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camh
Centre for Addiction and Mental Health

Ms. Nadia Theodore
Ambassador of Canada to the World Trade Organization and Permanent Representative of Canada to the Permanent Mission of Canada in Geneva, Switzerland
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The Honourable Mary Ng, P.C., M.P.
Minister of Export Promotion, International Trade and Economic Development
House of Commons
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Re: Canadian position on Ireland's Public Health (Alcohol) Act and related labelling regulations in World Trade Organization Technical Barriers to Trade Committee

Dear Ambassador, Dear Minister:

We are researchers working with the Canadian Institute for Substance Use Research (CISUR) at the University of Victoria, British Columbia, and the Centre for Addictions and Mental Health (CAMH), Ontario, in Canada. CISUR and CAMH are leading Canadian research organizations dedicated to understanding harms from substance use and identifying evidence-based measures to reduce these harms. Both CAMH and CISUR are World Health Organization Collaborating Centres on alcohol policy and health. We are independent from commercial vested interest groups. Our alcohol research over many years has had a major focus on labelling, including an evaluation of the only real-world introduction of cancer warnings and other health messages in the Yukon Territory of Canada.

*Our statement*
**We support Ireland's Public Health (Alcohol) Act and implementing regulations and urge the Canadian Government NOT to oppose the new labelling requirements in the World Trade Organization's (WTO) Technical Barriers to Trade Committee, thereby respecting Ireland's authority to enact new alcohol labelling requirements, including a cancer warning statement. Canada should not undermine this scientifically sound, publicly supported, public health policy that was enacted by democratically elected officials in Ireland.**

Consumers have a right to know about risks to their health from drinking alcohol and to be provided critical information about the contents of alcohol products relevant to their health and safety. **Continued objections from Canada and other countries could delay the implementation of alcohol warning labels in Ireland, thereby failing to curb preventable alcohol harm in the country. Such objections also risk eroding Canada's credibility on the global stage and undermine public health efforts in our own country.**

*Background on alcohol labelling in Ireland*
On May 22, 2023, Ireland's Minister for Health, Stephen Donnelly, signed into law Section 12 of the Public Health (Alcohol) Act 2018 which requires alcohol products being sold in Ireland to have health

information labels. These regulations will ensure that no alcohol product can be sold without bearing a warning that displays:

(i) "Drinking alcohol causes liver disease"

(ii) A health symbol intended to inform the public of the danger of alcohol consumption when pregnant, and

(iii) "There is a direct link between alcohol and fatal cancers"

In addition, the regulations make it mandatory that the alcohol and calorie content within the product is stated, and that the public health alcohol information website 'askaboutalcohol.ie' is displayed. Similar notices will also have to be placed in licensed premises.

The signing of Section 12 of the Public Health (Alcohol) Act 2018 followed the required notification processes to the EU and to the World Trade Organisation (WTO). In terms of the WTO, there was a standstill period to allow governments to inform their industries about the regulations. The standstill period ended on 7 May, 2023, after which the legislation was signed by the Irish Minister for Health.

At the [WTO Technical Barriers to Trade (TBT) Committee meeting on June 21, 2023](), the United States, Mexico, and the Dominican Republic expressed concerns regarding Ireland's legislation on alcohol labelling regarding its potential to create a barrier to trade. [Canada was one of the countries that supported such concerns](). The primary objection was related to concerns that exporters would be required to produce labels specific to the Irish market. However, this concern was addressed by an EU representative who stated that alcohol labels could be placed on products <u>after</u> they are imported into Ireland, thus removing any burden on the exporter.

*Alcohol harms*

The health and social harms from alcohol are substantial, and consumers are not fully aware of the nature and extent of alcohol harms and risks. For example, alcohol causes several different types of cancer and is the [third-leading preventable cause of cancer,]() yet studies show that [alcohol consumers are mostly unaware that alcohol is a carcinogen]() despite WHO classifying it as such more than 30 years ago. Furthermore, the risks to health from alcohol use are directly related to the level consumed and [according to the WHO](), there is [no absolutely safe threshold]().

Alcohol is a significant cause of health harms in Ireland. As per an analysis performed by [UCC College Cork and Alcohol Action Ireland]() using Global Burden of Diseases datasets, it was estimated that there were 1,543 deaths attributable to alcohol from all causes in Ireland in 2019, which represents nearly 5% of all deaths. On any given day in Ireland, [2-3 people are diagnosed with an alcohol-related cancer, 16 babies are born with Fetal Alcohol Spectrum Disorder, and 120 people are in hospital for alcohol-related liver disease.]() These are all preventable conditions that Irish consumers can be informed of through implementation of Ireland's alcohol labelling regulations. Given the widespread alcohol harms in Ireland, it is not surprising that [82% of Irish residents support alcohol warning labels]().

*Alcohol labelling is an effective, evidence-based public health measure*

There is increasing evidence that labels containing factual information about alcohol's health harms (including cancers and liver disease), the dangers of consuming alcohol while pregnant, and information

on alcohol content and calories, would be a highly effective way to inform Irish consumers of the risks of alcohol consumption so that they can make informed decisions about their health.

Our own research here at CISUR and CAMH supports alcohol labelling. For the last 10 years we have led the Canadian Alcohol Policy Evaluation Project (CAPE), a nation-wide exercise funded by the federal government to define and monitor the implementation of effective alcohol policies. The CAPE research team has developed Evidence-based Recommendations for Labelling Alcohol Products. **Ireland's alcohol labelling is consistent with these recommendations for effective labelling of alcohol products.**

Together with Public Health Ontario, CISUR conducted one of the best-known studies on the effectiveness of alcohol warning labels. The Yukon Labelling Study, which affixed brightly coloured, rotating labels on alcohol containers in Whitehorse, Yukon, Canada, was a rare real-world study of the effectiveness of alcohol warning labels in informing drinkers of the risks of alcohol and reducing consumption. Several academic papers have been published on the study, including:

- Communicating risks to drinkers: testing alcohol labels with a cancer warning and national drinking guidelines in Canada, (Hobin et al., 2020)
- Examining the impact of alcohol labels on awareness and knowledge of national drinking guidelines: A real-world study in Yukon, Canada, (Hobin et al., 2020, JSAD)
- Testing alcohol labels as a tool to communicate cancer risk to drinkers: a real-world quasi-experimental study (2020) (Hobin et al., 2020, JSAD)
- Effects of strengthening alcohol labels on attention, message processing, and perceived effectiveness: A quasi-experimental study in Yukon, Canada (2020), (Hobin et al., 2020, Intl J Drug Policy)
- Testing the Effectiveness of Enhanced Alcohol Warning Labels and Modifications Resulting From Alcohol Industry Interference in Yukon, Canada: Protocol for a Quasi-Experimental Study (Vallance et al., 2020, JSAD)
- Improving Knowledge That Alcohol Can Cause Cancer Is Associated with Consumer Support for Alcohol Policies: Findings from a Real-World Alcohol Labelling Study, (Weerasinghe et al., 2020, Env Res and Public Health)
- The effects of alcohol warning labels on population alcohol consumption: An interrupted time series analysis of alcohol sales in Yukon, Canada, (Zhao et al., 2020, JSAD)
- Alcohol Containers: A Consumer's Right to Know, a Government's Responsibility to Inform, and an Industry's Power to Thwart, (Stockwell et al., 2020, JSAD).

The findings from this study supported the following conclusions:
- Prior to the introduction of the labels, significant majorities of consumers did not know a) alcohol caused cancer b) Canada's low risk drinking guidelines c) how many standard drinks were in alcohol containers they purchased;
- The colourful, well-designed labels were seen and recalled by most consumers;
- Consumers who saw the labels were more likely to report considering cutting down on their drinking and increased their support for alcohol policies;
- Compared with neighbouring areas, per capita alcohol consumption in Whitehorse, the intervention site, decreased by almost 7% during the intervention;
- Public support for the warning labels was high throughout the study.

**Ireland's proposed alcohol labels are consistent with those used in the Yukon Labelling Study; an effective tool for informing drinkers of the risks of alcohol consumption.**

*Alcohol labels fulfil the duty to inform consumers*

The Canadian Alcohol Policy Evaluation Project (CAPE), together with legal experts, have also outlined manufacturers' duty to inform consumers of any risks inherent in the use of a product and provide consumers with adequate information to make an informed choice concerning use of the product. While there are no doubt legal variations between Canada and Ireland, the principle is the same: **Producers of alcoholic beverages have a duty to inform consumers about the health hazards associated with their product**, especially when such risks are poorly understood by the public. In fact, a class action lawsuit has recently been filed in Quebec against the SAQ, the government alcohol retailer, for their failure to adequately inform consumers of the risks of the alcohol products being sold. The warning labels being implemented in Ireland meet the evidence-based criteria to fulfil the duty to inform consumers. **Consumers have a right to know about alcohol's health harms and warning labels will provide consumers with that right.**

*Addressing WTO objections and other misconceptions about alcohol labelling*

As discussed above, concerns raised at the WTO TBT Committee meeting on June 21, 2023, regarding the potential for exporters to be required to produce labels specific to the Irish market, are unfounded. An EU representative has confirmed that alcohol labels can be placed on products after they are imported into Ireland, thus removing any burden of the exporter. Further, there is evidence that the alcohol industry uses WTO discussions at TBT committee meetings to delay and undermine effective public health efforts to prevent alcohol's harms, including labelling.

Through our research on alcohol labelling, we have discovered that there are many myths about alcohol labels, many of which have been raised or may be raised at future WTO TBT committee meetings. In response to these myths, a group of the undersigned have published a commentary outlining why Canadians deserve mandated health and standard drink information labels on alcohol containers. Table 3 of this commentary uses scientific evidence to debunk common myths surrounding alcohol warning labels to illustrate that labels **are** effective, long-standing scientific evidence **does** support health claims of alcohol causing cancer, and changing labels and incorporating colourful warnings and health information is **not** cost-prohibitive for manufacturers.

It is also worth noting that members of the alcohol industry have proposed voluntary labelling in place of mandated labelling. It is important to understand that such industry self-regulation is ineffective. In Australia, where an alcohol industry-led organization initiated voluntary labelling, less than half of alcoholic beverages actually contained the relevant information. In New Zealand, industry-led labelling resulted in small labels and textual information that was difficult to visually distinguish from the background. There is also significant evidence of alcohol industry interference in the implementation of evidence-based warning labels, including during the alcohol labelling study in Yukon.

*Conclusion*

**In conclusion, we are calling on the Canadian Government to put public health before corporate interests by supporting and respecting Ireland's authority to enact alcohol labelling requirements, including a cancer warning statement. We are calling on the Canadian Government <u>NOT</u> to oppose the new labelling requirements in the World Trade Organization's Technical Barriers to Trade Committee. In doing so, Canada can help to prevent deaths and harms from alcohol use in Ireland, and ultimately support evidence-based public health efforts in our own country.**

**The science is clear, and Canadians are clear**: Warning labels are a wanted and needed public health intervention that can effectively inform consumers about the health risks of alcohol. Governments in both Canada and Ireland have not yet fulfilled their duty to provide this information.

As researchers interested in preventing alcohol harm through policy, **we would greatly appreciate the opportunity to discuss this with you further in a meeting.** Please contact the CISUR office at cisur@uvic.ca or 1-250-472-5445 to facilitate this. We look forward to hearing from you.

Sincerely, the undersigned,

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