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Association of Public Health
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Association of Supervisors of
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(OAPHNL)

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(ODPH)

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Activity Promoters in Public Health
(OSPAPPH)

Cannabis Legalization and Regulation Secretariat
Address Locator 0602E
Health Canada
Ottawa, Ontario
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January 20, 2018

Dear Sir/Madame,

On behalf of the Ontario Public Health Association and its Cannabis Task Group, we are writing in response to your consultation on the Proposed Approach to the Regulation of Cannabis. Specifically, we wanted to provide feedback on the proposed rules for the packaging and labelling of cannabis products and the information that should be provided on labels.

Our comments and recommendations are focussed on three areas; we would like to stress the importance of:

1. Restricting marketing and branding;
2. Using health warnings; and
3. Including product labelling.

Dr. David Hammond, from the University of Waterloo's School of Public Health and Health Systems, is a leading authority on this topic having done extensive research in this area. We concur with his perspective that marketing and promotion can have the most direct impact on who uses cannabis, what types of products are used and for what reason. We agree with the critical points he raised in his testimony last fall to the House of Commons Standing Committee on Health Bill C-45. These comments can be accessed through this link: <http://www.cpac.ca/en/programs/in-committee-house-of-commons/episodes/90009092>

Restrict Marketing and Branding:

The marketing restrictions proposed in the Act are largely modeled on those for tobacco products in Canada. Like tobacco legislation, the Cannabis Act seeks a balance between allowing product information to reach adult consumers, while prohibiting marketing that promotes use, especially to young people. Branding has the greatest impact on young people: those whom the Act seeks to protect, and that limited marketing restrictions have limited effectiveness.

Canada and other countries are implementing standardized or 'plain' packaging of tobacco products, which removes logos and brand imagery from packs, while allowing product information. This is being implemented because when most traditional forms of tobacco advertising were prohibited, marketing expenditures shifted to other channels, including packaging and the retail environment.

Plain packaging is an effective public health measure because it reduces the promotional appeal to young people and also enhances the impact of health warnings.

If the federal government were to pursue its objectives without implementing plain packaging, it would find itself with the responsibility to police thousands of individual packages, to ensure that brand imagery does not increase appeal among youth or promote a positive lifestyle. This is an incredibly resource intensive and difficult task, which proved ineffective for tobacco products, as it almost certainly would for cannabis.

If marketing and promotion is allowed, it would be very difficult to scale it back later through regulation or new legislation. It is much harder to restrict marketing after it has been permitted, than it is to loosen restrictions once it has been allowed as the effects of marketing can persist long after removal.

In addition, the removal of branding would not promote illegal or contraband sales as some have argued. Similar arguments were made by tobacco companies to oppose plain packaging laws and have been refuted in multiple legal rulings. If the federal government wishes to prevent lifestyle advertising and promotion to young people, the Act must include plain packaging. Cannabis products acquired through legal retail outlets should be clearly distinguished by health warnings and other labelling requirements.

Use Health Warnings:

Health warnings are another essential component of labelling policy. As most Canadians are uncertain about the potential risks of these products, they will be seeking information. Health warnings are the most cost-effective, self-sustaining way of communicating with Canadians about cannabis. The basics of effective warnings should be incorporated: they should be large, use colour, and include pictures.

The Low-Risk Cannabis Use Guidelines (LRCUG) should also be considered for inclusion in warning labels. The LRCUG guidelines LRCUG can be found through this link:

https://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/LRCUG.KT.PublicBrochure.15June2017.pdf

Large pictorial warnings are the most effective way to reach children and youth, as well as the most vulnerable members of our society with low literacy. Warning labels can also provide an opportunity to inform users about ways to access support for addiction. In Canada, every cigarette pack includes a telephone helpline number and website for helping Canadians quit. This approach has been evaluated and found to be effective. We recommend that the federal government display the same services on cannabis packages to demonstrate its commitment to reducing addiction.

Include Product Labelling:

Lastly, it is recommended that labeling includes the product's contents and dose. THC levels/potencies should be displayed on product packaging. Research has found cannabis with high concentrations of THC to be more harmful (in terms of causing the main risks associated with cannabis use, such as addiction, psychosis, and cognitive impairment) than cannabis with lower concentrations of THC. And while placing strict limits on THC levels would likely divert experienced cannabis users to the illicit market, all consumers need to be educated on the risks associated with higher potency cannabis products. Thus packaging of these products should include such warnings.

In addition to including THC levels on cannabis product packaging, strong consideration should be given to providing information on cannabidiol (CBD) levels on product packaging and descriptions.

Emerging evidence is showing that cannabidiol, which is a non-intoxicating and potentially therapeutic component of cannabis, has been found to reduce the negative effects of cannabis use. Thus products with lower THC levels and higher CBD levels would offer cannabis users lower risk options when it comes to product selection.

However, we can't simply rely on providing information on CBD levels to consumers. Unless they are educated on what these numbers mean, it will be difficult for consumers to make informed choices. Thus, it will be important to develop a clear labelling system that will allow users to identify lower risk products as well as to understand the short and long-term effects of using different product types. THC and dose labelling should also be reflected in the actual packaging.

In addition, when edibles are eventually sold, each dose should be individually packaged like packs of gum, which are individually wrapped.

In conclusion, the public health impact of cannabis legalization will largely be determined not simply by whether it is legalized, but how it is regulated in a legal market. Comprehensive restrictions on marketing and promotion should be given precedence in the Act, and should including plain packaging.

Large, clear health warnings that use images will provide the federal government with an efficient and highly cost-effective means of communicating to Canadians. And they should be used to support consumers that need help with addiction.

Regulations should also note the lessons learned from Washington, Colorado and other states, to ensure effective labelling standards for edibles and different forms of cannabis. As well as countries like Australia, France, UK, Norway, New Zealand, Ireland, Slovenia, and Hungary who have adopted plain packaging requirements for tobacco products. Information on existing legislation can be found here: <http://www.tobaccocontrolaws.org>

Collectively, these measures will demonstrate the federal government's commitment to ensuring that cannabis legalization benefits public health. For more information on plain packaging refer to Dr. Hammond's report here: <http://davidhammond.ca/wp-content/uploads/2014/12/2014-Ireland-Plain-Pack-Main-Report-Final-Report-March-26.pdf> and/or OPHA's position paper on *The Public Health Implications of the Legalization of Recreational Cannabis* which can be found through this link: <file:///C:/Users/PWalsh/Desktop/The-Public-Health-Implications-of-the-Legalization-of-Recreational-Cannabis.pdf>

Thank you the opportunity to comment and your consideration of our recommendations.

Yours Sincerely,



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Michelle Suarley,
Co-Chair, OPHA Cannabis Task Group



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Co-Chair, OPHA CTG

About the OPHA

Created in 1949, the Ontario Public Health Association (OPHA) is a non-partisan, non-profit charitable organization that brings together a broad spectrum of groups and individuals concerned about people's health. They are united by OPHA's mission of providing leadership on issues affecting the public's health and strengthening the impact of people, who are active in public and community health throughout Ontario. This mission is achieved through professional development, information and analysis on issues effecting community and public health, access to multidisciplinary networks, championing healthy public policy and the provision of expertise and consultation.