

December 2, 2020

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Via email: jodi.white@canada.ca;
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Dear Ms. White;

Re: The Proposed Changes to Guidelines for Simulated Meat and Simulated Poultry Products

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members across the province. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. We are passionate and dedicated to ensuring the agri-food sector and our rural communities are included, consulted and considered in any new and changing legislation that impacts the sustainability and growth of our farm businesses.

OFA strongly supports the review of the federal guidelines for simulated meat and simulated poultry products and the addition of new guidelines for certain plant-based protein products. Existing guidelines apply to products made to resemble meat or poultry products, and describe the regulatory requirements for these products which are represented as having the physical and nutritive characteristics of meat or poultry. The proposed guidelines have been updated to differentiate between simulated meat and poultry products from those which are neither meat nor poultry, and not intended to substitute for these products. Rules for labelling, advertising, composition and fortification for such products are outlined in the proposed updates to the guidelines.

The plant-based industry and availability of products across the country is increasing. Some of the products available are neither meat nor poultry and are not intended to be substitutes for meat or poultry products. OFA encourages consumer choice and competitive markets; however, we believe in accurate, truthful, and easy to understand labelling of products which do not mislead consumers and allows for informed choices. OFA is concerned that the current and proposed guidelines do not sufficiently ensure labelling clarity and consistency, and do not serve to accurately and truthfully describe the products. Clear, concise guidelines are necessary to support industry in their understanding and application and transparency of regulatory requirements, and support informed purchasing decisions for consumers.

Categories of Products

Category 2: Simulated-meat and simulated-poultry products, in the guidelines are designed to resemble meat or poultry products and represented as having physical and nutritive characteristics of real meat and poultry products. As such, these products should require the same rigorous regulatory requirements as livestock agriculture, including truthful and transparent labelling standards. These products are purposely made to mimic or substitute for common animal-based products, both in appearance and nutritional content. The current description under this “appearance requirements” for Category 2 products is very broad. To promote transparency as to the true nature of these products and to avoid misleading consumers, additional labelling requirements are needed to support products that meet the “appearance requirements” under Category 2. Under the “advertisement and representations” section of the guidelines, Category 2 products are currently able to use graphical representation related to meat, animal source or poultry bird of the product they are simulating. We discourage using graphical representation of the product being mimicked so as not to misrepresent the product, increase clarity, and reduce consumer confusion. OFA supports the requirement for the word “simulated” being used in the description of the product when referring to animal species. However, there is concern that naming standardized meat cuts, regardless of the use of the word “simulated”, could lead to product misrepresentation and consumer confusion, and potentially conflict with the Canadian Food Inspection Agency’s definition of meat.

Category 3: Other products which do not substitute for meat or poultry products, are those that are generally plant-based protein foods and do not contain any meat, poultry or fish. These alternative products are unique products and should be clearly labelled as such. To decrease consumer confusion and to increase clarity regarding nutritional profile, plant-based protein products should be labelled distinctly as “containing no meat” or “containing no poultry”. The main difference between Categories 2 and 3 is that Category 2 products must meet nutritional profiles similar to the product it is designed to mimic. Other than nutritional differences, the products can be the same. Labelling requirements must consider the appearance of the product, not just the nutritional profile, as the nutritional difference between Category 2 and 3 could be negligible. Rules for labelling and advertising such products must ensure that consumers do not mistake these products for meat or poultry, or simulated-meat or simulated-poultry products, and ensure accurate and truthful descriptions of the product and promote informed consumer choices. To reduce confusion and ensure clarity, Categories 2 and 3 could be combined into one category. Products could either be classified into Category 1: animal and poultry products, or Category 2: simulated and plant-based products, or non-meat products.

Terminology

Terminology and labels of Category 3 products must be clarified in the new guidelines, so as not to confuse or mislead consumers. The term “meat” has a specific definition in the federal *Food and Drug Regulations* and is applicable only to products containing animal material. Terms such as “sausage”, and other meat-related words are defined in the regulations as containing meat, which automatically excludes products made of plant-based materials. There must be a clear distinction made with Category 3 products which use common animal-based terms such as burger, patty, and bacon to ensure consumers are informed as to the true nature of the product and are not misled. It is important to clarify terminology and labelling used in describing Category 3 products to reduce potential confusion or misleading of consumers, and accurately and truthfully reflect the true nature of the product. It is important to align regulatory requirements between Canada and the United States. Consistency between terminology, product definitions, and labelling requirements is critical so that trade continues undisrupted, and confusion by consumers is reduced when exporting products between countries.

Comparative Claims

Currently, Category 2 products are required to be fortified, to meet minimum protein content and rating, fat content, and vitamin and mineral requirements of the meat or poultry product it is intended to substitute. Regardless of fortification, plant-based products should not be allowed to make comparative claims to being nutritionally equal or superior to animal-based products, as they are simply not comprised of the same component material. Animal and plant proteins are not created equally, and cannot be simply interchanged. For example, amino acid profiles vary between animal and plant protein regardless if overall protein content being similar, and therefore cannot be directly compared. Animal-based content has differing benefits than those of fortified plant-based products such as soy, and therefore should not be allowed to make related nutritional claims, regardless of meeting fortification requirements. Additionally, claims of environmental or health comparative or superiority from Category 2 or 3 relative to Category 1 products need to be verified or substantiated or else prohibited from asserting these claims on labels or in advertising.

Advertising and Representations

The “advertising and representations” section of the guidance document needs to be strengthened and clarified as this is where much of the confusion lies. For example, clean meat advertising on packages may cause consumers to believe that the product went above and beyond food safety standards, or that plant-based products may have some animal product mixed in. Strengthening the requirements under this section would help to promote transparency, avoid misleading labels, and reduce consumer confusion.

OFA welcomes the opportunity to provide feedback on the proposed updates to the guidelines for simulated meat and simulated poultry products. Greater clarity is necessary as the plant-based food market grows. *Consumers have the right to clear, concise, accurate and truthfully labelled and advertised products.* OFA will continue to work with stakeholders and government to facilitate regulatory modernization that aligns with Canada’s progressing food landscape.

Sincerely,



Peggy Brekveld
President

cc: Mary Robinson, President, Canadian Federation of Agriculture
Dr. Siddika Mithani, CFIA President
OFA Board of Directors