

LOCAL FOOD ACT DRAFTING NOTES

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Further to the Statement of Purpose (July 17, 2012), we are providing the following set of drafting notes to assist government in the preparation of the Ontario Local Food Act.

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LOCAL FOOD ACT DRAFTING NOTES

OBJECTIVES OF THE ACT

As further detailed in the Statement of Purpose (July 17, 2012), the objectives of the Local Food Act are to:

- increase benefits to local and regional economies, communities, and farmers
- contribute to population health through the alleviation of hunger, chronic disease, and obesity
- create a healthy food future by developing healthy food habits and knowledge in Ontario's children and youth
- operate within a framework that ensures the protection and conservation of land, soil and water upon which we and future generations depend

These objectives will be accomplished through a comprehensive Local Food Act and its supporting regulations. The following is a set of drafting notes to assist government in the preparation of the Act.

MAIN PARTS OF THE ACT

DEFINITIONS

The Local Food Act will provide definition(s) for key terms relating to local food, including the definitions of:

Ecological Production Practices: food production practices that use renewable resources, build organic matter in soil and soil capacity, diversify agro-ecosystems to ensure the environmental, economic, health and social well being of future generations.

Food Literacy: understanding where food comes from, the impacts of food on health, the environment and the economy, and how to grow, prepare, and prefer healthy, safe and nutritious food.

Food System: includes wild and cultivated food production and procurement, food processing, food distribution, food access, food consumption, farmland preservation and stewardship, food skills and education, and waste management.

Local Food: food that has been grown or caught, processed and distributed as near to the point of consumption as possible. This can include the community; municipality; bio-region; province; or country where the food is consumed.

Local Food System: a chain of activities and processes related to the locally-organized production, processing, distribution and consumption of food in an effort to build more locally-based, self-reliant food economies to enhance economic, environmental and social health.

Healthy Food: healthful and nutritious, provides essential nutrients as described by Canada’s Food Guide. “Healthy foods” should not contain excess amounts of saturated fats, trans-fats, sugar or salt. “Healthy food” comes from a food system where food is produced, processed, transported, and marketed in ways that are environmentally sound, sustainable and just.

Healthy Eating, Healthy Diet, Healthy Food Habits, Healthy Eating Pattern: having the amount and type of food recommended by Canada’s Food Guide

Nutritious: providing nourishment, especially to a high degree; nourishing; healthful.

Vulnerable Populations: Groups of people made vulnerable by their financial circumstances or place of residence; health, age, or functional or developmental status; or ability to communicate effectively and personal characteristics, such as race, ethnicity, and sex.

ADMINISTRATION

- The Local Food Act will set out the purposes of the Act to guide its future implementation.
- The Local Food Act will enumerate criteria and principles to guide government decision-making and input in all fora. Principles will include recognizing the importance of:
 - the role of food in addressing a variety of government priorities;
 - the role of food in solving health, social, cultural and environmental and economic problems;
 - strengthening the economic viability of the food and farming sector, including family farms;
 - reviewing policies with regards to their impacts on food systems;
 - protecting the environment by supporting ecological production practices, and by conserving ecosystem processes and the plant, fish and wildlife species that support forest and fresh water food systems;
 - government coordination and transparency in decision-making;
 - public guidance, participation and engagement through all stages of food production and food systems planning.
- The Local Food Act will designate the Minister responsible for the Act (“the Minister”) and will mandate that the Minister pursue the Act’s purposes and align inter-ministerial actions affecting local food and food systems. To do so, the Minister will identify “Food Ministers” whose ministries’ activities, practices or decisions affect or are affected by local food and food systems.

- The Local Food Act will provide responsibility for program coordination to the Minister, and the Minister will designate program responsibility as he or she considers appropriate to the Food Ministries. The Food Ministries are those whose activities, practices or decisions affect or are affected by local food and food systems.
- The Local Food Act will recognize that food and food systems are central to the well-being of Ontarians and integrally linked to Ontario's population, economic, social and environmental health.
- In the case of an operational conflict between a provision, program or initiative set out in the Local Food Act and any other Plan, Policy or Act (including regulations and programs or initiatives under other Acts), whichever provision best fulfills the purposes of the Local Food Act and provides for the greatest support for local food and food system will prevail.
- The Local Food Act will require that municipalities and municipal planning authorities in Ontario:
 - do not make decisions, undertake any public actions, or pass by-laws that conflict with the purposes, provisions, targets, or regulations under the Act; and
 - ensure that their Official Plans and by-laws are in conformity with the Act and its regulations.

HEALTHY FOOD ACCESS AND FOOD EDUCATION

- The Local Food Act will increase access to safe, healthy, local and culturally acceptable foods, especially for vulnerable populations. Examples may include:
 - increasing availability of healthy and local foods in childcare, preschools, schools, colleges, universities, and other public facilities (including long term care facilities, hospitals, recreation centre, workplaces);
 - incorporating a student vegetable and fruit snack program in all public schools as a part of the provincial student nutrition program.
- The Local Food Act will ensure that Ontarians have the information, knowledge, skills, resources, and relationships to support healthy eating and make healthy food choices.
 - Examples may include:
 - adopting a provincial food literacy and student nutrition policy framework to ensure Ontario students gain food and nutrition literacy at all grade levels;
 - supporting public health and community-based healthy eating, food literacy, nutrition, and food skills programs;
 - supporting programming to provide easy access to information and education on how to grow food in both urban and rural settings;
 - increasing access to information about local foods and healthy eating through retailers and food sources.

LOCAL FOOD PROCUREMENT AND DISTRIBUTION

- The Local Food Act will provide for local and sustainable food procurement policies within public sector institutions.
 - Examples for implementation may include:
 - setting targets for local food procurement for public sector institutions;
 - providing incentives and training to enable public sector institutions to meet the established targets.

HEALTHY FARMS

- The Local Food Act will promote a diverse, resilient, and sustainable food chain and strengthen the economic viability of the food and farming sectors within Ontario.
 - Examples for implementation may include:
 - providing services, training, incentives and support to enable and encourage farmers to implement best management practices and ecological production practices;
 - engaging in and supporting research on production practices that use renewable resources, build soil organic matter and health, and enhance agro-ecological diversity
- The Local Food Act will develop mechanisms to enable the recognition and reward of farm stewardship, and best management practices including ecosystem goods and services provided by the food chain. Examples for implementation may include:
 - the development of quantification protocols and market mechanisms to measure the value of and provide compensation for ecological goods and services provided by the food chain;
 - support to farmers who contribute to endangered species preservation.
- The Local Food Act will support the development of processing, storage and distribution solutions that make local food more accessible and reduce waste throughout the food system. An example for implementation may include supporting the development of infrastructure which facilitates the efficient storage and transportation of perishable goods.
- The Local Food Act will support a new generation of farmers and a skilled workforce able to meet the needs of the food and farming sector. An example for implementation may include supporting the development of specific food processing training programs and supporting the implementation of training and extension services for new farmers.
- The Local Food Act will enable innovative financing for the food and farming sectors. An example for implementation may include the development of new financing approaches for beginning and re-strategizing farmers and food businesses, such as the development of an RRSP-eligible community economic development investment fund for food and farm initiatives.

LAND USE PLANNING

- The Local Food Act will incorporate food access into provincial, regional, and local land use policies and planning. Examples for implementation may include:
 - coordinating between provincial, regional, and municipal planning departments in food and food systems planning;
 - providing community planning, zoning, and funding which: supports healthier food choices; provides greater availability of local food; develops and promotes the local food sector; and reduces access to unhealthy food choices particularly to low-income communities;
 - supporting regional or local Food System Advisory Groups to advise on food and food system planning, implementation, and policy development.
- The Local Food Act will provide for the protection and conservation of: (i) farmland, soil, and water for future generations, and (ii) the ecosystem processes and the plant, fish and wildlife species that support forest and fresh water food systems. Examples for implementation may include:
 - integrating and coordinating Food Ministers' offices with municipalities and municipal planning authorities on issues affecting local food and food systems;
 - incorporating targets outlined under the Act by Food Ministers, municipalities and municipal planning authorities into provincial or municipal policy, programming, planning and decision-making processes.

INSTITUTIONAL ARRANGEMENTS

- The Local Food Act will align the work of the Food Ministries, whose activities, practices or decisions affect or are affected by local food systems and Ontarians' health, including the integration of planning and decision-making on issues of local food and food systems.
- The Local Food Act will enable inter-ministerial collaborations for the purpose of food and food systems planning, will enable independent evaluation of government action on food and food systems planning, and will enable multi-stakeholder participation in the food and food systems planning processes. To accomplish the above, the Local Food Act will create and empower:
 1. an Inter-Ministerial Local Food and Food Systems Committee. The Committee will include participation by the Food Ministers, and will:
 - provide advice to the Minister;
 - align inter-ministerial actions affecting local food and food systems and ensure inter-ministerial participation in local food and food systems planning;
 - establish collaborations on issues that impact multiple ministries/sectors;
 - provide for the integration of local food and food systems planning with population health planning, transit planning, land use planning, education

planning, environmental sustainability planning, natural resources planning, infrastructure planning, and economic development planning.

- increase cross-Ministerial accountability and collaboration to achieve efficient and effective allocation of public resources for the benefit of Ontarians’
 - hold meetings and consultations organized by the Minister;
 - and provide a forum to:
 - identify priorities for actions to achieve the purposes of the Act;
 - identify potential funding measures and partnerships for programming to achieve the purposes of the Act;
 - facilitate information sharing and programming coordination to achieve the purposes of the Act;
 - give the Minister an opportunity to obtain input from individuals and groups participating in the Ontario Food Policy Council, including on the:
 - development and implementation of a Food and Nutrition Strategy for Ontario
 - establishment of targets
 - development of proposals for programming or initiatives;
 - development and implementation of programming or initiatives.
2. a Provincial Food Secretariat to coordinate and monitor internal government progress on fulfilling the Act’s purposes and targets, and provide public annual reports on government’s activities.
 3. a multi-stakeholder, independent Ontario Food Policy Council that will provide input on ministerial planning and decisions about local food and food systems, and enable Ontarians to become actively engaged in local food and food systems planning and decision-making processes.

Progress Reports

- The Local Food Act will require that the Minister, with the contributions of the Inter-Ministerial Local Food and Food Systems Committee, regularly prepare a progress report setting out the following:
 - a description of targets established under the Act;
 - a description of recent actions taken by the Food Ministries to address the purposes of the Act, targets established under the Act, and priorities of the Ontario Food and Nutrition Strategy;
 - a description of programming or initiatives that have been proposed, developed, approved or implemented under the Act; and
 - a list of actions to focus on in future and the Food Ministries responsible for each.

Targets

- The Local Food Act will enable the Minister to establish qualitative and quantitative targets relating to local food and food systems and to specify the manner in which public bodies within the relevant jurisdiction should take the targets into consideration.

Programming and Initiatives

- The Local Food Act will provide for the development of programming and initiatives.

Research and Innovation

- The Local Food Act will enable research and innovation
 - Examples may include:
 - identifying programs and policies that impact food access
 - monitoring and evaluating current programs and practices

PUBLIC PARTICIPATION

- The Local Food Act will consider the following documents ‘policies’ for the purposes of the Environmental Bill of Rights, 1993 (EBR):
 - the Food and Nutrition Strategy;
 - targets established under the Act;
 - proposals for programs or initiatives under the Act;
 - decisions on programs or initiatives under the Act
- Notice to the public will be provided on the EBR Environmental Registry on all policies, decisions and reports developed under the Local Food Act.
- Prior to making a decision on proposals on programming and initiatives, the Minister will be required to:
 - provide public notice of the proposal or decision on the EBR Environmental Registry; and
 - conduct a consultation with:
 - the Inter-Ministerial Local Food and Food Systems Committee and;
 - the Ontario Food Policy Council;
 - representatives of the interests of public bodies with jurisdiction in the relevant area;
 - representatives of First Nations and Métis communities that have a historic relationship with the relevant geographic area.
- The Local Food Act will ensure that local and regional Food System Planning Advisory Groups exist and advise on local food and food systems planning and policy development.
- Regulations enacted under the Act will be posted to the *Environmental Bill of Rights, 1993* Environmental Registry for public notice and consultation.

REGULATIONS

- The Local Food Act will provide regulations that ensure Ontario has a diverse, resilient and sustainable food production that contributes to an equitable and prosperous economy.
- The Local Food Act’s regulations will be enacted to ensure the objectives listed above are attained.

- The Local Food Act will authorize the setting of targets and measurable goals with outcomes and timelines.
- The Local Food Act will authorize the collection of data and monitoring by Food Ministries and municipalities and municipal planning authorities on current policies and practices and with respect to relevant targets.
- The Local Food Act will provide for reporting from Ontario Ministries, municipalities and municipal planning authorities with respect to relevant targets.
- The Local Food Act will authorize the development of programs and initiatives to fulfil the purposes of the Act.