

Legislated requirements

P/T	Are centres required to provide meals?	Regulations include nutritional standards?	Do regulations include diverse/cultural meal considerations?
NL	Yes	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	No
PE	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	No
NS	Yes	Yes	No
NB	Yes	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	No
QC	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	No
ON	Yes	Yes	No
MB	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	No
SK	Yes	Yes	No
AB	No	Yes	No
BC	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	Yes
NT	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	Yes
NU	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating</i>	Yes
YT	No	Yes. In accordance with the <i>Canada Food Guide to Health Eating and Native Food Guide</i>	Yes

Table. Provincial/territorial food policy considerations

Excerpts from provincial/territorial legislation and regulations

- Newfoundland and Labrador

[1]

- Prince Edward Island

[2]

- Nova Scotia

[3]

- New Brunswick [4]

- Quebec [5]

- Ontario ^[6]
- Manitoba ^[7]
- Saskatchewan ^[8]
- Alberta ^[9]
- British Columbia ^[10]
- Northwest Territories and Nunavut ^[11]
- Yukon ^[12]

Tags:

quality ^[13]

health ^[14]

legislation and regulation ^[15]

Newfoundland and Labrador

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Newfoundland and Labrador government's website.

Child Care Services Act. 1998.

Child Care Services Regulations, 2005, 89/05 ^[16]

S.9 Child care service requirements

9. (1) A child care service

(k) shall provide meals to children in accordance with the requirements of the Canada Food Guide to Healthy Eating;

(l) shall prepare food and ensure food handling and food handling facilities are in accordance with the requirements of the Standards and Guidelines for Health in Child Care Settings Manual approved by the minister;

(m) shall ensure a child sleeps, is fed and offered food appropriate to the child's stage of development and individual capability;

(n) shall, daily, provide to the parent or guardian of a child who is less than 24 months of age a written record of the child's eating, sleeping and elimination patterns;

Prince Edward Island

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the PEI government's website.

Child Care Facilities Act. 1988. Chapter c-5.

Child Care Facilities Regulations. ^[17]

Part III

Public health

16(2) A facility shall, if it provides a food service for the children, have a sanitary food preparation area and follow practices to the satisfaction of the public health officer. (EC475/87)

Part V

Nutrition

22. (1) The supervisor shall ensure that all meals and snacks that are served meet the nutritional requirements of children in accordance with Canada's Food Guide.

(2) Where meals or snacks are supplied by the facility, menus shall be posted in a prominent location for the information of parents and kept on file for a period of 30 days.

(3) A child attending for 3 hours or more shall, if present, be provided with

(a) a mid-morning snack;(b) a mid-afternoon snack;

(c) a noontime meal;

(d) an early evening meal or breakfast if required. (EC475/87)

Nova Scotia

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Act and Regulation, please go to the Nova Scotia government's website.

Day Care Act, 1989.

Day Care Regulations (amended 2011 by N.S. Reg. 155/2011) ^[18]

Nutrition

25 (1) A licensee must adhere to the food and nutrition standards established by the Minister.

(2) Each meal served to a child who is enrolled in a day care program must

(a) be nutritious; and

(b) provide servings from each of the food groups identified by Health Canada.

(3) Each snack served to a child who is enrolled in a day care program must

(a) be nutritious; and

(b) provide servings from at least 2 of the food groups identified by Health Canada, including at least 1 serving of vegetables or fruit.

(4) Each child enrolled in a full-day program must be provided with a lunch, a morning snack and an afternoon snack.

(5) Each child enrolled in a part-day program and a school-age program must be provided with a snack.

(6) Subject to subsection (7), each child enrolled in a school-age program may bring a lunch from home or be provided with a lunch.

(7) Children who bring their lunch from home must eat apart from children who are provided with a lunch by the program.

(8) For a family home day care program,

(a) each child who is in attendance during a regular meal period must be provided with a meal; and

(b) each child who is in attendance before or after a regular meal period must be provided with a snack.

Menus must be developed and followed

26

(1) A facility director or, in the case of a family home day care program, a care provider, must develop and follow menus.

(2) A menu must be kept on file for 12 months.

(3) A facility director or, for a family home day care program, a care provider, may make a substitution to a menu if

(a) the substitution is of equal nutritional value to the original menu item;

(b) the menu documents the substitution; and

(c) a record of the substitution is kept on file for 12 months.

Infant feeding requirements

27 (1) Breast milk or formula provided by a parent for an infant must be

(a) labelled to specify the name of infant, the date received, and the contents;

(b) refrigerated at 4.0° C or lower; and

(c) stored in accordance with Provincial guidelines.

(2) Food provided by a parent for an infant must be dated, refrigerated if required, and used or discarded before the expiry date.

(3) An infant who cannot hold a bottle must be held by a staff member during bottle feeding.

(4) An infant must not be fed in a crib or by bottle propping.

New Brunswick

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the New Brunswick government's website.

Family Services Act and Daycare Regulations. 1980.

Child Day Facilities Operator Standards. ^[19] 2010.

6.0 Health

6.7 Nutrition

Menus

All child day care facilities must prepare meals and snacks in accordance with Canada's Food Guide to Healthy Eating, respecting the four (4) basic food groups and the recommended serving sizes for the age group being served.

Where milk and juice are served, the milk must be undiluted and the juice must be one hundred per cent (100%) pure fruit juice. Water may be served at meals and snacks providing the requirements of Canada's Food Guide to Healthy Eating are met throughout the day.

Drinking water must be available to children at all times either through independent access or requests through staff.

Children's allergy information must be posted in the food preparation area.

All day care centre menus must:

- be prepared four (4) weeks in advance and posted at the beginning of each week in a location that is conspicuous to staff and parents
- be amended or varied to provide for children with special nutritional requirements
- be amended to reflect any changes in the food actually served, as changes occur
- ensure that no additives or fillers are added to stretch or colour food

All community day care homes menus must be provided to parents every two (2) weeks.

Meals/snacks provided by parent(s)/guardian(s) must:

- be labelled with the child's name, the date, and the type of food
- be properly refrigerated, as required

Infants

Infants under 12 months of age must:

- be fed on demand and in accordance with written instructions from the parent regarding the amount, type and scheduling of feedings
- be held during bottle feeding

Both the propping of bottles, in cribs, playpens or infants seats, and the carrying of bottles by young children are prohibited.

Where there is more than one bottle-fed infant, all bottles must:

- be labelled with the child's name
- only be used for the intended child
- stored with covers on each bottle

Servings

Children who are in attendance at a child day care facility for:

- less than three (3) hours, must be served one (1) snack which must provide one (1) serving each from two (2) or more of the basic four (4) food groups
- at least three but less than six hours (3-6) hours, must be served one (1) snack which must provide one (1) serving each from two (2) or more of the basic four (4) food groups and one (1) meal which must provide one (1) serving from each of the four (4) food groups
- at least six but less than ten hours (6-10) hours, must be served two (2) snacks and one (1) meal which must provide: for each snack, one (1) serving each from two (2) or more of the basic four (4) food groups; and for the meal, one service from each of the four (4) food groups; and in total include at least two (2) servings from the Milk Products food group.

Quebec

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Quebec government's website.

Educational Childcare Act. 2006.

Educational Childcare Regulation. ^[20]

Division III

S.2 Service area

33. A permit holder must have service areas in the facility that consist of

(1) a kitchen if the meals are prepared by the staff, or a kitchenette ; the kitchen or kitchenette must be closed or isolated by a door, a dutch door or a half-wall preventing the children from entering the kitchen or kitchenette ;

110. A childcare provider must, when providing meals and snacks to children, ensure that the meals and snacks comply with Canada's Food Guide to Healthy Eating (Health Canada, Ottawa, 1997) or any subsequent edition of the Guide that may be published by Health Canada. O.C. 582-2006, s. 110.

111. If a child is on a special diet prescribed by a member of the Collège des médecins du Québec, the childcare provider must follow the parent's written instructions for the meals and snacks to be served to that child. O.C. 582-2006, s. 111.

112. A childcare provider other than a home childcare provider must post the weekly menu for consultation by the staff and parents and ensure that the meals and snacks served to the children conform to the menu.
A home childcare provider must inform parents of the contents of the meals and snacks served to the children. O.C. 582-2006, s. 112.

113. All food prepared on or brought onto the premises must be kept and served by the childcare provider under sanitary conditions at the appropriate temperature. O.C. 582-2006, s. 113.

Ontario

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Ontario government's website.

Day Nurseries Act. 1990.

Regulation 262.Nutrition ^[21]

39. Every operator shall ensure that,

(a) each infant under one year of age that is in attendance in a day nursery operated by the operator or in a location where private-home day care is provided by the operator is fed in accordance with written instructions from a parent of the child;

(b) where food or drink or both is supplied by a parent of a child in attendance in a day nursery operated by the operator or location where private-home day care is provided by the operator, the container for the food or drink is labelled with the child's name; and

(c) all food or drink is stored, prepared and served so as to retain maximum nutritive value and prevent contamination. R.R.O. 1990, Reg. 262, s. 39.

40. (1) Every operator shall ensure that each child one year of age or over that is in attendance in a day nursery operated by the operator or in a location where private-home day care is provided by the operator is provided with,

(a) subject to section 43, where the child is in attendance at meal time, a meal consisting of at least one serving from milk and milk products, one serving from meat and alternates, one serving from bread and cereals, and two servings from fruits and vegetables within the range set out in Column 2 or 3, as the case may be, 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

(b) 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. R.R.O. 1990, Reg. 262, s. 40 (1); O. Reg. 505/06, s. 9.

(2) 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).

41. (1) Every operator of a day nursery shall post planned menus for the current and following week in a conspicuous place in each day nursery operated by the operator with any substitutions noted on the posted menus. R.R.O. 1990, Reg. 262, s. 41 (1).

(2) A menu referred to in subsection (1) shall be retained by the operator for thirty days after the last day for which it is applicable. R.R.O. 1990, Reg. 262, s.41 (2).

(3) Every operator of a private-home day care agency shall ensure that each person in charge of the children in each location where private-home day care is provided by the operator plans menus in consultation with the child's parents, and a private-home day care visitor. R.R.O. 1990, Reg. 262, s. 41 (3).

42. Every operator of a day nursery shall ensure that a list is posted in each cooking and serving area of each day nursery operated by the operator that sets out the names of the children enrolled in the day nursery that have food allergies and their respective allergies. R.R.O. 1990, Reg. 262, s. 42.

43. Every operator shall ensure that where special dietary and feeding arrangements have been made with the operator with respect to a child enrolled in a day nursery operated by the operator or in a location where private-home day care is provided by the operator that the arrangements are carried out in accordance with the written instructions of a parent of the child. R.R.O. 1990, Reg. 262, s. 43.

General

5 (4) The operator of a day nursery that has a program that runs for six hours or more in a day shall ensure that in addition to the spaces referred to in subsection (2) the day nursery has space designated for each of the following:

1. Eating and resting.
2. The preparation of food if meals are prepared on the premises

Manitoba

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Manitoba government's website.

Community Child Care Standards Act. 2004. Chapter c-158.

Child Care Regulations 62/86. [22]

Part A

Nutrition

16(1) Every licensee shall ensure that, where infants are cared for in the licensee's child care centre, the infants are

(a) fed by the same person for at least three-quarters of their feedings at the child care centre;

(b) attended while eating or having a bottle; and

(c) held while having a bottle unless they are able to hold the bottle themselves.

16(3) Where meals or snacks are supplied by the licensee to children in attendance at the licensee's child care centre

(a) if the child care centre is a full time child care centre or a school age child care centre, the licensee shall ensure that

(i) nutritious foods in accordance with Canada's Food Guide to Healthy Eating issued by the Minister of Health (Canada) are served,

(ii) written menus are

(A) prepared in advance,

(B) posted in a conspicuous location for the information of parents and guardians, and

(C) kept on file for a period of one year,

(iii) only foods of low choking potential are provided, and

(iv) no foods containing known peanut products are served to children under three years of age;

(b) if the child care centre is a nursery school, the licensee shall

(i) inform parents or guardians of the snacks provided for the children, and

(ii) shall comply with subclauses (a)(iii) and (iv).

16(4) Every licensee shall ensure that

(a) if a child is in attendance during a recognized meal period, a meal is served to the child; and

(b) if a child is in attendance prior to or after a recognized meal period, a snack is served after approximately three hours of attendance.

16(5) Every licensee shall comply with all health regulations and guidelines pertaining to food storage, handling and serving.

Saskatchewan

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Saskatchewan government's website.

Child Care Act. 2000.

Child care regulations. 2001. 23(1) Subject to subsection (3), a licensee of a facility must provide meals and snacks for children attending the facility who are six months of age or older. ^[23]

(2) A licensee of a facility must ensure that:

(a) subject to subsection (3), the meals and snacks provided meet the nutritional needs of the children attending the facility; and

(b) the manner in which children are fed is appropriate to their ages and levels of development.

(3) Subject to subsection (4), a licensee of a facility is not required to provide:

(a) infant formula or baby food; or

(b) meals and snacks for a child who requires a special diet or whose parent requests a special diet.

(4) A licensee of a teen student support centre or a teen student support family child care home must provide any foods, other than infant formula, required by an infant under the age of six months.

Food services

24 A licensee of a facility must ensure that adequate and safe procedures are followed in the facility for:

(a) handling, preparation, serving and storing food; and

(b) cleansing utensils used for eating and drinking.

Alberta

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Alberta government's website.

Social Care Facilities Licensing Act. 2000.

Child Care Regulation 180/2000. ^[24]

Part II Facilities and their operation

Meals and snacks

20. A licence holder must

(a) provide or require parents to provide meals and snacks to the children, and

(b) ensure that meals and snacks provided to the children

(i)

are in accordance with Canada's Food Guide as approved by the Canadian Council on Nutrition or in accordance with other similar guidelines, and

(ii) are provided at appropriate times and in sufficient quantities in accordance with the needs of each child.

Menus

21 A licence holder must make available to staff and parents, in a form and manner approved by a director, information on the food to be provided by the licence holder.

Manner of feeding

22 A licence holder must ensure that the manner in which the children are fed is appropriate to their age and level of development.

British Columbia

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the British Columbia government's website.

Community Care and Assisted Living Act. 2002.

Child Care Licensing Regulation 332/2007. Part IV Operations ^[25]

Division I General care requirements

Nutrition

48 (1) A licensee must

(a) ensure that each child has healthy food and drink according to the Canada's Food Guide, and

(b) promote healthy eating and nutritional habits.

(2) If a child's record includes, or the child has a care plan that includes, instructions respecting food and drink for the child,

(a) the requirements of subsection (1) (a) do not apply to the extent that they are inconsistent with those instructions, and

(b) the licensee must comply with those instructions.

(3) A licensee must ensure that the food and drink given to a child is sufficient in quantity and quality to meet the developmental needs of the child, having regard to

(a) the child's age,

(b) the number of hours the child is under the care of the licensee, and

(c) the child's food preferences and cultural background.

(4) A licensee must ensure that children are not

(a) fed by means of a propped bottle,

(b) forced to consume any food or drink, or

(c) left unsupervised while consuming food or drink.

(5) A licensee must ensure that safe drinking water is available to children.

(6) A licensee must make available to parents information on the food and drink given to children.

(7) A licensee must ensure that food and drink are not used as a form of reward or punishment for children.

Menu planning and food services

69 (1) A licensee must ensure that menu planning takes account of all of the following:

(a) the needs of the persons in care, including their ages, levels of activity, the requirements of any therapeutic diets, and any matters that may affect the ability of persons in care to consume, or safely consume, food and drink;

(b) the food preferences and cultural backgrounds of the persons in care;

(c) seasonal variations in food, and diversity of food texture and colour.

(2) A licensee must ensure that persons in care are provided with snacks in addition to meals, as necessary to meet the needs of the persons in care.

(3) A licensee must ensure that persons in care who are absent from the community care facility will be provided with meals and snacks as necessary to meet the needs of the persons in care.

(4) A licensee must ensure that persons in care are given sufficient time in which to comfortably consume meals and snacks

Nothwest Territories and Nunavut

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Northwest Territories and Nunavut websites.

Child Day Care Act. 1990. Chapter c-3.

Child Day Care Standards and Regulations. Nutritional standards ^[26]

27.

(1) Nutritious food from guidelines provided by a qualified nutritionist must be provided by the operator or by the child's parent or guardian, for each child attending the child day care facility.

(2) The food referred to in this section may include country food, where the operator has obtained a licence to serve country food from the department responsible for renewable resources.

28. A child under 18 months of age must be

- (a) attended by an adult while eating; and
- (b) given only foods of low choking potential.

29. When a child attending a child day care facility is bottle fed, an adult must hold the bottle at all times during the feeding.

30. There must be no more than

- (a) three hours between meals or snacks, for children over 10 years of age; and
- (b) 2½ hours between meals or snacks for children 10 years of age and under.

31. (1) Menus must be prepared and posted a week in advance in a conspicuous place in the child day care facility.

(2) Any changes to the menu for a meal must be posted before the meal is served.

32. Every operator shall comply with all health regulations and guidelines pertaining to food storage, handling and serving.

33.

(1) Children in attendance at a child day care facility must have ready access to a pressurized drinking water supply approved by the Health Officer.

(2) Every operator shall maintain disposable or separate drinking cups in a manner acceptable to the Health Officer.

Yukon

Note: The following excerpts from the regulations are for reference purposes only. For the most current official version of the Acts and Regulations, please go to the Yukon government's website.

Child Care Act. 1990.

Child Care Centre Program Regulation 1995/087. Nutritional standards Nutritional standards ^[27]

15.

(1) The operator must, after consulting with the parents or guardians, ensure that there is a sufficient quantity of foods that meet the basic nutritional requirements of the children in attendance; Canada's Food Guide to Healthy Eating and Native Food Guide must be used in conjunction with established guidelines.

(2) Subsection (1) does not forbid the supplying of food from the child's home.

(3) The operator must ensure that children who are in attendance when the following meals or snacks are served, have

- (a) a morning meal, a mid-day meal, or an evening meal that includes at least four food groups as regulated by subsection (1), and
 - (b) a mid-morning, mid-afternoon, or midevening nutritional snack that includes at least two food groups as regulated by subsection (1).
- (4) Subsection (3) does not apply to infants.

(5) The operator must ensure that school-aged children have an after-school snack.

(6) All foods must be prepared, stored, and served under sanitary conditions; foods supplied from the child's home must be stored and served under sanitary conditions; items which are perishable within the time they were prepared and intended to be eaten, must be refrigerated.

(7) During bottle feeding, each child who cannot hold their own bottle must be held; propping a bottle on a pillow or some other thing so the child can feed themselves is not permitted; no child shall be allowed to walk around while drinking from a bottle.

(8) Each infant must be fed according to its needs and schedule.

(9) Menus must be posted and followed.

(10) An adequate supply of drinking water which meets the guidelines for Canadian drinking water quality must be available at all times.

Source URL (modified on 7 Aug 2020): <https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-9>

Links

- [1] <https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-0> [2]
- <https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-1> [3]
- <https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-2> [4]
- <https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-3> [5]
- <https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-5> [6]

<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-4> [7]
<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-6> [8]
<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-7> [9]
<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-8> [10]
<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-requirem-9> [11]
<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-require-10> [12]
<https://childcarecanada.org/resources/issue-files/what-do-mealtimes-and-food-mean-early-childhood-programs/legislated-require-11> [13]
<https://childcarecanada.org/category/tags/quality> [14] <https://childcarecanada.org/category/tags/health> [15]
<https://childcarecanada.org/category/tags/legislation-and-regulation> [16] <http://www.assembly.nl.ca/Legislation/sr/regulations/rc050089.htm> [17]
<http://www.gov.pe.ca/law/regulations/pdf/C&05G.pdf> [18] <http://www.novascotia.ca/just/regulations/regs/dayregs.htm> [19]
<http://www.gnb.ca/0000/ECHDPE/pdf/DayCareFacilities-e.pdf> [20] http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=3&file=/S_4_1_1/S4_1_1R2_A.HTM [21] <https://www.ontario.ca/laws/regulation/900262> [22] <http://web2.gov.mb.ca/laws/regs/pdf/c158-062.86.pdf> [23] <http://www.qp.gov.sk.ca/documents/English/Regulations/Regulations/C7-3R2.pdf> [24] <http://www.qp.alberta.ca/570.cfm> [25]
http://www.qp.gov.bc.ca/statreg/reg/C/CommuCareAssisted/332_2007.htm#section69 [26]
http://www.justice.gov.nt.ca/Legislation/..%5CPDF%5CREGS%5CCHILD_DAY_CARE/Child%20Day%20Care%20Standards.pdf [27]
http://www.gov.yk.ca/legislation/regs/oic1995_087.pdf