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des débats
(Hansard)**

Wednesday 16 April 2008

Mercredi 16 avril 2008

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Wednesday 16 April 2008

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Mercredi 16 avril 2008

The House met at 1845.

ORDERS OF THE DAY

**HEALTHY FOOD FOR HEALTHY
SCHOOLS ACT, 2008**

**LOI DE 2008 PORTANT
SUR UNE ALIMENTATION SAINE
POUR DES ÉCOLES SAINES**

Ms. Wynne moved third reading of the following bill:
Bill 8, An Act to amend the Education Act / Projet de
loi 8, Loi modifiant la Loi sur l'éducation.

The Deputy Speaker (Mr. Bruce Crozier): Ms. Wynne has moved third reading of Bill 8. Minister?

Hon. Kathleen O. Wynne: I rise today for third reading of the proposed Healthy Food for Healthy Schools Act, 2008. I want to acknowledge the work of my parliamentary assistant, the member for Guelph, in shepherding this legislation through the committee process. There were some technical amendments that were made to it. There was a good discussion of the substance of the bill.

The health of the children and young people in this province should matter to all of us, and I know that it does. I can tell you it certainly matters to us. We take it very seriously. We know that schools are one place where those healthy habits can be established.

For some people, their health may already be at risk. The level of obesity among young Canadian children has nearly tripled over the last 25 years. In 2004, a study released by Statistics Canada showed that nearly one third of children and teenagers in Canada are either overweight or obese.

This is really worrying information. The facts are pretty grim. We know that people who are obese are more likely to develop illnesses such as type 2 diabetes, cardiovascular disease and cancer. From my perspective as the Minister of Education, those children may not have the energy they need to be able to learn. So that's a critical part of this discussion. Obesity can also lead to high blood pressure and high cholesterol levels, as well as breathing problems and joint pain. We know that all of that can also lead to young people having low self-esteem.

We know that's not the future we want for students in Ontario; it's not the future we want for families in Ontario. Families want their children to grow up healthy

and successful. We know that that is the desire of all families in Ontario, and that's what we want as well.

Another recent study by the Public Health Agency of Canada showed that less than half of Canadian students in grades 6 to 12 have fruits and vegetables at least once a day. Most students, in other words, do not. Most of the students this study surveyed did not have a piece of fruit or a single vegetable in a day. I think this is really worrying information. The study also shows a continued increase in obesity among young people. So it's not just that there is a static number of young people in our society who are obese, but that number is going up.

C'est un problème grave qui exige une attention immédiate. C'est pourquoi nous devons agir maintenant. Nous voulons que les élèves soient en bonne santé et prêts à apprendre et nous voulons que les élèves apprennent dans un milieu scolaire sain.

We need a healthy school environment for these students to grow in. The kids in our schools are our future. We know that they are the future workers in this province; they are our investment in the future. That's why this proposed legislation is so important.

Students are less likely to be tired or stressed and less likely to get sick when they're eating healthy foods. They are more likely to feel energetic and be able to focus on learning. Providing them with healthier options would not only help to protect their health now, but it's going to help them in the future to develop those habits of healthy eating that I spoke of. Who knows? Kids may take those lessons home. It's my experience that students teach their families, so I think we have a way into the families in the province by changing the habits of kids at school.

1850

Students should be able to line up in a school cafeteria and choose a lunch that doesn't contain high levels of trans fat. That should be an option for kids. When they're looking for a snack in the afternoon, they should have options available to them that aren't high in sugar or fat. That's what this proposed legislation is about. The proposed Healthy Food for Healthy Schools Act, 2008, would drop prescribed amounts of trans fats from food and beverages sold in schools.

Industrially produced trans fat is created when liquid oils are manufactured into a semi-solid form like margarine or shortening. They're not naturally occurring in all foods, but when they're manufactured, they create this dangerous substance that raises blood levels of bad cholesterol and lowers blood levels of good cholesterol,

and these are the effects that are associated with increased coronary heart disease.

Unfortunately, many foods contain trans fat. Research also shows that trans fatty acids are not essential and provide no benefit to human health. So if we can provide healthier options in schools and reduce the amount of trans fat that students consume, even at school, that can help improve the health of our young people. That's why it's so important that we don't sit by and not take action. We have to take action.

Recently, a University of Minnesota study found that school lunch sales do not decline when healthier meals are served. I think if we put the expectation out that kids will take up healthier habits, they will do that, but we have to set the framework. We have to set the context in which kids make those decisions. The same study found that nutritious lunches don't necessarily cost schools more to produce. So those arguments that, "Well, the kids aren't going to take those options," or "It's going to cost more," actually don't bear out in the research.

We've made it clear that there will be exemptions for special-event days, because there is always that day when a parent brings something to school for a child's birthday or an event or there's a special lunch day. Those days would be exempted if they are not a regular occurrence, if they're infrequent. They will be exempted. We know that kids look forward to those and we wouldn't suggest that those should be changed.

We also know that we would need to exempt dairy and meat products like beef that contain naturally occurring trans fats. We're not suggesting that where natural trans fats are found in foods, we would be removing those foods from the cafeteria.

This is a reasonable approach. This puts in place a reasonable framework that is going to move our kids' eating habits closer to being the healthy ones that we want them to have.

These healthy menu choices would align with the new Canada's Food Guide, and we'd be working with registered dietitians, public health organizations, food providers and the education sector to develop those standards.

This proposed move has very wide support. My parliamentary assistant, the member for Guelph, found that at the committee there was a lot of support for this legislation because people can see the efficacy of it. They can see why it makes sense for kids in the schools.

Earlier this week, we announced the recipients of the 2007-08 Premier's Awards for Teaching Excellence. One of those recipients was Paul Finkelstein, a teacher at Stratford Northwestern Secondary School. Thanks to his efforts, students at the school now have an opportunity to learn about using locally grown produce and how to prepare healthy meals through the Screaming Avocado Café. That highlights two of our initiatives: The healthy food initiative and the buy local initiative that we think is very important. It's been a great success. The café he started now serves over 250 students a day. He also created an organic vegetable garden that contributes to the café.

What we know is that through those experiences, kids can learn what the options are through being part of that kind of change within their school. We also know that through the curriculum, students learn about healthy living and can learn more, including the expectations on the importance of healthy and balanced eating.

We know that if we work with the people in the sector who understand how to transform habits and understand what the guidelines should be—the Dietitians of Canada and the Dairy Farmers of Canada—they will tell us that, for example, the availability of higher-fat and sugary treats in schools poses a challenge for school-aged kids to eat well. They know; they've looked at the patterns in schools and they can guide us as we ask for this cultural shift, because that is really what we're asking for. We're asking for schools to partner with us in changing the culture of eating in their institutions. In doing that, we start to shift the culture of eating in our kids' homes, so I think that it's a really important step. It's an important message to our schools that we want to work with them and that we're going to support them in this.

What we did in 2004 was put in place a voluntary ban on junk food in elementary schools. We found that there was a very systematic uptake of that ban. Those voluntary standards were widely accepted by elementary schools across the province because the schools knew it was the right thing to do. It wasn't that there had to be a prescriptive or punitive piece of policy that was put in place. It was a voluntary ban. They took up the policy and they ran with it because they knew that was the right direction to go.

Dropping trans—

Interjection.

Hon. Kathleen O. Wynne: Leeanna was. As a member who was in an elementary school at the time, that's right, she was very, very helpful.

Dropping trans fats and providing healthier options in schools just makes sense. The well-being of our young people is at stake in this. It is the right thing to do. We know that we have broad support across the education system to do this, and we look forward to working with all of our partners to make sure that our kids have the healthiest choices possible.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Further debate?

Mrs. Joyce Savoline: I will be splitting my time today with my colleague the member from Renfrew–Nipissing–Pembroke and also my colleague from Durham.

I stand here today in support of the government's trans fat bill, despite the fact that the McGuinty government was unable to work in the spirit of non-partisanship on my private member's Bill 42. I, however, have chosen to take the high road.

Bill 42 was, I might add, an important piece of legislation that closed a loophole in this government's own anti-smoking law. Clearly the McGuinty government's anti-smoking legislation has more holes in it than Swiss cheese, since elementary students are buying illegal cigarettes every day in Caledonia smoke shacks. It is clear

that the McGuinty government has a lack of understanding and respect for the rule of law in Ontario.

The trans fat bill makes good sense in principle, but like all Liberal policy it is a policy in isolation. The root issues of childhood obesity are being addressed in a one-off fashion, not in relationship to a comprehensive or multi-faceted approach to making a significant movement in childhood obesity statistics that we have here in Ontario.

Childhood obesity has increased as our children have become more sedentary in their lives. At the same time that this bill is being introduced tonight, pools are slated for closure in the Toronto District School Board. As we speak, the TDSB is debating pool closures. One would consider that an aquatics program, in combination with a healthy diet, is a multi-faceted approach. The McGuinty government saw fit to invest in school pool programs in 2006-07 through the Ministry of Health Promotion, but at this time, in this legislative session, the Ministry of Health Promotion has turned a blind eye. Why has this government not taken this opportunity to present a well-rounded physical education program to complement the trans fat legislation?

1900

The Heart and Stroke Foundation promotes the importance of a healthy low-fat diet in combination with regular physical exercise. Exercise is habit-forming. Studies have shown that it takes two weeks to turn an exercise regime into an exercise habit. Surely the McGuinty government could spend two weeks on a prevention initiative to hook our kids on a healthy lifestyle.

That has not been the only issue that the noticeably silent Minister of Health Promotion has turned a blind eye to. Once again, my Bill 42 was designed to stop children from being exposed to the harmful effects of second-hand marijuana smoke. At present, I and my family can enter our favourite restaurant through a cloud of pot, and that is okay with the Minister of Health Promotion.

I know that's okay with the minister because her fellow caucus members were instructed to shut down my bill before public hearings could even occur. Why is the McGuinty government afraid to allow a party other than their own to produce legislation, and why are they so afraid to hear from the public in whose interest they are supposed to be acting? Not only should we be trying to protect our children from the effects of second-hand smoke, but we should be setting an example for them. It is not acceptable to smoke cigarettes in the entrance of a restaurant. It is definitely not okay to smoke marijuana in the entrance of a restaurant. It sounds really simple to me. I expect our government to be consistent and apply the law uniformly across the board.

As chairman of Halton region, I focused heavily on building relationships and engaging the community to meet the challenges and capitalize on the opportunities that lay before us. The trans fat bill could have been just that kind of opportunity. It could have been part of an overhaul of a health promotion strategy for all of our

youth. Unfortunately, "strategy" is not an action word embraced by the McGuinty government. As I mentioned previously in the House, I sincerely hope that the government creates a comprehensive communication strategy that accompanies this bill when and if it becomes law.

Children do not respond to rules and policies just because someone told them to do it. As a matter of fact, they usually rebel when being told but will, over time, respond to an inclusive campaign created within their education and with their best interests at heart.

There are some remarkable parent-driven initiatives in our schools today that focus on getting youth excited and involved in making good nutritional choices for their future. The parent committees engage our preteens in the recipe process. They work with the students' personal food tastes to develop a well-balanced standard menu for snacks and meals that they can prepare themselves. This program is showing great promise because it is not top-down but a collaborative approach that will achieve lasting results for our young people.

I have mentioned previously in this House the importance of teaching life skills along with curriculum so that when our children set out on their own, they make wise choices and begin to take ownership of their own lifestyle and their own health. The life skills I'm referring to are fundamental basics in managing one's own finances, providing proper nutritional guidance and so on. Teaching life skills will ensure that our children have the tools to meet domestic and financial challenges. They will meet them head-on and avoid the pitfalls of poor diet and the credit issues that take years to overcome.

I would offer that it's in the interest of this government to increase their prevention scope and successfully engage our youth in developing the nutritional building blocks for a strong, healthy future.

Childhood obesity leads to an increased risk of adult-onset diabetes, heart disease and, of course, stroke. Imagine the reduced burden on our health care system if we nip these problems in the bud. Rarely as legislators do we have the opportunity to take preventive action. So often are we called to react to a situation, to react to a crisis or to try to close a loophole, that it's great to be able to stand here and suggest ways in which we can actively and positively change the future health of our young Ontarians. So rarely are the comments of the opposition valued and embraced by the McGuinty government, as Minister Bryant's proposed changes to the standing orders clearly demonstrated.

The issues of childhood obesity and trans fat need to be discussed, as I mentioned, in conjunction with a physical fitness regime and by engaging the students in proactive measures for their own health.

I believe, also, that it's important that women—mothers—present in this Legislature should be here to discuss issues like this that are meaningful to our children's future. Should Minister Bryant's cabinet-friendly changes to the standing orders become law, we will have fewer and fewer women in this Legislature debating

issues that are key to our children's health and well-being. That is not to say that my male caucus members cannot carry their own skates in this regard. What I am saying is that we're looking for a balance. We're looking for both men and women to bring that important perspective to contribute to family-oriented legislation. If this Legislature is debating issues that are key for our children, then both mothers and fathers should be present to debate the merits and discuss the challenges and act in the best interests of our kids.

I challenge the members opposite to veer from their partisan playbook for just a moment and tell me what you really think about the flawed proposal for the revised standing orders.

Mr. Bob Delaney: On a point of order, Mr. Speaker—

The Deputy Speaker (Mr. Bruce Crozier): Order. Member, take your seat. I'm obliged by the standing orders to remind the member that we are debating a bill about trans fats and that we must try our best to stay with the debate on that issue.

Mrs. Joyce Savoline: I would like to be in this place, a place where women and men will have a joint opportunity to debate issues, like the trans fat legislation, that affect our families and communities, on an equal basis.

I will support this trans fat bill, and I hope that it will be accompanied by the all-embracing physical activities and awareness campaign that will be necessary to make this successful and not just window dressing.

The Deputy Speaker (Mr. Bruce Crozier): The member for Hamilton East—Stoney Creek.

Mr. Paul Miller: I also rise today in a spirit of cooperation. Unfortunately, I share the member from Burlington's problem, where my bill, which was a good bill protecting people's severances and back pay and things, was shut down at committee level. Unfortunately, that didn't go through, either.

My colleague will be sharing two minutes of my time. Because he can't be here tonight, I'm just going to read a short statement from him and then get into mine.

My colleague the member from Trinity—Spadina, Rosario Marchese, has to be at the Toronto District School Board meeting this evening to try to protect school pools from this government's inaction. But if he were here, he would speak to this bill, Bill 53, An Act to amend the Consumer Protection Act, 2002, with respect to the advertising of food or drink. His bill would actually protect children, not just use quaint terms like—

The Deputy Speaker (Mr. Bruce Crozier): Member, please take your seat. We're not going to discuss another bill. I don't know what Bill 53 is; we're discussing Bill 8 this evening. I would ask that all members stick to that debate.

Mr. Paul Miller: With all due respect, this bill was actually tied in. The final statement would have been definite words like "eliminate trans fats." It was part of it; there is a connection. I'm sorry. I will get into more of the meat of the situation.

It's no surprise that yet again the legislation being introduced by the McGuinty government promises more

in title than it actual delivers in content, detail or commitment. The title of the proposed legislation we are debating tonight is Healthy Food for Healthy Schools. That sounds incredibly promising. We can all agree that both body and mind must be well fed with a wholesome and nutritious attitude. What better place to ensure this combination than in our schools? But upon close reading and careful examination of this bill, this legislation does not come close to ensuring this.

1910

We know that in addressing the magnitude of the health crisis—I think it would be safe to say it is even at epidemic levels of obesity among our young people, among the children of the province—we have to take a strong approach. This is the future of Ontario we're talking about.

Much like the food our children are consuming in school cafeterias and through school vending machines, the bill comes up incredibly short on substance. Contrary to popular perception, this bill does not ban junk food and does not ban trans fats. The bill amends the Education Act to add provisions regulating the trans fat content of all food and beverages sold in school cafeterias, with regulated exemptions for food or beverages in which the trans fat content originates exclusively from meat or dairy products.

The bill also adds a requirement for boards to ensure that food and beverages sold in vending machines comply with the nutritional standards set out in the regulations, giving the power to the Minister of Education to create policies, guidelines and regulations governing nutritional standards for all food and beverages provided on school premises or in connection with a school-related activity.

What this legislation proposes to do is merely give power to begin a set of regulations, not to take the immediate and obvious action required. There's no time for delay on this issue. The time for action and enforcement is now. We should not kid ourselves—no pun intended. This is a frighteningly pressing issue.

Child obesity: We have heard and are familiar with what should be alarming and unbelievable statistics, but they are, unfortunately, the case. One quarter of Canadian children are either overweight or obese. In Ontario alone, about one in four of our children aged two to 17 are overweight. Close to half of Ontario adults are obese. Among children aged seven to 13, obesity tripled over a 15-year period. According to the Ministry of Health Promotion, obesity costs Ontario \$1.6 billion annually.

The Ontario College of Physicians and Surgeons has said, "This is the first generation that may not outlive their parents due to health-related illnesses." Ontario Medical Association, or OMA, reports show that over the past two decades, child obesity rates have increased significantly. Obese children are 12 times more likely than their peers to develop type 2 diabetes and are more prone as they get older to suffer from high blood pressure and high cholesterol levels. They will also be more susceptible to cancer, bone problems, asthma, gallbladder prob-

lems and early death. With such a situation, we need to be very determined and meaningful in our approach.

Trans fats: In these cases, trans fats is certainly a factor. The recommended daily take of trans fats is zero, and only one gram of trans fats daily can increase the risk of heart disease by 20%. To provide some perspective, on average, Canadians ingest about 10 grams daily. That is just the average Canadian.

There has been a frightening awareness of the danger of trans fats, and as such, the federal government has passed a law ensuring clear labelling in regards to trans fats. Strict specifications are required to have permission to label a food "trans fat free." This has been combined with raising awareness around the issue of trans fats—a huge step towards better health.

Three years ago, the Ontario Medical Association called for restrictions on nutrient-poor foods for students while in the care of school boards. However, many foods which have no trans fats or which are limiting trans fats would scarcely be described as healthy options. Some of these include Oreos, Doritos, Cheetos and Hershey's Kisses.

Regulating trans fats, even to the point of elimination, is not the same as actually banning unhealthy food. Fat content, sugar content, sodium content, colours and preservatives all produce calories. All the nutritional information must be examined when considering the food our children eat.

This act would have us believe that the regulation or elimination of trans fats means no more unhealthy food, when that is just not the case.

A junk food ban: As my colleague from Trinity-Spadina has mentioned numerous times before, the McGuinty government made much pomp and circumstance out of an announcement three years ago banning junk food, under then-Education Minister Gerard Kennedy, an announcement that was just merely that—words—the results of which can barely be seen three years later, if at all.

Cash-strapped schools rely on revenues from snack foods, especially at the secondary education level—even at the elementary level, if no longer through a vending machine, then at a tuck shop or snack cart. At what expense? At the expense of our children's health, that's what the expense is. To the government, I implore: What kind of junk food ban is that?

You cannot dispute hard-working individuals like Maggie Cavalier, who owns and operates a forward-thinking business called Food Sense Healthy Vending Services and visits numerous schools in helping them make healthy, cost-effective choices. On her visit to Queen's Park, she shared with the committee that through her work experience being in those schools, she sees that there are no more demonstrable junk food bans in schools. Ms. Cavalier, also a grandmother with a grandson who is struggling with health issues—some diet-related—is deeply concerned that the school vending machines sell junk food. If we know the effect on the health of young Ontarians due to consuming these fatty,

sugary, calorie-laden snacks, let's really set an example and say, "No junk food in our schools," through binding, well-enforced legislation.

School food funding: But this is not to leave our school boards out in the cold. There needs to be a determination to find appropriate ways to properly fund our schools, so that we are not selling out our children's health or trading it off for other essentials like intramural sports, art activities or other school programming. The representative for the Centre for Science in the Public Interest, Bill Jeffrey, outlined that real investments need to be made in school food and beverages for the sake of health and a full learning experience, as other jurisdictions have done. To quote Mr. Jeffrey in drawing these comparisons, "Ontario's investment in school foods was approximately two cents per day per student. It's recently doubled, so now four cents per day per student. That compares, as you can see, very unfavourably to about \$1 a day per student in the United States."

Further, right here in Canada, and I quote Mr. Jeffrey again, "In British Columbia, that level of funding is now up to \$23 per student, and they have plans for a massive increase. So the British Columbia government, at least in this regard, is a bright light..." Such investments allow for boards to proceed without fear in getting rid of junk food and unhealthy choices. There are healthy food alternatives that are instead explored for vending machines and nutritious food that can be prepared in a timely fashion, to be served in cafeterias at affordable prices.

Healthy food choices and physical activity: I'd like to look at physical activity, an important part of any Canadian's life. Speaking of intramurals and sports activities, as many organizations and individuals have shared with members of this Legislature, they are essential to ensuring that we really have healthy schools and healthy future generations in the province. The NDP does acknowledge the effort in this legislation to address the food and beverage options in our schools. This is despite the reality that specifics of the proposed legislation fall woefully short. However, we acknowledge that the food and beverage options are one part—of course, an integral part, but just one part—of addressing a broad-based problem.

Physical activity is another key to the puzzle that this legislation would have done well to look at. Yes, there are 20 minutes of daily activity that are required, but that's not enough to create healthy environments and lifelong good lifestyle habits. Dr. Janice Willett, president of the OMA, has been on record as saying, "The evidence is clear, obesity rates in children can be significantly decreased with appropriate physical activity and healthy food options."

An equally integral part of the success of any legislation that would seek to deal with the health of young people is to acknowledge the fundamental connection that recreational and physical activity has with overall health and well-being. In creating a healthy environment in our schools, which this legislation claims, New Democrats know that it needs to be in conjunction with initia-

tives that protect and support recreational activity in the community. Schools are at the heart of it. The bill that was introduced yesterday by my colleague from Nickel Belt, Communities at Play, proposed to do just that: to provide supports for those facilities that keep young people active. As someone who has been involved with community recreation activity all my life, I understand how healthy food choices and other healthy lifestyles go hand in hand. Exercise has been a big part of my life.

In conclusion, healthy initiatives that are mandated and supported by government and that really do go all the way, ones that put a full ban in place, such as on trans fat and junk foods in this case; decisions that take essential stands for the positive future of young Ontarians; and proposals that help the boards achieve success in this and that are full in their approach: That is what New Democrats are all about.

1920

As childhood obesity and, by extension, adult health problems increase, legislation must be dealt with immediately. Healthy food for healthy schools is absolutely what we want to see and have our students experience, but the half measures and window dressing this government likes to announce really don't cut it when it comes to a situation so grave. A healthy future for Ontario requires real commitment. We look forward to continuing to speak out in favour of that.

In conclusion, I'd like to say, with a slight bit of reluctance, we will support this bill.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Further debate?

Mr. John Yakabuski: I will be sharing my time with the member for York-Simcoe.

It's a pleasure to join the debate tonight on Bill 8, An Act to amend the Education Act, commonly known here as the trans fats bill. I have some comments I want to make with regard to the fact that nobody is against this bill, on any side of the House. It's not about being against what's in this bill; we have some concerns about what's not in the bill, and what the bill fails to do.

I certainly echo the comments of my friend from Hamilton East-Stoney Creek and my colleague from Burlington about the importance of nutrition and the seriousness of the issue of childhood obesity—not just childhood obesity but obesity in general, which is a big threat to our society, quite frankly. If we can start children on the right nutritional habits, that's certainly a positive thing. But it certainly starts before they ever get to school.

I met with people from different stakeholder groups, including the Heart and Stroke Foundation, on this bill, and they described it as a good first step. But they are concerned with the fact that it exempts special-event days, for example. I remember when our kids were in elementary school, there were so many special event-days revolving around food: hot dog day, pizza day, and this day and that day. Quite frankly, I think we leave an awful large gap if we're exempting special-event days from this trans fat legislation.

Let's go back to the genesis of this, to the beginning. This government is the classic case. You know the old political adage: "Find out where the parade is going and get in front of it." That's exactly what this government has done here. They've gotten in front of the parade, because the industry is way ahead of you on this trans fats business. The industry—

Interruption.

Mr. John Yakabuski: Oh, I think that could be a call for—the train is running to Peterborough.

The industry is way ahead of this government. Where were the guts and the gumption of this government four years ago? Nothing. The industry's way ahead of you. Most of the snacks that children find in plastic bags today are already trans fat free. The industry's moved way ahead of you, which makes this legislation somewhat redundant from that point of view. But as I say, the Heart and Stroke Foundation says it's a good start.

But do you know what? If this government was serious about the health of children, the Minister of Education and the Minister of Health Promotion would be more interested in ensuring that illegal enterprises selling illegal cigarettes within spitting distance of a school would be eliminated and not allowed. There's where they should be taking care of our children's health, around the schools. Because what we're having is kids on bicycles, actually, leaving these illegal smoke shacks with cartons of cigarettes coming in at a dollar a pack. So we've got two crises here: We've got the nutrition crisis for children, childhood obesity; and we've got the threat of smoking—the smoking threat to our children.

This government is taking the easy road. It's introducing trans fat legislation way behind the industry—the industry's way ahead of them—and it's doing nothing to eliminate this tremendous threat to our children's health long-term, and that is these illegal smoke shacks.

The Deputy Speaker (Mr. Bruce Crozier): We may be talking about two threats, but tonight we're debating one, and that's trans fats. I ask all the members again to stick to Bill 8, please.

Mr. John Yakabuski: Thank you very much, Mr. Speaker. I must say that we are getting very little latitude in the House tonight, and if that's the way it's going to be, that's great with me. I have no problem with that. We're going to stick to the bill at hand, Bill 8, trans fats legislation.

I just wanted to repeat that, as the stakeholders have said, it's a good first step, but it doesn't go far enough. It doesn't deal with the real issue of trans fats and access to trans fats in our schools; it's only those for sale and prepared in the cafeteria itself.

I think there's a lot more that can be done. We share, and everybody in this House shares, the commitment that our children are the most important asset we have, and anything we can do to protect and improve their health is a laudable goal. It is a good first step, but there is so much more that can be done. And we'll be there if this government shows some courage and starts doing those things that we were talking about earlier in my speech,

which I won't say again because I'll be ruled out of order. But let's get the job done together.

Mrs. Julia Munro: I'm pleased to be able to join the debate tonight. I want to just add a couple of things on the record. These actually come from a meeting I had last week with a representative from the Heart and Stroke Foundation, which is very supportive of the initiative and the ideas behind this bill. They recognize the importance of both diet and exercise, as many others have, in terms of dealing with issues around not only children's health and the crisis of obesity but also obviously with adults as well.

I wanted to spend a moment to just point out two things that I think are very problematic in the way in which this bill will unfold in the practical way. As members know, and certainly as members of the public understand, the notion of eliminating trans fats is one that the private sector has picked up. We fail sometimes to remember how sensitive the private sector is to those kinds of shifts in public opinion or in priorities that the public acquire. In this case, obviously you can go to any grocery store and look at many products that all have a big label on them that says "No trans fats." So we're kind of coming along to this conversation a little bit late. We hustle along to then say, "Wait a minute, we're not going to have trans fats in schools" when the industry, the private sector, has already realized that that's the direction in which they should go.

I think there are a couple of important omissions in this particular piece of legislation, and one of them is the whole issue of vending machines. I want to just go back to the notion of the importance of eliminating trans fats and the importance of putting that in legislation in terms of cafeterias. But the practical reality is that many kids find themselves in the situation of having been a participant in extracurricular activities or having come to school at a point in the day when the cafeteria isn't open, and they then have access to food, through the vending machines, that is not covered by this legislation. So I think it's a point that the government should understand is a huge omission, because people can come into the school during the day, or after school, and the protection that the nanny state has provided has now disappeared because the cafeteria is closed. I think it's an important omission. The other is that it eliminates from the legislation the whole business about special days.

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As members of our caucus have indicated, we will be supporting this, but the two omissions are a demonstration of a hasty piece of legislation that hasn't looked at, "It's okay for the rest of the day out of the vending machine, it's okay on a special day, but out of the cafeteria we're not going to have trans fats." I think this is an important omission that the government should look at as demonstrating that if you're going to do this, if you're going to have a bill and take up all the time of the Legislature in debating trans fats, then perhaps you should be looking particularly at the source of the vending

machines as an avenue for students to be able to undo the good that's contemplated in this piece of legislation.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Further debate?

Mr. John O'Toole: Out of respect for my constituents in the riding and on behalf of our party, we are actually supporting this bill. The reason for making a point of it is that on a day when they were changing the standing orders, where they're going to expunge any input from the opposition, we're now sitting at night on a bill in third reading that we actually support. I have to make that point to start with.

On a more serious note, in my riding of Durham, we had a very respectable young person come in, Tyler Moon, who is actually the community specialist for the Heart and Stroke Foundation. He brought in some notes on Bill 8, which I took the time to read, out of respect for the time he took to walk into the office and present me with these papers by the Heart and Stroke Foundation with respect to their position on this.

Mrs. Savoline from Burlington made the points that I think need to be made on the bill technically. The member from Hamilton East—Stoney Creek, from the NDP, made a very good point as well with respect to how there are some gaps in the bill. The gaps, quite honestly, are such that we're going to have to have lunch-bag police in our schools by the looks of things. It's like any nanny-state bill by the Liberal government. It's a nanny-state bill, there's no question about it. They're going to have to have lunch-bag police to make sure that if families, perhaps families with insufficient income, are going to send their children to school with an Oreo cookie that could have trans fat—who knows?—that may have to be inspected. That's the next step of a nanny-state attitude towards telling people what to do, when to do it and where to do it.

This, in the second term, is a very good example of that kind of bill. If they had only listened to the Heart and Stroke Foundation's recommendations, that would have made this more inclusive.

I think earlier today, in the opposition day motion, there were some discussions on the plight of where we are today. We see in my riding three hospitals, all of which have serious challenges. We've got the problem of trans fat, which is something we all agree we should try to restrict in our diets. It's an educational issue. But the reality on the ground is that there are serious cuts to health care, and that's what's troubling. This bill, as minor as it is and occupying as much time as it has—and here we are at night. I'm not sure what the purpose was for sitting tonight. To exercise power, and disrespect for the opposition—that's really what it was for—and for the staff here, as well, I might say.

I think we've made our points. With that, thank you very much for this opportunity to represent my constituents in the riding of Durham.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Further debate?

Ms. Wynne has moved third reading of Bill 8, An Act to amend the Education Act. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day.

Hon. David Caplan: I move adjournment of the House.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until 10 of the clock on Thursday, April 17.

The House adjourned at 1936.

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