



April 24, 2016

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

Dear Minister Hoskins:

**Re: Ontario Regulation 48/06 under the Smoke-Free Ontario Act and
Ontario Regulation 337/15 under the Electronic Cigarettes Act**

The Ottawa Council on Smoking or Health (OCSH) is writing in support of proposed regulations that would strengthen the *Smoke-Free Ontario Act* and the *Electronic Cigarettes Act*.

We have written to the Ontario Ministry of Health and Long-Term Care in support of stronger legislation and regulations to protect the public from e-cigarette vapour and to protect youth from the predatory tactics of the tobacco and e-cigarette industries:

- http://www.smokefreeottawa.com/uploads/1/1/7/4/11742147/ocsh_letter_sfoa_bill_45_regulations_nov_30_2015.pdf
- http://www.smokefreeottawa.com/uploads/1/1/7/4/11742147/ocsh_submission_bill_45_regulations_august_2015.pdf
- http://www.smokefreeottawa.com/uploads/1/1/7/4/11742147/ocsh_letter_re_bill_45_april_14_2015.pdf
- http://www.smokefreeottawa.com/uploads/1/1/7/4/11742147/ocsh_submission_sfoa_amendments_feb_27_2014.pdf

The OCSH supports:

- Expanding "no smoking rules" to apply to medical marijuana.
- Prohibiting the use of e-cigarettes - including the use of vaporizers to consume medical marijuana and testing in vape stores – in all enclosed public places and work places, and outdoor areas where tobacco smoking is prohibited.
- Expanding the definition of "e-cigarette" to include "e-substance".
- Expanding the list of places where e-cigarettes are prohibited for sale.

- Establishing rules for the display and promotion of e-cigarettes at places where they are sold.

Concerns:

- The OCSH does not support the government's proposal to "*permit parents, guardians and caregivers to supply e-cigarettes to minors for medical marijuana purpose.*" The OCSH is concerned about the known health risks of marijuana use on the developing brain and the respiratory system, as well as the risks posed by second-hand vapour.^{1,2}

Recommendations:

- Prohibit the use of the following inside and outside all public places and workplaces: **any weeds, herbal products or substances that can be lit, smoked, burned, heated, combusted, or vapourized, and that creates any smoke, vapour, gases, particles, or other harmful substances that can be inhaled.** Otherwise, there is the possibility that individuals will use an array of illegal substances in e-cigarette devices or novel devices, and it will be impossible to monitor the types of substances used inside and outside public spaces. Furthermore, this wording would finally close the gaps in the existing legislation. Currently, the *Smoke-Free Ontario Act* does not prohibit the use of herbal waterpipes and herbal cigarettes, despite the scientific evidence regarding the harms posed to users, the public, workers, and youth. The OCSH is also concerned about the federal government's plans to legalize marijuana, and the provincial government's subsequent need to prohibit the use of marijuana inside and outside all public places and workplaces.
- Prohibit the use of flavours in e-cigarette products to protect youth.
- The OCSH recently submitted recommendations to the City of Ottawa regarding the sale of e-cigarettes and paraphernalia.³ We support:
 - Requiring e-cigarette vendors to apply for a licence similar to the tobacco vendor licence. The retail proprietor should be legally responsible for prohibiting youth from entering vape shops.
 - Seeking changes to the Municipal Act to give municipalities the power to enact a licencing bylaw to:
 - Limit the location and number of e-cigarette vendors near schools, beaches, playgrounds, sports fields, community centres, and sport or leisure facilities; and to
 - Limit the distance between each e-cigarette vendor.

- We urge the Ontario government to address the ongoing and pervasive issue of second-hand smoke in multi-unit housing and to provide legal protection to the thousands of Ontario residents who are affected by this issue on a daily basis in private multi-unit housing. We continue to receive complaints from individuals with chronic diseases and from seniors whose health has been significantly compromised.

We thank and congratulate the province of Ontario for its ongoing commitment to tobacco control and for strengthening provincial legislation and regulations to further protect the most vulnerable individuals in our community.

Respectfully submitted,

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REFERENCES

¹Ottawa Council on Smoking or Health. Strengthening the City of Ottawa's Smoke-Free Bylaws: Prohibiting Vaping Indoors and Outdoors. April 4, 2016.
http://www.smokefreeottawa.com/uploads/1/1/7/4/11742147/ocsh_fact_sheet_prohibiting_vaping_in_doors_and_outdoors_april_4_2016.pdf

² Canadian Society of Respiratory Therapists. CSRT Position Statement. The Use of Electronic Cigarettes.
<http://www.csrt.com/?wpdmdl=9688>

³ Ottawa Council on Smoking or Health. Position Statement on Strengthening the City of Ottawa's Smoke-Free Indoor and Outdoor Bylaws. April 1, 2016.
http://www.smokefreeottawa.com/uploads/1/1/7/4/11742147/ocsh_position_statement_strengthening_smokefree_ottawa_bylaws_april_4_2016.pdf