National Cannabis Working Group
Groupe de travail national sur le cannabis

Canadian Chamber of Commerce
Chambre de Commerce du Canada

NCWG Comments on Science Advisory Committee Report on Health Products Containing Cannabis

Health Canada
11 Holland Avenue
Ottawa, Ontario K1A 3000A

BY EMAIL: nnhpd.consultation-dpsnso@hc-sc.gc.ca

The National Cannabis Working Group (NCWG) is pleased to make a written submission with respect to Health Canada's proposed regulatory framework for including cannabidiol (CBD) in non-prescription health products (NPHPs). The National Cannabis Working Group represents members across the cannabis sector, including licenced producers, retailers, and ancillary businesses. The NCWG makes the following comments towards the proposed framework.

Regulatory treatment of topicals

While the SAC's report was wide-ranging in its discussion on CBD, it did not include regulatory treatment of topicals versus ingestible products. It is understood that there is a relative lack of research on different means of administrating CBD, but there is evidence to suggest that applying it topically has far less risk than ingestion. The NCWG proposes that CBD topicals be made available over the counter which permits broader consumer access. As the report does not provide information on over-the-counter versus behind-the-counter specifics in terms of potency and term length, this gap could be filled in future research studies.

Enforcement against illegal products and public education

On the enforcement side, illegal sales of CBD and other cannabis products remain high. The legal industry's competitiveness is hampered by the myriad illegal products circulating, which are being promoted to underage populations without legal oversight. Illegal CBD brands are often touted through influencer marketing, which make false claims about health benefits and leads to lack of consumer awareness. The NCWG echoes the need for extra warning labels and instructional inserts, but these must be done in tandem with better enforcement efforts by all orders of government and better public education about the difference between licit and illicit products.

Restricting product availability to pharmacies risks emboldening the illicit market as it prevents consumers from using legal retail businesses and also risks removing access for cannabis companies that sell equivalent products. Implementation should include making CHPs available at existing cannabis retail distributors.

The role of cultivars/strains in developing consistent quality standards

The report correctly recognizes the pressing need for consistent quality standards that identify the source of the product, namely the cultivar and country of origin. However, given that there is no consistency in the naming of cultivars (e.g. Grape Purple Kush does not actually include grapes), there is significant divergence within the industry about naming conventions and trademarks. Moreover, there is no way to accurately verify whether the name matches the plant's genetic characteristics. Better standardization of strains and cultivars will help achieve the goal of consistent quality standards. Whether it is under GPP or GMP regimes, industry needs to know which is being applied to better prepare. More clarity will help identify whether the first mover advantages goes to either NHP manufacturers or licenced producers.

Furthermore, the NCWG suggests requiring licenced producers and processors to use only materials (including cannabis) that are reviewed and approved for use by the processor's QAP. This could include the QAP's review of Certificates of Analysis for all incoming materials or other quality assurances through a vendor management program.

Issues considering dosage and self-care conditions

The NCWG believes that the report did not provide a rationale for its recommended 200 mg CBD/day dosage. There are currently products on the legal market that contain 999 mg in ingested formats that could very easily be consumed in greater than 200 mg doses. In terms of access, as stated, it is problematic to restrict product availability to pharmacies as it may be unrealistic to assume that patients will speak with a pharmacist to relieve minor symptoms. Additionally, if there are concerns regarding potential drug interactions, data on those interactions should be made available to pharmacies as an educational tool and shared with *all* consumers.

Restriction of sale to solely pharmacies also risks emboldening the illicit market given that it would prevent consumers from accessing products through legal retail, and places legal businesses at a competitive disadvantage. As self-care products are already sufficiently labelled in terms of usage instructions, these should be made available in legal retail outlets.

Existing research and research opportunities

The SAC's report details CBD usage on cats and dogs and uses that in its recommendation for veterinary access to CBD products but does not describe its use for human afflictions. The NCWG recommends further research into how cannabinoids affect human medical conditions.

The projected benefits of CBD as a harm reduction tool should be explored, especially as a replacement for opioids, illicit drugs, or other high-risk medications. There is a significant opportunity to help our healthcare system and address the ongoing opioid and mental health crisis. The NCWG proposes the analysis of real-world data – collection

could include surveying medical and non-medical cannabis users to cover varying patient groups and populations. Research may be funded through taxation regimes at both the federal and provincial level and could be distributed to licit businesses, post-secondary institutions, and others in the research/innovation sector.

Labelling, packaging, and promotion requirements

The NCWG proposes a clear delineation between medical and recreational products in terms of labelling, packaging, and promotion requirements. To take this one step further, Health Canada should consider relaxing some of those requirements to allow processors to provide a visible difference between the two types of products on their packaging. This could be done through digestible visual aids that guide consumer decisions, such as medical and non-medical ingredients, dosage, usage directions, and risk information.

Scope and assessment of evidence

The scope should have been expanded to include other non-psychoactive compounds such as terpenes, flavonoids, 8-THC, and others, to assess their potential therapeutic benefits. Understanding that each cannabinoid is unique in its chemical structure and effect on the human body, it would be interesting to see a more comprehensive approach to analyzing the impacts of multiple cannabinoids at a time. This is synonymous with international jurisdictions that have completed similar studies, such as the CHP program in New Zealand and the United States.

From a consumer perspective, the NCWG suggests studying the labelling requirements in terms of differentiating between a *recreational* cannabis product and a *cannabis health* product (CHP) For instance, recreational cannabis products containing psychoactive compounds may be required to display a warning label, while CHPs prohibited from containing those compounds may not.