

# Policy Inventory for Effective Trans Fat Regulations

Consumption of trans-fatty acids (TFA)<sup>1</sup> is a major cause of global morbidity and mortality. To effectively reduce global consumption of TFA, the World Health Organization (WHO) recommends that all countries eliminate industrially produced TFA (iTFA), the main source of TFA in the human diet, from their national food supply.

Country approaches to mandatory iTFA elimination will vary based on a country's legal framework, existing authorities and capacities, political will, and food supply. But any country can enact best-practice TFA regulation immediately.

More than fifty countries have adopted and implemented national TFA regulations. The policy inventory below catalogues the key provisions that are common to all the successful regulations. This policy inventory can be used as a checklist to determine if an existing or proposed law or regulation includes the key provisions necessary to effectively eliminate iTFA from the national food supply. Where a key provision is missing, it is recommended to consider how to best include it in the proposed or existing law/regulation.

## Authority to regulate trans fat

- Authorizes appropriate agencies to:
  - Set mandatory limits on harmful compounds in food **AND**
  - Inspect facilities handling food **AND**
  - Inspect food products **AND**
  - Hold violators accountable (i.e., to impose and collect fees and impose sanctions)

## Scope of regulation

- Sets mandatory limits as:
  - No partially hydrogenated oils (PHO ban) **OR**
  - No more than 2% iTFA per total fat (2% iTFA limit) **OR**
  - PHO ban and 2% iTFA limit
- Allows natural trans fats (such as dairy and meats from ruminants)
- Includes all food product categories and facilities with:
  - No exceptions **OR**
  - Limited exceptions that pose no health risk (such as use in research)

## Labeling

- Requires labeling on packaged food to support inspections
  - Ingredients list with PHO clearly identifiable **AND**
  - Nutritional table with TFA levels clearly indicated
- Regulates TFA-free claims on labels and marketing materials by:
  - Banning TFA-free claims entirely **OR**
  - Allowing claims only if low levels of TFA, saturated fat and (ideally) other nutrients (i.e., sodium, sugar)

## Implementation and enforcement

- Allows for inspection and enforcement of:
  - Critical control points<sup>2</sup> **AND**
  - All other relevant points of supply chain
- Defines liability and offences
- Sets proportionate and deterrent penalties
- Establishes a complaints mechanism

## Effective date

- Sets effective date between 6-18 months following publication
- Implemented fully by 2023

## Other provisions

- Defines key terms
- Establishes objectives for regulation
- Requires regular and transparent monitoring and evaluation
- Encourages cooperation within government through multi-agency working group
- Includes miscellaneous provisions required under national law (e.g., repeal clause, severability clause, sub-national authority/pre-emption)

**1** Trans-fatty acids (TFA), or trans fats, are a type of fat of natural or artificial origin. Naturally occurring trans fat is produced in the gut of ruminants (cattle, goats, sheep); dairy and meat products derived from ruminants contain small amounts of TFA. Industrially produced trans-fatty acids (iTFA) are created in an industrial process adding hydrogen to vegetable oil (so-called hydrogenation) to produce partially hydrogenated oils (PHO), a solid or semi-solid fat. PHO are common in baked goods, pre-packaged foods, margarines, spreads and some cooking oils. They are the main source of TFA in the human diet. iTFA can also be unintentionally created during industrial refinement of vegetable oils and when oils and fats are heated and reheated (e.g., during frying or baking at high temperature). iTFA have no known health benefits and are a major contributor to heart disease and other chronic diseases worldwide.

**2** Critical control points are actors, places and circumstances along the supply chain where non-compliance is most likely to occur, and, consequently, which require inspection. This is country-dependent but might include oil refining facilities, food manufactures, border crossings or ports of entry, food establishments with vulnerable populations such as cafeterias of health and child facilities, or food products likely to contain PHO / high iTFA levels such as margarines.