

September 22, 2022

**Ontario Public Health Association's position on
Notification of Draft Regulations Under Section 12 of the Public Health
(Alcohol) Act 2018
TRIS NOTIFICATION 2022/441/IRL (Ireland)**

Who we are

Ontario Public Health Association (OPHA)

OPHA has established a strong record of success as a voice of public health in Ontario, Canada. We are a member-based, not-for-profit association that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public's health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including advocacy, capacity building, research and knowledge exchange. Our membership represents many disciplines from across multiple sectors.

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Background

From the [Notification of Draft Regulation](#):

In accordance with Directive (EU) 2015/1535, Ireland notified the European Commission of the draft Public Health (Alcohol) Bill 2015 on 27 January 2016 and amendments to the Bill were notified on 3 February 2018. In relation to the proposals on labelling of alcohol products (section 12 of the Bill) the Commission's response on 2 May 2018 stated that it could not assess the draft measure without more detailed information in relation to its modalities, i.e. the regulations which would provide the detail on how the requirement would operate. The draft regulations attached with this submission are those modalities.

Under section 12 of the Act labels on alcohol products must contain:

- i. A warning to inform people of the danger of alcohol consumption.
- ii. A warning to inform people of the danger of alcohol consumption when pregnant.
- iii. A warning to inform people of the direct link between alcohol and fatal cancers.
- iv. The quantity of grams of alcohol contained in the product.
- v. The number of calories contained in the alcohol product.
- vi. A link to a health website which gives information on alcohol and related harms.

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Constituent Societies

Association of Ontario
Health Centres (AOHC)

Association of Public Health
Epidemiologists in Ontario (APHEO)

Association of Supervisors of
Public Health Inspectors of Ontario
(ASPPIO)

Canadian Institute of Public Health
Inspectors - Ontario Branch (CIPPIO)

Community Health Nurses'
Initiatives Group (RNAO)

Health Promotion Ontario (HPO)

Ontario Association of Public
Health Dentistry (OAPHD)

Ontario Association of Public Health
Nursing Leaders (OAPHNL)

Ontario Dietitians in Public Health
(ODPH)

Ontario Society of Physical Activity
Promoters in Public Health
(OSPAPPH)

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Our position

OPHA and its members have been in support of alcohol warning labels on alcohol products since 1996. [OPHA asserts](#) that:

1. Existing legislation in many jurisdictions does not adequately recognize alcohol as a drug, or indeed, as a product that is clearly associated with significant risk to public health and safety.
2. Any agent responsible for the manufacture, distribution, promotion, and sale of alcohol has a moral duty and a social responsibility to warn the public of the potential harm associated with its products.
3. Consumers have a right to know what constitutes "responsible consumption", the potential consequences of use and where to go for assistance.

We are writing to express support for the Draft Regulation. There is clear evidence that such labels containing factual information about alcohol's health harms (including cancers and liver disease), the dangers of consuming alcohol while pregnant, and information on alcohol content and calories, are an effective way to inform Irish consumers of the potential risks of alcohol consumption.

1. Alcohol harms

Alcohol is a significant cause of health harms in Ireland. As per an analysis performed by [UCC College Cork and Alcohol Action Ireland](#) using Global Burden of Diseases datasets, four people in Ireland die every day from an alcohol-related cause.

2. The situation in Ireland is not unique.

The World Health Organization's Global status report on alcohol and health 2018 presents a snapshot of alcohol consumption and its disease burden. In 2016, alcohol was the seventh leading risk factor for death and disability and the top risk factor for those between 15 and 49 years old. The WHO argues for reducing the harmful use of alcohol as a public health imperative. Effective, evidence-based labels have potential to decrease alcohol harms.

The Draft Regulation is supported by robust research. In Canada, researchers at [the Canadian Alcohol Policy Evaluation Project](#) (CAPE), who have been leaders in the alcohol policy field for 10 years, have compiled a report on [Evidence-based Recommendations for Labelling Alcohol Products](#). Their recommendations include:

- Introduction of mandatory labelling of all alcohol products with health messaging that is inscribed in legislation and set in regulation, rather than voluntary or industry self-regulatory labelling.
- Representatives of the alcohol industry should not have any input on the legislation, development, placement, content, size, or style of the mandatory health warning messages implemented on alcohol products.

- Implementation of rotating display of mandatory front-of-package labels with adequate health warning messages that are reviewed and updated regularly covering six defined topic areas (e.g., cancer risk, other health impacts, violence, pregnancy-related risks, impaired driving, and harms to youth).
- Implementation of static standard drink information (i.e., number of drinks per container) paired with Canada’s forthcoming national alcohol drinking guideline information.
- Label components should be prominently displayed on the container in terms of their proportion of the display panel, legibility, contrasting colours, and supporting pictorials.
- Nutrition information in the form of a mandatory simplified nutrition facts table with calorie content should be provided on all alcohol products.

The Draft Regulation is consistent with these evidence-based recommendations for effective labelling of alcohol products.

Canada is also home to one of the best-known studies on the effectiveness of alcohol warning labels. [The Yukon Labelling Study](#), which affixed brightly coloured, rotating labels on alcohol containers in Whitehorse, Yukon, Canada, was the first (and so far only) real-world study on the effectiveness of alcohol warning labels in informing drinkers of the risks of alcohol and reducing consumption. The findings of the study showed alcohol labels led to an increase in [consumer awareness and knowledge of health risks](#), [number of standard drinks in alcohol containers](#), and [national drinking guidelines](#) and [led to a decrease in alcohol consumption](#).

Several academic papers have been published on the study, including:

- [Communicating risks to drinkers: testing alcohol labels with a cancer warning and national drinking guidelines in Canada](#), (Hobin et al., 2020)
- [Examining the impact of alcohol labels on awareness and knowledge of national drinking guidelines: A real-world study in Yukon, Canada](#), (Hobin et al., 2020, JSAD)
- [Testing alcohol labels as a tool to communicate cancer risk to drinkers: a real-world quasi-experimental study \(2020\)](#) (Hobin et al., 2020, JSAD)
- [Effects of strengthening alcohol labels on attention, message processing, and perceived effectiveness: A quasi-experimental study in Yukon, Canada \(2020\)](#), (Hobin et al., 2020, Intl J Drug Policy)
- [Testing the Effectiveness of Enhanced Alcohol Warning Labels and Modifications Resulting From Alcohol Industry Interference in Yukon, Canada: Protocol for a Quasi-Experimental Study](#) (Vallance et al., 2020, JSAD)
- [Improving Knowledge That Alcohol Can Cause Cancer Is Associated with Consumer Support for Alcohol Policies: Findings from a Real-World Alcohol Labelling Study](#), (Weerasinghe et al., 2020, Env Res and Public Health)
- [The effects of alcohol warning labels on population alcohol consumption: An interrupted time series analysis of alcohol sales in Yukon, Canada](#), (Zhao et al., 2020, JSAD)

The labels as outlined in the Draft Regulation are similar to the ones in The Yukon Labelling study, so would be an effective tool for informing drinkers of the risks of alcohol consumption.

3. *Fulfilling the duty to warn*

Researchers at the Canadian Alcohol Policy Evaluation Project (CAPE), including legal experts, [have also documented](#) how manufacturers have a duty to warn consumers of any risks inherent in the use of a product and provide consumers with adequate information to make an informed choice concerning use of the product. Health warning labels on alcohol products should provide consumers with adequate (i.e., clear, complete, and current) information to make an informed health decision regarding use of the product. More specifically, an adequate warning shall meet the following criteria:

- Communicated clearly and understandably
- Communicated in a manner calculated to inform the user of the nature of the risk and extent of danger
- Communicated in terms commensurate with the gravity of the potential hazard
- Must be explicit
- Should not be neutralized or negated by collateral efforts on the part of the manufacturer
- Keep abreast of scientific developments
- Warn consumers of new risks

The Draft Regulation meets the evidence-based criteria above to fulfil the duty to warn consumers.

The Ontario Public Health Association fully supports the Draft Regulations in its current form for effective legislation on alcohol labelling and warnings. We encourage the Commission to support the Draft Regulations and their adoption.

Sincerely,



John Atkinson
Executive Director