



Ontario Society of Nutrition
Professionals in Public Health

La société ontarienne des professionnel(le)s
de la nutrition en santé publique

Lawrence Square
700 Lawrence Ave. West, Suite 310
Toronto, ON M6A 3B4

April 25, 2008

The Honourable Deb Matthews
Ministry of Children and Youth Services
14th Floor, 56 Wellesley St West
Toronto, ON M5S 2S3

Honorable Minister:

On behalf of the Ontario Society of Nutrition Professionals in Public Health (OSNPPH), we would like to request that the Ministry of Children and Youth Services (MCYS) consider the following proposed amendments to R.R.O. 1990, REGULATION 262 General (Day Nurseries Act) to update the nutrition information in accordance with Health Canada's 2007 *Eating Well with Canada's Food Guide*.

OSNPPH is the independent and official voice of Registered Dietitians in public health representing over 170 members from every health unit in the province. Our members are specialists in applied human nutrition, members of the College of Dietitians of Ontario, and focus on health promotion and disease prevention. The society's mission is to provide a leadership forum and official voice for public health nutrition practice in Ontario.

Early child nutrition is an essential component of healthy growth and development. It is important that young children are provided with nutritious meals and snacks that are planned and prepared in accordance with recommendations from Canada's Food Guide (CFG). In February 2007, Health Canada released the latest version of the CFG titled *Eating Well with Canada's Food Guide*. The nutrition regulations under the Day Nurseries Act currently reference the 1977 version of the CFG which makes the regulations under the Day Nurseries Act considerably out-of-date. The passing of Bill 8, Healthy Foods for Healthy Schools Act, demonstrates the commitment of the Province to tackling the childhood obesity epidemic through the creation of a healthy school nutrition environment. Updating the nutrition regulations under the Day Nurseries Act is a natural extension of this process.

The Honourable Deb Matthews
April 25, 2008
Page 2

OSNPPH has identified areas where the nutrition regulations under the Day Nurseries Act should be amended to ensure these are in alignment with current nutrition recommendations and guidelines. These amendments have been prepared with consideration of the MCYS Student Nutrition Program Nutrition Guidelines to ensure consistency. We would be interested in working collaboratively with the MCYS to revise the nutrition regulations under the Day Nurseries Act, either as an advisory committee member or on a consultative basis. We would further be interested in working with the MCYS on the revisions to the Day Nurseries Manual.

Please find enclosed a background document, the proposed amendments and the rationale for each of the proposed amendments.

We would be pleased to meet with you and relevant inter-Ministerial staff to discuss these proposed amendments and their implementation at your convenience. Thank you for your consideration of this proposal. We look forward to your response and to working with the MCYS towards a high quality nutrition environment for young Ontarians.

Sincerely,



Tara Brown, MHS, RD
OSNPPH, Chair



Cynthia Colapinto, MSc, RD
OSNPPH Family Health Nutrition Advisory Group, Co-Chair

Attach.

c: Hon. Kathleen Wynne, Minister of Education
Hon. Margaret Best, Minister of Health Promotion
Hon. George Smitherman, Minister of Health and Long-Term Care
Laura Sparling, Policy Analyst, Ministry of Children and Youth Services
Colleen Kiel, Senior Nutrition Consultant, Ministry of Health Promotion
Roselle Martino, Senior Nutrition Consultant, Ministry of Health Promotion
Lynda Corby, Director Public Affairs, Dietitians of Canada
Linda Dietrich, Regional Executive Director, Dietitians of Canada
Connie Uetrecht, Executive Director, Ontario Public Health Association
Beth MacEachern, Public Health Dietitian, Haliburton, Kawartha, Pine Ridge District Health Unit

Background

Early child nutrition is an important component of healthy growth and development. It has been strongly linked to positive benefits such as enhanced ability to learn and concentrate, increased energy for activity, and adequate dental health.^{1,2} Appropriate dietary behaviours in childhood are often sustained into adulthood.^{3,4} Poor diet in childhood has been linked to a number of issues such as malnutrition, nutrient deficiency, cognitive impairment and childhood obesity.⁵ Children with poor dietary habits may also maintain these behaviours into adulthood which increases their risk of chronic disease.⁵

A recent report from Statistics Canada, based on the 2002-2003 National Longitudinal Survey of Children and Youth (NLSCY) results, states that children in Ontario spent an average of 25 hours per week in child care.⁶ Further, 51% of Ontario children, aged six months to five years, were in some form of non-parental child care, up from 44% in 1994-1995, with 43% of these children in full-time care (30 hours or more per week). In Ontario, 22% of children who were in care were enrolled in a day care centre. In light of this evidence, it is important that children are provided with nutritious meals and snacks that are prepared in accordance with current Canada's Food Guide (CFG) recommendations. This will help to ensure young children achieve the benefits of good nutrition.

In February 2007, Health Canada released the latest version of the CFG titled *Eating Well with Canada's Food Guide*.⁷ This was the first update to the national recommendations since 1992. The 2007 CFG was developed with extensive research and stakeholder consultation to ensure that the recommendations were consistent with the latest science. The CFG encourages an eating pattern that meets the nutrients needs of Canadians, promotes health and reduces the risk of nutrition-related chronic disease.⁸

The nutrition regulations under the Day Nurseries Act currently reference the 1977 version of the CFG. Three CFGs have been released by Health Canada since 1977.^{9,10} Steps must be taken to ensure that meals and snacks served in child care facilities meet the nutrition needs of Ontario children, based on the most up to date evidence available, since foods served in day cares have the potential to impact a child's nutritional status. Because of its outdated status, many day care workers and public health professionals are unable to interpret the nutrition regulations under the Day Nurseries Act and apply this to meal and snack planning. Updating the nutrition regulations under the Day Nurseries Act would provide day care workers with an appropriate policy on which to base meal and snack planning, and supply public health professionals with solid guidelines that are consistent with the CFG when discussing menu planning with day care workers, supervisors and directors.

The Ontario Society for Nutrition Professionals in Public Health (OSNPPH) Family Health Nutrition Advisory Group has identified areas where the nutrition regulations under the Day Nurseries Act can be amended to ensure these are in alignment with current professional practice and nutrition guidelines. These amendments have been prepared with consideration of the Student Nutrition Program Nutrition Guidelines to ensure consistency. The field of nutrition has evolved considerably in the last 31 years, and the nutrition regulations under the Day Nurseries Act must also change in order to ensure that Ontario children are provided with the best nutrition possible.

Proposed amendments to R.R.O. 1990, REGULATION 262 General (Day Nurseries Act) to update the nutrition information in accordance with the 2007 *Eating Well with Canada's Food Guide*

References:

1. Nicklas T, Johnson R. Position of the American Dietetic Association: Dietary guidance for healthy children ages 2 to 11 years. *J Am Diet Assoc* 2004;104, 660–677.
2. Romaine N, Mann L, Kienapple K, et al. Menu planning for childcare centres: Practices and needs. *Can J Diet Prac Res* 2007;68(1):7-11.
3. Melanson, KJ. Nutrition Review: Lifestyle Approaches to Promoting Healthy Eating for Children. *Am J Lifestyle Medicine*. 2008;2(1):26-29.
4. Birch LL, Fisher JO. Development of Eating Behaviors Among Children and Adolescents. *Pediatrics*. 1998;101(3):539-549
5. Daniels SR, Arnett DK, Eckel RH, et al. Overweight in Children and Adolescents. Pathophysiology, Consequences, Prevention, and Treatment. *Circulation*. 2005;111:1999-2012.
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7. Health Canada. Eating Well with Canada's Food Guide. Ottawa, ON: Health Canada 2007. [cited 2008 28 Mar]. Available from: http://www.hc-sc.gc.ca/fn-an/food-guide-aliment/index_e.html.
8. Katamay SW, Esslinger KA, Vigneault M, et al. Eating well with Canada's Food Guide (2007): Development of the food intake pattern. *Nutr Rev*. 2007;65(4):155-66.
9. Government of Ontario. Day Nurseries Act, R.R.O. 1990, REGULATION 262, General. [Cited 2008 28 Mar]. Available from: http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900262_e.htm
10. Health Canada. Canada's Food Guides from 1942 to 1992. Ottawa, ON: Health Canada; 2007. [cited 2008 28 Mar]. Available from: http://www.hc-sc.gc.ca/fn-an/food-guide-aliment/context/hist/fg_history-histoire_ga_e.html.

Proposed amendments to R.R.O. 1990, REGULATION 262 General (Day Nurseries Act) to update the nutrition information in accordance with the 2007 *Eating Well with Canada's Food Guide*

1. (1) Subsection 39(a) of the regulation is amended by striking out “each infant under one year of age” and substituting “each child under two years of age”.

(2) Subsection 39(c) of the regulation is amended by adding the following sentence “in accordance with Health Protection and Promotion Act R.S.O. 1990, c. H.7, s. 16 (3).”
2. (1) Subsection 40(1)(a) of the regulation is amended by revoking clause 40(1)(a) and substituting “subject to section 43, where the child is in attendance at meal time, a meal containing at least one Food Guide Serving from a minimum of three out of the four food groups of Canada’s Food Guide with at least one Food Guide Serving from the Vegetables and Fruit food group and at least one Food Guide Serving from the Milk and Alternatives food group, with serving sizes provided within the range set out in Column 2 of Schedule 1, for each food group set out opposite thereto in Column 1 of Schedule 1, except where otherwise approved by a Director in the case of a child who is 44 months of age or over as of August 31 of the year; and”

(2) Subsection 40(1)(b) of the regulation is amended by striking out “nutritious between-meal snacks consisting of foods that will promote good dental health at times that will not interfere with a child’s appetite for meal time” and substituting “nutritious between-meal snacks that will promote good dental health containing at least one Food Guide Serving from a minimum of two food groups of Canada’s Food Guide with at least one Food Guide Serving from the Vegetables and Fruit food group; and”

(3) Subsection 40(1) of the regulation is amended by adding the following sentence 40(1)(c) “serving sizes for a child may be divided in half and provided on two occasions; and”

(4) Subsection 40(1) of the regulation is amended by adding the following sentence 40(1)(d) “only 100% fruit juice will be served, and the amount consumed per day, ie. within a 24 hour period, will be limited as follows: four to six ounces per day for children one to six years old, and eight to 12 ounces per day for children seven to 18 years old; and”

(5) Subsection 40(1) of the regulation is amended by adding the following sentence 40(1)(e) “children will be given adequate time, at least 20 minutes from the time they are seated, to eat meals; snacks will be provided at times that will not interfere with a child’s appetite for meal time, usually one to two hours before meal times; and”

(6) Subsection 40(1) of the regulation is amended by adding the following paragraph 40(1)(f) “all meals and snacks will be purchased and prepared in adherence with Canada’s Food Guide recommendations, primarily:

- i) Vegetables and fruit will be prepared with little or no added fat, sugar or sodium.
- ii) Vegetables and fruit will be served more often than juice,
- iii) At least half of grain products served will be whole grain each day.
- iv) Grain products served will be lower in fat, sugar or sodium,
- v) For children under two years of age will be given homogenized (whole) milk each day, children older than two years of age will be served milk each day, which can be skim, 1% or 2% M.F. or homogenized,
- vi) Meat alternatives such as beans, lentils and tofu will be served often,
- vii) Lean meat and alternatives will be prepared with little or no added fat or sodium,
- viii) If luncheon meats, sausages or prepackaged meats, are served choose those lower in sodium and fat; and”

(7) Subsection 40(1) of the regulation is amended by adding the following paragraph 40(1)(g) “dessert is not a required component of a meal, if dessert is served this must be a nutritious choice.”

(8) Subsection 40(1) of the regulation is amended by adding the following paragraph 40(1)(h) when celebrations are held involving food, nutritious foods must be offered that are safe; adhere to Canada’s Food Guide recommendations; and served in appropriate portion sizes.”

3. Subsection 40(2) of the regulation is amended by striking “Where a child referred to in subsection (1) is in attendance for six hours or more, the operator shall ensure that the total food offered to the child over the period of attendance for each food group set out in Column 1 of Schedule 2 is within the range set out opposite thereto in Column 2 of Schedule 2. R.R.O. 1990, Reg. 262, s. 40(2).” and substituting “Where a child referred to in subsection 40(1) is in attendance for six hours or more, the operator shall ensure that the total food offered to the child over the period of attendance for each food group set out in Column 1 of Schedule 2 is within the range set out opposite thereto in Column 2, 3 or 4 depending on the age of the child, of Schedule 2. R.R.O. 1990, Reg. 262, s. 40(2).”

4. (1) Subsection 42 of the regulation is amended by adding the following sentence 42(b) “As per R.R.O. 1990, Reg. 262, s. 36.1(1)1, when children that have food allergies are enrolled, staff will avoid preparing and serving the allergenic foods where possible and seek appropriate substitutions; and”

(2) Subsection 42 of the regulation is amended by adding the following sentence 42(c) “If allergenic foods are served food safety protocols must be followed, which includes proper hand washing procedures to avoid cross-contamination.”

5. The regulation is amended by adding the following section 44 “Every operator shall ensure that a minimum of one staff member involved in menu planning, has received training on Canada’s Food Guide and menu planning prepared by a registered dietitian”.

6. Schedule 1 of the regulation will be amended by striking out the current Schedule 1 and substituting the following Schedule 1:

SCHEDULE 1

| Item | Column 1 | Column 2 |
|------|-----------------------|--|
| | Food Group | Recommended Serving Size (Canada’s Food Guide) |
| 1. | Vegetables and Fruit | 125 mL (½ cup) fresh, frozen or canned fruit or vegetables 125 mL (½ cup) cooked leafy vegetables 250 mL (1 cup) raw leafy vegetables 125 mL (½ cup) 100% juice |
| 2. | Grain Products | 1 slice (35 g) bread ½ (45 g) bagel ½ (35 g) pita ½ (35 g) tortilla 125 mL (½ cup) cooked rice, bulgur, quinoa 30 g cold cereal 175 mL (¾ cup) hot cereal 125 mL (½ cup) cooked pasta or couscous |
| 3. | Milk and Alternatives | 250 mL (1 cup) milk 250 mL (1 cup) fortified soy beverage 175 g (¾ cup) yogurt or kefir 50 g (1½ oz) cheese |
| 4. | Meat and Alternatives | 75 g (2 ½ oz) or 125 mL (½ cup) cooked fish, poultry, lean meat 175 mL (¾ cup) cooked legumes 150 g or 175 mL (¾ cup) tofu 2 eggs 30 mL (2 Tbsp) peanut or nut butter |

7. Schedule 2 of the regulation will be amended by striking out the current Schedule 2 and substituting the following Schedule 2:

SCHEDULE 2

| Item | Column 1 | Canada's Food Guide servings available for each child in attendance for less than six hours, six to eight hours or more than eight hours based on age range. | | | | | | | | |
|------|-----------------------|--|-----|----|------------------|-----|----|-------------------|------|-----|
| | | Column 2 | | | Column 3 | | | Column 4 | | |
| | Food Group | 1-3 years of age | | | 4-8 years of age | | | 9-13 years of age | | |
| | | Number of hours | | | Number of hours | | | Number of hours | | |
| | | <6 | 6-8 | >8 | <6 | 6-8 | >8 | <6 | 6-8 | >8 |
| 1 | Vegetables and Fruit | 2 | 3 | 4 | 2½ | 3¾ | 5 | 3 | 4½ | 6 |
| 2 | Grain Products | 1½ | 2¼ | 3 | 2 | 3 | 4 | 3 | 4½ | 6 |
| 3 | Milk and Alternatives | 1 | 1½ | 2 | 1 | 1½ | 3 | 1½-2 | 2¼-3 | 3-4 |
| 4 | Meat and Alternatives | ½ | ¾ | 1 | ½ | ¾ | 1 | ½-¾ | 1-1½ | 1-2 |

R.R.O. 1990, Reg. 262, Sched. 2.

Explanatory note: These amendments apply to R.R.O. 1990, REGULATION 262 General (Day Nurseries Act) so the nutrition regulations will be in accordance with the 2007 *Eating Well with Canada's Food Guide* recommendations in order to ensure children are provided with the best nutrition possible while in child care.

Proposed amendments to R.R.O. 1990, REGULATION 262 General (Day Nurseries Act) to update the nutrition information in accordance with the 2007 *Eating Well with Canada's Food Guide*

Rationale for the proposed amendments to R.R.O. 1990, REGULATION 262 General (Day Nurseries Act) to update the nutrition information in accordance with the 2007 *Eating Well with Canada's Food Guide*.

Proposed Amendment:

1. (1) Subsection 39(a) of the regulation is amended by striking out “each infant under one year of age” and substituting “each child under two years of age”.

Rationale:

The Canada's Food Guide provides recommendations for children two years of age and older.¹ General guidelines for feeding children under two years of age is available in the Health Canada document *Nutrition for Healthy Term Infants*² however, since the amount, types and textures of foods being fed to the child is based on developmental characteristics, it is more appropriate for specific instructions for children under two years of age be provided by the parent to the child care provider.

Proposed Amendment:

1. (2) Subsection 39(c) of the regulation is amended by adding the following sentence “in accordance with Health Protection and Promotion Act R.S.O. 1990, c. H.7, s. 16 (3).”

Rationale:

This amendment builds on the current regulation by cross-referencing the Health Protection and Promotion Act, in order to highlight the importance of this requirement for the child care provider in order to provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario.³ This will ensure that the organization stores, prepares and serves all food or drinks safely to prevent contamination and subsequent disease.

Proposed Amendment:

2. (1) Subsection 40(1)(a) of the regulation is amended by revoking clause 40(1 (a) and substituting “subject to section 43, where the child is in attendance at meal time, a meal containing at least one Food Guide Serving from a minimum of three out of the four food groups of Canada's Food Guide with at least one Food Guide Serving from the Vegetables and Fruit food group and at least one Food Guide Serving from the Milk and Alternatives food group, with serving sizes provided within the range set out in Column 2 of Schedule 1, for each food group set out opposite thereto in Column 1 of Schedule 1, except where otherwise approved by a Director in the case of a child who is 44 months of age or over as of August 31 of the year; and”

Rationale:

These amendments are in accordance with the Ministry of Children and Youth Services Student Nutrition Program Nutrition Guidelines and Canada's Food Guide recommendations.^{1,4}

Proposed Amendment:

2. (2) Subsection 40(1)(b) of the regulation is amended by striking out “nutritious between-meal snacks consisting of foods that will promote good dental health at times that will not interfere with a child’s appetite for meal time” and substituting “nutritious between-meal snacks that will promote good dental health containing at least one Food Guide Serving from a minimum of two food groups of Canada’s Food Guide with at least one Food Guide Serving from the Vegetables and Fruit food group; and”

Rationale:

These amendments are in accordance with the Ministry of Children and Youth Services Student Nutrition Program Nutrition Guidelines and Canada’s Food Guide recommendations.^{1,4}

Proposed Amendment:

2. (3) Subsection 40(1) of the regulation is amended by adding the following sentence 40(1)(c) “serving sizes for a child may be divided in half and provided on two occasions; and”

Rationale:

Children need to eat small amounts of food frequently throughout the day. The amount of food eaten at each meal and snack can vary day-to-day depending on the child’s appetite, activity level and whether they are experiencing a growth spurt. It is for these reasons that Canada’s Food Guide recommends that serving sizes for a child may be divided in half and provided on two separate occasions. The proposed amendment is in accordance with Canada’s Food Guide recommendations.⁵

Proposed Amendment:

2. (4) Subsection 40(1) of the regulation is amended by adding the following sentence 40(1)(d) “only 100% fruit juice will be served, and the amount consumed per day, ie. within a 24 hour period, will be limited as follows: four to six ounces per day for children one to six years old, and eight to 12 ounces per day for children seven to 18 years old; and”

Rationale:

Excessive fruit juice consumption may be associated with diarrhea, flatulence, abdominal distension, tooth decay and poor weight gain.⁶ The above listed amounts of 100% fruit juice recommended are best practice guidelines released by the American Academy of Pediatrics.⁶

Proposed Amendment:

2. (5) Subsection 40(1) of the regulation is amended by adding the following sentence 40(1)(e) “children will be given adequate time, at least 20 minutes from the time they are seated, to eat meals; snacks will be provided at times that will not interfere with a child’s appetite for meal time, usually one to two hours before meal times; and”

Rationale:

This amendment adds to the regulations to ensure that timing of meals and snacks is appropriate so as not to interfere with the child’s appetite at mealtime.⁵ It is proposed that children be given adequate time to eat meals so that structure is maintained during meal times, children are better able to self-regulate their intake and the risk of choking is reduced.⁷⁻⁹

Proposed Amendment:

2. (6) Subsection 40 (1) of the regulation is amended by adding the following paragraph 40(1)(f) “all meals and snacks will be purchased and prepared in adherence with Canada’s Food Guide recommendations, primarily:

- i) Vegetables and fruit will be prepared with little or no added fat, sugar or sodium,
- ii) Vegetables and fruit will be served more often than juice.
- iii) At least half of grain products served will be whole grain each day.
- iv) Grain products served will be lower in fat, sugar or sodium,
- v) Children under two years of age will be given homogenized (whole) milk each day, children older than two years of age will be served milk each day, which can be skim, 1% or 2% M.F. or homogenized,
- vi) Meat alternatives such as beans, lentils and tofu will be served often
- vii) Lean meat and alternatives will be prepared with little or no added fat or sodium,
- viii) If luncheon meats, sausages or pre-packaged meats, are served choose those lower in sodium and fat; and”

Rationale:

All recommendations outlined above are from Canada’s Food Guide with the exception of item v) regarding milk.⁷ Whole cow’s milk (3.25% M.F.) is recommended until age two, as opposed to skim, 1%, or 2% M.F. milk, as it provides fat and energy needed for proper growth and development.²

Proposed Amendment:

2. (7) Subsection 40(1) of the regulation is amended by adding the following paragraph 40(1)(g) “dessert is not a required component of a meal, if dessert is served this must be a nutritious choice.”

Rationale:

Desserts provided by day care facilities are often of minimum nutritional value. The inclusion of dessert is not necessary to meet a child’s daily nutrient requirements.¹

Proposed Amendment:

2. (8) Subsection 40(1) of the regulation is amended by adding the following paragraph 40(1)(h) when celebrations are held involving food, nutritious foods must be offered that are safe; adhere to Canada's Food Guide recommendations; and served in appropriate portion sizes."

Rationale:

Celebrations, such as birthdays and holidays, can be held frequently; therefore food served should be in accordance with Canada's Food Guide recommendations to ensure that the food choices available to the children are nutritious.¹

Proposed Amendment:

3. Subsection 40(2) of the regulation is amended by striking "Where a child referred to in subsection (1) is in attendance for six hours or more, the operator shall ensure that the total food offered to the child over the period of attendance for each food group set out in Column 1 of Schedule 2 is within the range set out opposite thereto in Column 2 of Schedule 2. R.R.O. 1990, Reg. 262, s. 40(2)." and substituting "Where a child referred to in subsection (1) is in attendance for six hours or more, the operator shall ensure that the total food offered to the child over the period of attendance for each food group set out in Column 1 of Schedule 2 is within the range set out opposite thereto in Column 2, 3 or 4 depending on the age of the child, of Schedule 2. R.R.O. 1990, Reg. 262, s. 40(2)."

Rationale:

The proposed amendments to Schedule 2 are based on the recommended number of daily Food Guide Servings in the Canada's Food Guide in order to ensure that an adequate amount of food is available to each child based on their age and length of time in care.¹ Columns 2, 3, and 4 reflect Food Guide Serving recommendations by age category.¹ Column 2,3, and 4 are further divided into three columns based on the number of hours a child is in care. As children in care for less than six hours will spend approximately half their day in childcare, it is proposed that half of their daily Canada's Food Guide requirements be offered. For children in care 6 to 8 hours, it is proposed that three quarters of their Canada's Food Guide requirements be offered. It is assumed that the remainder of the daily requirements, regardless of length of time spent in day care, will be provided at home in relation to the posted menu for parent's reference. For children in care for greater than eight hours, it is proposed that all of their Canada's Food Guide requirements be offered, as they will be spending the majority of their day and meal time hours in childcare.

Proposed Amendment:

4. (1) Subsection 42 of the regulation is amended by adding the following sentence 42(b) “As per R.R.O. 1990, Reg. 262, s. 36.1(1)1, when children that have food allergies are enrolled, staff will avoid preparing and serving the allergenic foods where possible and seek appropriate substitutions; and”

Rationale:

The proposed amendment emphasizes the importance of having a strategy to reduce the risk of exposure and subsequent anaphylactic reaction by referencing R.R.O. 1990, Reg. 262, s. 36.1(1)1: Every operator shall ensure that each day nursery operated by the operator and that each location where private-home day care is provided by the operator has an anaphylactic policy that includes the following: a strategy to reduce the risk of exposure to anaphylactic causative agents.¹⁰⁻¹²

Proposed Amendment:

4. (2) Subsection 42 of the regulation is amended by adding the following sentence 42(c) “If allergenic foods are served food safety protocols must be followed, which includes proper hand washing procedures to avoid cross-contamination.”

Rationale:

Please refer to rationale statement for Proposed Amendment 4 (1).

Proposed Amendment:

5. The regulation is amended by adding the following section 44 “Every operator shall ensure that a minimum of one staff member involved in menu planning, has received training on Canada’s Food Guide and menu planning prepared by a registered dietitian”.

Rationale:

This addition to the regulation is to ensure that proper training is provided to day care staff involved in menu planning. Day care staff may not have adequate training in child nutrition.^{13,14} There is limited capacity within public health units to plan and review menus with individual day cares. At least one educated day care worker can assist with proper menu planning and work with others in the organization to interpret the requirements of the regulations. The manual, once it has been revised to reflect the amendments, will serve as a basis for this education to ensure consistency across the province. Depending on the capacity of the health unit, training can be provided through scheduled presentation or self-directed learning module, provided the presentation material was developed by a registered dietitian.

Proposed Amendment:

5. Schedule 1 of the regulation will be amended by striking out the current Schedule 1 and substituting the following Schedule 1:

SCHEDULE 1

| <i>Item</i> | <i>Column 1</i> | <i>Column 2</i> |
|-------------|------------------------------|--|
| | <i>Food Group</i> | <i>Recommended Serving Size (Canada's Food Guide)</i> |
| 1. | <i>Vegetables and Fruit</i> | <i>125 mL (½ cup) fresh, frozen or canned fruit or vegetables 125 mL (½ cup) cooked leafy vegetables 250 mL (1 cup) raw leafy vegetables 125 mL (½ cup) 100% juice</i> |
| 2. | <i>Grain Products</i> | <i>1 slice (35 g) bread ½ (45 g) bagel ½ (35 g) pita ½ (35 g) tortilla 125 mL (½ cup) cooked rice, bulgur, quinoa 30 g cold cereal 175 mL (¾ cup) hot cereal 125 mL (½ cup) cooked pasta or couscous</i> |
| 3. | <i>Milk and Alternatives</i> | <i>250 mL (1 cup) milk 250 mL (1 cup) fortified soy beverage 175 g (¾ cup) yogurt or kefir 50 g (1½ oz) cheese</i> |
| 4. | <i>Meat and Alternatives</i> | <i>75 g (2 ½ oz) or 125 mL (½ cup) cooked fish, poultry, lean meat 175 mL (¾ cup) cooked legumes 150 g or 175 mL (¾ cup) tofu 2 eggs 30 mL (2 Tbsp) peanut or nut butter</i> |

Rationale:

All serving sizes listed in Schedule 1 reflect recommended serving sizes for each food group in the Canada's Food Guide.¹

Proposed Amendment:

7. Schedule 2 of the regulation will be amended by striking out the current Schedule 2 and substituting the following Schedule 2:

SCHEDULE 2

| Item | Column 1 | Canada's Food Guide servings available for each child in attendance for less than six hours, six to eight hours or more than eight hours based on age range. | | | | | | | | |
|------|-----------------------|--|-----|----|------------------|-----|----|-------------------|------|-----|
| | | Column 2 | | | Column 3 | | | Column 4 | | |
| | Food Group | 1-3 years of age | | | 4-8 years of age | | | 9-13 years of age | | |
| | | Number of hours | | | Number of hours | | | Number of hours | | |
| | | <6 | 6-8 | >8 | <6 | 6-8 | >8 | <6 | 6-8 | >8 |
| 1 | Vegetables and Fruit | 2 | 3 | 4 | 2½ | 3¾ | 5 | 3 | 4½ | 6 |
| 2 | Grain Products | 1½ | 2¼ | 3 | 2 | 3 | 4 | 3 | 4½ | 6 |
| 3 | Milk and Alternatives | 1 | 1½ | 2 | 1 | 1½ | 3 | 1½-2 | 2¼-3 | 3-4 |
| 4 | Meat and Alternatives | ½ | ¾ | 1 | ½ | ¾ | 1 | ½-¾ | 1-1½ | 1-2 |

R.R.O. 1990, Reg. 262, Sched. 2.

Rationale:

Please refer to rationale statement for Proposed Amendment 3.

References:

1. Health Canada. Eating Well with Canada's Food Guide. Ottawa, ON: Health Canada 2007. [cited 2008 31 Mar]. Available from: http://www.hc-sc.gc.ca/fn-an/food-guide-aliment/index_e.html.
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