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Submission to Health Canada: potential amendments to the *Cannabis Regulations*

May 23, 2023

The Centre for Addiction and Mental Health (CAMH) is pleased to submit this response to Health Canada's consultation on potential amendments to the *Cannabis Regulations*. This submission will focus on item #4: packaging and labelling requirements for cannabis products.

The stated purpose of the *Cannabis Act* is to protect public health and public safety, with an emphasis on youth; in particular, it is intended to "protect the health of young persons by restricting their access to cannabis and protect young persons and others from inducements to use cannabis."[1] The packaging and labelling elements of the *Cannabis Regulations* are necessary to achieve the Act's public health and public safety objectives.

Should Health Canada consider amending packaging requirements for dried and fresh cannabis?

Are there labelling requirements that could be changed without public health or public safety impacts? What required information should remain, and what information could be removed? Why or why not?

The *Cannabis Act* includes regulations explicitly intended to minimize harms and safeguard public health. Among the most innovative and important of these measures are the Act's packaging and labelling requirements, which include restrictions on logos, colours, and branding, mandatory health and product information, as well as prescribed formats for information on the label (e.g., text font and size). The government states that these measures are designed to

- reduce the attractiveness and appeal of cannabis products, particularly to young persons,
- make the standardized cannabis symbol and health warning messages more prominent and noticeable, and
- provide consumers with accurate information about the content and use of the cannabis product.[2]

These are critical objectives. Packaging design is a key aspect of marketing and promotion through which companies make their products more appealing. Research has found that package design can increase people's positive perception of – and intentions to use – alcohol and tobacco products.[3][4] Youth are especially susceptible.[5][6] Conversely, health warnings are known to impact the appeal of alcohol and tobacco products and consumers' perceptions of harm.[7][8]

For these reasons, substance use and public health experts have long recommended plain packaging and health warnings for legal cannabis products.[9][10][11][12] The Act's regulations are in line with these recommendations, and they appear to be having the intended effect: research suggests that Canada's plain packaging makes cannabis products less appealing to youth than branded products, while the health warnings increase their perception of the health risks of cannabis.[13]

Recommendation: In keeping with the intentions of the *Cannabis Act*, packaging and labelling regulations – including plain packaging and mandatory health and product information – should be maintained in full.

Are there other packaging and labelling requirements that Health Canada should consider for a regulatory amendment?

Some aspects of the *Act*'s packaging and labelling requirements could be strengthened in order to more effectively convey health and product information. For example, there is currently no standard THC unit in Canada, making it difficult for consumers to understand their THC intake. We know that Health Canada is aware of this, having participated in a virtual session on this topic in October 2022.[14] Setting a standard THC unit of either 2.5mg or 5mg and requiring its use on cannabis packaging and labels would benefit people who use cannabis.

Recommendation: Health Canada should launch a consultation to determine the optimal standard THC unit. Once set, use of the standard unit should be added to labelling requirements.

Conclusion

Many jurisdictions have legalized non-medical use of cannabis, but Canada is unique in having done so primarily to protect public health. The *Cannabis Act* and its regulations are consistent with a public health approach.[15] In fact, the *Cannabis Act*'s evidence-based packaging and labelling regulations should be considered the gold standard and a model for any jurisdiction seeking to legalize cannabis.

As the federal government reviews the *Cannabis Act* and its regulations, we urge it to do so through the lens of public health, with an emphasis on youth. Doing so will lead to the conclusion that the harm minimization measures in this legislation, including plain packaging and mandatory health and product information, must be maintained, protected, enforced – and, where necessary, strengthened.

We would be pleased to meet with Health Canada to discuss these recommendations and the evidence underpinning them in more detail.

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The Centre for Addiction and Mental Health (CAMH) is Canada's largest mental health and addiction teaching hospital and one of the world's leading research centres in this field. CAMH is committed to playing a leading role in transforming society's understanding of mental illness and substance use and building a better health care system. To help achieve these goals, CAMH communicates evidence-informed policy advice to stakeholders and policymakers.

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