



Maintaining Public Health and Safety in Cannabis Regulation: A Response to Potential Amendments to the Cannabis Regulations

Submitted to Health Canada in May 2023.

Introduction

Health Canada published a [notice of intent](#) for a public consultation on potential amendments to the Cannabis Regulations. The Canadian Centre on Substance Use and Addiction (CCSA) has prepared this response with the following considerations in mind:

- Adhering to stated intent in Section 7 of *the Cannabis Act*:

The purpose of this Act is to protect public health and public safety and, in particular, to

- (a) protect the health of young persons by restricting their access to cannabis;*
- (b) protect young persons and others from inducements to use cannabis;*
- (c) provide for the licit production of cannabis to reduce illicit activities in relation to cannabis;*
- (d) deter illicit activities in relation to cannabis through appropriate sanctions and enforcement measures;*
- (e) reduce the burden on the criminal justice system in relation to cannabis;*
- (f) provide access to a quality-controlled supply of cannabis; and*
- (g) enhance public awareness of the health risks associated with cannabis use.*

This submission is based on CCSA's (2023) [more in-depth response](#) to the federal government's public consultation on cannabis legalization, *Taking stock of progress: Cannabis legalization and regulation in Canada*, and this submission:

- Acknowledges that not enough time has passed to fully understand the impacts of cannabis legalization, market stabilization has not yet occurred and essential research on public health and safety impact is still limited; and
- Recommends maintaining an evidence-based public health and safety approach to cannabis legalization and regulation in Canada.

Lastly, Health Canada provided five priority areas to respond to, and CCSA has chosen to respond to areas that are within the purview of its scope of expertise.



About CCSA

CCSA was created by an act of Parliament in 1988 to advise and address substance use in Canada. Therefore, CCSA is uniquely situated to provide an objective, evidence-informed perspective that centres around public health and safety. We support policy makers across Canada in making informed decisions about substance use, including cannabis. CCSA also plays an important role as a convener among all levels of governments and other key partners, such as people with lived or living experience, and many others whose voices are crucial on the issues surrounding substance use.

In 2018, CCSA received \$10 million to advance cannabis research in Canada through the Cannabis Research Initiative under the Substance Use and Addiction Program funding. This submission is informed by evidence generated from this initiative, and CCSA looks forward to providing further information and briefings to Health Canada.

Considerations for the Consultation

1. Licensing

CCSA agrees with Health Canada that any changes to the licensing requirements should not come at the cost of public health or safety.

Additionally, CCSA is supporting research on equitable participation in the legal cannabis market and, together with partners, looks forward to sharing the findings. Data indicate that 84 per cent of licensed cannabis producers and their parent companies in Canada were white and 16 per cent were non-white,¹ with Black people comprising just one per cent and Indigenous people two per cent of cannabis industry leaders (Maghsoudi et al., 2020). Taking race and gender together, most industry leaders were white men (73 per cent), followed by non-white men (14 per cent), white women (12 per cent) and non-white women (two per cent) (Maghsoudi et al., 2020).

To support equitable participation in the market, it is critical to have underrepresented groups at the table during decision making.

CCSA encourages the government to integrate meaningful leadership from racialized, underrepresented and Indigenous communities when considering any changes to the cannabis licensing program.

3. Production Requirements for Cannabis Products

Vaping Product Flavouring

Vaping of nicotine and cannabis products is becoming increasingly more common among youth and young adults than those aged 25 years and older (Chadi et al., 2021; Fataar & Hammond, 2019; Goodman, 2021). Therefore, strategies aimed at reducing youth vaping are important now more than

¹ The research report being referenced uses the term “non-White” when referring to racialized groups, including Black people, Indigenous people and people of colour. We have retained this wording only while discussing this report.



ever. Flavours can create a pleasant taste and smell that can reinforce and encourage cannabis use (Werts et al., 2021). Recent research found that youth are more willing to try nicotine and cannabis vape products that are flavoured relative to those that are unflavoured (Chaffee et al., 2023). Prohibiting the production, sale and advertising of products with flavours is an important consideration to protect young people from the harms of cannabis vaping. The Cannabis Regulations of the *Cannabis Act* refers to the prohibited ingredients and flavours in Schedules 2 and 3 of the *Tobacco and Vaping Products Act*. The retention of these lists is important in addressing the rise in vaping among younger people who use cannabis.

Product Appearance that May Appeal to Children and Youth

The introduction of edible cannabis products to the legal market has been accompanied by increased rates of accidental cannabis poisoning among children. Importantly, rates of cannabis poisonings in Quebec, which prohibits the sale of most edible cannabis products, were considerably lower than in other provinces. These findings suggest that restrictions on the sale of attractive and palatable edible cannabis products may be key policy considerations for the prevention of cannabis poisonings among children (Myran et al., 2022; Myran et al., 2023).

CCSA recommends further clarifying Section 31 of the *Cannabis Act*, which prohibits the sale of cannabis or cannabis accessories that have “an appearance, shape or other sensory attribute or a function that there are reasonable grounds to believe could be appealing to young persons.” CCSA is concerned that the current scope of products available — including cookies, brownies and colourful and sweet gummies (or soft chews) — would in fact reasonably be considered appealing to young people. A remedy to this concern could be to have cannabis producers demonstrate, through established research criteria, that their products do not contain elements that appeal to children and youth.

CCSA recommends maintaining restrictions on flavourings in vaping products and further clarifying Section 31 of the *Cannabis Act*, which could reasonably include edible preparations that resemble common treats such as candies, chocolates, cookies or other confectioneries.

4. Packaging and Labelling Requirements for Cannabis Products

Product Packaging and Labelling

Research on cannabis shows that plain packaging and health warnings reduces brand appeal and increases health knowledge among youth and young adults (Goodman et al., 2019; Leos-Toro et al., 2021; Mutti-Packer et al., 2018). By contrast, brand imagery on cannabis packaging can promote lifestyle associations and increase the appeal of cannabis products (Leos-Toro et al., 2021).

This is further supported by research showing that plain packaging and health warnings on tobacco products reduces product appeal and increases awareness of tobacco-related harms (Dronvandi et al., 2019; Gravely et al., 2021). Plain packaging and health warnings have also been shown to be effective at decreasing smoking rates, decreasing smoking initiation and increasing attempts to quit (Pang et al., 2021).



Design features can influence efficacy of health warnings (Goodman, et al., 2021). While previous studies have demonstrated the importance of factors such as minimum font sizes, contrasting background and text colours and a message border, recent evidence suggests that rotating individual warning messages (such as those currently used on Canadian cannabis packaging) may be more effective than labelling multiple health effects in the same warning (Goodman et al. 2021).

CCSA supports maintaining regulations requiring plain packaging and comprehensive rotating health warnings.

Additionally, the way in which information about THC (and CBD) is presented on labels varies across cannabis products. For instance, some product labels display a percentage of THC while others display milligrams or milligrams per gram of THC. Unsurprisingly, this can make it difficult for consumers, especially newer consumers, to determine a desired serving across various types of cannabis products. In fact, research indicates that many people do not understand cannabis labels or how much THC or CBD is in their product (Hammond, 2022; Hammond & Goodman, 2022). People also generally do not know how much of a product to consume, and they are interested in seeing information about recommended dosage on cannabis products (CCSA, in press). Clearly communicating a serving size on product labels can help prevent overconsumption, especially for inexperienced cannabis consumers (Hammond, 2022).

There is growing interest in establishing and implementing a standard THC unit, a measure of THC that can be applied across all cannabis products (Freeman & Lorenzetti, 2021). In fact, a standard THC unit for research has already been endorsed by several international bodies, including the National Institute on Drug Abuse (Knopf, 2021). CCSA held a meeting for interested parties about the possibility of a [standard THC unit in Canada](#). During this meeting, it was noted that a standard THC unit is not only valuable to research but can also be important to consumer education and lower-risk cannabis use.

CCSA recommends implementing a standard THC unit to support simplified messaging around THC content across product formats to increase consumer understanding.

Per Package Limit of 10 mg THC

Cannabis is now a leading cause of pediatric poisoning hospitalizations in Canada (Myran et al., 2023). It is critical to maintain the regulations that aim to **reduce the severity of poisonings**, including the maximum of 10 mg THC per package of edible cannabis.

CCSA encourages the government to maintain the limit of 10 mg THC per package of edible cannabis to reduce the severity of unintentional pediatric cannabis poisonings.



5. Record Keeping and Recording for Cannabis Producers

Record keeping and reporting are essential practices in monitoring conflicts of interest and ensuring accountability of a growing industry. Consistent and strong data collection allows for evaluating how changes made in the legal market by licence holders may influence benefits and risks related to public health and safety over time. CCSA advocates for robust systems of accountability — particularly around development of new cannabis products, packaging and labelling, promotion expenditures and key investors. CCSA acknowledges that eliminating duplication and redundancy will support more accurate and timely record keeping and reporting.

Additional CCSA Resources

[Cannabis Legalization: Cannabis for Medical Purposes](#)

[Cannabis Legalization: Children and Young People](#)

[Cannabis Legalization: Home Cultivation](#)

[Cannabis Legalization: Legal Access and the Illegal Market](#)

References

- Canadian Centre on Substance Use and Addiction (in press). Perceptions of cannabis among older adults in Canada. Ottawa, Ont.: Author.
- Canadian Centre on Substance Use and Addiction (2023). *A public health perspective on cannabis legalization and regulation in Canada* [Policy brief]. Ottawa, Ont.: Author. <https://ccsa.ca/public-health-perspective-cannabis-legalization-and-regulation-canada>
- Chadi, N., Vyver, E., & Bélanger, R. E. (2021). Protecting children and adolescents against the risks of vaping. *Paediatrics & Child Health*, 26(6), 358–365. <https://cps.ca/en/documents/position/protecting-children-and-adolescents-against-the-risks-of-vaping>
- Chaffee, B. W., Couch, E. T., Wilkinson, M. L., Donaldson, C. D., Cheng, N. F., Ameli, N., Zhang, X., Gansky, S. A. (2023). Flavors increase adolescents' willingness to try nicotine and cannabis vape products. *Drug and Alcohol Dependence*, 246, Article 109834 . <https://doi.org/10.1016/j.drugalcdep.2023.109834>
- Drovandi, A., Teague, P.-A., Glass, B., & Malau-Aduli, B. (2019). Smoker perceptions of health warnings on cigarette packaging and cigarette sticks: A four-country study. *Tobacco Induced Diseases*, 17(March): 23. <https://doi.org/10.18332/tid/104753>
- Fataar, F., & Hammond, D. (2019). The prevalence of vaping and smoking as modes of delivery for nicotine and cannabis among youth in Canada, England and the United States. *International Journal of Environmental Research and Public Health*, 16(21), Article 4111. <https://doi.org/10.3390/ijerph16214111>
- Freeman, T. P., & Lorenzetti, V. (2021). A standard THC unit for reporting of health research on cannabis and cannabinoids. *The Lancet Psychiatry*, 8(11), 944–946. [https://doi.org/10.1016/s2215-0366\(21\)00355-2](https://doi.org/10.1016/s2215-0366(21)00355-2)
- Goodman, A. (2021). *Differences in cannabis perceptions among Canadian adolescent boys and girls*. Ottawa, Ont.: Canadian Centre on Substance Use and Addiction.



<https://www.ccsa.ca/sites/default/files/2021-07/CCSA-Cannabis-Perceptions-Canadian-Adolescent-Report-2021-en.pdf>

- Goodman, S., Leos-Toro, C., & Hammond, D. (2019). The impact of plain packaging and health warnings on consumer appeal of cannabis products. *Drug and Alcohol Dependence*, 205, Article 107633. <https://doi.org/10.1016/j.drugalcdep.2019.107633>
- Goodman, S., Rynard, V. L., Iraniparast, M., & Hammond, D. (2021). Influence of package colour, branding and health warnings on appeal and perceived harm of cannabis products among respondents in Canada and the US. *Preventive Medicine*, 153, Article 106788. <https://doi.org/10.1016/j.ypmed.2021.106788>
- Gravelly, S., Chung-Hall, J., Craig, L. V., Fong, G. T., Cummings, K. M., Borland, R., ... Driezen, P. (2021). Evaluating the impact of plain packaging among Canadian smokers: Findings from the 2018 and 2020 ITC Smoking and Vaping Surveys. *Tobacco Control*, 32(2), 153–162. <https://doi.org/10.1136/tobaccocontrol-2021-056635>
- Hammond, D. (2022, Oct. 19). THC standard units: Implications for consumer use and understanding [Presentation]. CCSA Virtual Session: A standard THC unit and its value in cannabis research, public education and regulation in Canada. <https://www.ccsa.ca/standard-thc-unit-and-its-value-cannabis-research-public-education-and-regulation-canada>
- Hammond, D., & Goodman, S. (2022). Knowledge of tetrahydrocannabinol and cannabidiol levels among cannabis consumers in the United States and Canada. *Cannabis and Cannabinoid Research*, 7(3), 345–354. <https://doi.org/10.1089/can.2020.0092>
- Leos-Toro, C., Fong, G. T., & Hammond, D. (2021). The efficacy of health warnings and package branding on perceptions of cannabis products among youth and young adults. *Drug and Alcohol Review*, 40(4), 637–646. <https://doi.org/10.1111/dar.13240>
- Maghsoudi, N., Rammohan, I., Bowra, A., Sniderman, R., Tanguay, J., Bouck, Z. ... Owusu-Bempah, A. (2020). How diverse is Canada's legal cannabis industry? Examining race and gender of its executives and directors. Toronto, Ont.: Centre on Drug Policy Evaluation. https://cdpe.org/wp-content/uploads/dlm_uploads/2020/10/How-Diverse-is-Canada's-Legal-Cannabis-Industry_CDPE-UofT-Policy-Brief_Final.pdf
- Mutti-Packer, S., Collyer, B., & Hodgins, D. C. (2018). Perceptions of plain packaging and health warning labels for cannabis among young adults: Findings from an experimental study. *BMC Public Health*, 18(1), Article 1361. <https://doi.org/10.1186/s12889-018-6247-2>
- Myran, D. T., Tanuseputro, P., Auger, N., Konikoff, L., Talarico, R., & Finkelstein, Y. (2022). Edible cannabis legalization and unintentional poisonings in children. *The New England Journal of Medicine*, 387(8), 757–759. <https://doi.org/10.1056/NEJMc2207661>
- Myran, D. T., Tanuseputro, P., Auger, N., Konikoff, L., Talarico, R., & Finkelstein, Y. (2023). Pediatric hospitalizations for unintentional cannabis poisonings and all-cause poisonings associated with edible cannabis product legalization and sales in Canada. *JAMA Health Forum*, 4(1), Article e225041. doi:[10.1001/jamahealthforum.2022.5041](https://doi.org/10.1001/jamahealthforum.2022.5041)
- Pang, B., Saleme, P., Seydel, T., Kim, J., Knox, K., & Rundle-Thiele, S. (2021). The effectiveness of graphic health warnings on tobacco products: A systematic review on perceived harm and quit intentions. *BMC Public Health*, 21, Article 884. <https://doi.org/10.1186/s12889-021-10810-z>



Werts, M., Urata, J., Watkins, S. L., & Chaffee, B. W. (2021). Flavored cannabis product use among adolescents in California. *Preventing Chronic Disease*, 18, Article 210026.
<http://dx.doi.org/10.5888/pcd18.210026>

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