



## **Common Pitfalls in Canadian Food Labeling**

Some tips for Canadian manufacturers and importers on how to avoid product detention and product recalls when selling food products in Canada.

### **Abstract**

The regulations for labelling of food products in Canada are not always straightforward. Many of the common mistakes can be easily avoided. Following are some basic pointers that will help bring products to market successfully.

### **Description**

Addressing the basic issues relating to labelling of food products sold in Canada

### **Keywords**

Food label, food labelling, nutrition facts, ingredient declaration, claims

Food products sold in Canada are subject to specific labelling regulations. Being a bilingual country, the law requires that products be labelled in both official languages, English and French. A basic food label must contain at least the following information:

The common name of the product

The net weight or volume

A Nutrition Facts panel

An ingredient declaration

The name and a Canadian mailing address of the manufacturer, importer or distributor.

Certain products are subject to more specific regulations. Some of these products are subject to 'standards of identity'. These products must meet certain criteria and must be packaged and labelled according to prescribed formats. These would include, but are not limited to: canned fruits and vegetables, dairy products and eggs, meats, mayonnaise, alcoholic beverages, chocolate, fruit juices, margarine, jams, bread, flour, fish and meal replacements. This article will not deal with the details of these products

The common name of the product is relatively obvious. Example: Oreos™ should be called Cookies.

The net weight or volume declaration should be made in metric (grams – abbreviated g; kilograms – abbreviated kg; millilitres - abbreviated ml or liters – abbreviated l). It is permissible to use avoirdupois measures as well, but these should be done in brackets behind the metric measure.

The Nutrition Facts panel is similar to, but not identical to the US format.

The main differences are:

◆ Canada does not require:

o calories from fat;

o servings per container

o Percent Daily Values portion found at the bottom of US formats;

◆ the daily intakes for some vitamins and minerals are different;

◆ the Canadian panel should be bilingual.

Often errors are made in the rounding rules for declaring the nutrient amount by weight or by % of Daily Value.

The ingredient declaration should be prepared as a listing of all ingredients, by common name, in descending order of prevalence in the formulation by weight. This sounds simple, but mistakes are commonly made by failure to properly break down compound ingredients. It is not permissible to declare 'non-dairy whitener', this product's ingredient declaration should be broken down immediately after.

Emphasis on certain ingredients is not permitted and is considered misleading. Trade names are not permitted in the ingredient declaration.

Many times manufacturers or importers fail to declare ingredients, which can lead to recalls, especially when one of those ingredients is on the list of major allergens, which include milk,

eggs, soy, wheat, fish, crustaceans, shellfish, sesame, sulfites and their derivative products.

The ingredient declaration should be in both official languages as well.

The name and complete Canadian address of the manufacturer, importer or distributor is often omitted or refer to a US or other foreign address.

More complicated issues arise out of other descriptive information on food labels. Claims can be categorized as Nutrient Content or Quality Claims or Health Claims. Only recently has Canada started permitting certain generic proscribed health claims on products that meet very specific criteria. Claims that refer to treating diagnosing or mitigating medical conditions, automatically categorize any product as a drug with the respective regulations.

Care should also be exercised to ensure that a product is not categorized as a Natural Health Products (NHPs) due to claims, format or content. Products that can be categorized as dietary supplements, or those that claim to, or cause a structure / function claim are classified as NHPs and fall under separate, more stringent regulations than foods and require applications, approval and licensing before being brought to market.

Such products include: vitamin & minerals and fortified foods (except certain products with predesignated

fortifications), bacteria (such as probiotics), herbal supplements including Traditional Chinese medicines and Aryuvedics, amino acids and homeopathics. Food products that are delivered in a capsule format will readily be classified as NHPs also.

Nutrient content claims, such as low fat, high fiber, etc. are permitted provided that the product meets specific criteria. Fiber, in Canada, is defined differently than in the US. Products declarations such as cholesterol free for products that would never contain cholesterol (lets say coffee), are not permitted.

Other claims, such as Fresh, True, Real, and Homemade are also subject to specific rules and regulations and should be avoided when they can not be substantiated.

Organic Foods are now subject to new regulations that came into effect on June 30<sup>th</sup>, 2008.

Product that claims to be organic or that bears an organic logo is subject to certification by the Canadian Food Inspection Agency.

More information can be obtained by downloading a copy of the Guide to Food Labelling from the Canadian Food Inspection Agency website :

<http://www.inspection.gc.ca/english/fssa/labeti/guide/toce.shtml>

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#### **Resource**

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Professional consultants are available to assist with issues relating to food labelling, nutrition analysis, regulatory compliance, as well as food product development, quality systems and organic certification.

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