

**Brief presented to the Standing Committee on Health as part
of the Healthy Living study**

Ensuring stronger regulation of marketing for soft and energy drinks

**Presented by Suzie Pellerin, on behalf of the
Quebec Coalition on Weight-Related Problems**

An Initiative Sponsored by the Association pour la santé publique du Québec

4126, St-Denis Street, Suite 200

Montreal (Quebec) H2W 2M5

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Foreword

The Quebec Coalition on Weight-Related Problems (Weight Coalition), an initiative that is sponsored by the Association pour la santé publique du Québec, seeks the required support to demand legislative and regulatory changes, as well as public policies within three strategic areas (agri-food industry, sociocultural and built environment) to foster the development of environments that enable healthy choices and help prevent weight-related issues.

Since its creation in 2006, the Weight Coalition has become a well established advocate supported by over 100 partners from various spheres, such as the municipal, school, health, research, environment, nutrition, and physical activity arenas.

These organizations recognize the importance of taking action and support the following environmental measures:

Agri-Food Industry:

- The elimination of junk food and soft drinks in schools and hospitals
- A strict adherence to the food policy in elementary and high schools
- A responsible policy for food display in supermarkets
- Cooking classes in schools to promote the development of culinary skills and the pleasure of eating well
- Moderate-size servings in restaurants
- A special tax dedicated to supporting preventative measures for weight-related issues

Built Environment:

- A safe environment surrounding every school to allow children to walk or cycle to school
- A policy for active schools
- Agreements between municipalities and schools in order to increase the use of sports facilities after school hours
- An increase in the number of parks, green spaces, bicycle paths, and walkway systems
- Restricting the use of vehicles in certain zones
- Improving the quality and accessibility of public transportation services

Sociocultural Environment:

- Regulations on weight loss products, services, and methods
- Strict application of the regulations governing advertising directed at children
- Legislative measures and regulations to restrict the encroachment of advertising within public spaces
- The creation of an independent body to govern the advertising industry
- The implementation of a policy for work-family life balance to enable families to prioritize their health and well-being

Quebec Coalition on Weight-Related Problems

An Initiative Sponsored by the Association pour la santé publique du Québec

4126, St-Denis Street, Suite 200

Montreal (Quebec) H2W 2M5

Tel: 514 598-8058 | Fax: 514 528-5590

info@cqpp.qc.ca | www.cqpp.qc.ca | twitter.com/CoalitionPoids | facebook.com/CoalitionPoids

Partners of the Weight Coalition (as of January 27th, 2011)

Partner Organizations:

- Accès transports viables
- Agence de la santé et des services sociaux de Chaudières-Appalaches
- Agence de la santé et des services sociaux de l'Estrie
- Agence de la santé et des services sociaux du Bas-St-Laurent
- Alberta Policy Coalition for Cancer Prevention
- Anorexie et boulimie Québec (ANEB)
- Archevêché de Sherbrooke
- Association des dentistes de santé publique du Québec
- Association des jardiniers maraîchers du Québec
- Association des urbanistes et des aménagistes municipaux du Québec
- Association pour la santé publique du Québec
- Association québécoise d'établissements de santé et de services sociaux
- Ateliers Cinq Épices
- Azimut Santé
- Carrefour action municipale et famille
- Cégep de Sherbrooke
- Centre d'écologie urbaine de Montréal
- Centre de santé et de services sociaux – Institut universitaire de gériatrie de Sherbrooke
- Centre de santé et de services sociaux de Gatineau
- Centre de santé et de services sociaux de Jonquière
- Centre de santé et de services sociaux de Matane
- Centre de santé et de services sociaux de Papineau
- Centre de santé et de services sociaux de Rimouski-Neigette
- Centre de santé et de services sociaux de Rouyn-Noranda
- Centre de santé et de services sociaux de Témiscaming-et-de-Kipawa
- Centre de santé et de services sociaux des Aurores-Boréales
- Centre de santé et de services sociaux du nord de Lanaudière
- Centre de santé et de services sociaux Drummond
- Centre de santé et de services sociaux Jardins-Roussillon
- Centre hospitalier universitaire de Sherbrooke
- Centre Normand
- Chambre de commerce de Fleurimont
- Chambre de commerce de Sherbrooke
- Collège régional Champlain
- Commission scolaire de la Région-de-Sherbrooke
- Commission scolaire des Phares
- Direction de santé publique et d'évaluation de Chaudière-Appalaches
- Edupax
- Entreprise d'insertion Éclipse
- ÉquiLibre – Groupe d'action sur le poids
- Équipe PAS à PAS du CSSS La Pommeraie (Brome-Missisquoi)
- Équiterre
- Fédération des éducateurs et éducatrices physiques enseignants du Québec

- Fédération des kinésiologues du Québec
- Fondation des maladies du cœur du Québec
- Fondation Lucie & André Chagnon
- Jeunes pousses
- La Tablee des chefs
- Municipalité de Lac-Etchemin
- Québec en forme
- Québec en santé – Groupe d'action pour une saine alimentation
- Regroupement des cuisines collectives du Québec
- Réseau du sport étudiant du Québec (RSEQ)
- RSEQ Cantons-de-l'Est
- RSEQ Québec – Chaudière-Appalaches
- RSEQ Saguenay – Lac St-Jean
- Réseau québécois de Villes et Villages en santé
- Sherbrooke Ville en santé
- Société de recherche sociale appliquée
- Société de transport de Sherbrooke
- Société de transport du Saguenay
- Sports-Québec
- Union des municipalités du Québec
- Université de Sherbrooke
- Vélo Québec
- Ville de Baie-Saint-Paul
- Ville de Chambly
- Ville de Granby
- Ville de Joliette
- Ville de Lévis
- Ville de Matane
- Ville de Montréal
- Ville de Rimouski
- Ville de Roberval
- Ville de Rouyn-Noranda
- Ville de Saguenay
- Ville de Saint-Georges
- Ville de Saint-Hyacinthe
- Ville de Shawinigan
- Ville de Sherbrooke
- Ville de Sorel-Tracy
- Viomax

Individual Partners:

- Hedwige Auguste, community health student, Université de Montréal
- Micheline Beaudry, retired public nutrition professor
- Roch Bernier, MD, doctor
- Julie Bernier-Bachand, dietetic technician
- Patricia Blackburn, professor at the Department of Health Sciences, Université du Québec à Chicoutimi
- Thierry Bourgoignie, full professor, director of the Groupe de recherche en droit international et comparé de la consommation (GREDICC), Department of Law, Université du Québec à Montréal
- Jean-Guy Breton, consultant and former Mayor of Lac-Etchemin
- Annie Brouard, project manager, Egzakt
- André Carpentier, assistant director of research – associate professor, Centre hospitalier universitaire de Sherbrooke
- Diane Chagnon, dietician-nutritionist, Université de Sherbrooke
- Jean-Philippe Chaput, junior research chair, Children's Hospital of Eastern Ontario Research Institute
- Marie-Ève Couture-Ménard, doctoral degree law student, McGill University
- Mario Couture, educator
- Cécile D'Amour, retired teacher
- Jean-Marie De Koninck, professor of mathematics, Université Laval
- Jacinthe Dumont, officer of planning, programming, and research, Agence de la santé et de services sociaux du Saguenay – Lac St-Jean
- Louali Fatna, community health resident
- Karine Fournier, physical education teacher, Cégep de l'Outaouais
- Evelyne Gagné, student
- Vincent Gagnon, teacher
- Assomption Hounsa, ministère de la santé du Bénin
- Florence Junca-Adenot, professor of urban and tourism studies, Université du Québec à Montréal
- Carl-Étienne Juneau, doctoral candidate, Université de Montréal
- Jean-Denis Kusion, parliamentary assistant
- Michel Lachapelle, advisor for Kino-Québec
- Véronik Lacombe, performers agent and show producer
- Marie-France Langlois, full professor, Centre hospitalier universitaire de Sherbrooke
- Catherine Larouche, director of projects and development, PremièreAction Restauration
- Richard Larouche, doctorate student in human kinetics, University of Ottawa
- Danielle Lizotte-Voyer, professor, Cégep de l'Outaouais
- Bonnie Leung, Nutritionist, Conseil Cri de santé et des services sociaux de la Baie James
- André Marchand, officer of planning, programming, and research, Agence de la santé et des services sociaux du Saguenay – Lac St-Jean
- Jean-Luc Marret
- Richard Massé, director, École de santé publique de l'Université de Montréal
- Marie-France Meloche, nutritionist
- Stéphanie Mercier, web project manager, Egzakt
- Johane Michaud, clinical nurse in prevention, Centre de santé et de services sociaux de Thérèse-de-Blainville
- Marjolaine Mineau, coordinator, Aquisitions and Dubbing, Canal Vie, Astral
- Jean-Claude Moubarac

- Eric Notebaert, MD, emergency physician, Université de Montréal
- Gilles Paradis, MD, professor, Department of Epidemiology, Biostatistics and Occupational Health, McGill University
- Kathleen Pelletier, MD, doctor, Agence de la santé et des services sociaux du Saguenay – Lac St-Jean
- Jean Perrault, former Mayor of the city of Sherbrooke and former President of the Union des municipalités du Québec
- Lise Roche, advisor
- Mathieu Roy, doctoral candidate in public health, Université de Montréal
- Manon Sabourin, dental hygienist, Conseil Cri de santé et des services sociaux de la Baie James
- Martin Sénéchal, doctorate student, Université de Sherbrooke
- Dominique Sorel, engineer
- Rafael Murillo Sterling, president, Gym Social inc
- Jacques Émile Tellier, consultant, Entreprises Multi-Services Inc.
- Sabine Tilly, Founder, ZEN BALANCE « mon équilibre »
- Sherry Thithart, research manager, Alberta Policy Coalition for Cancer Prevention
- Helena Urfer, communications manager, École de santé publique, Université de Montréal
- Gabrielle Voyer, criminology student

Introduction

Dear members of the Standing Committee on Health,

We would like to thank you for providing us with this opportunity to appear before the Standing Committee on Health as part of the study called Healthy Living.

The mandate you have accepted is highly relevant since many treatments, hospitalizations, and over two thirds of deaths are due to four groups of chronic diseases, namely cardiovascular diseases, cancers, Type 2 diabetes, and respiratory diseases¹. A number of studies conducted over the last 20 years converge, claiming that certain habits, i.e. diet and sedentariness, are directly linked to an increased prevalence of chronic illnesses².

Moreover, many observers of the childhood obesity phenomenon qualify today's generation as the "sacrificed generation" because it would be the first generation to have a less healthy and shorter life than the previous generation due to its sedentary lifestyle and bad eating habits.

As shown by the Organization for Economic Co-operation and Development, in terms of health, public authorities should take action against obesity³.

Obesity on the Rise

As it is the case for all western societies, Canada is facing a fast progression of obesity:

- Over the 2007-2009 period, 37% of adults were overweight and 24% were obese⁴.
- Also observed over the last 31 years has been an increase of obesity:
 - In 1978, the obesity rate was 14%⁵.
 - In 2009, it reached 24%⁶.

Among children, a similar trend has been observed over the years. Recent data released by Statistics Canada on January 13, 2010, reveals that the situation is not about to improve. Results from the Canadian Health Measures Survey (CHMS) have been compared to the data collected through the 1981 Canada Fitness Survey. This analysis showed that a significant deterioration of the body composition of children aged 6 to 19 has occurred between 1981 and 2009, regardless of gender or age⁷. The CHMS also found that obesity and overweight rates have increased among children, an increase that is linked to a higher adiposity and not to a stronger muscle structure.

According to the data produced by the National Longitudinal Survey of Children and Youth of 1998-1999, 19% of children aged 2 to 11 are overweight and 18% were identified as belonging to the obese category⁸.

Obesity and overweight among 2 - 17 year olds, in Canada^{9,10}

Rate	1978	2009
Obesity	3%	9%
Overweight	12%	17%
Combined Rate	15%	26%

The increase in prevalence of obesity among children and adolescents raises concerns in terms of health issues and illnesses associated with an excess amount of weight. Obesity during childhood may have an impact on physical and psychosocial health both on the short and long term, and it may cause morbidity among adults^{11,12,13,14,15}.

Economic Impact of Obesity

Beyond this unfortunate finding, last December, the Society of Actuaries, in its report called “Obesity and its Relation to Mortality and Morbidity Costs”¹⁶, focused on assessing the cost of obesity and overweight in the U.S. and in Canada. The actuaries found that medical conditions represented costs for the U.S. and Canada of \$300 billion per year. Canadians apparently face 10% of that amount, that is to say \$30 billion. These costs are the result of increased demand for medical care and loss of productivity due to higher rates of mortality or disability.

The report also found that the medical conditions that have a statistically significant relationship with obesity and overweight are cardiovascular disease, diabetes, hypertension, cancer, renal diseases, CVAs, osteoarthritis and sleep apnea. The causal connection between most of these conditions, as well as overweight and obesity, has been demonstrated by research projects where subjects received support to lose weight and for whom the level of severity of these medical conditions was reduced or eliminated^{17,18}.

The Role of the Environment

Though lifestyle choices are individual, the environment plays a major role in the decision process. Last September, Canada’s provincial ministers of health acknowledged this important fact by prioritizing an intervention on social and physical environments to stop childhood obesity. The report produced following this federal-provincial conference on health indicates that the places where children live, learn, and play should further encourage physical activity and healthy diet. Furthermore, the effectiveness of early intervention has been recognized along with the importance of seeking ways to improve the availability and accessibility of nutritious foods, and restricting marketing directed at children of foods and beverages that are high in fat, sugar or sodium.

Obesity is therefore a complex phenomenon and several factors have contributed to the collective deterioration of our health. Like you, more than 100 organizations from the school, municipal or health

spheres, gathered within our Coalition, are concerned with healthy lifestyles and recognize the importance of creating environments which encourage healthy choices. Simply put, promotion or information campaigns have proven to be limited. It is now time to create living environments where it is easier to get moving and eat better.

Our intervention within this committee will focus on sugar-sweetened beverages whose troubling high level of consumption is blamed by the scientific community and directly identified as a factor of the obesity epidemic. Also, it is a cause we can easily target to take action. As members of the Standing Committee on Health, you may give direction to federal government policies, and certain tax or legislative measures could reduce the drawing power of sugar-sweetened beverages. For example, by taking action with regard to:

- product composition
- packaging
- restricting the distribution of these products
- prohibiting marketing directed at children
- imposing a tax on soft or energy drinks

Impact of Sugar-Sweetened Beverages on Health

Presently, sugar-sweetened beverages are targeted, among others, by the World Health Organization¹⁹ and the Government of Canada as one of the major contributors to the current obesity epidemic. In fact, the relevance and accuracy of Health Canada's recent advertising campaign on child safety, which highlights the role of sugar-sweetened beverages in the childhood obesity phenomenon, have been pointed out to the minister by many of our partners and should be publicly recognized.

In Canada, the consumption profile of sugar-sweetened beverages is as follows:

- At least 34% of children aged 6 to 8, and 44% of youth aged 15 to 16 consume candy or soft drinks on a daily basis²⁰.
- Sugar-sweetened beverages are progressively replacing basic beverages such as water and milk;
- About 20% of Quebec 4 year olds drink sugar-sweetened beverages daily²¹.
- About 20% of youth aged 15 to 17 consume energy drinks on a weekly basis²².
- Soft drink consumption in Canada doubled between 1971 and 2001²³.
- Sugar-sweetened beverages are an important part of the diet of young people, girls and boys, of all ages, including little ones aged one to three. Two consumption trends are establishing themselves among young Canadians:
 - boys drink more sugar-sweetened beverages than girls;
 - consumption increases with age, reaching its peak among 14-18 year olds, an age when boys drink over half a litre per day and girls, more than one third of a litre²⁴.

Soft drink consumption in Canada reached, in 2002, 120 litres per person and per year, which amounts to 60 large size bottles²⁵.

To show this consumption's impact on health, note that each daily intake of a 12 ounce soft drink by children increases their risk of becoming obese by 60%²⁶. As well, a Californian study, conducted with 43,000 adults and 4,000 adolescents, found that the consumption of one or several sugar-sweetened beverages each day increases the probability of being obese by 27%²⁷.

A review of evidence related to 28 dietetic factors considered to be associated with childhood obesity found that the consumption of sugar-sweetened beverages is the only dietary habit that is consistently linked to overweight among children²⁸.

The diversity of the offer, as well as an increased availability of these beverages partly explain these new consumption habits. Marketing strategies are no stranger to the phenomenon. That is probably one of the reasons behind the concern expressed by both the WHO and the Government of Canada with regard to marketing directed at children.

The 4 Ps of Marketing for Soft and Energy Drinks

Is drinking soft or energy drinks an actual need? Isn't it rather the industry itself which, by constantly developing new products and widely distributing them, creates these needs among the population?

We propose using the 4 Ps of marketing to try and understand the phenomenon of sugar-sweetened beverages and identify solutions to be implemented. Let us be reminded that the 4 Ps are price, product, promotion and place (in terms of location).

The Product

Sugar-sweetened beverages are mainly composed of water, sugar or its substitutes, and sometimes of natural or synthetic caffeine. Like many other organizations, we have difficulty understanding the government's decision of allowing, in March 2010, the addition of caffeine in soft drinks without cola in response to pressures from bottlers. How can the government's decision to authorize the addition of caffeine without requiring a notice about the quantity of caffeine in these drinks be justified?

We believe that the regulatory framework should be more rigid rather than more flexible about the composition of the product and its packaging. Why? Because beyond calories, soft drinks provide zero nutritional value for their consumers. These products are not vital! Because these calories are "liquid", they are not usually offset during the day and are therefore added to the daily diet²⁹.

Also, certain companies take pride in the fact that they facilitate the decision process for consumers by posting the amount of calories contained in their products on the front of their packaging. Yet, this indication may create confusion for consumers as they read it. For example, on a 591 ml soft drink bottle, the front of the label indicates "110 calories". However, this indication, quite visible to the consumer, is only valid for a 250 ml portion. The 591 ml bottle therefore contains, after calculation, a total of 260 calories. Only an informed consumer, who pays attention to small characters, will be aware of this detail. True transparency would be to mention the TOTAL quantity of calories contained in the bottle.

Place (location):

Soft and energy drinks are available everywhere. You need only extend a hand to reach for a can. Moreover, they appear too often in places that promote sports, physical and outdoor activities. All

measures, therefore, aiming to restrict their distribution in the places particularly popular among young people will be beneficial.

It would be simple for the federal government, which has a responsibility to set an example, to provide a dietary environment that encourages healthy lifestyles within federal public facilities and to prohibit the sale of soft and energy drinks inside these establishments.

Promotion

The impressive top line generated by soft drink companies are highly driven by their advertising and promotion. Major bottlers invest huge amounts of money to highlight their products. In sponsorships only, Coca Cola invested \$212 million in the Vancouver Olympic Games.

As part of its global strategy for the prevention of chronic illnesses, the WHO's focus in 2008-2009 was on food marketing directed at children. Research scientists consulted by the WHO claim that, beyond TV advertising that impacts preferences, demand, and the consumption of foods of low nutritional value, it is important to look at other forms of marketing aiming to develop a relationship between the child and a brand. Certain techniques are mentioned, such as:

- sponsorship (a technique widely used by the beverage industry, especially in the field of sports),
- product placement,
- promotion,
- use of celebrities, mascots or characters
- websites,
- packaging,
- sales displays,
- emails or text messages,
- philanthropy,
- viral marketing,
- etc.

Prohibiting food marketing directed at children has become a concern in various parts of the globe, especially since the WHO conference in Geneva³⁰ last May. It was during this event that recommendations were adopted to guide the efforts made by Member States for the development of new policies and/or the strengthening of existing policies with regard to commercial communication about foods aimed at children. The Member States, including Canada, approved them at the Sixty-third World Health Assembly.

At the end of this meeting, Doctor Ala Alwan, Assistant Director-General, Noncommunicable Diseases and Mental Health at the WHO, concluded that "everywhere in the world, children are exposed to the marketing of foods and alcohol-free beverages with high levels of fat, sugar, and salt. It is imperative to ensure that, everywhere, children are protected from this type of marketing and may grow up and blossom within a positive dietary environment, one that encourages and helps in making healthy food choices and maintaining a normal weight."

We encourage you to consider ensuring a better control over food marketing to children and for Canada to clearly introduce its intention in preparation for the upcoming United Nations Summit next September in New York, which will also address this issue.

Price

We all know that price is an essential factor in the decision process of a purchase. For young people, price represents the second most important influencing factor (after food preferences) when it comes to choosing food^{31,32,33}. In this regard, soft and energy drinks are commonly sold at a low price or with a discount. In Canada, though the price of basic products (eggs, bread, butter, oil, etc.) has greatly increased since 1995, the price of soft drinks has raised only moderately. Notably, price increases, between January 1995 and August 2009, reached:

- 98% for bread,
- 53% for butter,
- versus 11% for cola type soft drinks and 6% for lemon-lime type soft drinks³⁴.

The evolution of these prices demonstrates the profit margin these products generate, as well as the low production cost of these beverages.

As for the rising energy drink phenomenon, it definitely represents a concern for stakeholders in health. They take up a major part of the market within the beverages industry. There are over 300 varieties in North America, with an annual growth of 39% for sales in Canada between 2007 and 2008, and sales of \$154 million in 2008 in Canada³⁵.

Many governments have already identified the implementation of a tax as a measure to prevent problems associated with obesity. As well, the Institute of Medicine of the National Academies³⁶, the Organization for Economic Cooperation and Development (OECD)³⁷, and Rudd Center identify the tax as one of the most promising strategies for governments and profitable in terms of cost-health benefits.

Therefore, we propose the implementation in Canada of an excise tax on soft and energy drinks that would be imposed on producers, based on the alcoholic beverage model.

According to Agriculture and Agri-Food Canada, the Canadian soft drink market produces 35,800,000 HL annually. For each portion of the tax of 1 cent per litre, we would obtain \$35,800,000 to invest in prevention. A significant amount which would allow, for example, the improvement of access to healthy foods.

This recommendation has received the support of the scientific community. The Rudd Center already militates for the introduction of such a tax in the U.S. Thus, inspired by many other countries around the world, 17 American States are currently examining the idea of introducing this type of tax in their jurisdiction. This does not come as a surprise because the population supports this measure. A recent survey ordered by the *Collaboration Action on Childhood Obesity* and conducted by Ipsos Descarie shows that most of the Canadian population was in favour of implementing such a tax and one out of 3 Canadians would be ready to pay a \$0.50 tax on a sugar-sweetened beverage can if revenues were invested in actions for the prevention of obesity.

We therefore encourage you to:

- Consider the notice produced by the Institute of Medicine of the National Academies (2009), [**Local Government Actions to Prevent Childhood Obesity**](#)³⁸ which indicates that implementing a tax in order to limit the consumption of foods of low nutritional value such as sugar-sweetened beverages proves to be one of the most promising strategies for governments.

- Take into account the position of the Organization for Economic Cooperation and Development (2010), in its report entitled [*Obesity and the Economics of Prevention*](#)³⁹ which considers that a tax is a fiscal incentive measure identified as profitable for governments in terms of cost-benefits.
- And respond to the recommendations presented by the experts consulted by the Heart & Stroke Foundation of Canada (2010), in their report [*Economic Policy, Obesity and Health: A Scoping Review*](#)⁴⁰ to immediately move forward with the implementation of a tax on sugar-sweetened beverages.

Summary of the Recommendations

As members of the Standing Committee on Health, you have the opportunity to provide direction for the federal government's policies and certain fiscal or legislative measures could be used to reduce the drawing power of sugar-sweetened beverages. As such, the Weight Coalition, supported by over 100 partners from various spheres, such as the municipal, school, health, research, environment, nutrition, and physical activity arenas, recommends:

- **Strict regulation of packaging and products**, notably their caffeine and calorie levels, as well as their health claims and logos to avoid misleading consumers.
- **Ban the sale of** soft and energy drinks in buildings under federal jurisdiction.
- **Regulate marketing directed at children**, as it is already done in Quebec, and clearly indicate Canada's intentions on this issue during the upcoming United Nations Summit next September in New York.
- **Implement a tax on soft and energy drinks**, of which the revenues would be reinvested in health prevention (an excise tax where each portion of one cent per litre would generate revenues of \$36 million for Canada).

These recommendations are all supported by scientific literature and based on strong consensus.

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