

## Policy Respecting the Use of Heart Symbols and Heart Health Claims on Food Labels and in Food Advertisements

### Annex 8-2

#### Background

Historically, representations such as the use of **"heart" symbols** and statements such as **"heart healthy"** on food labels or in advertising have been considered likely to offend the *Food and Drugs Act* because they can be potentially misleading under subsection 5(1) and/or may represent the product as a preventative for heart disease [3(1), *FDA*].

As a result of the work of the Ad Hoc Intersectoral Committee on Health Information Programs Involving the Sale of Foods and on the Use of Nutrition Recommendations in Food Labelling and Advertising, policies were issued on March 1, 1991 under the title **"Guidelines for Health Information Programs Involving the Sale of Foods"**

One of the policies contained in this document addressed label and advertising claims relating to disease prevention. This policy statement reiterated the government's commitment to upholding section 3 of the *Food and Drugs Act*, confirmed that the practice of relating a specific food product to disease prevention is prohibited under section 3 of the Act and described several situations in which the food industry could deliver information on disease prevention without offending section 3. The document did not, however, specifically address the issue of the use of **"heart" symbols** and **"heart health"** claims in food labelling and advertising.

The following policy is intended to further clarify the position concerning the use of **"heart" symbols** and **"heart health"** claims, and complements the more general policies of the aforementioned Ad Hoc Intersectoral Committee on Health Information Programs.

#### Scope

The policy will apply to the use of **"heart" symbols** and **"heart health"** statements or claims on food labels and food advertisements.

#### Policy

##### 1. Heart Symbols

- (1) Representations which state, suggest or imply that a particular food is nutritionally superior to or healthier than other foods are considered misleading, since one's entire food intake, not a single part of it, is the critical variable in determining the nutritional adequacy of the diet and its contribution to reducing risk for chronic disease. Accordingly, the use of heart symbols in food labelling or advertising (including the "hearting" of restaurant menu items), may create an erroneous impression regarding the merit or value of the food by suggesting that consumption of the specific food or menu selection will, by itself, provide health as it relates to the heart and cardiovascular system. As the use of these symbols in this manner is considered to constitute a potential violation of subsection 5(1) of the *Food and Drugs Act*, they should not be used.

- (2) A heart symbol which appears in the logo/word mark of, or is used in conjunction with, the name of a non-governmental health organization, or a health information program of a health organization, **may** be acceptable on a food label or in a food advertisement on condition that: (a) no impression is given that the food may help prevent heart disease, and (b) the appearance of the health organization's name or logo itself satisfies the conditions outlined in the "**Policy on the Use of Third-Party Endorsements, Logos and Seals of Approval**".
- (3) No objection will be taken to heart symbols used in a manner traditionally-recognized as indicating affection or endearment, e.g., heart shapes on the label of Valentine candies.

**2. "Heart Healthy", "Heart Healthy (Naming the Food)" or "Heart Healthy Choice" Statements or Claims**

As in the case of heart symbols, the use of the term "**heart healthy**" to describe a food or food choice in food labelling and advertising, may create an erroneous impression regarding the merit or value of the food, by suggesting that it will, by itself, provide heart health. As such terms are considered to constitute a potential violation of subsection 5(1) of the *Food and Drugs Act*, they should not be used.

**3. "Heart Healthy Eating" or "Heart Healthy Diet"**

The use of the terms "**heart healthy eating**" or "**heart healthy diet**" on the labels and/or in the advertisements for specific foods (e.g., "**choose X-brand margarine for your heart healthy diet**") may give an erroneous impression about the merit or value of the subject food(s). Objection is taken to the use of these terms in association with individual foods for the following reasons:

- (1) the consumer may incorrectly conclude that the food itself is "good for the heart" or that it has particular usefulness in providing heart health;
- (2) health authorities agree that a single pattern of healthy eating should be recommended to the public to meet the needs for essential nutrients while minimizing risk for chronic disease. The term "**heart healthy diet**" suggests and promotes the concept of disease- or organ-specific patterns of eating; this is considered confusing and potentially misleading to the public;
- (3) a healthy diet may help reduce the risk of cardiovascular disease, but it is only one factor in the multiple etiology of the disease. Promotion of a "heart healthy" diet to the exclusion of other lifestyle factors in the labelling and advertising of a food, may give an erroneous impression of the impact of both the diet and that food on heart health.

**4. Misleading Words or Phrases Employing the Term "Heart"**

- (1) Objection is taken to the use of terms employing the word "**heart**", such as "**heart beat**", "**whole hearted**" and "**heart smart**" to describe individual foods,

menu selections or patterns of eating, where the use of such terms or phrases suggests or implies that the food or diet is **"heart healthy"**.

- (2) Terms employing the word **"heart"** may be acceptable as part of the name of an information program of a health organization provided the program is identified as such, e.g., **"the Heart Smart program is a public education program of the Heart and Stroke Foundation of Canada"**.

### Implementation

Steps should be taken by food manufacturers, importers and marketers to ensure the correction of domestic and imported product labels, advertisements and menus now bearing heart symbols and heart health statements or claims in contravention of this policy.

In this regard, the removal or correction (i.e., over-stickering) of existing heart symbols (item #1 of this annex) and label or menu claims (items #2, 3 and 4 of this annex) will be expected within six months from the date of this policy or at the time of next label or menu printing, whichever occurs first. The subject symbols and claims should not be used on new labels, menus or advertisements produced subsequent to the date of this policy.

In the case of the "Heart Smart" Restaurant Program of the Heart and Stroke Foundation of Canada, a new program is currently being introduced which is in keeping with this policy. Restaurants are being informed of the changes by the provincial Heart and Stroke Foundations, and no additional corrective action is required at this time.

Food Directorate  
Health Protection Branch  
Health Canada

Food Division  
Consumer Products Branch  
Consumer and Corporate Affairs Canada\*  
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\* Consumer and Corporate Affairs ceased to exist as of June 25, 1993. Its responsibilities respecting food labelling and advertising were transferred to Agriculture and Agri-Food Canada and later, on April 1, 1997, to the Canadian Food Inspection Agency. The former Food Division is now known as the Bureau of Food Safety and Consumer Protection, CFIA.

