

Daily Bread Food Bank

Submission in Response to Proposed amendments to the Food Premises Regulation
493/17 under the Health Protection and Promotion Act

November 2019



Introduction

Daily Bread Food Bank appreciates the opportunity to respond to the proposed changes Regulation 493/17 as part of the government's *Better for People, Smarter for Business* initiative.

Daily Bread Food Bank is a member-based organization representing over 170 community food programs (CFPs) across Toronto, Scarborough and Etobicoke. We distribute close to 11 million pounds of food annually through these CFPs. Close to 100,000 people access food banks in Toronto each year.

With such a large reach, food safety is our top priority. Daily Bread Food Bank provides Food Handler Certification training to CFPs across the city. We also maintain standards of service to ensure clients accessing food programs at any of our member agencies can expect the same quality experience at any of the programs we support.

Better for People, Smarter for Business notes that CFPs must follow the same regulations as full-service chain restaurants and that there is significant confusion among CFPs regarding which elements of regulations they need to comply. **In our experience, the regulatory requirements have not posed an undue burden on our member agencies.** The CFPs in our network are deeply committed to meeting high standards of food safety and the majority have a positive working relationship with Toronto Public Health. The biggest challenge facing community food programs is not the regulatory requirements, but rather the ever-growing need as poverty rates continue to rise in Toronto.

We appreciate the government's commitment to supporting CFPs and would like to raise the following issues for consideration regarding the proposed changes to Regulation 493/17 as part of the *Better for People, Smarter for Business* initiative:

1. The majority of CFPs handle both low- and high-risk foods and should be following public health regulations to ensure food safety.
2. The populations accessing CFPs are often the most vulnerable to suffer adversely from foodborne illness.
3. The challenges faced by CFPs largely relate to the growing need for services as a result of rising poverty rates.

Summary of Recommendations

Daily Bread Food Bank puts forward the following recommendations for consideration:

1. The Ministry of Health and Long-Term Care (MOHLTC) make Food Handler Certification more accessible and affordable to CFPs across Ontario.
2. The MOHLTC, in partnership with Public Health Units across Ontario, update the Food Handler Certification and provide training to public health inspectors to reflect the difference between best before dates and expiry dates, based on Toronto Public Health guidelines.
3. The Ministry of Children, Community, and Social Services address the growing demand for services offered by CFPs by adopting strategies to reduce poverty in Ontario.

Each of these concerns and recommendations are explored in greater detail below.

Issue 1: The majority of CFPs handle both low- and high-risk foods and should be following public health regulations to ensure food safety.

There are a variety of types of CFPs:

- Meal programs/soup kitchens, which serve cooked meals
- Food banks/food pantries, which distribute groceries, including milk, eggs, meat and produce
- Snack programs, which generally provide packaged snacks

The majority of CFPs, including food banks, handle high-risk foods. In fact, 44% of the food Daily Bread distributes to our 170 CFPs across Toronto is fresh or frozen, including dairy, eggs, and meat (all of which are high-risk). There are almost no CFPs in our network of 170 program that exclusively serve low-risk foods.

Many CFPs offer a variety of programs under one roof; they may have an after-school program exclusively distributing low-risk foods such as granola bars and apples, a drop-in meal program serving cooked meals, and a food bank distributing fresh, frozen, and shelf-stable groceries. We are concerned that eliminating regulations for low-risk food premises will create a 'grey area' where inspectors would be required to judge of their own accord whether a CFP is serving low- or high-risk foods and in which program context.

CFPs must be held to public health standards to protect the health and safety. Even for programs that exclusively distribute groceries, rather than cooking and serving meals, they must maintain proper sanitation, personal hygiene, and correct storage. Having a certified food handler on site at CFPs is paramount to protecting the health of the communities we serve.

The cost of completing a Food Handler Certification is prohibitive for CFPs, many of which are run predominantly by volunteers on a shoe-string budget. The City of Toronto charges \$265 for each certification. To address this challenge, Daily Bread offers a Food Handler Certification for free to our members (participants are required to pay for the training book, which costs around \$65). In the past 10 years, we have trained and certified approximately 2,000 individuals at CFPs. Making this course available ensures that our member agencies follow best-practices for ensuring food safety, but operating this training requires significant resource investment from Daily Bread. An added benefit of offering Food Handler Certification to our member is that they gain the qualifications necessary to secure employment in the food sector.

Issue 2: The populations accessing CFPs are often the most vulnerable to suffer adversely from foodborne illness.

The populations served by CFPs are highly vulnerable. Our most recent survey of food bank clients in the Toronto region reveals that food bank clients are spending a median of 74% of their income on housing, putting them at extreme risk for homelessness. For food bank clients who have income from employment, only 11% had access to employer-provided medical benefits. Close to 44% of food bank clients reported going hungry at least once per month, and one in three reported not eating for an entire day at a time.

Food insecurity has serious consequences on health, including higher susceptibility to chronic diseases such as diabetes and heart disease and it can make it difficult to manage pre-existing health conditions because of the inability to afford necessary foods and medications.

Individuals and families accessing CFPs are more likely to suffer adversely from foodborne illness. Low-income families should not be subjected to the indignity and undue risk of being provided food from a charity that does not comply with safe food practices. CFPs are deeply committed to ensuring that the food they provide meets the needs of their clients, without putting them at risk.

Issue 3: The challenges faced by CFPs largely relate to the growing need for services as a result of rising poverty rates.

Better for People, Smarter for Business notes that unnecessary regulations are getting in the way of ability of CFPs to serve those in need. The biggest challenge facing CFPs is not navigating compliance with food regulations, but growing hunger in our communities. In the past year, we have seen a 4% increase in food bank visits in Toronto. This same trend is true across the province of Ontario, where there has been a 5% increase in food bank visits compared to last year. CFPs struggle to keep up with the demand for their services.

The growing need for CFPs is a product of poverty. The median household income of food bank clients in the Toronto region is only \$806 per month. After paying rent and utilities, food bank clients have a median of \$7.83 per day to afford food and all other necessities. The majority of food bank clients in the Toronto region (60%) receive social assistance as their primary income source, but the benefit rates do not come close to reflecting the true cost of living in Toronto, leaving these individuals in a deep cycle of poverty.

Unless we address poverty as the root cause of food insecurity, CFPs will continue to struggle to meet the needs of those who are hungry.

Recommendations

Daily Bread Food Bank puts forward the following recommendations for consideration.

Recommendation 1: The MOHLTC should make Food Handler Certification more accessible and affordable to CFPs across Ontario.

The cost of certified food handler training can be prohibitive for CFPs, but it is vital for ensuring that CFPs follow regulations to maintain health and safety. The MOHLTC should expand access to certified safe food handler programs by:

- Providing funding to organizations such as Daily Bread Food Bank to ensure that they can continue to offer free training to CFPs. The value of organizations like Daily Bread Food Bank delivering Food Handler Certification to CFPs is that we are able to cover the mandatory requirements for all food premises as well as information specific to CFPs that deal with donated food. We have a unique understanding of how CFPs operate, and we are able to deliver a high-quality training that meets the needs of CFPs.
- For municipalities where no organizations are offering certified safe food handler training to CFPs already, the MOHLTC should provide a rebate to local CFPs to enroll in online certified training courses at no charge. Daily Bread Food Bank welcomes the opportunity to provide input into an online training program tailored to CFPs that mirrors our in-person training.
- The MOHLTC should make available Food Handler Certification materials in multiple languages to enhance accessibility. The existing Food Handler Certification provides the option of writing the

certification in multiple languages, but the training materials are only available in English. This acts as a barrier for cultural or faith-based CFPs.

Recommendation 2: The MOHLTC, in partnership with Public Health Units across Ontario, update Food Safety Certification training and provide training to public health inspectors to reflect the differences between best before dates and expiry dates, based on Toronto Public Health guidelines.

One of the biggest sources of confusion and inconsistencies in public health inspections of CFPs is the difference between best before dates and expiry dates. The [Food Safety: Guide for Food Handlers](#) developed by the MOHLTC instructs that any food product past its best before date should be discarded. However, Toronto Public Health guidelines (see Appendix A), state that food can be safely distributed past the best before date so long as no specific concerns are identified (e.g., torn packaging, broken seal, signs of mold, etc.).

This leads to discrepancies in public health inspections, particularly for agencies that span multiple municipalities. For example, Good Shepherd Ministries, which operates across Toronto and Hamilton, has received conflicting guidance from municipal inspectors with respect to adhering to food regulations. This inconsistency between jurisdictions leads to confusion, and ultimately leads to food that is safe for consumption being thrown away rather than distributed to people in need.

The MOHLTC should update its guideline to reflect evidence of the safety of food products past their best before date. The Toronto Public Health guidelines should be adopted across Ontario. The MOHLTC should ensure these guidelines are incorporated into Food Handler Certification and train public health inspectors so that they are able to understand and apply these standards consistently within and between jurisdictions.

Recommendation 3: The Ministry of Children, Community, and Social Services address the growing demand for services offered by CFPs by adopting strategies to reduce poverty in Ontario.

The biggest issue facing the CFPs in our network are not food regulations, but the growing need for charitable services. To truly address the challenges being faced by CFPs, we recommend that the Ministry of Children, Community, and Social Services put resources towards ending poverty. Specifically, we recommend that the government:

- Address red tape in social assistance administration by making the participation agreement reviews annual, rather than every three months and removing requirements to re-prove permanent disabilities that will not change.
- Improve the adequacy of social assistance benefits to better reflect the cost of living.
- Retain the current definition of disability to determine eligibility for Ontario Disability Support Program (ODSP).
- Make provincial benefits to all low-income households, rather than just those on social assistance, for example, by de-linking drug and dental benefits from social assistance to make them available to all low-income households that do not have coverage.
- Consult with social assistance recipients on the proposed changes to how employment services will be delivered to ensure that employment supports meet their needs and are easy to navigate and support clients in securing meaningful, long-term, stable employment.

- Develop a supplemental metric to the unemployment rate to understand the proportion of Ontarians with precarious employment.
- Support low-income households in breaking the cycle of poverty by strengthening employment standards and enforcement, increasing tax benefits, and raising the minimum wage above the poverty line.

Thank you for considering our comments on the proposed changes to 493/17 under the Health Protection and Promotion Act as part of the government's *Better for People, Smarter for Business* initiative. CFPs play a vital role in our communities in meeting people's immediate need for food. We are grateful that the government is considering how to best support these programs.

We welcome the opportunity to continue to provide ongoing input and feedback on how to strengthen community food programs to ensure the health and safety of our most vulnerable populations.

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Appendix A: Toronto Public Health Guideline for Distributing Food Past the Best Before Date

GUIDELINES FOR DISTRIBUTING FOOD PAST THE BEST BEFORE DATE

PRODUCT AND DESCRIPTION	TIME FRAME PAST THE BEST BEFORE DATE				
	ROOM TEMP.	REFRIGERATED	FROZEN	CANNED/ JARRED	BOXED/ BAGGED
Fruits / Vegetables Fresh Produce	Fresh 2-7 days	Fresh 1-4 Weeks (depending on produce)	1 Year	1 Year	N/A
Fruit / Veg Juices Juices and Drinks- Tetra Pak, Bottled (Not requiring refrigeration prior to opening)	1 Month (Tetra Pak)	3-6 Months (Tetra Pak)	1 Year	1 Year	N/A
Bread Loaves, Rolls, Bagels, Muffins	1 Week	2 Weeks	1 Month	N/A	1 Week
Grains & Cereals Granola, Flours, Rices, Dry Pastas, Cookies, Crackers	N/A	N/A	N/A	N/A	6-12 Months
Meat Uncooked Packaged and Bulk	Less than 2 Hours	3-4 Days	beef, lamb, pork, veal, whole poultry 12 months, poultry pcs. 6 months, ground meat 2-3 months, fish 2-6 months, and shellfish 2-4 months	N/A	N/A
Meat Cooked Examples: Prepared Food from Food Service Providers, Canned Tuna, Salmon	Less than 2 Hours	Fish and Shellfish 1-2 days other 3 Days	beef, lamb, pork, veal, 3 months whole poultry 2 months, food mixtures 3 months	1 Year	N/A
Deli Meats Deli Meats, Sausages	Less than 2 Hours	5-7 days	2-3 Months	1 Year	N/A
Dairy - Pasteurized Milk (Fresh, Powdered, Canned)	< 2 Hours (after open)	2 Weeks (after open / reconstituted)	6 Months	1 Year	Varies
Dairy - Sterilized Tetra-Pak Milk (UHT)	< 2 Hours (after open)	2 Weeks (after open / reconstituted)	N/A	N/A	6 Months
Fats Butter, Margarine	1 Week	3 Months	6 Months	N/A	N/A
Combination Foods May contain Popcorn, Condiments, Tomato Sauces, Canned Pastas, Cooking Oils	N/A	N/A	3 Months	1 Year	6 Months
Soups / Stews Soups, Stews, Gravies. Could be Food Service Packaged or in Larger Quantities	Less than 2 Hours	2-3 Days	3 Months	1 Year	1 Year
Non-Food Laundry Detergent, Deodorants, Mixed Product Pallets, Body Washes, Diapers, Infant Wipes	N/A	N/A	N/A	1 Year	1 Year
Infant Formula and Nutritional Supplements	Do Not Distribute Past Expiry Date Note: These products do not contain Best Before Dates, only Expiry Dates				

Adapted from The Food Banks of Canada Guideline for Distributing Food Past the Best Before Date