

# Health Canada and the Small Guys Cigar Group Meeting: Comments on the proposed Regulations Amending the Tobacco Products Regulations (Plain and Standardized Appearance) – August 24, 2022

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## Subject:

The Small Guys Cigar Group (SGCG) requested a meeting to present to Health Canada their input 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.

## Date:

**August 24, 2022**

## Participants:

### Health Canada (HC)

- Denis Choinière (Chair), Acting Director General, Tobacco Control Directorate (TCD)
- Stephen Moir, Acting Associate Director, Office of Compliance of Tobacco and Vaping Products (OCTVP), TCD
- Michel Blanchard, Acting Director, Office of Policy and Strategic Planning (OPSP), TCD
- Sally Gibbs, Director, Tobacco, Vaping and Controlled Substances Division, Consumer Product and Controlled Substances Directorate (CPCSD), Regulatory Operations and Enforcement Branch (ROEB)

- Senior Manager, Tobacco, Vaping and Controlled Substances Division, CPCSD, Ontario Region, ROEB
- Acting Manager, Systems Configuration Unit, OCTVP, TCD
- Acting Manager, International and Regulatory Policy Unit, OPSP, TCD
- Manager, Tobacco Labelling, Tobacco Products Regulatory Office (TPRO), TCD
- Senior Policy Analyst, Tobacco Labelling, TPRO, TCD, (observer)
- Policy Analyst, Tobacco Labelling, TPRO, TCD (observer)
- Policy Analyst, Tobacco Labelling, TPRO, TCD (observer)
- Policy Analyst, Plain and Standardized Packaging, OCTVP, TCD (observer)
- Senior Program Officer, OCTVP, TCD (observer)
- Junior Policy Analyst, International and Regulatory Policy Unit, OPSP, TCD (observer)
- Policy Analyst, International and Regulatory Policy Unit, OPSP, TCD (secretariat)

## SGCG

- Roger Lanteigne, Commercial Manager, Havana House
- Daniel More, President, Bingham Enterprises
- Kyle Wilcox, General Manager, Bingham Enterprises
- Colm O'Shea, Vice-President, House of Horvath
- Joanna Liriano, Business Analyst, House of Horvath

## Introduction:

A meeting was held at the request of the SGCG in order to provide Health Canada with 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.

Health Canada read a transparency and openness statement, reminding CTMC 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:

The SGCG presented challenges faced as well as questions pertaining to the proposed regulations. Their points included:

- Challenges meeting the deadline for the public consultation (held from June 11, 2022 to August 25, 2022) and their recent request for an extension of the consultation period.
- HC confirmed that the consultation period is decided by the Treasury Board and HC has no discretionary power to extend it.
- How to provide recommendations for the public consultation.
  - HC suggested this can be done in writing, to the e-mail address provided with the proposed regulations.
- Whether there would be an additional consultation following publication in the *Canada Gazette*, Part II (if the proposal were to move forward).
  - HC confirmed there would not be, as publications in the *Canada Gazette*, Part II, are final regulations.
- Challenges specific to manufacturing cigars (i.e. varying sizes and weights, which influence packaging).

- SGCG recommended that HC recognize the different types of cigars for the proposal and any future regulations, which would support their compliance efforts.
- Various technical challenges, including:
  - How to display the health warnings on certain products (such as those that come in pouches, without side panels)
  - Applying a barcode and toxicity information to the back panel of a pouch due to limited size (maximum 33% space available)
  - Difficulty applying the proposed requirements to tobacco tins (not able to print on the side of the tin) and cigar bundles
  - Health warnings covering the packaging for cigar bundles, hence hiding its plain appearance.
  - Proposed requirements for fixed-size warnings (rather than percentage-based warnings), would be easier to implement.
  - Expressed concerns with the new leaflet size, which may not fit inside certain cigar packages, hence their request to keep the current size.
- HC suggested that the SGCG provide their comments in writing as part of the public consultation, even if they are brief.

#### Conclusion:

The meeting was concluded.

#### Documents:

- Agenda as provided by the Small Guys Cigar Group