



## MIDDLESEX-LONDON HEALTH UNIT

REPORT NO. 34-23

TO: Chair and Members of the Board of Health

FROM: Dr. Alexander Summers, Medical Officer of Health  
Emily Williams, Chief Executive Officer

DATE: 2023 May 18

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### **PUBLIC CONSULTATION ON POTENTIAL AMENDMENTS TO FEDERAL CANNABIS REGULATIONS**

#### ***Recommendation***

*It is recommended that the Board of Health:*

- 1) Receive Report No. 34-23, re: “Public Consultation on Potential Amendments to Federal Cannabis Regulations” for information; and,*
- 2) Endorse and submit feedback prepared by Middlesex-London Health Unit staff, attached as [Appendix A](#), to the Health Canada’s Controlled Substances and Cannabis Branch on potential amendments to regulations under the Cannabis Act.*

#### **Key Points**

- In the fall of 2022, the Government of Canada launched the legislative review of the *Cannabis Act*, which included seeking public input through an [online questionnaire](#) and/or written feedback, and convening an independent Expert Panel to gather insights from key interest groups.
- On March 25, 2023, Health Canada released a [Notice of Intent](#) seeking public input on potential amendments to the *Cannabis Regulations* to reduce regulatory burden while still maintaining the controls necessary to address public health and safety risks.
- Health Unit staff from the southwest region prepared a collective set of recommendations that align with the public health approach to cannabis legalization, including increased access to a strictly regulated product while removing commercial influence to protect youth, eliminating the illicit market, and increasing public safety. [Appendix A](#) is attached for Middlesex-London Board of Health endorsement.

#### **Background**

On October 17, 2018, the *Cannabis Act* came into effect, providing a legal framework in Canada for the production, manufacturing, licensing, distribution, marketing, and possession of cannabis. From a public health perspective, the goal of legalizing cannabis is to increase access to a strictly regulated product, while also removing commercial influence to protect youth, eliminating the illicit market, and increasing public safety. The aim of this approach is to minimize the health and social harms connected to cannabis as it is not a benign substance ([Chief Medical Officers of Health of Canada and Urban Public Health Network, 2016](#)).

In the fall of 2022, the Government of Canada struck an independent Expert Panel to lead a credible and inclusive review of the *Cannabis Act* and corresponding *Cannabis Regulations*. In addition to meeting with experts from the fields of public health, substance use, criminal justice, law enforcement and healthcare, the

panel also met with government representatives, Indigenous peoples, youth, cannabis industry representatives, and people who access cannabis for medical purposes. The Panel was tasked with gathering their experiences and perspectives on the legalization of cannabis in Canada. As part of this legislative review, public input was also sought through an [online questionnaire](#) and/or written feedback, which closed in November 2022.

On March 25, 2023, Health Canada released a [Notice of Intent](#) seeking public input on potential amendments to the *Cannabis Regulations* to reduce regulatory burden while still maintaining the controls in place to address public health and safety risks. The identified intention of Health Canada's 60-day public comment period (March 25 to May 24, 2023) is to seek feedback on the following areas of interest:

- Licensing;
- Personnel and physical security measures;
- Production requirements for cannabis products;
- Packaging and labelling requirements for cannabis products; and,
- Record keeping and reporting requirements for cannabis license holders.

According to Health Canada, this current proposal and request for public input is separate and distinct from the legislative review and the work of the Expert Panel. Health Canada is considering potential amendments to the *Cannabis Regulations* that would reduce duplication within the legal requirements and "reduce administrative and regulatory burdens where possible, while continuing to meet public health and safety objectives in the *Act*" ([Health Canada, 2023](#)).

### **The Need for Strict Regulations to Counter Commercialization**

Staff from the public health units within the southwest region worked collaboratively to prepare recommendations for submission to the Controlled Substances and Cannabis Branch, attached as [Appendix A](#) for Board of Health approval. The recommendations contained within the submission correspond to three of the five priority areas that fall within the public health domain for which Health Canada has requested feedback:

- Priority Area 3: Production requirements for cannabis products;
- Priority Area 4: Packaging and labelling requirements for cannabis products; and,
- Priority Area 5: Record keeping and reporting for cannabis license holders.

The recommendations support Health Canada's goals to reduce the risks of unintentional consumption and overconsumption, to reduce the appeal of cannabis products to young people, and to provide consumers with information needed to make informed decisions about cannabis use. The submission also speaks to the [Commercial Determinants of Health](#), which are defined by the World Health Organization as the actions of the private sector that impact health (either positively or negatively) through influence over the social, physical and cultural environments. The cannabis industry, through production and marketing, can influence social norms and can have a direct impact on public health and safety. The submission reinforces that while Health Canada is seeking input on regulatory measures that could be more efficient and less burdensome for the cannabis industry, any changes need to avoid compromising public health and safety.

This report was submitted by the Healthy Living Division.



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