

Minister of Canadian Heritage  
and Official Languages



Ministre du Patrimoine canadien  
et des Langues officielles

RECEIVED

JAN - 4 2010

Ottawa, Canada K1A 0M5

alPHa

Ms. Linda Stewart  
Executive Director  
Association of Local Public Health Agencies  
1306 - 2 Carlton Street  
Toronto, Ontario  
M5B 1J3

DEC 21 2009

Dear Ms. Stewart:

Thank you for your letter of November 13, 2009, regarding your organization's resolutions with respect to television advertising to children. Your correspondence to the Honourable Tony Clement, Minister of Industry, and the Honourable Leona Aglukkaq, Minister of Health, has also been brought to my attention. I appreciate you taking the time to share your views.

With respect to the issue of inappropriate advertising to children, Section 3(1)(h) of the *Broadcasting Act* provides that all persons who are licensed to broadcast on television have a responsibility for the programs or advertising they air. Therefore, the Minister of Canadian Heritage does not become involved in the choice of individual programming or advertising content.

Advertising Standards Canada (ASC) is an independent advertising self-regulatory body. As part of its mandate, ASC administers both the Canadian Association of Broadcasters' (CAB) *Broadcast Code for Advertising to Children* (the Children's Code) and *Canadian Code of Advertising Standards* (the Code) which set the criteria for acceptable advertising to children in Canada. The Children's Code has been accepted by the Canadian Radio-television and Telecommunications Commission (CRTC), and compliance with both codes' provisions is a condition of licence for all Canadian broadcasters—except in Quebec where, as you mention in your letter, advertising to children is prohibited by law. With regard to the specific matter of food and beverage advertising to children, as you also note in your letter, the ASC administers the *Canadian Children's Food and Beverage Advertising Initiative* on behalf of 18 Canadian food and beverage advertisers.

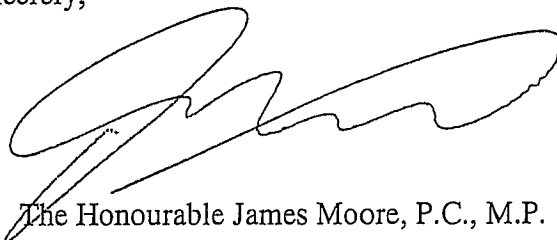
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ASC is responsible for updating the Code and ensuring that it remains relevant to societal expectations and the CAB is responsible for reviewing the Children's Code. In view of your organization's concerns for the health and well-being of Canada's children and youth, I would encourage you to share your resolutions with ASC and the CAB at the addresses provided in the enclosure.

The CRTC is an independent public authority, deriving its regulatory authority over broadcasting from the *Broadcasting Act*. The CRTC is responsible for the licensing, regulation and supervision of all aspects of the Canadian broadcasting system. Since the Children's Code requires CRTC approval, you have already taken the most appropriate course of action by sharing your views on the industry's regulatory framework for children's advertising directly with Mr. Konrad von Finckenstein, Chairman of the CRTC.

I trust that this information is useful. Please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to be 'James Moore', written in a cursive style.

The Honourable James Moore, P.C., M.P.

Enclosure

c.c.: The Honourable Tony Clement, P.C., M.P.  
The Honourable Leona Aglukkaq, P.C., M.P.

## ANNEX

### **Advertising Standards Canada (ASC)**

Ms. Janet Feasby  
Vice-President, Standards  
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### **Canadian Association of Broadcasters (CAB)**

Ms. Margo Patterson  
General Counsel and Vice-President, Legal Affairs  
Canadian Association of Broadcasters  
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K1P 5S2

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