



Ottawa Council on  
Smoking or Health

Conseil d'Ottawa sur le  
tabagisme ou la santé

April 14, 2015

The Honourable Dr. Eric Hoskins, MPP (St. Paul's)  
Minister of Health and Long-Term Care  
10<sup>th</sup> Floor, Hepburn Block  
80 Grosvenor Street  
Toronto, ON M7A 2C4

Ms. France G  linas, MPP (Nickel Belt)  
Room 186, Main Legislative Building, Queen's Park  
Toronto, ON M7A 1A5

Dear Minister Hoskins and Ms. G  linas:

**RE: Bill 45, Making Healthier Choices Act, 2015**  
**Schedule 2 (Smoke-Free Ontario Act) and Schedule 3 (Electronic Cigarettes Act, 2014)**

The Ottawa Council on Smoking or Health (OCSH) is writing in support of the measures listed in Bill 45 regarding flavoured tobacco and electronic cigarettes.

The OCSH is a local volunteer organization established in 1978. Our goals are to: protect the public from second-hand smoke (SHS); prevent youth from starting to smoke; encourage smokers to quit; and advocate for better smoking cessation resources.

On March 3, 2015, Ms. G  linas addressed the Legislative Assembly of Ontario and spoke very strongly in support of a ban on flavoured tobacco, new tobacco products, and smokeless tobacco products; and in support of regulating the sale, display, promotion, and use of electronic cigarettes in enclosed public places and workplaces.

The OCSH thanks Ms. G  linas for her ongoing efforts to protect the public—especially youth—from predatory tobacco industry tactics, and to prevent nicotine addiction.

We are especially pleased that Bill 45 has all-party support. We thank the members of the Legislative Assembly of Ontario for continuing to support tobacco control measures.

## Bill 45, Schedule 2 (Smoke-Free Ontario Act):

The OCSH supports:

- Prohibiting the sale of flavoured tobacco, new tobacco products, and smokeless tobacco products to help prevent youth from starting to smoke and from becoming regular smokers.

**Recommendation:** We strongly recommend that **menthol** be banned from all cigarillos and tobacco products due to its role in facilitating or allowing nicotine addiction to be tolerated by the smoker.<sup>1</sup> Health Canada reports that in 2012-2013, **21% of youth in grades 6 to 12 reported using menthol cigarettes and 30% reported using flavoured little cigars.**<sup>2</sup>

- Prohibiting the sale of promotional items with the sale of tobacco.

## Bill 45, Schedule 3 (Electronic Cigarettes Act, 2014):

The OCSH supports:

- Prohibiting the use of electronic cigarettes inside **all** public places and workplaces.

**Recommendation:** We strongly recommend prohibiting the use of electronic cigarettes on **playgrounds, sports fields, and restaurant and bar patios**. This will protect hospitality workers and the public from exposure to the chemicals in electronic cigarette vapour, and will protect children and youth from electronic cigarette modeling behavior. Preliminary scientific evidence shows that vapour from electronic cigarettes can contain nicotine<sup>3</sup> and other potentially hazardous substances,<sup>4</sup> and that children may be especially at risk.<sup>5</sup> **The use of electronic cigarettes should be banned in the same indoor and outdoor spaces where the use of tobacco is prohibited.**

- Prohibiting the use of electronic cigarettes in motor vehicles when youth under 16 years of age are present.
- Prohibiting the sale of electronic cigarettes to youth under 19 years of age. **Among Canadian youth aged 15–19, 20% have tried vaping, compared to 11% who smoke tobacco.**<sup>6</sup>

- Prohibiting the sale of **flavoured** electronic cigarettes.
- Prohibiting the sale of electronic cigarettes in vending machines.
- Prohibiting the promotion or sale of electronic cigarettes in any place of entertainment.
- Prohibiting the sale of electronic cigarettes in hospitals, long-term-care homes, pharmacies, and other places where the public cannot buy tobacco products.
- Prohibiting electronic cigarettes from being viewed or handled by customers before purchase and prohibiting the promotion of electronic cigarettes inside or outside any place where they are sold. The OCSH is aware of kiosks operating in various shopping centres in Ottawa which allow customers to experiment with electronic cigarettes. The OCSH is concerned about the public's exposure to the chemicals in electronic cigarette vapour, and about modeling electronic cigarette behaviour to children and youth.

### [Additional Scientific Evidence Regarding the Risks Associated with Nicotine Exposure and the Use of Electronic Cigarettes:](#)

The OCSH wishes to highlight two recent scientific publications that discuss the harms posed by nicotine exposure and by the use of electronic cigarettes:

- A **scientific study** published on March 7, 2015 reported that:

“Human and animal data support that nicotine exposure during periods of developmental vulnerability (fetal through adolescent stages) has multiple adverse health consequences, including impaired fetal brain and lung development, and altered development of cerebral cortex and hippocampus in adolescents. Measures to protect the health of pregnant women and children are needed and could include (1) strong prohibitions on marketing that increase youth uptake; (2) youth access laws similar to those in effect for other tobacco products; (3) appropriate health warnings for vulnerable populations; (4) packaging to prevent accidental poisonings; (5) protection of non-users from exposure to secondhand electronic cigarette aerosol; (6) pricing that helps minimize youth initiation and use; (7) regulations to reduce product addiction potential and appeal for youth; and (8) the age of legal sale.”<sup>7</sup>

- The **Canadian Pediatric Society** issued a position statement on March 6, 2015, noting:

“The deleterious effects of nicotine on paediatric health are well established. The use of e-cigarettes in the paediatric age group is on the rise in Canada, as are associated nicotine poisonings. E-devices generate substantial amounts of fine particulate matter, toxins and heavy metals at levels that can exceed those observed for conventional cigarettes. Children and youth are particularly susceptible to these atomized products. Action must be taken before these devices become a more established public health hazard. Policies to denormalize tobacco smoking in society and historic reductions in tobacco consumption may be undermined by this new ‘gateway’ product to nicotine dependency.”<sup>8</sup>

### Recommendation Regarding Implementation Date:

The OCSH is concerned that the measures listed in Bill 45 will not come into force until January 2017. We strongly urge all political parties to support an implementation date of **January 2016** to increase protection for the public and workers; to prevent nicotine addiction; and to preserve the gains made in denormalizing smoking in Ontario.

### Gaps in Proposed Legislation:

The proposed amendments to the *Smoke-Free Ontario Act* do not address other long-standing tobacco control issues including: second-hand smoke exposure on hospital campuses, in multi-unit dwellings, and at building entranceways; increased use of water pipes among Ontario youth; and the use of water pipes in public places and workplaces (e.g. restaurants, bars). While cigarette use among Canadian youth is declining, **25% of Canadian high school seniors have tried water pipes<sup>9</sup> and more than 78,200 youth are current water pipe users.<sup>10</sup>**

The OCSH receives ongoing complaints from the public on all of these issues. We continue to advocate for additional local, provincial, and federal legislation to protect the public from second-hand smoke exposure, and to prevent youth from becoming addicted to water pipes.

Respectfully submitted,

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Carmela Graziani  
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cc: The Honourable Kathleen O. Wynne, Premier of Ontario; MPP (Don Valley West)  
The Honourable Dipika Damerla, Associate Minister of Health and Long-Term Care  
(Long-Term Care and Wellness); MPP (Mississauga East—Cooksville)  
The Honourable Bob Chiarelli, MPP (Ottawa West—Nepean)  
The Honourable Madeleine Meilleur, MPP (Ottawa—Vanier)  
The Honourable Yasir Naqvi, MPP (Ottawa Centre)  
Mr. Jim Wilson, Interim Leader of the Conservative Party; MPP (Simcoe—Grey)  
Ms. Andrea Horwath, NDP Leader; MPP (Hamilton Centre)  
Mr. John Fraser, MPP (Ottawa South)  
Ms. Lisa MacLeod, MPP (Nepean—Carleton)  
Ms. Marie-France Lalonde, MPP (Ottawa—Orléans)  
Mr. Jack MacLaren, MPP (Carleton—Mississippi Mills)  
Ms. Sylwia Przewdziecki, Committee Clerk, Standing Committee on General Government,  
Legislative Assembly of Ontario

## REFERENCES

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