



Coke Olympics, Pepsi Queen's Park?

Health Ministry Paid Two Junk Food Ad Agencies \$80,000 to Host Consultations on Kid-Ads, Restaurant Nutrition Labelling

August 5, 2016 (OTTAWA): After a 14-month delay, the Ontario Government finally released “Confidential” documents revealing more than \$80,000 in payments to two New-York-based Pepsi advertising agencies to conduct an invitation-only series of consultations with health, food companies, and advertising industry lobbyists on proposals to mandate nutrition information on restaurant menus and restrict advertising to children. Bill Jeffery, Executive Director of the Centre for Health Science and Law (CHSL), made the following statement:

“As Coca-Cola ramps up efforts to sparkle its performance-eroding sugar-water with the luster of medal-winning physical achievement, the Ministry of Health finally disclosed how it hired publicists for Pepsi and other junk foods to orchestrate consultations on advertising to kids and restaurant menu labelling.

Giving the equivalent of a whole year’s salary to a private sector agency to stickhandle three days of Toronto meetings with stakeholders seems wasteful. But the more troubling questions are why the Ministry of Health picked a firm with such clear and extensive of interest to do the work, and why it used one NYC-based ad agency as a conduit to sub-contract another NYC-based ad agency (both also serving Canadian clients in Toronto).

Fleishman-Hillard’s unpublished final reports exaggerated differences of opinion in the consultation by failing to indicate that self-serving food and advertising industry groups opposed strong calorie and sodium regulation while health groups favour it. A joint statement signed by 28 Canadian health groups and experts in 2013 (including many consultation participants) called for sodium and calorie labelling and included 41 signatures by the time a subsequent menu labelling bill was put to a vote in the legislature in the spring of 2015. Likewise, [Fleishman-Hillard](#) did not concede that industry representative at the consultation opposed binding restrictions on marketing to children. It concluded:

‘[Like the menu labelling consultation the] consultation on marketing to kids also generated a wide range of perspectives on the topic...’

The final report also echoed obviously bogus industry claims that the Ontario government does not have the constitutional authority to regulate advertising to children, something that the Quebec Government has done since 1980.

Governments should not put self-serving companies in a privileged position to advance their commercial and their clients’ business objectives. It is the Ministry’s job to protect public health.”

Background:

According to AgencySearch.ca the advertising agency named BBDO Canada, (which acted as the contractual conduit between the Government of Ontario and Fleishman-Hillard Canada) has served **PepsiCo, Mars, Wrigley, and Campbell** since the 1980s.

According to Ottawa's federal lobbyist registry, Fleishman-Hillard counted the following food companies among its clients during or immediately before the Ontario government's consultation:

- **PepsiCo** (2010-2016) the world's largest snack food company and second largest soft drink manufacturer, both major suppliers to chain restaurants, **McCain** (2005-2012), the world's largest manufacturer of frozen French fries and supplier to ([fellow Olympic sponsor](#)) McDonald's and other major other leading Canadian chain restaurants, and
- **Mars Canada** (2010-2015), Canadian operations of the 6th largest privately held company in the world, and **Kellogg** (2009-2011), the world's second largest snack food company and manufacturer of Froot Loops, two leading symbols of marketing to children.*

The Ministry of Health:

- never published the promised consultation reports on the two issues,
- never took any action on advertising to children despite public promised to take action,
- never acknowledged the [41 experts and health groups that persistently urged them to include sodium disclosures on restaurant menus](#), and
- never justified the scientific rationale in proposed regulations for mandating a "context statement" for menus that counsel adults to consume up to 20% more calories (2,000-2,400 calories) than the 2,000 calorie benchmark for adults used by the Canadian and U.S. federal governments which itself may be too high considering that women are the main users of nutrition labelling and only need 1,500-1,900 calories daily.

NOTE: The Ministry of Health finalized calories-only menu label regulations in March 2016 ([see our February public comment](#)) then [re-opened the consultation two weeks ago](#) mainly to clarify or expand seven exemptions for the food industry.

For a copy of the contract and unpublished consultation report, contact: Bill Jeffery at the Centre for Health Science and Law at BillJeffery@HealthScienceAndLaw.ca or 613-565-2140 (mobile). CHSL's Executive Director, Bill Jeffery, participated in the consultations. During the period 2013-2016, Bill Jeffery made repeated oral and written requests to the Ministry of Health and Long-term Care for the consultation report that was promised when the consultations were held in 2013.

* Search "Fleishman-Hillard" at: <https://lobbycanada.gc.ca/app/secure/ocl/lrs/do/advSrch>