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The Ontario Dietitians in Public Health (ODPH) is pleased to provide consultation to Health Canada on the proposed regulations amending the *Cannabis Regulations* (New Classes of Cannabis) and the Proposed Order amending Schedules 3 and 4 to the *Cannabis Act*. ODPH is the independent and official voice of Registered Dietitians (RDs) working in Ontario's public health system. ODPH members apply evidence-informed nutrition information to enable healthy eating at every stage of life; advocate for and provide support to create food policies and healthier eating environments; as well as implement and evaluate nutrition education and skill building programs. As members of the College of Dietitians of Ontario, ODPH's Registered Dietitians are credible food and nutrition experts, and are uniquely educated to promote healthy eating at the population-level.

Our members contributing to the content of this letter have reviewed the [Infographic](#) of proposed regulations for new cannabis products; the [Backgrounder Consultation](#) on the strict regulation of additional cannabis products; and the [Proposed regulations and amendments](#) to the Act. To this end, please review our responses to the consultation questions on the proposed regulations of edible cannabis, cannabis extracts, and cannabis topicals.

1. What do you think about the proposed THC limits for the new classes of cannabis products?

The dose limit for edible cannabis proposed (i.e., limited to 10mg THC per discrete unit and per package) is reasonable and aligns with edible cannabis products currently available for sale in the United States. However, **if the dose exceeds 5 mg THC per serving of edible cannabis, we strongly recommend there is a requirement to include a warning label advising first time or novice users that the dosage found within one serving of product may be in excess of their individual tolerance.** Furthermore, **we recommend that Health Canada clearly define what is meant by a "small amount" in the Consumer Information advice to "Start Low and Go Slow".** Therefore, **we strongly recommend the consumer information be edited to include a recommendation for the initial dosage amounts for edible cannabis consumption (e.g., 2-5 mg THC maximum) and clearly instruct consumers the amount recommended could mean**

they begin consuming with only a partial serving to account for not knowing what their tolerance to the product will be, initially.

In terms of the potential variability for the doses of THC in edible cannabis, **we recommend the variability should be no more than +/- 10%, applicable for edible cannabis and cannabis extracts, regardless of the dosage amount in one serving.** This is in alignment with the current acceptable dosage for medicinal ingredients in Canada's Food and Drug Regulations (C.01.062 (1)) which is not less than 90% or more than 110% of the amount of the medicinal ingredient shown on the label.

2. Do you think the proposed new rules addressing the types of ingredients and additives that could be used in edible cannabis, cannabis extracts, and cannabis topicals appropriately address public health and safety risks while enabling sufficient product diversity?

We agree that only food and food additives in accordance to Canada's Food and Drug Regulations can be added to edible cannabis products. We also agree with the restrictions prohibiting the addition of temporarily marketed foods and vitamins/minerals to an edible cannabis product. **We recommend Health Canada provides warning labels for other ingredients that may enhance the absorption of THC from edibles in some way.** It will be very important for consumers to be better equipped to estimate when they are safe to operate any machinery, for example. **We recommend Health Canada invest in food research opportunities to ensure there are safeguards not only to mitigate risks of accidental overconsumption of a product class primarily intended for ingestion, but also to mitigate risks of any potential ingredient interactions.**

We strongly support that the use of ingredients containing only naturally occurring caffeine would be permitted in edible cannabis provided the total amount of caffeine in a package does not exceed 30 mg.

We strongly support that nicotine should be prohibited as an additive or flavouring agent for edibles, extracts, and topicals to reduce the harms of co-use of cannabis and nicotine.

With respect to extracts, **it is imperative that Health Canada clearly defines what is meant by "appealing to youth."** We recommend that **all considerations included in vaping and tobacco regulations be included in edible cannabis requirements** with respect to ensuring these products and their flavourings are not considered "appealing to youth." **We recommend they not contain any flavouring that might make the product more appealing to youth, for example, if the product is a fruit-, dessert- or candy-type product.**

- 3. Do you think that the proposed rules for other classes of cannabis will accommodate a variety of oil-based products for various intended uses, even though cannabis oil would no longer be a distinct class of cannabis?**

We feel the proposed rules will accommodate a variety of oil-based products.

- 4. What do you think about the proposed six-month transition period for cannabis oil? Is a six-month transition period sufficient?**

We feel the proposed six-month transition period for cannabis oil is sufficient.

- 5. What do you think about the proposed new rules for the packaging and labelling of the new classes of cannabis products?**

We agree that all edible cannabis products need to be shelf-stable (i.e., do not require refrigeration or freezing) and **the use of meat products, poultry products, and fish as ingredients, even if dried, would be prohibited.**

We agree the regulation for packaging and labelling should maintain core plain packaging to all cannabis products; include the standardized cannabis symbol, health warning messages, and THC and CBD content; and have child-resistant packaging to reduce the risk of accidental consumption and overconsumption.

To this end, **we strongly recommend there be succinct guidance to ensure mandatory warnings on all edible cannabis product as well as messaging that clearly warns consumers that the effects of the THC dose will be delayed for at least one hour (and in some cases much longer). Furthermore, we strongly recommend a warning message for the consumer NOT to take additional doses during that one-hour timeframe. Finally, we strongly recommend all labels must have a “keep out of reach of children” label clearly displayed on the packaging** in an effort “to protect the health of young persons by restricting their access to cannabis and to protect young persons and others from inducements to use cannabis” and highlight the risk of the potential for child poisoning.

- 6. With respect to edible cannabis, what do you think about the requirement for all products to be labelled with a cannabis-specific nutrition facts table?**

We recommend mandatory information for edible cannabis to include a list of ingredients, common name of product, indication of source of allergen, gluten, or sulphites that have

been added, durable life date only on ALL products that deteriorate in 90 days or less, and a cannabis-specific nutrition facts table. There should be NO nutrient and/or health claims on these labels.

We agree that it should be prohibited to represent edible cannabis as being suitable for people with specific physical or physiological conditions (e.g., part of a low-calorie diets, for weight loss).

With respect to the cannabis-specific Nutrition Facts Table (NFT), **we strongly recommend the font size, font type, leading, and spacing of the NFT be completely consistent with the existing labelling requirements specified in the Canadian Food and Drug Act for pre-packaged foods (i.e., as per changes to the NFT specified in 2016).** Edible cannabis is a type of food and as such, the NFT should be a standardized label on all edible cannabis foods. It will be confusing to the consumer if there are different types of labels for different food products. This product information of active ingredients and warnings must be easy to locate on each package, and follow a unified, consistent format that Canadian consumers are familiar with and can understand.

With respect to packaging, we agree that the immediate container of the cannabis extracts must be designed in such a way that the extract cannot easily be poured or consumed directly from the container in which it is packaged to reduce the risk of accidental consumption. Packaging for edible cannabis products must be “food-grade”. Samples of edible cannabis should **NOT** be allowed under this regulation.

7. What do you think about the proposal for the labelling of small containers and the option to display certain information on a peel-back or accordion panel?

In our opinion, **it is imperative that the cannabis health warning messages, standardized cannabis symbol, and information pertaining to THC and CBD content of the product, and list of ingredients (to show the presence of potential allergens) must always be mandatory on the exterior display surface of the label, regardless of the size of the container.** Additional information such as the packaging date, recommended product storage, and the NFT could be displayed on a peel-back or accordion-style panel, should the immediate container be too small. **The durable life of the product must be displayed on all packaging. Finally, there should be no branding of the product, as this is perceived as advertising and promotion of cannabis.**

8. What do you think about the proposal that the standardized cannabis symbol would be required on vaping devices, vaping cartridges, and wrappers?

The only comment we have is that the **standardized cannabis symbol should be visible on all products that contain cannabis even if the amount in the product is below 10 mcg/gram.**

9. Do you think that the proposed new good production practices, such as the requirement to have a Preventive Control Plan, appropriately address the risks associated with the production of cannabis, including the risk of product contamination and cross-contamination?

We agree with the proposed new good production practices as mentioned. **We recommend that every processing building must have a hand-washing sink. Additionally, processing plants should have unannounced “spot checks” within their region to ensure compliance rather than completing an inspection only in response to a complaint.**

10. What do you think about the requirement that the production of edible cannabis could not occur in a building where conventional food is produced?

We agree that the production of edible cannabis should NOT occur in a building where conventional food is produced to provide greater allergen control and reduce potential cross-contamination with other foods.

Furthermore, **we recommend that edible cannabis should not be produced by a company that produces conventional food products** (e.g., Nabisco) because advertisements of their existing products may also be associated with edible cannabis. This could be perceived as promoting and advertising to children, by association.

11. What do you think about the overall regulatory proposal?

No comment.

12. Are there any additional comments you would like to share on the proposed regulations for the new classes of cannabis?

We strongly recommend Health Canada to include strict regulations related to advertising on television, radio, social media, the internet, and other media sources.

We strongly recommend Health Canada implement and evaluate a public education and awareness strategy; tools to measure cannabis consumption patterns at baseline and evaluation to survey and monitor consumption patterns; and research funding to support the growth of evidence in this novel area of study.

13. Are there any additional comments you would like to share regarding the legalization and strict regulation of cannabis in Canada? For example, are there measures the Government could take to support individuals to be in compliance with the public possession limits for cannabis (i.e. 30 grams of dried cannabis "or equivalent")? Do you have views on how to minimize environmental concerns associated with packaging, while maintaining key aspects, such as child resistant packaging, that help to prevent accidental consumption?

We have no further comments.

Thank you for the opportunity to provide our input on the proposed regulations of the new classes of cannabis. We look forward to the summary from Health Canada following this comprehensive review of the regulations.

Sincerely,

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