



How Sweet it is — Canada Implements New Rules for the List of Ingredients and Nutrition Facts Table on Prepackaged Foods

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Amendments to Canada's *Food and Drug Regulations* aimed at making Nutritional Facts tables and ingredients lists on prepackaged foods easier to compare and understand were published in the [Canada Gazette, Part II](#) on December 14, 2016. These amendments facilitate implementation of the Healthy Eating Strategy for Canada, launched by the Honourable Jane Philpott, Minister of Health, on October 24, 2016.

A key objective of the Healthy Eating Strategy is to make it easier for Canadians to make healthy food choices in order to reduce risk factors for obesity and chronic disease such as type II diabetes. The amendments to the *Food and Drug Regulations* further this objective by introducing substantial changes to the way prepackaged food products are labelled, such as enhanced labelling of sugars-based ingredients, standardized serving sizes, relaxed rules around health claims for fruits and vegetables, standardizing the appearance of the ingredients list, and improved labelling of allergens and food colours.

Key Changes to the List of Ingredients include:

1. All sugars-based ingredients must be grouped together behind the name "Sugars"

If the product contains two or more sugar-based ingredients, these will need to be listed individually but grouped together, within parentheses, after the word "sugars" (e.g. Sugars (sugar, corn syrup, fructose)). This change is intended to make it easier for consumers to identify various sources of sugars that are added to foods, particularly those that consumers may not ordinarily recognize as sugars such as isomaltulose, barley malt syrup or agave syrup. Further, the amendments require that the location of "sugars" in the List of Ingredients reflects the relative proportion of sugars-based ingredients in the product (i.e. "sugars" will be listed closer to the top of the list for products containing more sugars-based ingredients).

2. Standardizing the format and appearance of the List of Ingredients

The amendments will improve the legibility of the List of Ingredients by requiring uniformity in format and appearance. In particular, the amendments require that the words "Ingredients", "Contains" and "May Contain" be bolded, and that ingredients in the list be declared using lower case letters except for the first letter which must be capitalized, and that they be separated by either a bullet or a comma. Further, ingredients lists must be displayed with good contrast of colour (text must be black or an equivalent dark shade displayed on a white or other neutral background), and be flanked by either a border or lines above, below, or at the sides of the list for ease of identification. The amendments also introduce minimum type height requirements and expressly prohibit the horizontal scaling of text (i.e. condensing the width of letters).

3. Improved legibility of allergen information

Labelling for prepackaged foods must always identify food allergens, gluten sources and added sulphites, either in the list of ingredients or in a separate "Contains" statement. The amendments introduce a requirement that where a "Contains" statement is used to identify allergen information, the statement must be located immediately after the List of Ingredients and within the border or lines demarcating the list, and follow the same standardized format requirements applicable to



ingredients lists. Neither the *Regulations* nor the amendments require manufacturers to identify potential food allergens or potential sources of gluten that result from cross-contamination. However, if a precautionary declaration is made, often seen in the form of a “May Contain” statement, it must appear in the same font size as the List of Ingredients, and be located directly after the List of Ingredients or the “Contains” statement (if any).

4. Food colours must be listed by their individual common names

Manufacturers will no longer be able to merely declare “colours” on the list of ingredients for prepackaged foods. The amendments require that any food colours be declared individually in the List of Ingredients by their common names; for example “Citrus Red No. 2” or “Sunset Yellow FCF”. The amendments also eliminate the burdensome requirement for lot-by-lot certification of synthetic colours, and replace the standards for food colours with internationally recognized food-grade quality specifications. Amendments relating to food colours came into force immediately on December 14, 2016.

Changes to the Nutrients Facts Table (NFT):

1. NFTs must list a per cent Daily Value for sugars

In addition to listing the amount of sugar in a prepackaged food product, manufacturers will now be required to declare the per cent Daily Value for sugar-based ingredients in the NFT. The amendments set the Daily Value for sugars at 100 grams.

2. A footnote that explains how to use the per cent Daily Value for nutrients

A “rule of thumb” guide to aid consumers in understanding and using the per cent Daily Values listed for nutrients must be included as a footnote at the bottom of each NFT—“5% or less is a little, 15% or more is a lot”.

3. Standardized serving sizes

The determination of serving sizes for foods will no longer be left to the discretion of manufacturers. The amendments introduce changes aimed at making serving sizes more consistent so that it is easier to compare nutritional information across similar foods. Serving sizes for multi-serving prepackaged foods must now be based on regulated reference amounts, which have been updated to reflect both the current amount of a food that is typically consumed in one sitting and marketing trends such as “super-sized” products. For example, the serving size for any of type of prepackaged cracker must be listed as the number of crackers weighing closest to the reference amount for crackers, which is set at 20 grams. Reference amounts for foods are listed in the Table of Reference Amounts for Food, an external document incorporated by reference through the amendments. For single-serving packages containing up to 200% of the reference amount for that food, the serving size will be the amount in the whole container.

4. Modifying the nutrients that must be listed in the NFT

The amendments revise the list of nutrients that must be declared in the NFT (“core nutrients”). In particular, the amount and per cent Daily Value of potassium must now be included in the NFT for pre-prepackaged food products, while information on Vitamins A and C is no longer required.

5. New recommended Daily Values for core and non-core nutrients

The Daily Values for both core and non-core nutrients have been updated to reflect the latest dietary recommendations. Updated Daily Values are listed in the Table of Daily Values for foods, an external document incorporated by reference through the amendments. The amendments also implement updated Daily Values for infants between 6 months and one year of age, and for children between one and four years of age. Prepackaged food products sold specifically to these age groups must list the respective per cent Daily Values in their NFTs.

6. Information on serving size and calories will be easier to find

The amendments make information on calories and serving size on prepackaged foods easier to find by increasing the required font size for the words “Calories” and “Serving Size” on NFTs, and bolding the line under the word “Calories”.

Fruit and vegetable claims

In addition to the above changes, the amendments also permit the display of nutrient content and health claims on fresh non-prepackaged fruits and vegetables without triggering a requirement for any accompanying nutrition information. Also,



the claim: “A healthy diet rich in a variety of vegetables and fruit may help reduce the risk of heart disease” will now be permitted on certain fresh, frozen and canned fruits and vegetables as specified within the *Regulations*.

Coming into force

Although the amended *Food and Drug Regulations* came into force on December 14, 2016, Health Canada has provided a 5-year transition period to allow regulated parties sufficient time to make the necessary changes to their food labels and to use up any existing stocks of labels. Manufacturers should be aware, however, that the immediate application of all of the new labelling requirements will be triggered if changes are made to bring food labels in line with the amendments within the five-year transition period.

Further changes in store

Further amendments to the *Food and Drug Regulations* may be in store as part of Health Canada’s continued effort to implement its Healthy Eating Strategy. Consultations are currently underway with respect to a number of proposals, including updating Canada’s Food Guide, implementing a requirement for front-of-package labelling for foods high in ingredients of public health concern such as sugars, sodium and saturated fat, and a ban on the use of partially hydrogenated oils in foods.

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