SUBJECT: Support for the Trans Fat Task Force Recommendations BOH07038 (City Wide)

RECOMMENDATION:

That the Board of Health write to the Minister of Health and Long-Term Care to urge the effective elimination or reduction of 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.

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EXECUTIVE SUMMARY:

The purpose of this report is to recommend that the Board of Health correspond with the federal government to urge them to act further to effectively eliminate or reduce trans fat in all processed foods.
On June 20, 2007, Tony Clement, the Minister of Health, announced that Health Canada will be adopting the Trans Fat Task Force’s recommendations1 by calling on Canada’s food industry to limit the trans fat content in foods over the next two years. Yet, this Government appeal calls upon a voluntary reduction of trans fats by Industry, while the Trans Fat Task Force encourages definite regulations to ensure target trans fat levels are reached and sustained. The federal Government has stated only that a regulated approach will be taken only if ‘significant progress’ is not made over the next two years.

Some trans fat occurs naturally in food, but most is created through the processing of unsaturated fat. Trans fat is used to extend the shelf life of products or to provide desired textural properties. While trans fat provides no known health benefit, there is compelling evidence that industrial-produced trans fat is linked to coronary heart disease.

Mandatory nutrition labelling and heightened consumer awareness have prompted food manufacturers to voluntarily reduce or eliminate trans fats from many processed foods sold in grocery stores. The mandatory food labeling must be complemented by a regulated reduction in the use of industrial-produced trans fats. Eliminating trans fats from the food supply will ensure that all Canadians benefit from a reduced intake of trans fat.

Recent recommendations for the regulation of industrial-produced trans fat by the Canadian Trans Fat Task Force will, if adopted and properly enforced, significantly lower trans fat intakes. (Please see Appendix A for an Executive Summary of the report: TRANSforming the Food Supply).

BACKGROUND:

There is a significant and expanding body of evidence showing that industrial-produced trans fat has adverse effects on the risk factors for coronary heart disease, with an effect more damaging than saturated fats2. Industrial-produced trans fat not only increases LDL (bad cholesterol) levels like saturated fats, it also decreases HDL (good cholesterol) levels in the blood. While high LDL cholesterol is a well established risk factor for coronary heart disease (CHD), there is also strong evidence for a causal relationship between low HDL cholesterol and atherosclerosis. In populations with high LDL cholesterol levels, total cholesterol/HDL (or LDL/HDL) ratio is a powerful predictor of CHD risk3. The Heart and Stroke Foundation of Canada (HSFC) has estimated that processed trans fat could be responsible for as many as 30,000 to 50,000 heart attack deaths every decade in Canada.

The World Health Organization recommends that trans fat be limited to less than 1% of total energy intake, or 2 grams a day. Meanwhile, Canadians are consuming one of the

highest amounts of trans fat in the world, with an estimated daily consumption of 3 to 9 grams. For a person consuming a 2000 calorie diet, this represents approximately 4% of total energy. In addition, the breastmilk of Canadian women has levels of trans fat among the highest in the world, although there has been a decrease since the introduction of trans fat food labelling.\(^3\)

In 2003, Canada became the first country to alert consumers to the presence of trans fat in food by legislating the inclusion of trans fat on the nutrition label. Reduction of trans fat in food processing, however, remains voluntary. Also, restaurants are not required to provide nutrient analyses of food; therefore, trans fat levels in this environment are often high. Until the reduction of trans fat is federally regulated, current intakes by Canadians will likely not decrease to recommended levels. Presently, the high cost of trans fat free products and lack of consumer education remain barriers to choosing food products lower in trans fats.

The Trans Fat Task Force, commissioned by Health Canada, has made recommendations in their final report, “TRANSforming the Food Supply”, June 2006, that include comprehensive regulatory limits, research, development and industry incentives, consumer protection, awareness and public education.

On June 20, 2007, the Honourable Tony Clement, Minister of Health, announced that Health Canada is adopting the Trans Fat Task Force’s recommendations\(^4\) by calling on Canada’s food industry to limit the trans fat content in foods over the next two years. This reduction of trans fats by Industry is voluntary and will be actively monitored over the next two years by the Heart and Stroke Foundation, in partnership with Health Canada. In addition, efforts will be made to raise awareness and educate the public about the health benefits of reducing trans fats. While this announcement is a positive step towards reducing trans fat in the Canadian food supply, it fails to address a number of recommendations of the Trans Fat Task Force, such as definite and comprehensive regulatory limits, research, development and industry incentives, or consumer protection.

**ANALYSIS/RATIONALE:**

Reducing trans fats in the diet will have a positive impact on the health of all Hamiltonians. The recommendations of the Trans Fat Task Force are consistent with chronic disease prevention, reproductive health, and child health standards; in addition, they support *Eating Well with Canada’s Food Guide* recommendations to reduce trans fat consumption. It is also consistent with the City of Hamilton Strategic Direction C5: “Advocate for environments that support healthy behaviours”.

**ALTERNATIVES FOR CONSIDERATION:**

The Board of Health could choose not to send a letter urging the federal Minister of Health to take further actions to fully implement the Trans Fat Task Force's Recommendations. However, given the negative impact of industrial-produced trans fats on the health of Hamiltonians and the rates of obesity in our community, endorsement of this recommendation would be in keeping with the Community Obesity Strategy and support our work to make the healthier choice the easier choice.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

None

**POLICIES AFFECTING PROPOSAL:**

None

**RELEVANT CONSULTATION:**

Registered Dietitians from the Healthy Living and Family Health Divisions of Public Health Services were consulted in the preparation of this report.

Other Boards of Health were consulted regarding their action with respect to the Report of the Trans Fat Task Force, submitted to the Minister of Health June 2006.

**CITY STRATEGIC COMMITMENT:**

- **Community Well-Being is enhanced.** ☑ Yes ☐ No
  If the federal Government regulates trans fat in the food supply, the health of Hamiltonians will benefit.

- **Environmental Well-Being is enhanced.** ☑ Yes ☐ No
  Human health and safety are protected.

- **Economic Well-Being is enhanced.** ☑ Yes ☐ No
  With improved health, Hamiltonians will benefit from increased productivity and reduced health care costs

**Does the option you are recommending create value across all three bottom lines?** ☑ Yes ☐ No

**Do the options you are recommending make Hamilton a City of choice for high performance public servants?** ☑ Yes ☐ No

Because the recommendations in this report enhance community, environmental, and economic well-being of Hamiltonians, they help make Hamilton a city of choice to eat, work, live, and play.
Executive Summary

This document represents the final report of the Trans Fat Task Force to the federal Minister of Health. The Task Force was formed in early 2005, following passage of an opposition motion in the House of Commons in November 2004. The motion called on Health Canada and the Heart and Stroke Foundation of Canada to co-chair a multi-stakeholder task force with a mandate to develop recommendations and strategies "to effectively eliminate or reduce processed trans fats in Canadian foods to the lowest level possible."

What Are Trans Fats?

Industrially produced trans fats are formed during partial hydrogenation, a process used by the food industry to harden and stabilize liquid vegetable oils. Among other advantages, this process maintains the taste and smell characteristics of oils enabling a longer shelf life for final food products.

The majority of the trans fats in our diet are industrially produced and are typically found in foods made with partially hydrogenated oil, primarily baked and fried foods. The trans fat content of some of these foods may be as high as 45% of the total fat in the product.

Trans fats also occur naturally. They are found at low levels (generally 2-5% of fat content) in ruminant-based foods such as dairy products and beef, although the level in lamb may be as high as 8%.

Health Concerns and International Response

There is a significant and growing body of evidence linking trans fats to coronary heart disease indicating trans fats may do even more harm than saturated fats. Metabolic studies, for instance, show that trans fats increase blood levels of LDL ("bad") cholesterol and decrease blood levels of HDL ("good") cholesterol. Both effects are strongly associated with increased coronary heart disease. Saturated fats are thought to be less damaging because they elevate both the "bad" and "good" types of cholesterol. Epidemiological data also point to a greater risk of coronary heart disease from increases in dietary trans fats than from increases in dietary saturated fats.

In 2002, the Panel on Macronutrients of the U.S. National Academies of Science, Institute of Medicine, recommended that trans fat consumption be as low as possible while ensuring a nutritionally adequate diet. The Panel did not set a safe upper limit because the evidence suggests that any rise in trans fat intake increases coronary heart disease risk. Subsequently, in 2003, the World Health Organization recommended that trans fat intake be limited to less than 1% of overall energy intake - a limit regarded by that body as a practical level of intake consistent with public health goals.

Governments have started to take notice. In 2003, Denmark became the first country to set an upper limit on the percentage of industrially produced trans fat in foods, limiting trans fats from sources other than meats and dairy products to a maximum of 2% of total fat in each food item. In 2005, Canada became the first country to regulate the mandatory labelling of trans fats on prepackaged foods. And, in 2006, the United States introduced the mandatory declaration of trans fats in foods containing 0.5 grams or more per serving.

Situation in Canada

In Canada, scientists raised concerns about the detrimental effects of trans fats and the levels in the Canadian diet as far back as 1990. However, the use of partially hydrogenated oils continued to increase. By the mid-1990s, researchers estimated that Canadians had one of the highest intakes of trans fats in the world.
Today, the situation is much improved. Mandatory nutrition labelling and heightened consumer awareness have prompted food manufacturers to reduce or eliminate trans fats from many processed foods sold in grocery stores. For example, almost all bread products and salad dressings are now free of trans fats. Significant progress has also been achieved in certain food categories such as french fries and snack foods.

Despite the good news, however, many other foods - including some varieties of baked goods, oriental noodles, snack puddings, liquid coffee whiteners, microwave popcorn, toaster pastries, hard margarines and shortenings - still contain high amounts of trans fats. There is also evidence that consumer awareness and labelling alone will not result in reformulation of all processed foods with higher trans fat content as this change may present additional challenges and costs to some manufacturers.

Voluntary guidelines for providing nutrition information to consumers have recently been developed by the restaurant and food service sector. However, it is difficult to gauge the impact of this voluntary action on trans fat intake.

**Task Force Approach**

To ensure that its recommendations would be based on the best available evidence, the Task Force collected information from a variety of sources. Studies commissioned by Agriculture and Agri-Food Canada, a review of available alternatives to partially hydrogenated fats and oils by the Expert Committee on Fats, Oils and Other Lipids, a targeted scan of processed foods sold in grocery stores and a public consultation with the food industry enabled the Task Force to assess the feasibility of reducing the use of processed trans fats. The Task Force also commissioned a comprehensive scientific literature review and sought advice from internationally recognized experts on the health implications of substituting other fatty acids for trans fats.

The work of the Task Force was also informed by a modelling initiative undertaken by Health Canada to demonstrate the effect of limiting the trans fat content of foods on the total dietary intake of trans fats, as well as by expert opinion on the outcomes of the Danish and Canadian regulatory approaches to date.

**The Choice of a Regulated Approach**

Taking all the evidence into consideration, the Task Force agreed to a regulatory approach to effectively eliminate trans fat in all processed foods or reduce it to the lowest possible level. Factors influencing the decision included:

- The need to target the full range of food products
- The Danish experience with regulation
- The lessons learned from nutrition labelling and other related initiatives
- The need to send a consistent and strong signal to seed growers and oil producers to invest in healthier alternatives
- The fact that benefits would accrue even to people who do not read labels, including vulnerable groups with lower incomes and/or lower literacy skills, who have a higher risk of coronary heart disease

**Designing the Regulations**

Once the decision to recommend a regulatory approach had been taken, the Task Force considered a number of factors in setting the appropriate regulatory limits for Canada including:
The evidence on the health effects of trans fats and the fact that trans fats have no intrinsic health value above their caloric value

Current dietary recommendations regarding trans fats (including the World Health Organization’s recommendation that trans fat intake of daily diets should be 1% of energy intake or less);

The unavoidable presence of trans fats in typical diets (including naturally occurring and industrially produced);

Comments from a Danish scientific expert that similar overall health benefits would have been achieved in Denmark if the legislated level of trans fat had been slightly higher; and

The desire to find a level that would permit the use of a range of healthier alternatives.

The Task Force also took into account two of its working principles - feasibility and sustainability - as well as the desire to simplify compliance and enforcement.

Recommendations

Given the dietary patterns of Canadians, including the amount of food consumed outside the home, the Task Force felt that it was important to find a solution that would encompass both manufactured foods and foods prepared in retail and food service establishments (e.g. in restaurants, food service operations and some grocery store bakeries and outlets). For practical reasons, however, the Task Force decided to limit the trans fat content of manufactured foods on a finished product or output basis and the content of foods prepared on site in retail and food service establishments on an ingredient or input basis.

The recommended regulations apply equally to all foods, domestic or imported, as per other Food and Drug Regulations. They do not apply to ingredients sold to food manufacturers as, in this case, limits would be set on a finished product or output basis.

The Task Force recommends that:

Foods purchased by retailers or food service establishments from a manufacturer for direct sale to consumers be regulated on a finished product or output basis and foods prepared on site by retailers or food service establishments be regulated on an ingredient or input basis.

In setting the recommended limits, the Task Force decided to explore a dual approach: a lower limit for vegetable oils and soft, spreadable tub-type margarines and a higher limit for all other foods containing industrially produced trans fats.

Setting a limit for "all other foods" was the more challenging task. This is because some foods contain both naturally occurring and industrially produced trans fats and there is no officially accepted analytical method for determining the amounts of each type of trans fat. Ultimately, the Task Force decided to set a limit that would be low enough to ensure a significant reduction in industrially produced trans fat and also have a limited impact on amounts of naturally occurring trans fats.

The recommendations thus focus primarily on the elimination of industrially produced trans fats but are expressed as limits on the total amount of trans fats in foods. An advantage of this approach is that it is consistent with that used for the Canadian nutrition labelling regulations, which apply to both industrially produced and naturally occurring trans fats.
The Task Force recommends that:

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.

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.

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

The Task Force therefore recommends a "2 + 2" approach, allowing 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 (e.g. 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 though 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. (A list of more healthful alternatives for a variety of food applications can be found in appendix 14 of the report.)

The Task Force also recommends a number of incentives for industry and other key players to meet the following objectives:

- Facilitate the reformulation of food products with healthier trans fat alternatives
- Help the food industry communicate the healthier nature of its products to consumers
- Help small and medium-sized enterprises prepare for compliance
• Enhance the capacity of the Canadian agri-food industry to take a leadership role in this area

Further, the Task Force recommends that the Government of Canada, in consultation and cooperation with public health experts and appropriate voluntary agencies, explore a number of measures to enhance public understanding of the new food labels, raise awareness of the health effects of the various types of fatty acids, ensure that fat consumption is properly understood in the context of a more healthful diet.

Finally, the Task Force recommends that, in order to expand the availability of evidence and fill identified research gaps, the Government of Canada encourage the relevant federal granting councils and/or federal departments to support research on trans fats in the areas of clinical nutrition, food and agriculture, and population and public health, beginning with the issues set out in this report. The Government should help ensure that the research results are transferred to relevant decision-makers.

**Anticipated Impact**

The proposed regulations, broad-based industry incentives and research will:

• Significantly improve the heart health of Canadians and save lives
• Reduce the average daily intake of trans fats by Canadians of all age groups to less than 1% of energy intake, consistent with current dietary recommendations
• Ensure that all Canadians, particularly those at the highest consumption levels, benefit from the virtual elimination of industrially produced trans fats;
• Provide an approach that is feasible and consistent with Canada's approach to nutrition labelling
• Promote the development of alternative supplies of more healthful alternatives to trans fats
• Help level the playing field for all players in the food industry that must effectively eliminate industrially produced trans fats from their products