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the public health units
in Ontario.

alPHa Sections:

Boards of Health
Section

Council of Ontario
Medical Officers of
Health (COMOH)

**Affiliate
Organizations:**

Association of Ontario
Public Health Business
Administrators

Association of
Public Health
Epidemiologists
in Ontario

Association of
Supervisors of Public
Health Inspectors of
Ontario

Health Promotion
Ontario

Ontario Association of
Public Health Dentistry

Ontario Association of
Public Health Nursing
Leaders

Ontario Dietitians in
Public Health

Laura Pisko, Director
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Ministry of Health and Long-Term Care
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Toronto, ON M7A 2S1

Re: Proposal 18-HLTC024, Smoke-Free Ontario Act, 2017 Regulation 268/18

On behalf of the Association of Local Public Health Agencies (alPHa) and its member Medical Officers of Health, Boards of Health and Affiliate organizations, I am writing today to provide our feedback on the amendments to the Smoke-Free Ontario Act that have been proposed as noted above.

We have expressed our strong support for harmonizing the rules about the sale, promotion, display and consumption of tobacco, vape products and combustible cannabis in public places. Not only is it sound public health policy, but it also reduces confusion among the public, allows for consistent public health messaging and simplifies related compliance and enforcement activities.

We are pleased with the decision to retain and extend legislated protections from exposure to cannabis smoke in enclosed spaces, based on the known health risks of inhaling smoke of any kind. We are also pleased that similar restrictions on vaping have been retained while the possible negative health impacts of exposure and long-term use are assessed. These harmonized and stringent restrictions will reinforce public health's ongoing efforts to reduce the use of tobacco and its associated or analogous products.

On the subject of such exposure, we are disappointed with the ongoing exclusion of water pipes from the provisions of the Smoke-Free Ontario Act. Also known as "hookah" or "shisha", the negative health impacts of smoking herbal concoctions through these devices are more clearly demonstrated than those of vaping. Ontario's ongoing permission of the use of water pipes in enclosed public places is already inconsistent with the aims of the Smoke-Free Ontario Act, and this inconsistency is only magnified by placing stricter limitations on vaping. Please find attached alPHa Resolution A13-5, which provides more background on this issue. We strongly urge you take this opportunity to add these devices to the proposed amendments.

Public health agencies and associations in Ontario have been vocal and consistent about the need for strong regulations for the sale, promotion and use of e-cigarettes and other vape products. We are becoming increasingly aware of the appeal and popularity of these products among children and youth, and there can be no argument that the wide array of available baked-goods and candy-flavoured vape juices are aimed at a younger demographic. Use of vape products among youth has risen sharply over the past two years and will continue to do so without strict prohibitions on their promotion and marketing.

We are therefore strongly supportive of restoring restrictions that will prevent youth exposure to such marketing, as has already been achieved with tobacco. We disagree completely with the decision to relax requirements related to the display and promotion of vape and e-cigarette products and strongly recommend that these be subject to the same limitations currently placed on the display, sale and promotion of tobacco. Our position on this is only reinforced by the increasing availability of addictive nicotine-infused vape liquids in the Ontario market.

Once the new regulations are in place, Tobacco Enforcement Officers in Ontario's public health units will have enforcement responsibilities for certain provisions, and we also ask that these responsibilities be consistent with those related to existing tobacco control activities and that consideration be given to the resources that may be required to ensure enforcement capacity.

Earlier this year, our Council of Ontario Medical Officers of Health (COMOH) endorsed a position that local boards of health should be empowered by the province to enforce consumption prohibitions in the Ontario Cannabis Act (OCA) in locations that correspond to where tobacco smoking and vaping is prohibited under the SFOA, but not any of the other provisions within the OCA such as cannabis seizure, or age and medical use verification. As part of this position, COMOH also calls for centralized training resources, proprietor and public awareness and education, and the provision of additional resources to local public health to successfully carry out its responsibilities under the new regulatory regime.

The Smoke-Free Ontario Act remains a worldwide standard for effective tobacco control, and we are pleased that the Government of Ontario has recognized its value as a framework to address the emerging public health issues of vaping and cannabis use. We hope that the feedback we have provided will strengthen the next iteration of this important legislation. We also hope that you will give careful consideration to the responses that are being provided individually by our member boards of health as they will almost certainly address some of the operational implications of the proposed amendments in more detail.

Please contact Loretta Ryan, Executive Director, alPHa at 647-325-9594 or loretta@alphaweb.org should you have any questions or require further information regarding this submission.

Yours sincerely,



Dr. Robert Kyle,
alPHa President

COPY: Hon. Christine Elliott, Minister of Health and Long-Term Care
Helen Angus, Deputy Minister, Health and Long-Term Care
Dr. David Williams, Chief Medical Officer of Health
Roselle Martino, Assistant Deputy Minister, Population and Public Health Division (Health and Long-Term Care)
France G elinas, Health Critic, New Democratic Party of Ontario