

What's in a label: Rhetoric and empty claims?

By: Pamela Nelson

Social media is full of sponsored and suggested news feed postings for products that you simply must have. Many of these promotional posts include rhetorical claims for a product to be free from something like cruelty, palm oils, fragrances, and nasty chemicals, and suggest that they may offer therapeutic or healing benefits for all kinds of complexion and skin related ailments. I



call balderdash. Rhetorical claims are simply marketing illusion intended to persuade the unwitting consumer to believe the miracle they have been waiting for is now here. From Palm Oil to fragrances to organic materials to animal testing, many product claims are untrue, unnecessary, or not relevant, other than in the consumer's unaware mind.

So how do you, the consumer, know if a claim is relevant, true or necessary? Rather than buy into the online rhetoric and opinions, especially many of the so-called transparent databases, look to the regulators and the scientists – the parties and organizations tasked with keeping consumers safe.

Canada has stringent and strict labelling laws for everything from bike helmets to shampoo. While consumption of locally produced products continues to increase, what many consumers and small producers do not know is that those strict regulations and laws pertain to all producers. It does not matter how big the producer or the market is, if anyone is creating a product to be sold or given away in Canada, those products must adhere to Canada's many food and cosmetic laws.

Soaps, lotions, and all bath and body products are regulated as cosmetic products under the authority of the Food and Drugs Act and regulations. Cosmetic producers are required by law to adhere to a number of regulations and practices, including the reporting of ingredients used, adhering to Good Manufacturing Processes, reporting all product ingredients in INCI format on product labels, publish manufacturer contact information and include consumer warnings in English and French, among others.

One of the most critical labelling concerns is to not make any claims a product will prevent or treat a condition, or modify body functions, whether by claiming intended use, purpose, composition or ingredient representation without Health Canada approval. That means, unless the producer has been so licensed by Health Canada, no product can claim to cure, fix or heal any health-related condition, and if so licensed, that product must have a registered Drug Identification Number.

An interesting fact is that the use of 'natural' has no legal definition in cosmetics. It is well known within the professional industry that something natural may not be safe, and sometimes a synthetic ingredient may be more safe and/or effective, and is often designed to mimic the benefits of a related non-safe natural alternative.

The use of the term 'organic' within the agriculture industry is governed in Canada, with varying certifications and recognition statuses based on the private regulating authorities. When a cosmetic producer claims "organic", they are more or less implying that each and every ingredient used in the production is organic, and authority is typically governed by private entities issuing the relevant 'certification' logo. An organic food certification has no bearing on cosmetics.

Cruelty-free is a strong claim, immediately bringing to mind the absence of using animals to test the safety or effectiveness of a product, especially when it is coupled with a cute bunny or puppy-based logo. The truth is animal testing is extremely rare in Canada, and has been for decades, and as of December 2023 animal testing is prohibited in Canada. Essentially, all cosmetic products made in Canada are cruelty free – but with a caveat: some raw material ingredients might come from non-domestic sources, and those ingredients may not be cruelty-free. I have seen a 'cruelty-free' claim on a cosmetic that included Vitamin E Tocopherol on the label. It is highly likely that ingredient was purchased in Canada, but sourced from China, and guess what? China is notorious for animal testing of cosmetic ingredients.

There are many reasons why claims on labels have evolved over the years, and most claims are intended to increase sales. I encourage all manufacturers to ensure informed consent among consumers. So, rather than rely on rhetoric and social media opinions, take a look at the labels on the products you purchase locally. Are the producers intentionally providing you with informed consent, attempting to sway you with rhetoric, and are they producing pursuant to the Health Canada regulations? Don't be afraid to ask, as an informed consumer is a responsible consumer.



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