The Establishment of a National System of Food Inspection in Canada

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Over the past decade, public and professional concern over the links between diet and ill health has grown enormously but in the relative absence of discussion about the policymaking levers currently in place to handle what is seen by some as an emerging public health crisis. How will nutrition policymakers tackle these difficult emerging health policy issues? What are the nutrition policymaking levers that are currently available to reverse the increasing levels of nutrition-related problems, such as the rising levels of diabetes and obesity observed in the population?

The federal government's system of food regulation (because it develops food standards, regulates food quality, and establishes standards for food advertising and labelling) is an important component of the nutrition policymaking machinery currently in place in this country. The structure of this system and the way in which it operates is integral to developing a nutrition policy for the 21st century.

The purpose of this paper is to describe the early evolution of this system of federal regulation (between 1874 and 1945) in order to enhance understanding of the roots of the present system. As the public and policy spotlight shines with increasing intensity on the nutrition policymaking system in Canada, as concerns about the links between diet and health grow, it is important for policymakers to have a basic understanding of the roots of at least this important component of the system.

Establishing the legislative framework

Canada's first food and drug act was passed in 1874, largely due to concerns over liquor contamination. To enforce the new legislation, a central laboratory was established in Ottawa.¹

The chief analyst in Ottawa had by this time developed several standards for food. These defined foods positively in terms of their main chemical constituents. For example, at this time milk was commonly adulterated by the addition of water. A definition was therefore required that established a standard for the fat content in milk. Once such a standard was set, it was possible to declare deviations as adulterated.

However, in order to prosecute these cases successfully, these unofficial food standards had to be established in law. In 1890, an amendment to the act was passed that converted the few unofficial standards for food and drugs then in existence into official standards, making Canadian food adulteration law the most advanced in the world.²

Canada established more official food standards in 1909 for dairy products, meat, grain, maple products, and beverages. These were passed in 1911 by Order in Council and for

the first time, gave the Canadian government the legal power to enforce the adulteration act.

The development of the professional food inspectorate

Initially, the civil service was ill equipped for successful prosecution for food contamination. In 1913, an order in council established new regional laboratories in Halifax, Winnipeg and Vancouver. By 1919, 25 food inspection districts were established in Canada, staffed with a professionally trained full-time inspectorate.³ The creation of official food standards in 1911, the development of regional laboratories and the subsequent establishment of a professional inspectorate laid the foundation for a fully functioning national system of food inspection by 1920.

Early work of the food inspectorate

Although the food and drug act was passed because of concerns regarding liquor, early food adulteration prosecutions dealt mainly with dairy products. In 1876, 60% of the milk sampled under the act was adulterated, mainly by addition of chalk and/or water. In the case of butter, approximately 50% of the samples tested by the public analyst were adulterated in the mid-1880s.¹

The development of federal food standards, national laboratory capability, and an enforcement infrastructure by the 1920s was coincident with the establishment of provincial and municipal public health laws and systems to improve local milk and meat supplies.^{4,5} These local public health infrastructures inspected and regulated mainly urban milk and meat distribution and manufacturing facilities, while the federal inspection system focused on the inspection of food imports and, increasingly after World War One, with the growth of the canned and processed food industry, the inspection of food manufacturing and processing facilities.⁶

In the early 1920s, the federal laboratories processed approximately 4,000 food samples and initiated approximately 125 prosecutions each year. Approximately one third of these were launched to discourage the adulteration of meat by domestic meat processors.⁶ During the 1920s, approximately one third of all prosecutions resulted in a conviction, but Departmental reports contain no information on the

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identities of those prosecuted or convicted (i.e., it is not clear whether the target of inspectors was retailers, wholesalers, or manufacturers).⁶

Work of the laboratories increased quickly in the decade. Twice as many samples were analyzed in 1925 as in 1921, and by 1930 the increase in volume was four-fold. In 1939, the laboratories processed 24,000 samples, an eightfold increase in volume since 1921. To cope with this increase in volume, new branch laboratories were opened in Montreal in 1923 and in Toronto in 1927.

Misbranding and advertising

In the 1920s, the food inspectorate shifted focus from prevention of food contamination to detection of fraudulent labelling on food packages and misleading food advertising for three inter-related reasons: the discovery of vitamins, the rise of the retail chain stores, and the increased marketing of packaged and processed foods.

During the 1930s, retail chain stores expanded enormously, as did the number and variety of processed and packaged food items. According to the 1929 Department of Pensions and National Health Report, "the enormous increase in the number of manufactured foods and expansion of the market in packaged foods have necessitated broadening the inspection of labels to prevent misbranding in all its phases."⁷ As well by the 1930s, "greater emphasis was laid on advertising and labeling with the result that instances of misbranding far outstripped those of adulteration."^{1, pg.78}

Misbranding of cereal emerged as an issue in 1929 and became more serious during the depression, as manufacturers added vitamins to these products and made unrealistic health claims for them. Misbranding "infractions tend to become more numerous in times such as those through which we have been passing. Business competition has been exceptionally keen, with the inevitable result of the tendency to cheapen products without regard to quality. Old forms of food adulteration have been revived and numerous devices of a surprising character have been initiated."⁸ Accordingly, in the middle of the Depression (1934), an amendment to the Food and Drug Act was passed disallowing health claims in relation to food.¹

With the establishment of the CBC

(Canadian Broadcasting Corporation) in 1933, the Department of Health was given responsibility to screen food and drug advertisements for radio broadcast. Even prior to the establishment of CBC, the department had been screening radio advertisements. As the radio listening audience expanded, a number of amendments were made to broaden the powers and scope of the department to regulate the broadcast of food and drug advertisements.

The Department also established a vitamin analysis unit in the mid-1930s. Fraud was the motivating factor as "the day had dawned when the commercial potentialities of those substances were being recognized. The unbridled nature of the claims made some control necessary in the public interest."^{1, p.76} "The scope of the new laboratory, established in 1937, was to investigate claims for vitamin products and examine their potencies."^{1, p.77} By 1939, commercial promotion of vitamins had reached great heights and further amendments were proposed to regulate vitamin-related health claims. These were finally adopted in 1945 at the end of the Second World War.

CONCLUSION

At the end of the 19th century, Canada had one of the most sophisticated national food inspection statutes in the world. Elements of this legislation, particularly the establishment of food standards for all staple foods, were copied by many nations by the early 20th century. However, Canada's civil service was not developed enough to fulfil its national food inspection mandate until the end of World War One.

The evolution of an efficient national system of federal food safety and inspection occurred at the same time as provinces and municipalities began to establish local food inspection infrastructures through public health legislation. It is likely that these local efforts to improve, in particular, meat and milk supplies were aided by federal efforts, which in the late 19th and early 20th centuries, focused resources on the prosecution of the suppliers of contaminated meat and dairy products, albeit with the specific intent of reducing fraud rather than improving health.

During the 1920s, with the expansion of supermarket chains and the increasing

availability of packaged and processed food, the inspectorate focused increasingly on the prevention of fraudulent food labelling and advertising. The inspectorate's concern with fraudulent advertising and labelling increased during the Depression as the combination of growing public interest in vitamins, increasing exploitation of this interest by food manufacturers, and expansion of radio enhanced the scope for fraudulent health claims and misleading food advertisements.

By the end of the Second World War, a major component of the legislative and civil service infrastructure was in place for handling the multiple challenges of a modern food inspection and surveillance system in Canada. During the Second World War, this nutrition policymaking machinery was expanded by the formation of the nutrition services division in the Department of National Health and Welfare and the increasing involvement of the Canadian Council on Nutrition as a national dietary standard and dietary guidelines were developed and nation-wide nutrition education campaigns were disseminated.

The historical long view shows a regulatory authority with a distrust of the manufacturing and retailing food and supplement industry. While the distrust may still be present, it is also clear that attitudes in the post-war era have shifted somewhat, particularly in the past decade, a time during which the public's attitude towards business and industry has grown more positive.

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