



## Regulatory Rat Race

2005 has just gotten underway and I often complain about the slow speed of regulatory progress. Not anymore. The three year transition period for mandatory Canadian nutrition labelling is now coming to a speedy end on Dec. 12, 2005. There is still a significant amount of work to be done, but for the most part, processors have done a pretty good job conforming to the very prescriptive regulations. During the transition period there's been some interesting lower carbohydrate products launched based on the former regulations. It will be interesting to see how these products will be transitioned with the new regulations which are unaccommodating with regards to carb claims

It might not be as big as the Super Bowl, but trans fat labelling becomes mandatory on all Food and Drug Administration regulated food on Jan. 1, 2006 in the U.S. Those who work on both Canadian and U.S. labelling are up to their eyeballs with nutrition labelling. The trans fat issue is one that will burn well into 2006. It's no secret that many products are undergoing review and reformulation to reduce or eliminate trans fat.

On the Canadian side, government may make that choice for us. The multi-stakeholder task force on trans fat set up by the Minister of State and Public Health will report back in the spring of 2005 on what immediate actions, public education and labelling can be considered on the trans fat portfolio. By year's end a far more comprehensive approach could be tabled in parliament. Perfect timing! I guess nutrition labelling wasn't enough fun the first time around.

In August of 2004 the U.S. made the *Food Allergen Labeling and Consumer Protection Act of 2004* into law. The law lays out the eight major food allergens and how to label

-----  
It might not be as big as the Super Bowl, but trans fat labelling becomes mandatory

on all Food and Drug Administration regulated food on Jan. 1, 2006 in the U.S.

Those who work on both Canadian and U.S. labelling are up to their eyeballs with nutrition labelling.

The trans fat issue is one that will burn well into 2006.

them. The law becomes mandatory Jan. 1, 2006. The new law itself is not excessively complex, but the level of detail for compliance purposes has gotten much more microscopic. Regulatory professionals may well need a pay raise to cover healthcare costs related to stress! The U.S. initiative is more progressive on matters related to research, manufacturing and labelling as well as inspection and updating the *U.S. Food Code* as it relates to allergen free foods. Canada may have proposed allergen regulations this year.

It's interesting to note that in January 2005, a Canadian court imposed a ruling to force a company to develop an allergen prevention plan and implement a quality control system to prevent any further undeclared allergen issues. The courts obviously recognize that the allergen issue is one that needs to be proactive, not reactive. We need suitable regulations.

In addition to allergen issues, the organic sector may well be in for regulatory shake up as well. The European Union has a deadline of Dec. 31, 2005 for establishing equivalencies for national organic production systems. This would be very important if you happen to export to the EU. Apparently in Ottawa there is talk of implementing an updated national organic standard and a certification system before the year is done. Better have Ottawa stock up on

Gravol, as the speed at which things need to get done is going to give people motion sickness!

---

*Gary Gnirss is a partner and president of Legal Suites Inc., a Mansfield, Ont.-based firm specializing in regulatory software and services. Email: [president@legalsuites.com](mailto:president@legalsuites.com)*

