



**Canadian Mental  
Health Association**  
Ontario

**Association canadienne  
pour la santé mentale**  
Ontario

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*Cannabis Act* Legislative Review Secretariat  
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**Re: Legislative Review of the *Cannabis Act***

Thank you for the opportunity to provide comments on the online consultation for the legislative review of the Cannabis Act following its implementation in 2018.

The Canadian Mental Health Association, Ontario (CMHA Ontario) network consists of 27 branches across the province that provide community-based clinical and social services to Ontarians living with mental health and addictions-related issues. We offer comprehensive substance use and harm reduction-related supports, including Rapid Access to Addictions Medicine (RAAM) clinics, youth addictions programming, and a broad range of outpatient substance use counselling and supports. We are pleased to offer our perspective and recommendations as a mental health and addictions treatment provider.

We support Health Canada's intent for the Act review to focus on protecting the health and safety of Canadians while supporting the legal cannabis industry to displace the illicit market. It is my firm opinion as a lead organization in mental health and addiction treatment, that minimizing harms to protect all Canadians, should remain the key goal in all aspects of the review, including, progress towards establishing a legal cannabis industry. The recommendations provided by CMHA Ontario herein, for this initial step in the consultation process, provide key points to consider to minimize harms of use.

**Protect the safety measures in the *Cannabis Act***

The legislative framework provided by the Cannabis Act (2018) put in place measures to protect health and minimize harms of cannabis use. It is imperative that potential changes to the Act and Cannabis Regulations resulting from the review process, ensure the restrictions that protect health, especially, as it relates to protecting youth, are maintained.

**Limit marketing and promotion of cannabis**

Evidence shows that marketing and promotion, particularly on social media, targeting youth can have a significant impact on the appeal and social acceptance, of cannabis and frequency of use.<sup>1,2</sup> While it is still early stages, studies do not provide a clear indication on how cannabis consumption rates among youth has changed since legalization.<sup>3</sup> It is recommended that the Government of Canada:

- Maintain the prohibition of celebrity-affiliated marketing and promotion of cannabis, and promotion that is appealing to youth in the Act.
- Evaluate the impact of marketing and promotion on cannabis use.
- Work with federal and provincial governments to actively monitor and enforce the restrictions on marketing and promotion.

### **Maintain plain packaging for cannabis products**

It is recommended that requirements for plain packaging of cannabis remain in the Cannabis Act and regulations. Continue to require plain packaging with limits on how brand names are displayed and include factual information and health warnings. Emerging evidence shows that plain packaging makes cannabis less appealing and supports health protection, especially, among youth.<sup>4,5</sup>

### **Minimize harms by limiting retail density**

Evidence from alcohol show that increase in retail density and access increase prevalence and harms of use.<sup>6</sup> Ontario, which has a private storefront retail system with no cap on the number of retail outlets, has seen a rapid increase in retail density.<sup>7</sup> It is recommended that the Government of Canada work with provinces and territories to limit retail density and ensure responsible online access to cannabis, as part of working towards the goal of the *Cannabis Act* to minimize harms of use.

### **Invest in research, public education and addiction treatment**

Continue to invest in research, education and evidence-based awareness campaigns related to safer cannabis use and to prevent/ delay use in youth and young adults. Funding for education and awareness should be directed to local mental health and addiction agencies to provide customized education programs that meet community needs. Community-based organizations are uniquely positioned to provide individuals with harm reduction and treatment services related to substance use, including cannabis, while also providing support to families and caregivers.

### **Reduce inequities in the legal cannabis industry**

Further to the comments above, we are pleased to learn that the independent expert panel that is being established as part of the review, will consider the impacts on Indigenous peoples, racialized communities, and women who might be at greater risk of harm or face greater barriers to participation in the legal industry based on identity or socio-economic factors. Black, Indigenous and other equity-seeking people have been most significantly and disproportionately impacted by cannabis laws and related criminal charges.<sup>8</sup> Additionally, research shows that Black and Indigenous people, and women, are underrepresented in leadership positions in the cannabis industry.<sup>9</sup> Given the low numbers of pardons provided for charges related to simple possession of cannabis<sup>10</sup>, it is recommended that Government of Canada:

- Automate record suspensions for simple possession of cannabis, for those who are eligible.
- Implement technical and leadership programs in the cannabis industry to address underrepresentation of people who were most impacted by cannabis prohibition.

CMHA Ontario branches provide support programs, addiction treatment and harm reduction services for adults and youth across Ontario. One of the challenges throughout the mental health and addictions sector is that post-pandemic agencies are struggling with human resources capacity. Community-based service providers, including, treatment providers like CMHA that offer support related to substance use will also need increases to base budget funding to attract and retain staff to help meet the increasing demand in services, including those related to cannabis. Despite these challenges, we continue to provide evidence-based programs built on best practices. CMHA Ontario will be pleased to provide its

expertise and welcomes further opportunities to consult with Health Canada on the *Cannabis Act* Review.

Kind regards,



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Chief Executive Officer  
Canadian Mental Health Association, Ontario

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<sup>1</sup> Government of Canada (2022). Taking stock of progress: Cannabis legalization and regulation in Canada.

<sup>2</sup> Rup J, Goodman S, Hammond D. Cannabis advertising, promotion and branding: Differences in consumer exposure between 'legal' and 'illegal' markets in Canada and the US. *Prev Med*. 2020 Feb 3;133:106013. doi: 10.1016/j.ypmed.2020.106013. Epub ahead of print. PMID: 32027914.

<sup>3</sup> Rubin-Kahana DS, Crépault J-F, Matheson J and Le Foll B (2022) The impact of cannabis legalization for recreational purposes on youth: A narrative review of the Canadian experience. *Front. Psychiatry* 13:984485

<sup>4</sup> 2

<sup>5</sup> Goodman S, Rynard VL, Iraniparast M, Hammond D. Influence of package colour, branding and health warnings on appeal and perceived harm of cannabis products among respondents in Canada and the US. *Prev Med*. 2021 Dec;153:106788. doi: 10.1016/j.ypmed.2021.106788. Epub 2021 Sep 8. PMID: 34506816.

<sup>6</sup> Sher, A., Stockwell, T., Chikritzhs, T., Andréasson, S., ... & Woods, J. (2018). Alcohol consumption and the physical availability of take-away alcohol: Systematic reviews and meta-analyses of the days and hours of sale and outlet density. *Journal of Studies on Alcohol and Drugs*, 79(1), 58–67 (as cited in Crépault, J.-F., & Jesseman, R. (2022). *Regulating the Legal Cannabis Market: How is Canada doing?* Toronto, ON: Centre for Addiction and Mental Health)

<sup>7</sup> Crépault, J.-F., & Jesseman, R. (2022). *Regulating the Legal Cannabis Market: How is Canada doing?* Toronto, ON: Centre for Addiction and Mental Health.

<sup>8</sup> Akwasi Owusu-Bempah, Alex Luscombe, Race, cannabis and the Canadian war on drugs: An examination of cannabis arrest data by race in five cities, *International Journal of Drug Policy*, Volume 91, 2021

<sup>9</sup> Centre for Drug Policy Evaluation (2020). How diverse is Canada's legal cannabis industry? Examining Race and Gender of its Executives and Directors. Accessed at <https://cdpe.org/canadas-legal-cannabis-industry-lacks-diversity/>

<sup>10</sup> Public Safety Canada (2020). [Binder for the Minister of Public Safety and Emergency Preparedness for the August 12, 2020 - Committee of the Whole, Cannabis Pardons](#). Accessed at [publicsafety.gc.ca](https://publicsafety.gc.ca)