

The *Child Health Protection Act*: advocacy must continue

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■ Cite as: *CMAJ* 2019 September 23;191:E1040-1. doi: 10.1503/cmaj.190857

In 2015, Canada's prime minister mandated the federal minister of health to restrict commercial marketing of unhealthy food and beverages to children. In early 2016, the Standing Senate Committee on Social Affairs, Science and Technology recommended a ban on the advertising of food and beverages to children in their report, *Obesity in Canada*. Shortly thereafter, Bill S-228 (the *Child Health Protection Act*) was introduced with the aim to restrict the marketing of food and beverage products high in salt, saturated fat and sugar to children aged 12 years and younger. The bill was thoroughly debated, reviewed and unanimously passed by the Senate in 2017. It was amended and passed by the House of Commons in September 2018 and sent back to the Senate for its vote to concur with the amendments, following which it would become law. However, it failed to pass. How this bill came to die, despite overwhelming support for it, is worthy of attention if we are to protect the health of Canadian children in the future.

Unhealthy diets are a leading risk factor for death and disability in Canada.^{1,2} Indeed, diet-related diseases were estimated to cost Can\$26 billion per year in 2014.³ Poor diet is strongly associated with obesity in youth.^{1,4} Children younger than 17 years with overweight or obesity have almost double the rates of high blood pressure, elevated lipid profiles and glucose intolerance as compared with peers with healthy weights, and the health risks are now apparent in obese children younger than 6 years.⁴ Healthy diets have been associated with enhanced academic achievement.⁵ An investment in promoting healthy eating is an investment not only in children's health, but also in their lifelong success.

Food marketing affects children's food preferences, choices and consumption patterns, and most food marketed to Canadian children is high in sugars, saturated fat and sodium.¹ Children are uniquely vulnerable to the persuasive effects of food advertising, and the resulting dietary practices and brand loyalty fostered in childhood persist into adulthood.⁶ Many children under the age of 5 years cannot distinguish television programs from advertising. Only by the age of 12 years can most children begin to express skepticism about marketing claims.⁶ It is unethical to attempt to persuade children to consume food that is potentially harmful to them, given their poor ability to critically evaluate health risks associated with foods.

Regulations to restrict marketing of foods high in sugars, saturated fat and sodium are widely recommended by health and scientific organizations in Canada and globally.^{1,7} In 1988, Quebec

KEY POINTS

- Unhealthy diets are a leading risk factor for death and disability in Canada, and, for most, unhealthy eating habits begin in childhood.
- Children under 12 years of age have limited ability to be skeptical of marketing, and purveyors of food and beverages high in sugars, saturated fats and sodium use sophisticated techniques to undermine parents' efforts to encourage healthy eating habits.
- Several countries have regulations that protect children from commercial marketing of unhealthy foods.
- A Canadian Senate bill that aimed to introduce similar regulations was undermined by a few senators who used government procedures to defer a final Senate vote after Bill S-228 had been passed by the House of Commons in September 2018.
- Protecting our children from marketing of unhealthy foods must remain a priority going into the next election.

became a world leader in restricting all commercial advertising to children.⁸ Most Canadians (> 80%) support regulations to restrict marketing of unhealthy foods to children, with parents expressing frustration at being constantly undermined by sophisticated marketing of food and beverages.⁹

Currently, 16 countries have regulations to protect people, ranging in age from 12 to 18 years and younger, from marketing of either unhealthy foods or any commercial products.¹⁰

When Bill S-228 was introduced, most Canadian senators supported the bill, yet, according to Canada's lobbyist registry, 79 representatives from the food and advertising industry lobbied around Bill S-228, and 233 industry meetings with government officials were documented after Bill S-228 was passed by the House of Commons. Lobbyists worked to influence newly appointed senators, urging them to re-examine the bill, and also targeted farm producers' associations to influence rural senators. Since all senators have a right to speak on a bill, delays occurred. In defiance of the government's mandate, as well as a mandate from the House of Commons, which had overwhelmingly passed Bill S-228, some senators were able to use procedural tactics to prevent the bill from being brought forward for its final vote, as publicly documented by

the Parliament of Canada.¹¹ The government recessed for the summer in 2019 and is unlikely to be recalled before the next federal election is announced; hence it is unlikely that Bill S-228 will receive further consideration by the current federal government.

The evidence is clear, and other countries have led the way. The work to craft an effective bill to protect Canadian children from the marketing of junk food and beverages is complete. Protecting our children from marketing of unhealthy foods must remain a priority going into the next election. Physicians and physician organizations must advocate that all political parties should endorse, in their party platforms, restrictions on the marketing of food and beverages high in sugars, saturated fats and sodium to children. It is critical that the next federal government continue past efforts and proceed to pass meaningful legislation to protect current and future generations of Canadian children.

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Competing interests: Norm Campbell was a paid consultant to the Novartis Foundation (2016–2017) to support its program to improve hypertension control in low- to middle-income countries, which included travel support for site visits and a contract to develop a survey. Norm Campbell has provided paid consultative advice on accurate blood pressure assessment to Midmark Corporation (2017) and is an unpaid member of World Action on Salt and Health. As a senator, Nancy Greene Raine introduced Bill S-228, the *Child Health Protection Act*, and during its development met with professionals working in the health field, in

particular those active in the Stop Marketing to Kids Coalition.

This article has been peer reviewed.

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Contributors: Both authors wrote the commentary. Nancy Greene Raine, on behalf of

Norm Campbell, gave final approval of the version to be published and agreed to be accountable for all aspects of the work.

Acknowledgements: The authors acknowledge Tom Warshawski, Manuel Arango, Simon Bacon, Kim Raine and Janusz Kaczorowski for assistance in drafting and reviewing the commentary.

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