

Health Canada and JTI-Macdonald Corp. meeting – August 23, 2022

Subject:

JTI-Macdonald Corp. (hereinafter referred to as “JTI”) requested a meeting to present to Health Canada its views regarding the proposed *Regulations Amending the Tobacco Products Regulations (Plain and Standardized Appearance)*.

Date: August 23, 2022

Participants:

Health Canada (HC)

- Denis Choinière (Chair), Director, Tobacco Products Regulatory Office (TPRO), Tobacco Control Directorate (TCD)
- Neil Malik, Director, Office of Research and Surveillance (ORS), TCD
- Michel Blanchard, Acting Director, Office of Policy and Strategic Planning (OPSP), TCD
- Stephen Moir, Acting Associate Director, Office of Compliance for Tobacco and Vaping Products, TCD
- Acting Manager, Regulatory and International Policy Unit, OPSP, TCD
- Acting Manager, OCTVP, TCD
- Senior Policy Analyst, Tobacco Labelling, TPRO, TCD, (observer)
- Policy Analyst, Tobacco Labelling, TPRO, TCD (observer)
- Policy Analyst, Tobacco Labelling, TPRO, TCD (observer)

- Senior Program Officer, Tobacco Labelling, TPRO, TCD (observer)
- Junior Policy Analyst, Regulatory and International Policy Unit, OPSP, TCD (Secretariat)

JTI

- Elaine McKay, Head of Corporate Affairs
- Caroline Evans, Head of Sales

Introduction:

A meeting was held at the request of JTI in order to provide Health Canada with a presentation on their views regarding the proposed *Regulations Amending the Tobacco Products Regulations (Plain and Standardized Appearance)*, published in the *Canada Gazette*, Part I, on June 11, 2022.

Health Canada read a transparency and openness statement, reminding JTI representatives that the meeting is subject to disclosure as per Health Canada'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.

Health Canada also referred to Article 5.3 of the [World Health Organization Framework Convention on Tobacco Control](#), the department's international obligation to protect tobacco control policies from the vested interests of the tobacco industry.

The Chair then invited participants to introduce themselves.

Subjects:

JTI presented challenges associated with the proposed regulations. Their presentation included the following concerns and suggestions:

Competitive advantage of competitors:

- JTI claimed that the proposed Regulations would impact its portfolio more than its competitors and suggested that there would be unintended commercial consequences with the imposition of a white background for health warnings on tipping paper (i.e. this would effectively ban imitation cork-tipped cigarettes).

Implementation period:

- JTI believes that wholesalers should be considered as retailers in the context of this proposal and that any other interpretation would give JTI significantly less time to comply with the new rule within the implementation period provided to the manufacturers.
 - HC asked JTI to confirm the timeframe required for the company to be ready to ship new products directly to retailers at the end of the six-month implementation period. JTI responded that they would need to back up their production anywhere from 3-4 weeks to 3 months earlier depending on the product.
- JTI proposed a 12-month alternative option for the implementation of health warnings on extended flaps, claiming it would be single-phased and produce less waste.

Other concerns with proposed regulations:

- As JTI manufactures regular size cigarettes with tipping paper shorter than the proposed 24mm, JTI indicated that the proposal would affect their regular cigarette size market segment.

- JTI expressed concern with fitting all health warnings on 40% of cylindrical products. They added they would provide further detail in their submission on this issue, as well as on other concerns raised during the meeting.

Conclusion:

The meeting was then concluded.

Documents:

- Agenda as provided by JTI