



March 20, 2023

**Ad Standards**

33 Bloor Street East, Suite 303  
Toronto, Ontario M4W 3H1

*Via Online Submission*

To Whom It May Concern:

**Re: Complaint Concerning Canadian Cattle Association’s Misleading Social Media Advertisement**

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I write to you on behalf of AEL Advocacy, a public interest law practice and not-for-profit organization based in Ontario. Our lawyers understand the important interconnection between humans, animals, and the environment. We combine our in-depth knowledge of the legal and political landscape with a commitment to supporting individuals and organizations working to protect animals and the environments where they live.

Please accept this letter as a formal complaint regarding a misleading Canadian Cattle Association (“CCA”) advertisement that has been appearing on social media platforms in violation of the Canadian Code of Advertising Standards (the “Code”).

AEL Advocacy requests that Ad Standards take action to enforce the Code and ensure the CCA withdraw the advertisement.

**1. The Advertisement**

A photo of the problematic advertisement (the “CCA Ad”) is depicted below. The CCA Ad appeared on Twitter as a “Promoted” tweet on March 6, 2023. In other words, CCA is paying so that this advertisement will appear to Twitter users, whether or not they follow the Canadian Cattle Association on the platform. Other versions of the advertisement (containing the same text) were seen on or about the same day on Instagram and Facebook.



As shown in the above photo, the CCA Ad states the following, in large prominent text:

Preserving 1.5 billion tonnes of carbon in Canada.

The caption to the photo states the following:

Did you know that beef cattle help preserve around 1.5 billion tonnes of carbon in Canada? Learn the facts about sustainable beef and our commitment to protecting the environment.

The CCA Ad is clearly aimed at presenting beef as an environmentally-friendly and sustainable option. This is inaccurate, deceptive and misleading, as the science is clear that beef is not a sustainable food product and contributes a significant share of potent greenhouse gas emissions (“GHGs”).

## 2. Deceptive and Misleading Information

The first deceptive and misleading claim made in the CCA Ad is that beef cattle are “Preserving 1.5 billion tonnes of carbon in Canada.” The CCA Ad invites viewers to visit their website to

“learn the facts about sustainable beef”. On the CCA’s website, the source of this claim is cited as the Canadian Roundtable for Sustainable Beef (the “CRSB”).<sup>1</sup>

Upon further investigation, the CRSB actually states that “1.5 Billion tonnes of carbon is stored on land used for beef production in Canada” as a baseline, with their goal for the industry being to “safeguard the existing 1.5 billion tonnes of carbon stored on lands managed with beef cattle”.<sup>2</sup> The CRSB says this goal *could* be achieved if producers implement a variety of changes to their practices, including changes to grazing management and intensity.

The claim made in the CCA Ad is deceptive and misleading because it implies that the practices employed by beef producers in Canada are *currently* preserving carbon. In reality, this is merely a goal and there is no evidence that changes to grazing management or intensity will actually make a difference in terms of preserving carbon.

It is well-established that beef production is a significant contributor to GHGs, largely due to the methane emissions produced by cattle during enteric fermentation and manure management.<sup>3</sup> Methane is a potent GHG, with a much higher global warming potential than carbon dioxide over the short term.<sup>4</sup> A 2017 study by the Food Climate Research Network found that grass-fed cattle only contribute to carbon sequestration under ideal conditions, and even then, carbon sequestration does not occur at levels high enough to counteract the emissions released by cattle themselves.<sup>5</sup> As journalist Jessica Scott-Reid notes, “grass-fed beef

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<sup>1</sup> Canadian Cattle Association, “Environment and Climate Change” (2023), online: <<https://www.cattle.ca/sustainability/environment-and-climate-change>>; Canadian Cattle Association, “Canadian Beef Industry Goals” (2023), online: <<https://www.cattle.ca/sustainability/canadian-beef-industry-goals>>.

<sup>2</sup> Canadian Roundtable for Sustainable Beef, “Goals & Progress” (2023), online: <<https://crsb.ca/benchmarks/goals-progress/>>.

<sup>3</sup>

See for example: Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, *The Global Assessment Report on Biodiversity and Ecosystem Services: Summary for Policymakers* (2019) online: <<https://perma.cc/J2A6-YDHC>>; Alan Espinosa-Marrón et al, “Environmental Impact of Animal-Based Food Production and the Feasibility of a Shift Toward Sustainable Plant-Based Diets in the United States” (2022) 3 *Front Sustain* 1; Pierre Gerber et al, “Tackling Climate Change Through Livestock: A Global Assessment of Emissions and Mitigation Opportunities” (2013) Food and Agriculture Organization of the United Nations; Michael B Eisen & Patrick O Brown, “Rapid global phaseout of animal agriculture has the potential to stabilize greenhouse gas levels for 30 years and offset 68 percent of CO<sub>2</sub> emissions this century” (2022) 1:2 *PLOS Clim*; Henning Steinfeld et al, “Livestock’s Long Shadow: Environmental Issues and Options” (2006) Food and Agriculture Organization of the United Nations.

<sup>4</sup> See M Melissa Rojas Downing et al, “Climate Change and Livestock: Impacts, Adaptation, and Mitigation” (2017) 16 *Climate Risk Management* 145 at 152 (referring to the Intergovernmental Panel on Climate Change report claiming that the global warming potential of methane is 34 times that of CO<sub>2</sub>, while the global warming potential of nitrous oxide is 310 times that of CO<sub>2</sub>).

<sup>5</sup> Food Climate Research Network, “Grazed and Confused” (2017), online: <[https://www.oxfordmartin.ox.ac.uk/downloads/reports/fcrn\\_gnc\\_report.pdf](https://www.oxfordmartin.ox.ac.uk/downloads/reports/fcrn_gnc_report.pdf)>.

actually produces higher emissions than conventional beef production” largely stemming from the land required to raise grass-fed cattle.<sup>6</sup>

On the CCA’s website, it states that “The industry has collaboratively created ambitious goals towards 2030 focused on greenhouse gas emissions reduction and carbon sequestration”.<sup>7</sup> This statement acknowledges that the industry contributes to releasing GHGs into the atmosphere, with only an unenforceable promise to reduce such emissions and sequester carbon. It is inaccurate, deceptive, and misleading for the CCA Ad to suggest otherwise.

The second deceptive and misleading claim made in the CCA Ad is the reference to “sustainable beef”. Scientific evidence clearly demonstrates the profoundly negative impact that the beef industry has on the environment as a result of methane emissions, land degradation, fossil fuel consumption, and water pollution.

According to the Intergovernmental Panel on Climate Change, meat and dairy production are major sources of GHG emissions in the agricultural sector,<sup>8</sup> with cows being the primary contributor.<sup>9</sup> Wayne Roberts, a Canadian food policy analyst and former manager of the Toronto Food Policy Council, reports that cows and steers account for around two-thirds of GHG emissions from livestock, and meat production is responsible for approximately 14.5 percent of human-caused global warming emissions, similar to emissions from cars.<sup>10</sup>

Despite some mitigation efforts, beef farming continues to have a significant GHG footprint in Canada and worldwide. Beef production requires substantially more land and water and results in more climate-warming emissions than pork or chicken, and per calorie, the impact of beef on the environment is even more extreme when compared to essential foods like potatoes, wheat, and rice.<sup>11</sup>

The use of terms like “sustainable” in advertising can create certain consumer perceptions of a product. Consumers generally associate sustainability with environmental and social progress, and in recent years, environmental protection and climate change have become particularly

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<sup>6</sup> Jessica Scott-Reid, “How Grass-Fed Beef Is Duping Consumers, Again” (2020), online: <<https://sentientmedia.org/how-grass-fed-beef-is-duping-consumers-again/>>.

<sup>7</sup> Canadian Cattle Association, “Sustainability” (2023), online: <<https://www.cattle.ca/sustainability>>.

<sup>8</sup> Intergovernmental Panel on Climate Change, “IPCC Special Report on Climate Change and Land” (Rev. 2020), online: < <https://www.ipcc.ch/srccl/>>.

<sup>9</sup> Eshel et al, “Environmentally Optimal, Nutritionally Aware Beef Replacement Plant-Based Diets” (2016) 50:15 *Environmental Science & Technology* 8164.

<sup>10</sup> Wayne Roberts, “Is ‘sustainable beef’ a load of bull?” (2019), online: <<https://www.corporateknights.com/channels/food-beverage/is-sustainable-beef-a-load-of-bull-15752754>>.

<sup>11</sup> Damian Carrington, “Giving up beef will reduce carbon footprint more than cars, says expert” (2014), online: <<https://www.theguardian.com/environment/2014/jul/21/giving-up-beef-reduce-carbon-footprint-more-than-cars>>.

salient dimensions of sustainability for consumers.<sup>12</sup> Sustainable products, “in the eyes of the average consumer, should thus aid in the preservation of natural resources and/or combat climate change”.<sup>13</sup> In reality, beef products do neither of these things, despite the CCA’s claim that it is “sustainable”.

### 3. The Canadian Code of Advertising Standards

The purpose of the Code is to set standards of honesty, truth, accuracy, fairness and propriety in advertising.

Clause 1 of the Code makes it clear that, in assessing the truthfulness and accuracy of an advertising claim, the focus of analysis should be “on the message, claim or representation as received or perceived, i.e. the general impression conveyed by the advertisement”.

Clause 1(a) of the Code provides that “advertisements must not contain, or directly or by implication make, inaccurate, deceptive or otherwise misleading claims, statements, illustrations or representations”.

The CCA Ad violates Clause 1(a) of the Code. The advertisement in question employs misleading claims to leave viewers with the impression that beef products are both “sustainable” and positively contributing to preserving carbon emissions, contrary to the truth.

Clause 1(b) of the Code states that “advertisements must not omit relevant information if the omission results in an advertisement that is deceptive or misleading”.

The CCA Ad violates Clause 1(b) by omitting information about how “preserving 1.5 billion tonnes of carbon” is a goal of the CCA rather than a current reality. Given the lack of clear science on carbon sequestration and evidence that changes in grazing intensity will not counteract the cattle industry’s GHG emissions, this omission is deceptive and misleading to viewers.

The Code defines an “advertisement” as “any message [...] the content of which message is controlled directly or indirectly by the advertiser expressed in any language and communicated in any medium [...] to Canadians with the **intent to influence their choice, opinion or behaviour.**”

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<sup>12</sup> See Animal Justice’s complaint to the Competition Bureau of Canada Re: McDonald’s Sustainable Beef Ads (2020), online: <<https://animaljustice.ca/wp-content/uploads/2021/08/Animal-Justice-CB-Complaint-re-McDonalds-Sustainability-Ads-FINAL.pdf>> at 4.

<sup>13</sup> *Ibid.*

It is therefore important to situate the CCA Ad within the broader societal context that “consumers increasingly possess a sincere desire to purchase products that are less harmful to the environment” and “are more willing to make purchases when companies/brands express that they are committed to environmental stewardship”.<sup>14</sup>

Through their use of inaccurate, deceptive, and misleading claims, the CCA is capitalizing on the rise of ethically conscious consumers and encouraging viewers to purchase products which are inherently harmful to the environment. This is particularly disturbing because research shows that most consumers cannot perceive differences in “greenwashed” advertisements and true green advertisements.<sup>15</sup> Therefore, deceitful and “misleading product claims are extremely problematic for consumers who wish to purchase ethically produced products”.<sup>16</sup>

To allow the CCA to continue to provide consumers with inaccurate, deceptive, and misleading information regarding a vast array of products containing beef violates the rights of consumers who wish to make informed purchasing choices.

#### **4. Conclusion**

We ask that you take immediate action to ensure that the CCA Ad is withdrawn from circulation on social media and anywhere else such misleading claims are made available to the public.

Please do not hesitate to contact me at [kira@aeladvocacy.ca](mailto:kira@aeladvocacy.ca) if you have any questions.

Thank you for your consideration.

Sincerely,



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<sup>14</sup> *Ibid* at 7.

<sup>15</sup> *Ibid* at 7, citing Staci Ann Stokes, “Deception in Environmental Advertising: Consumers’ Reaction to Greenwashing” online (2009) Kansas State University, US, Electronic Theses, Dissertations, and Reports: <https://core.ac.uk/download/pdf/5165468.pdf>.

<sup>16</sup> *Ibid* at 7, citing Camille Labchuk, “What does false advertising have to do with animal protection?” in Peter Sankoff, Vaughan Black and Katie Sykes, eds, *Canadian Perspectives on Animals and the Law* (Toronto: Irwin Law, 2015) 277 at p 283.