

August 4, 2009

Hon. Leona Aglukkaq
Minister of Health
House of Commons
Ottawa, Ontario
K1A 0A6

Hon. Tony Clement
Minister of Industry
House of Commons
Ottawa, Ontario
K1A 0A6

Hon. Ted McMeekin
Minister of Consumer Services
6th Floor, Mowat Block
900 Bay Street
Toronto, Ontario
M7A 1L2

Honourable Ministers,

Re. alPHa Resolutions A08-13 and A09-1 – Advertising to Children

On behalf of member Medical Officers of Health, Boards of Health and Affiliate organizations of the Association of Local Public Health Agencies (alPHa) I am writing to introduce two alPHa resolutions on the subject of advertising to children.

In October of 2008, alPHa passed a resolution calling for a ban on all commercial advertising of food and beverages targeted to children less than 13 years of age. This Resolution was based on the extensive evidence that marketing food and beverages to children has a significant negative impact on their food and beverage choices, as foods and beverages marketed to children are predominantly unhealthy and unhealthy food and beverage choices are contributing to obesity.

It has become quite clear that the voluntary industry controlled framework for limiting marketing to children is ineffective. The Canadian Code of Advertising as administered by Advertising Standards Canada (ASC) is not protecting children from the negative health impacts of industry marketing practices, despite claims that they are. A recent report by ASC that examined compliance with the Canadian Children's Food and Beverage Advertising Initiative (CAI) congratulated 16 participating companies for complying with or exceeding the voluntary standards that they set for themselves, including nutrition standards that are far below those that truly contribute to a healthy diet.

The Province of Quebec's Consumer Protection Act, which prohibits all advertising to children, was passed in 1980, and was recognition of the importance of strong regulation to protect children from exploitive marketing practices. It is worth noting that three of the companies that are participating in the CAI are currently targets of legal action in Quebec for circumventing the Consumer Protection Act by marketing unhealthy foods directly to children.

While alPHa's interest in banning marketing to children is focused on the promotion of calorie dense and nutrient poor foods that contribute to obesity and replace the healthier choices that comprise a healthy diet, we also believe that the arguments for banning marketing of unhealthy foods are also applicable to commercial marketing to children in general. Resolution A09-1 was therefore passed to lend alPHa's support to the position that all commercial marketing directed at children less than 13 years of age should be prohibited.

Both resolutions are attached for your examination and anticipated action. We look forward to hearing

your replies and look forward to assisting in creating a strong regulatory framework that protects children from exploitive marketing and increases the proportion of health promoting messages that they hear.

Sincerely,

ORIGINAL SIGNED

Linda Stewart,
Executive Director

Copy: Dr. Arlene King, Chief Medical Officer of Health
Hon. David Caplan, Minister of Health and Long-Term Care
Hon. Margaret Best, Minister of Health Promotion
Connie Uetrecht, Executive Director, Ontario Public Health Association

ALPHA RESOLUTION A08-13

TITLE: Ban on Commercial Advertising of Food and Beverages to Children Under 13 Years of Age

SPONSOR: Toronto Board of Health

WHEREAS children today are exposed to a greater intensity and frequency of marketing than any previous generation; and

WHEREAS there is strong evidence that younger children lack the cognitive abilities to understand marketing messages; and

WHEREAS there is strong evidence that food advertising has a direct influence on what children choose to eat and indirectly exerts pressure on parents to choose those things; and

WHEREAS the dominant focus of commercial advertising to children is for products that undermine parents' and public health professionals' efforts to promote healthy diets and physical activity; and

WHEREAS recent industry initiatives promising to change advertising to children have proven to be ineffective; and

WHEREAS the Quebec ban on commercial advertising to children provides a wealth of experience in implementing a national framework; and

WHEREAS the Supreme Court of Canada ruled in 1989 that the Quebec ad ban is a reasonable limit on the right to free speech and that "...advertising directed at young children is per se manipulative"; and

WHEREAS almost 90% of television watched by Canadian children is on Canadian-based stations which would be subject to Canadian laws; and

WHEREAS the Toronto Board of Health, the Centre for Science in the Public Interest and the Elementary Teachers' Federation of Ontario have called for a ban on all commercial advertising targeted to children;

NOW THEREFORE BE IT RESOLVED THAT the Association of Local Public Health Agencies call for a ban on all commercial advertising of food and beverages targeted to children under 13 years of age by the Government of Ontario and the Government of Canada;

AND FURTHER THAT the Association of Local Public Health Agencies partner with the Ontario Public Health Association, Toronto Public Health and other interested stakeholders to develop and implement an effective province-wide advocacy plan.

ACTION FROM CONFERENCE:

Moved: R. Pellizzari (Peterborough)

Seconded: V. Sterling (Toronto)

Resolution CARRIED AS AMENDED

alPHA RESOLUTION A09-1

TITLE: **Ban on Advertising to Children Under 13 Years of Age**

SPONSOR: **alPHA Board of Directors**

WHEREAS the Association of Local Public Health Agencies has resolved to call upon the Governments of Ontario and Canada to ban all commercial advertising of food and beverages targeted to children under 13 years of age; and

WHEREAS this position was adopted based on evidence presented about the harms of marketing to children in general

THEREFORE BE IT RESOLVED THAT the Association of Local Public Health Agencies also support the broader goal of the Ontario Public Health Association and other organizations that are advocating for a ban on all commercial advertising targeted to children under 13 years of age.

ACTION FROM CONFERENCE:

Moved: V. Sterling (Toronto)

Seconded: J. Butt (Leeds-Grenville Lanark)

Resolution CARRIED AS AMENDED