

October 12, 2021

Dear Interested Party,

The purpose of this letter is to update you on Health Canada's planned approach to enforcing the new requirements for cigar packaging enacted under the *Tobacco Product Regulations (Plain and Standardized Appearance)* [TPR (PSA)].

Further to our letter on June 25, 2021, Health Canada is using its enforcement discretion given the unprecedented circumstances associated with the COVID-19 pandemic, and the impact it is having on the ability of businesses to comply with the new cigar packaging requirements. This letter is therefore to notify you that Health Canada will prioritize the provision of guidance and information to cigar manufacturers from September 30, 2021 to March 31, 2022, and retailers from November 9, 2021 to March 31, 2022. While the Government of Canada recognizes the challenges for industry as a result of the COVID-19 pandemic, Health Canada expects the industry to continue to make best efforts to comply with these regulatory changes despite the circumstances.

Requirements under the TPR (PSA) serve an important purpose to reduce the appeal of tobacco products. Reducing the appeal of tobacco packages and the products they contain reduce inducements to tobacco use. These plain and standardized appearance measures include:

- Removing distinctive and attractive features from packaging and products;
- Requiring that only the permitted text may be displayed on the packages, in a standard location, font, colour and size; and,
- Requiring all packages to be of the same drab brown colour.

The new TPR (PSA) requirements are an important milestone under Canada's Tobacco Strategy, which aim to protect Canadians from tobacco-related death and disease.

That said, the unprecedented circumstances associated with the COVID-19 pandemic, and the impact it is having on the ability of businesses to comply with the new cigar labelling requirements, will be taken into account on a case-by-case basis by Health Canada when addressing non-compliance with these new regulations. In response to the disruptions associated with the COVID-19 pandemic, Health Canada will be taking the following approach to compliance and enforcement regarding the new TPR (PSA) requirements:

Cigar manufacturers

- From September 30, 2021, to March 31, 2022, Health Canada will prioritize the provision of guidance and information to regulated parties in order to promote awareness of and compliance with the regulations; and,
- Beginning April 1, 2022, Health Canada will prioritize a progressive compliance verification and enforcement regime whereby Health Canada will monitor and verify compliance with the new TPR (PSA) requirements and take appropriate enforcement action, where necessary, to address identified instances of non-compliance.

Cigar Retailers

- From November 9, 2020, to March 31 2022, Health Canada will prioritize the provision of guidance and information to regulated parties in order to promote awareness of and compliance with the regulations; and,
- Beginning April 1, 2022, Health Canada will prioritize a progressive compliance verification and enforcement regime whereby Health Canada will monitor and verify compliance with the new TPR (PSA) requirements and take appropriate enforcement action, where necessary, to address identified instances of non-compliance.

Notwithstanding the above, Health Canada will not hesitate to use its full enforcement authority where warranted, including cases where best efforts to comply have not been made.

If you wish to discuss your responsibilities under federal law or offer any comments or questions, I invite you to contact the Health Canada Tobacco and Vaping Compliance and Enforcement Program at tcp.questions-plt@hc-sc.gc.ca.

Collectively, we need to work together to protect future generations of Canadians from the harms associated with tobacco use which continues to be the leading cause of preventable disease and premature death in Canada. I hope we can count on you to help protect the health and safety of youth and all Canadians.

Sincerely,

A handwritten signature in blue ink that reads "S. Johnson". The signature is written in a cursive, flowing style.

Sonia Johnson
Director General
Tobacco Control Directorate
Controlled Substances and Cannabis Branch
Health Canada