

Hon. James Moore.
Minister of Canadian Heritage
and Official Languages
House of Commons
Ottawa, Ontario
K1A 0A6

November 13, 2009

Honourable Minister,

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 alPHa's Resolutions on the subject of advertising to children.

In 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. Its basis is the extensive evidence that the vast majority of such marketing to children is for unhealthy, calorie-dense and nutrient poor food and beverages, resulting in significant negative impacts on food and beverage choices, fueling rising obesity rates.

It is 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 well below those that truly contribute to a healthy diet.

The Province of Quebec's Consumer Protection Act, which prohibits all advertising to children, recognizes the importance of strong regulation to protect children against 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 Act by marketing unhealthy foods directly to children.

While alPHa's specific interest in banning marketing to children is focused on marketing calorie dense and nutrient poor foods that replace the healthier dietary choices and contribute to obesity, we accept the argument that commercial marketing to children is unacceptably exploitive. Resolution A09-1 represents alPHa's support for the goal of a more general prohibition.

Both resolutions are attached for your examination and anticipated action. We look forward to hearing your reply 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: Hon. Konrad W. Von Finckenstein, Q.C. Chair, CRTC
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