His Worship Fred Eisenberger  
Mayor of the City of Hamilton  
Hamilton City Centre  
77 James Street North, Suite 230  
Hamilton, Ontario L8R 2K3

Dear Mr. Mayor:

Thank you for your letter of April 30, 2009, (File # C09-010) conveying the endorsement of Hamilton City Council for the resolution passed by Kingston, Frontenac and Lennox & Addington Public Health urging government to regulate food and beverage marketing targeted to children. I regret the delay in replying to you.

I have been informed by the Competition Bureau that it has reviewed this matter previously and determined that it cannot address the regulation of commercial advertising of food and beverages to children under 13 years of age, as this matter does not fall within the Bureau’s mandate. Rather, the issue would be more appropriately addressed by Health Canada and the Canadian Food Inspection Agency (CFIA).

As you may be aware, in April 2007, members of Canada’s food and beverage industry, in conjunction with Health Canada, Concerned Children’s Advertisers, Food & Consumer Products of Canada, and Advertising Standards Canada, launched, and further detailed in February 2008, the Canadian Children’s Food and Beverage Advertising Initiative (known as the “Children’s Advertising Initiative”). This is a commitment to shift industry advertising directed to children under 12 years of age toward the promotion of healthier dietary choices and healthy active living.
Health Canada and the CFIA carry joint responsibility for federal food labelling policies in Canada under the *Food and Drugs Act*. Health Canada is responsible for setting food labelling policies with respect to health and safety matters, such as nutritional content and special dietary needs. The CFIA is responsible for the development of food labelling regulations and policies, as well as verification that the information provided to consumers is truthful and not misleading.

The CFIA’s Fair Labelling Practices Program administers and enforces the non-health and safety related food components of the *Food and Drugs Act* and the *Consumer Packaging and Labelling Act*. I note that you have already brought this matter to the attention of the Honourable Leona Aglukkaq, Minister of Health, who is responsible for the programs mentioned above. I am certain that she will give your letter careful consideration.

Once again, thank you for your interest in this important issue. I trust that this information is helpful.

Yours sincerely,

Tony Clement

c.c. The Honourable Leona Aglukkaq, P.C., M.P.
The Honourable Harinder Takhar, M.P.P.
Ontario Minister of Government Services