Fat Task force had a mandate to develop recommendations and strategies “to effectively eliminate or reduce processed trans fats in Canadian foods to the lowest level possible.*
 - *In June 2006, the TFTF submitted their final report, TRANSforming the Food Supply, to the Minister of Health. The Task Force recommended that:*

1) For all vegetable oils and soft, spreadable (tub-type) margarines sold to consumers or for use as an ingredient in the preparation of foods on site by retailers or food service establishments, the total trans fat content be limited by regulation to 2% of total fat content.

2) For all other foods purchased by a retail or food service establishment for sale to consumers or for use as an ingredient in the preparation of foods on site, the total trans fat content be limited by regulation to 5% of total fat content. This limit does not apply to food products for which the fat originates exclusively from ruminant meat or dairy products.

- In June 2007, The Honourable Tony Clement, Minister of Health received the final TFTF report and adopted the proposed 2% and 5% limits. The Minister also announced that these limits will be used to assess industry's performance over the next two years. In June of 2009, if significant progress has not been made then regulations will be developed by the Federal government.
 - Health Canada has indicated that significant voluntary progress by the industry has been achieved to date with respect to the reduction of trans fats in spreadable margarines and foods fried in cooking oils.
- Trans fat substitutes are available for soft spreadable margarines and for vegetable oils used in cooking, sautéing, and frying. However, the baking industry is challenged to find substitutes that meet the TFTF recommendations. As a result, Health Canada is currently working with the baking industry to find trans fat alternatives.
 - Hasty enforcement prior to the development of healthy substitutes could result in the use of unhealthy saturated fat alternatives, be inefficient, and be perceived as unfair.
 - A consistent approach throughout Canada is required. Changing the Canadian food supply is a national issue that needs to be coordinated and executed by the Federal government to ensure a consistent approach.
 - Trans fat in the food supply is a health issue. Regulation should not occur in isolation of a more comprehensive public education approach. Within a City of Winnipeg context, the expertise to **develop** a healthy nutrition program that includes the reduction of trans fats and other unhealthy food ingredients (i.e., saturated fats, sodium, etc.) should be led by the Winnipeg Regional Health Authority.

- If the City of Winnipeg were to adopt a regulatory and enforcement approach additional inspection/enforcement resources would be required (two full time equivalent positions). Furthermore, consultation with Manitoba Health would be required to ensure consistent approaches to enforcement, given that the public health jurisdiction for Winnipeg suburbs is the mandate of Manitoba Health.
- Requiring City of Winnipeg food service establishments to disclose the amount of trans fat in foods is not recommended.
 - By adopting the TTF recommendations, Health Canada and the Canadian food service industry is in the process of reducing trans fats in the Canadian food supply. By focusing on the national food supply, trans fats will systematically be reduced throughout the Canadian food supply making menu labelling unnecessary.
 - At this time, identifying the amount of trans fats in food products in food service establishments may be misleading for the consumer. A food product such as a baked good with a claim of 'zero trans fat' could currently contain an unhealthy saturated fat alternative.
- Recommendations contained within this report are consistent with information gleaned through consultation with stakeholders including the Winnipeg Regional Health Authority (Appendix 1), Manitoba Health, Health Canada, other Canadian municipalities and industry stakeholders.
- The Canadian Restaurant and Foodservices Association and the Manitoba Restaurant and Food Services Association indicated that:

'The foodservice industry has voluntarily taken significant steps to reduce trans fat in the products they offer, in advance of any government intervention. The federal government has given the industry two years to remove trans fats from their menu items before imposing their own regulation, and any move by Winnipeg to speed up this process is unnecessary.'
- At this time, it is recommended that City of Winnipeg Environmental Health Services collaborate with the WRHA, Manitoba Health, Health Canada, and other industry stakeholders in order to develop and implement collaborative education approaches with respect to healthy eating that includes the reduction of trans fat in Winnipeg food service establishments.

Implications of the Recommendation(s):

General Implications

- None
- For the organization overall and/or for other departments
- For the community and/or organizations external to the City
- Involves a multi-year contract

Comment(s): Health Canada is currently implementing a strategy to reduce trans fats in the Canadian food supply. Working collaboratively with the WRHA, Manitoba Health, Health Canada, and industry stakeholders, the City of Winnipeg can explore educational awareness approaches in order to reduce trans fats in Winnipeg restaurants.

Policy Implications

- No
- Yes

Comment(s):

Regulatory Implications

- None
- Eliminates or reduces regulatory impact
- Proposes regulatory impact

Comment(s):

Environmental Implications

- No
- Yes

Comment(s):

Human Resources Implications

- (x) No
- () Yes

Comment(s):

If a regulatory/enforcement approach for the reduction of trans fats in restaurants in City of Winnipeg restaurants and/or requiring City restaurants to disclose the amount of trans fats in food is preferred, two additional full time equivalent environmental health officers would be required.

Financial Implications

- (x) Within approved current and/or capital budget
- () Current and/or capital budget adjustment required

Comment(s): There are no financial impacts associated with this report.

Report

REASON FOR THE REPORT:

On January 11, 2008 the Standing Policy Committee on Protection and Community Services directed the Winnipeg Public Service to report back within 90 days on the feasibility of restricting trans fats in restaurants in the City of Winnipeg and/or requiring City restaurants to disclose the amount of trans fats in food.

HISTORY:

The Public Service has been directed to prepare a report on the feasibility of restricting trans fats in restaurants in the City of Winnipeg and/or requiring City restaurants to disclose the amount of trans fats in food.

In early 2005, the Trans Fat Task Force (TFTF) was formed in response to the passage of an opposition motion introduced in the House of Commons (in November 2004) calling on Health Canada and the Heart and Stroke Foundation of Canada to co-chair a

multi-stakeholder task force. The Trans Fat Task force had a mandate to develop recommendations and strategies “to effectively eliminate or reduce processed trans fats in Canadian foods to the lowest level possible.

In June 2006, the TFTF submitted their final report, *TRANSforming the Food Supply*, to the Minister of Health. The Task Force recommended that:

1) For all vegetable oils and soft, spreadable (tub-type) margarines sold to consumers or for use as an ingredient in the preparation of foods on site by retailers or food service establishments, the total trans fat content be limited by regulation to 2% of total fat content.

2) For all other foods purchased by a retail or food service establishment for sale to consumers or for use as an ingredient in the preparation of foods on site, the total trans fat content be limited by regulation to 5% of total fat content. This limit does not apply to food products for which the fat originates exclusively from ruminant meat or dairy products.

In June 2007, The Honourable Tony Clement, Minister of Health welcomed the final TFTF report and adopted the proposed 2% and 5% limits. The Minister also announced that these limits will be used to assess industry’s performance over the next two years. In June of 2009, if significant progress has not been made then regulations will be developed by the Federal government.

DISCUSSION:

Trans Fats

Trans fat occurs naturally and is found in low levels (2-5% of fat) in foods such as dairy products, beef and lamb. However, most of the trans fat in the food supply is artificial, created when an unsaturated fat that is liquid at room temperature is processed or hydrogenated to make it a solid or semi-solid at room temperature. Trans fat is listed on food labels as “partially hydrogenated” or “vegetable oil shortening”. Trans fat is commonly found in margarines, baked goods like cookies and crackers, and deep fried foods from fast food outlets. Food manufacturers use trans fat because it extends the shelf-life of foods and provides textural properties that are perceived as desirable.

Metabolic and observational epidemiological studies have consistently found that trans fat increases the risk of heart disease. Studies show that trans fat increases blood levels of “bad” (LDL) cholesterol and decreases levels of “good” (HDL) cholesterol. Both effects are associated with increased risk of coronary heart disease.¹

¹ Toronto Board of Health (2007, September 4). *The Reduction of Trans Fat in the Toronto Food Supply – Update*. Retrieved March 3, 2008, from <http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-6599.pdf>.

Federal Action on Trans Fat

In early 2005, the Federal Trans Fat Task Force (TFTF) was formed in response to the passage of an opposition motion introduced in the House of Commons (in November 2004) calling on Health Canada and the Heart and Stroke Foundation of Canada to co-chair a multi-stakeholder task force. The Trans Fat Task force had a mandate to develop recommendations and strategies "to effectively eliminate or reduce processed trans fats in Canadian foods to the lowest level possible."²

The Task Force was comprised of representatives from the food manufacturing and food service industries, the Federal government, non-governmental health organizations, academia, consumer groups and oilseed producers and processors. In June 2006, the Trans Fat Task Force submitted their final report, *TRANSforming the Food Supply*, to the Minister of Health. The Task Force recommended that:

- 1) For all vegetable oils and soft, spreadable (tub-type) margarines sold to consumers or for use as an ingredient in the preparation of foods on site by retailers or food service establishments, the total trans fat content be limited by regulation to 2% of total fat content.
- 2) For all other foods purchased by a retail or food service establishment for sale to consumers or for use as an ingredient in the preparation of foods on site, the total trans fat content be limited by regulation to 5% of total fat content. This limit does not apply to food products for which the fat originates exclusively from ruminant meat or dairy products.

Modelling carried out for the Task Force indicates that, with an upper limit of 5% on the trans fat content of all foods that are significant sources of industrially produced trans fats, the average trans fat intake of Canadians should decrease by at least 55%. In addition, most of the industrially produced trans fats would be removed from the Canadian diet, and about half of the remaining trans fat intake would be of naturally occurring trans fats. At this level, the average daily intake of trans fats for all age groups would represent less than 1% of energy intake, consistent with current dietary recommendations developed by the World Health Organization. A lower limit would not provide a significant additional decrease in average trans fat intake, but it would increase the effort and challenge for industry.

The Task Force felt the implementation of its recommendations should be staged to reflect the challenges to the food industry and to optimize public health benefits. For example, for certain oil uses (especially frying) adjustments can be made quickly.

² Trans Fat Task Force. (2006, June) *Transforming the food supply Report of the Trans Fat Task Force Submitted to the Minister of Health*. Retrieved March 3, 2008, from http://www.hc-sc.gc.ca/fn-an/nutrition/gras-trans-fats/tf-ge/tf-gt_rep-rap_e.html

However, small businesses and certain baking applications may need more time to adjust.

The Task Force therefore recommends a "2 + 2" approach, allowing Health Canada up to two years to develop regulations and up to two years for implementation such that:

- Regulations be finalized by June 2008.
- A basic phase-in period be set at one year from the date of entry into force of the final regulations. Extended phase-in periods be specified for certain applications (i.e., baking) and for small and medium-sized firms, recognizing that in most cases the transition could be made within two years of the date of entry into force of the final regulations.
- Size, complexity of the operation, number of products and availability of alternatives should be factored in when deciding timelines and any extensions. These can best be determined through the business impact test, which is a normal government procedure when regulations are drafted.

To maximize the health benefit to Canadians, the Task Force further recommends that:

- The Government of Canada and all concerned food industry associations urge companies affected to use the most healthful oils for their food applications.

When the Federal Trans Fat Task Force submitted its final report to the Minister of Health in June 2006, the Minister received the final report and committed to review the recommendations.

On June 20, 2007, The Honourable Tony Clement, Minister of Health, announced that Health Canada would adopt the 2% and 5% limits proposed by the Trans Fat Task Force. The Minister stated that these limits will be used to assess industry's performance over the next two years, and that to ensure that the industry is making progress Health Canada will closely monitor the actions of the industry via the Trans Fat Monitoring Program. Finally, the Minister committed to publishing the results of the Trans Fat Monitoring Program on the Health Canada website. Three Health Canada laboratories will measure the trans fat content in certain foods and publish the results. Should the industry fail to reduce the levels of trans fat significantly, the Minister announced that Health Canada will regulate their use.

In December of 2007, Health Canada posted the first set of data from its Trans Fat Monitoring Program and has started posting food sampling data on its web site - http://www.hc-sc.gc.ca/fn-an/nutrition/gras-trans-fats/tfa-age_e.html.

The data tables included information on the fat (% by weight of food), trans fat (% of total fat), saturated fat (% of total fat), and the sum of trans and saturated (% of total fat) levels in foods. Initial food samples have been obtained from restaurants and grocery

stores and food manufactures throughout Canada. According to Health Canada, highlights from the first set of monitoring data are as follows:

'When the first set of monitoring data is compared to the Trans Fat Task Force recommendations, we note that:

In all food categories targeted in this first set of data, we have seen success in reducing the level of trans fats, in many cases, to the recommended limit of 5% of the total fat content.

We are encouraged by the fact that, in many cases, the reduction in trans fats has been achieved by finding healthier alternatives and not increasing the levels of saturated fat.'

According to Health Canada, the first set of data revealed that trans fat and saturated fat contents in pre-packaged foods were reduced and furthermore, in many cases the mono- and poly-saturated fats were increasing.

Health Canada will post on their web site new sample results in June 2008 and every six months thereafter.

The analysis of food samples is on-going and the results from the trans fat monitoring program will be posted approximately every six months on the Health Canada website. It is anticipated that the next set of data will be published in the spring of 2008.

Trans fat substitutes are available for soft spreadable margarines and for vegetable oils used in cooking, sautéing, and frying. However, the baking industry is challenged to find substitutes that meet the TTF recommendations. As a result, Health Canada is currently working with the baking industry to find trans fat alternatives.

In summary, in June 2009, if significant progress in the reduction of the trans fat content in foods has not been made, then regulations will be considered by the Federal government.³

Canadian Jurisdiction Update

In February and March of 2008, ten Canadian jurisdictions including the Vancouver Island Healthy Authority, Vancouver Coastal Health, Calgary Health Region, Edmonton Capital Health, Regina Health Region, Saskatoon Health Region, Toronto Public Health, Hamilton Board of Health, Montreal Public Health, and the Dartmouth Capital District Health Authority were contacted in order to discuss trans fat programs.

³ Personal Interview conducted March 6, 2008: Dr. Mary R. L'Abbé, Ph.D. Director, Bureau of Nutritional Sciences, Food Directorate, HPFB- Health Products and Food Branch, Health Canada

Toronto Public Health

Toronto Public Health (TPH), which represents the City of Toronto and who reports to the Toronto Board of Health, is currently collaborating with Health Canada with respect to the trans fat issue. At this time, TPH is focusing its efforts on trans fat awareness via its website and is in the initial stages of developing a trans fat education brief, which will be included in its mandatory Food Handler Certification Program provided to Toronto foodservice owners and operators.

In terms of monitoring trans fat levels in food sold and served in Toronto, TPH is collaborating with Health Canada. That is, TPH is encouraging Health Canada to include low cost food items and ethnic foods in its trans fat monitoring program to ensure that low-income populations and immigrants benefit equally from the reduction in trans fat in the Canadian food supply and are not at greater risk from consumption of imported or specialized products.⁴

The Toronto Board of Health is urging Health Canada and the Government of Canada to immediately regulate trans fat in the Canadian food supply if at the end of the two year voluntary period, 100% of products from food categories targeted by the TFTF as being sources of industrially-produced trans fats have not met the recommended TFTF limits.

The Toronto Board of Health has directed the Medical Officer of Health to communicate with the Chief Executive Officers of the five Local Healthy Integration Networks serving Toronto to request that trans fat content of food that is served in hospitals and other healthy care institutions is reduced to meet the targets of the TFTF. The Board of Health is also urging Health Canada to implement an education campaign to inform the food industry and foodservice operators about how they can reduce artificial trans fat.

In summary, TPH is pursuing an enhanced voluntary approach including education and food sampling monitoring by Health Canada. In its September 4, 2007 report, *The Reduction of Trans Fat in the Toronto Food Supply Update*, TPH indicates that:

‘...The decision to regulate locally should be deferred, pending an assessment of progress in voluntary compliance and the Federal government’s decision on regulation. Any future consideration of local regulation will include an assessment of TPH capacity for development and implementation.’

⁴ Toronto Board of Health (2007, September 4). *The Reduction of Trans Fat in the Toronto Food Supply – Update*. Retrieved March 3, 2008, from <http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-6599.pdf>.

Calgary Health Region

Calgary Health Region (CHR) has implemented the recommendations of the TTF TF locally. Phase 1 requires that partially hydrogenated vegetable oils, shortenings, or margarines may not be used for frying, pan frying (sautéing), grilling, or as a spread, unless the trans fat content is less than 2% of the total fat content by weight. This requirement applies to restaurants, caterers, mobile food vendors, or any type of food establishment that uses partially hydrogenated vegetable oils, shortenings, or margarines.

Phase 1, which began in August of 2007, initially focuses on an educational strategy involving inspections, targeted mail-outs, hand-outs, trans fat information in the Food Safety Course, and the creation of a web-site. All educational materials have been translated into 7 different languages.

Inspections conducted by environmental health officers involve the reading of labels to ensure that vegetable oils, shortenings, and margarine contain only 2% trans fat. Violations are being noted and education is being provided to assist food operators with compliance. Effective May 1, 2008 all food service establishments failing to comply with the trans fat regulations may be subject to possible fines and violations being posted on the Calgary Healthy Region web site.

In Phase II, targeted to being early in 2009, no food containing partially hydrogenated vegetable oils, shortenings, or margarines with 5% or more trans fat of total fat content by weight may be stored, used, or served by food service establishments. This limit would not apply to food products for which the food originates exclusively from ruminant meat or dairy products. Phase II will apply to all food establishments, including retail stores and grocery stores.

Hamilton Board of Health

In July 2007, the Hamilton Board of Health approved a recommendation: "That the Board of Health urge the Honourable Tony Clement, Minister of Health to effectively eliminate or reduce trans fat in all processed foods by fully implementing, in 2009, the Federal Trans Fat Task Force's regulatory approach and providing incentives to support smaller Canadian businesses in eliminating industrial-produced trans fat in foods." In addition, the Board of Health directed staff to report back on a proposed trans fat elimination or reduction policy for vendors operating in City facilities and in any other areas that municipalities may have control.

As a result, the City of Hamilton is currently exploring the feasibility of implementing a Corporate Healthy Food and Beverage Policy to include all food and beverage that is part of City business. The intent is to make healthy food and beverage choices the easier choice, be a role model in the community for industrially produced trans fat free

food service, and promote a safe and sustainable local food system. The proposed policy applies to food and beverages provided in all City owned and operated facilities and at City funded or sponsored business, education and community functions. Such facilities and events include: vending machines, residential care facilities, golf courses, museums, recreation centres, arenas, Ivor Wynne Stadium, snack bars, cafeterias, subsidized daycares, municipal workplaces, Copps Coliseum, Hamilton Place, Hamilton Convention Centre, and all City funded or sponsored business, education and community functions.

Vancouver Coastal Health and Vancouver Island Health Authority

Recently, the Government of British Columbia announced in its throne speech that the Province would go “trans fat free” by 2010. Restaurants have been given until June 2009 to voluntarily comply with Federal recommendations. If required, the BC Government has indicated that the regulation of trans fat use in the preparation of foods in restaurants and food-service establishments may be introduced.

Vancouver Coastal Health is in the process of surveying restaurant operators within its jurisdiction regarding their knowledge of trans fats and the level of voluntary compliance.

Saskatoon Health Region

Saskatoon Health Region is currently reviewing the types of fats and oils used at its 40 health care facilities. It is intended that any ingredient purchased will be ‘trans fat free’. The region does not and is not developing a program that restricts the use of trans fats in food service establishments such as restaurants.

Montreal Public Health

Montreal Public Health is currently reviewing the City of Montreal authority in order to deliver a trans fat program that reduces that amount of trans fats in restaurants.

Other Jurisdictions

Edmonton Capital Health, Regina Regional Health, and Dartmouth Capital District Health have indicated that a local program that restricts trans fats in restaurants is not being considered at this time.

Industry Stakeholders

Canadian Restaurant and Foodservices Association and the Manitoba Restaurant & Foodservices Association

The Canadian Restaurant and Food Services Association (CFRA) and the Manitoba Restaurant & Foodservices Association (MRFA) fully support the reduction and elimination of artificial trans fat, but recommend a comprehensive national approach on this issue involving all segments of the food industry, as opposed to a patchwork of regional trans fat regulations. In a letter to His Worship Mayor Sam Katz dated January 10, 2008 regarding trans fats, the CRFA and MRFA indicate that:

'The foodservice industry has voluntarily taken significant steps to reduce trans fat in the products they offer, in advance of any government intervention. The Federal government has given the industry two years to remove trans fats from their menu items before imposing their own regulation, and any move by Winnipeg to speed up this process is unnecessary.'

The CFRA was an active participant in the TFTF and endorses the trans fat limits set out in the TFTF's final report, *TRANSForming the Food Supply*. In addition, the CRFA has published a technical guide for its members on how to work with suppliers to replace trans fat with healthier alternatives. This guide is available free of charge on the CRFA website a www.crfa.ca.

In terms of industry progress to date, the CRFA and MRFA indicated that:

'A number of larger chain restaurants (including Manitoba's own Salisbury House) have already taken steps to phase out artificial trans fats. However, it has taken these larger chains years of product testing and reformulation using various trans fat alternatives to come up with cost effective and healthier trans fat alternatives that do not significantly alter food product quality, taste and texture.'

'Most smaller, independent foodservice businesses, which make up almost 60% of the foodservice units in Manitoba, have not yet begun this process. The process of eliminating trans fat is more complicated than simply substituting one oil for another. Each menu item has to be tested with a variety of trans free alternatives. Besides determining how trans fat free alternatives affect the taste and texture of menu items, other operational factors such as the alternative's shelf life need to be tested to ensure cooking consistency and affordability as some oils need to be changed more frequently.'

The CRFA and MRFA identified that many food service establishments have voluntarily complied with the TFTF recommendations with respect to frying oils and spreadable margarines by converting to healthy alternatives. However, with respect to baked goods and other finished food products, healthy alternatives are not yet available. As a result, the foodservice industry and Health Canada are working together to develop healthy alternatives. Implementing a local regulatory approach prior to the development of healthy trans fat alternatives could result in the return to unhealthy alternatives such as saturated fats.

The CFRA and MRFA also oppose requiring Winnipeg restaurants to disclose the amount of trans fat in foods and emphasized that trans fat reduction strategies need to focus on food supplies, in accordance with the TFTF recommendations. By focusing on the national food supply, trans fats will systematically be reduced throughout the Canadian food supply making menu labelling unnecessary.

Menu labelling is only achievable in a controlled supply environment where menu items are standardized, as is the case in many national chain restaurants. Changing menus and suppliers make the same practice unworkable for independent operators. Singling out one nutrient value for disclosure is also misleading, as it does not provide the comprehensive nutritional profile necessary for customers to make informed food choices.

In summary, the CFRA and MRFA have emphasized that a national and consistent approach to the reduction of trans fats in the Canadian food supply is essential. The Federal government has adopted the TFTF recommended strategies, and as a result, trans fats in the Canadian food supply have been reduced and will continue to be reduced by voluntary compliance and by future Federal regulation if required.⁵

Baking Association of Canada

The Baking Association of Canada supports the orderly removal of processed trans fat baking ingredients used in the production of baked goods and a national approach to removing trans fats from the food supply. The challenge for the baking industry is that for a number of products such as puff pastry suitable trans fat alternatives that would meet the trans fat limits as prescribed by the Minister of Health are not available. Numerous other issues also require addressing including functionality deficiency of trans fat alternatives, trans fat alternatives that also have low saturated fats, establishment of a scientific means of differentiating between processed and naturally occurring trans fats which appear in some foods (dairy, lamb) above the 5% threshold; means to address low fat products that by their very nature are already extremely low in overall fat but can produce a nutritionally insignificant level of trans fats but beyond 5% total fat as per the limits of the Trans Fat Task Force Recommendations. The industry requires a long-term strategy that provides the industry with functional and low saturated fat alternatives that comply with the limits outlined by Health Canada.⁶

City of Winnipeg

City of Winnipeg Environmental Health Services

⁵ Personal interview conducted March 5th, 2008: Ron Reaman, Vice President Canadian Restaurant and Foodservices Association; Courtney Donovan, Vice President, Manitoba-Saskatchewan, Canadian Restaurant and Foodservices Association; and Scott Jocelyn, Executive Director, Manitoba Restaurant & Foodservices Association.

⁶ Personal Interview conducted March 7, 2008: Paul Heatherington, President and CEO of the Baking Association of Canada.

Currently, the City of Winnipeg is responsible for environmental health services within the Inner City jurisdiction of the City of Winnipeg. In order to implement a regulatory approach for the reduction of trans fats in food service establishments within the City of Winnipeg Inner City jurisdiction additional 2.0 full time equivalent environmental health officers would be required. (This projection assumes that an additional 15 minutes would be added to a current routine inspection, which would involve inspecting food product labels and executing enforcement if required.)

Split Jurisdiction

Manitoba Health is currently responsible for environmental health inspections in Winnipeg's suburbs. Implementing a regulatory approach for the reduction of trans fats in these food service establishments would also require additional environmental health officer resources from Manitoba Health in order to achieve a consistent approach for all Winnipeg food service establishments. As a result, discussions with Manitoba Health would be required.

Winnipeg Regional Health Authority (See Trans Fat in Food Service Establishment Letter from WHRA in Appendix 1)

The WHRA has indicated that:

The WRHA supports a broad approach to healthy nutrition following Canada's Healthy Food Guide. This would include a reduction in trans fat as one component of a healthy diet in context with other important nutrition issues such as appropriate portion sizes, sufficient fruits and vegetables, attention to food security and reduced salt and saturated fat intake.'

Recommended Approach in Reducing Trans Fats in Winnipeg Restaurants:

Given the analysis of this issue across various Canadian jurisdictions and Industry stakeholders, as well as information from Health Canada and the Federal Government's role and strategy in place with respect to this issue, a regulatory approach for the reduction of trans fats in food service establishments in the City of Winnipeg is not recommended at this time. Rather, the Public Service is recommending that the City of Winnipeg's Environmental Health Services collaborate with the Winnipeg Regional Health Authority, Manitoba Health, Health Canada, and other industry stakeholders in order to develop and implement collaborative education approaches with respect to healthy nutrition (including the reduction of trans fats) in Winnipeg foodservice establishments.

The rationale for pursuing an educational approach, as opposed to a regulatory / enforcement approach to the issue of trans fats in Winnipeg Restaurants is based on the following key points:

1. Health Canada has implemented a trans fat reduction strategy for the Canadian food supply, which includes the reduction of trans fats in food service establishments.
 - In early 2005, the Trans Fat Task Force (TFTF) was formed in response to the passage of an opposition motion introduced in the House of Commons (in November 2004) calling on Health Canada and the Heart and Stroke Foundation of Canada to co-chair a multi-stakeholder task force. The Trans Fat Task force had a mandate to develop recommendations and strategies “to effectively eliminate or reduce processed trans fats in Canadian foods to the lowest level possible.
 - In June 2006, the TFTF submitted their final report, *TRANSforming the Food Supply*, to the Minister of Health. The Task Force recommended that:
 - i) For all vegetable oils and soft, spreadable (tub-type) margarines sold to consumers or for use as an ingredient in the preparation of foods on site by retailers or food service establishments, the total trans fat content be limited by regulation to 2% of total fat content.
 - ii) For all other foods purchased by a retail or food service establishment for sale to consumers or for use as an ingredient in the preparation of foods on site, the total trans fat content be limited by regulation to 5% of total fat content. This limit does not apply to food products for which the fat originates exclusively from ruminant meat or dairy products.
 - In June 2007, The Honourable Tony Clement, Minister of Health received the final TFTF report and adopted the proposed 2% and 5% limits. The Minister also announced that these limits will be used to assess industry’s performance over the next two years. In June of 2009, if significant progress has not been made then regulations will be developed by the Federal government.
 - Health Canada has indicated that significant voluntary progress by the industry has been achieved to date with respect to the reduction of trans fats in spreadable margarines and foods fried in cooking oils.
2. Trans fat substitutes are available for soft spreadable margarines and for vegetable oils used in cooking, sautéing, and frying. However, the baking industry is challenged to find substitutes that meet the TFTF recommendations. As a result, Health Canada is currently working with the baking industry to find trans fat alternatives. Hasty enforcement prior to the development of healthy substitutes could result in the use of unhealthy saturated fat alternatives, be inefficient, and be perceived as unfair.
3. A consistent approach throughout Canada is required. Changing the Canadian food supply is a national issue that needs to be coordinated and executed by the Federal government to ensure a consistent approach.

4. Trans fat in the food supply is a health issue. Regulation should not occur in isolation of a more comprehensive public education approach. Within a City of Winnipeg context, the expertise to develop a healthy nutrition program that includes the reduction of trans fats and other unhealthy food ingredients (i.e., saturated fats, sodium, etc.) should be led by the Winnipeg Regional Health Authority.

If the City of Winnipeg were to adopt a regulatory and enforcement approach additional inspection/enforcement resources would be required (two full time equivalent positions). Furthermore, consultation with Manitoba Health would be required to ensure consistent approaches to enforcement within Winnipeg, given that the public health jurisdiction for Winnipeg suburbs is the mandate of Manitoba Health.

Requiring City of Winnipeg food service establishments to disclose the amount of trans fat in foods is also not recommended. By adopting the TFTF recommendations, Health Canada and the Canadian food service industry is in the process of reducing trans fats in the Canadian food supply. By focusing on the national food supply, trans fats will systematically be reduced throughout the Canadian food supply making menu labelling unnecessary. At this time, identifying the amount of trans fats in food products in food service establishments may be misleading for the consumer. A food product such as a baked good with a claim of 'zero trans fat' could currently contain an unhealthy saturated fat alternative.

Recommendations contained within this report are consistent with information gleaned through consultation with stakeholders including the Winnipeg Regional Health Authority (Appendix 1), Manitoba Health, Health Canada, other Canadian municipalities and industry stakeholders. The Canadian Restaurant and Foodservices Association and the Manitoba Restaurant and Food Services Association have indicated that:

'The foodservice industry has voluntarily taken significant steps to reduce trans fat in the products they offer, in advance of any government intervention. The federal government has given the industry two years to remove trans fats from their menu items before imposing their own regulation, and any move by Winnipeg to speed up this process is unnecessary.'

Financial Impact Statement

Date: _____

Project Name: _____

First Year of Program

	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Capital					
Capital Expenditures Required	\$ -	\$ -	\$ -	\$ -	\$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Funding Sources:					
Debt - Internal	\$ -	\$ -	\$ -	\$ -	\$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Additional Capital Budget Required	<u>\$ -</u>				
Total Additional Debt Required	<u>\$ -</u>				
Current Expenditures/Revenues					
Direct Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Additional Comments: There are no financial implications associated with this report.					

original signed by _____
 Manager of Finance & Administration

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Internal Services Department, Legal Services Division

External Consultation With:

Health Canada
Winnipeg Regional Health Authority
Manitoba Health
Canadian Restaurant and Foodservices Association
Manitoba Restaurant and Foodservices Association
Baking Association of Canada
Vancouver Island Healthy Authority
Vancouver Coastal Health
Calgary Health Region
Edmonton Capital Health
Regina Health Region
Saskatoon Health Region
Toronto Public Health
Hamilton Board of Health
Montreal Public Health
Dartmouth Capital District Health Authority

THIS REPORT SUBMITTED BY:

Department: Community Services Department
Division: Community Resource, Protection and Safety Services
Prepared by: Kelly Goldstrand, Manager
Peter de Graaf, Administrative Coordinator - Research and Marketing

Appendix 1
WRHA Letter ‘Trans Fat in Food Service Establishments’

FINAL DRAFT

March 10, 2008

Kelly Goldstrand
Manager of Community Resource Protection and Safety Services
Division of Community Services Department
6th Floor 395 Main Street
City Of Winnipeg
R3B 3E1

Dear Ms. Goldstrand:

Re: Trans Fat in Food Service Establishments

The Winnipeg Regional Health Authority (WRHA) has been asked to provide feedback on the issue of trans fat in Winnipeg food services establishments. This is consistent with the WRHA’s vision of “creating positive change in people’s health and wellbeing by leading Winnipeg’s health care services and partnering with those who share similar goals.” As stated in our Healthy Living Position Statement,

“Sedentary living, poor eating habits, overweight and obesity are increasingly implicated in the major causes of death, illness and disability, especially cardiovascular disease, cancer, diabetes and osteoporosis. These chronic diseases along with others have common preventable risk factors including physical inactivity and unhealthy diet”

The WRHA recognizes the importance of good nutrition as a fundamental component of health throughout the lifespan. We support the adoption of *Canada’s Food Guide* recommendations, and recognize that there are many areas in which our population currently falls short of meeting these guidelines. Inappropriate portion sizes, insufficient intake of fruits and vegetables, excess salt and fat content as well as food security issues are among current challenges. While some kinds of fats are required for a healthy diet, industrially produced trans fat contains limited nutritional value and has known negative health consequences. There is an ever-growing body of scientific evidence indicating that trans fat contributes to the development of coronary artery disease, and is responsible for an increasing number of cardiac deaths annually.

Canada’s Food Guide recommends limiting the amount of trans fat and saturated fat consumed. Additionally, the federally appointed Trans Fat Task Force made the following two recommendations:

- *that trans fat be limited in the Canadian food supply to 2% of total fat content for all vegetable oils and soft, spreadable margarines sold to consumers or for use as an ingredient in the preparation of foods on site by retailers or food service establishments.*

- *that trans fat be limited in the Canadian food supply to 5% of total fat content for all other foods purchased by a retail or food service establishment for sale to consumers or for use as an ingredient in the preparation of foods on site.*

The WRHA endorses the above trans fats targets for the Winnipeg Health Region population within the broader context of healthy nutrition. We look forward to working with the City of Winnipeg to achieve these goals.

Sincerely,

Dr. Brian D. Postl
President & Chief Executive Officer

Cc Milton Sussman
Dr. Margaret Fast
Kathleen Richardson
Lynda Tjaden
Sheryl Bates Dancho