

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## Canada

**Post:** Ottawa

### Canada Proposes to Prohibit the use of Partially Hydrogenated Oils (PHOs) in Foods

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**Report Highlights:**

On April 7, 2017, Health Canada posted a notice on its intent to implement a prohibition on the use of partially hydrogenated oils (PHOs) in foods. The prohibition is proposed to take effect in the summer of 2018. Post strongly encourages stakeholders to provide comments.

## **General Information**

On April 7, 2017, Health Canada posted a [notice](#) on its intent to implement a prohibition on the use of partially hydrogenated oils (PHOs) in foods by adding PHOs to Part 1 of the [List of Contaminants and Other Adulterating Substances in Foods](#). The prohibition is proposed to take effect in the summer of 2018.

Interested stakeholders are encouraged to provide comments to Health Canada on the proposal by June 21, 2017. If you wish to contact the Food Directorate by fax or electronically, please use the words “PHO NOP” in the subject line.

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## **Description of the Proposal**

The List of Contaminants and Other Adulterating Substances in Foods (the List) is incorporated by reference into Division 15 of the Food and Drug Regulations and is divided into two parts: Part 1 sets out substances which, if present in food at any level, would result in the food being declared as adulterated. Part 2 sets out maximum levels for specific substances in certain foods, which if exceeded, would result in a declaration of adulteration.

Health Canada is proposing to add PHOs as a new item (no. 18) to Part 1 of the List. By adding PHOs to Part 1 of the List, any food containing PHOs would be declared adulterated and its sale in Canada prohibited in accordance with section 4 of the Food and Drugs Act.

## **Scope of the Prohibition – Defining PHOs**

Health Canada proposes to define PHOs in the Food and Drug Regulations as follows:

“Those fats and oils that:

- a. Have been hydrogenated, but not to complete or near complete saturation, and
- b. Have an iodine value (IV) greater than 4”

Note that both conditions “a” and “b” of the proposed definition must be met in order for a fat or oil to be considered a PHO. Ingredients which do not satisfy both conditions are excluded from the scope of the proposed definition.

According to Health Canada, the proposed definition for PHOs is consistent with the definition set out by the United States Food and Drug Administration (US FDA) in its [Final Determination Regarding Partially Hydrogenated Oils](#).

Further information on the Department's rationale for proceeding with this proposal, a description of inclusions and exclusions, and a summary of comments received during the pre-consultation, held from November 14, 2016 to January 13, 2017, is provided in the [notice](#).