

Health Canada and Rothmans, Benson & Hedges Inc.: Comments on the proposed *Regulations Amending the Tobacco Products Regulations (Plain and Standardized Appearance)* – August 16, 2022

Subject:

Rothmans, Benson & Hedges Inc. (RBH) requested a meeting with Health Canada (HC) to discuss their comments on the proposed *Regulations Amending the Tobacco Products Regulations (Plain and Standardized Appearance)*, published in the *Canada Gazette*, Part I, on June 11, 2022.

Date:

August 16, 2021

Participants:

Health Canada (HC)

- Sonia Johnson (Chair), Director General, Tobacco Control Directorate (TCD), Controlled Substances and Cannabis Branch (CSCB)
- Laura Smith, Director, Office of Policy and Strategic Planning (OPSP), TCD, CSCB
- Denis Choinière, Director, Tobacco Products Regulatory Office (TPRO), TCD, CSCB

- Trevor Mischki, Acting Director, Office of Research and Surveillance (ORS), TCD, CSCB
- Manager, Tobacco Labelling, TPRO, TCD, CSCB
- Acting Manager, International and Regulatory Policy Unit, OPSP, TCD, CSCB
- Acting Manager, Systems Configuration Unit, Office of Compliance of Tobacco and Vaping Products, TCD, CSCB
- Senior Policy Analyst, Tobacco Labelling, TPRO, TCD, CSCB (observer)
- Policy Analyst, Tobacco Labelling, TPRO, TCD, CSCB (observer)
- Policy Analyst, Tobacco Labelling, TPRO, TCD, CSCB (observer)
- Junior Policy Analyst, International and Regulatory Policy Unit, OPSP, TCD, CSCB (observer)
- Policy Analyst, International and Regulatory Policy Unit, OPSP, TCD, CSCB (secretariat)

Rothmans, Benson & Hedges Inc. (RBH)

- Katherine Ridings, Supervisor Regulatory Compliance Canada
- Sabrina Sotiriu, Federal Government Affairs
- Mischa Armin, Legal Counsel
- Angie Foxall, Product Portfolio Manager
- Guillaume Lapointe, Supervisor of Product Engineering

Introduction:

A meeting was held at the request of RBH to discuss their views regarding the proposed *Regulations Amending the Tobacco Products Regulations (Plain and Standardized Appearance)* which were published in the *Canada Gazette*, Part I, on June 11, 2022.

The Chair opened the meeting with round table introductions.

The Chair reminded participants that this meeting is subject to disclosure as per HC's [Openness and Transparency policies](#). In the

interest of transparency, the Department stated that it would be making a record of the meeting publicly available. The [handling of information and privacy notice](#) was mentioned and acknowledged.

HC also referred to Article 5.3 of the [World Health Organization Framework Convention on Tobacco Control](#), its international obligation to protect tobacco control policies from the vested interests of the tobacco industry. It was acknowledged by the RBH representatives.

Subjects:

Technical challenges: Space occupied by warning labels on e-cigarette packaging

RBH outlined their concerns about technical challenges relating to section 90(2) of the proposed regulations, specifically regarding the exterior space available on the packaging for certain tobacco products, such as devices and heated tobacco products.

According to paragraph 90(2)(d), the health warnings must occupy a greater area of the packaging than what is currently available on these products' packages. RBH indicated that adapting to the new requirements would take a minimum of two years and would be difficult to justify given the low volumes of these brands sold in Canada. RBH requested an amendment to this provision in order to facilitate compliance, should final regulations be developed.

Technical challenges: Drafting omissions and clarifications

RBH outlined their concerns relating to Section – A (cigarettes) of the proposed source document to be incorporated by reference in the proposed regulations. Specifically, RBH is concerned that the proposed regulations would require changing the health warnings both on cigarette cartons and on some cigarette packages to a landscape orientation, as RBH currently produces health warnings exclusively in portrait orientation. RBH believes changing the

orientation would require 12–18 months additional time. Thus, RBH requested that portrait-oriented health warnings be included in the source document for display on cigarette packages and cartons.

Similarly, RBH noted their concerns about the source document's digital image specifications. They requested that source document images be uncropped, high resolution (minimum of 300 dots per inch) to achieve the appropriate quality. They also requested that such images be supplied to industry eight months in advance when changes are made to the source document.

Health Canada invited RBH to submit their views with the detailed specifications in writing as part of the public consultation, closing on August 25, 2022.

Conclusion:

The meeting was then concluded.

Documents:

- Agenda as provided by RBH
- Technical specifications provided by RBH