

alPHa's members are 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 480 University Ave., Suite 300 Toronto, Ontario M5G 1V2 Tel: (416) 595-0006 E-mail: info@alphaweb.org

December 1, 2023

Hon. Mark Holland Minister of Health, House of Commons Ottawa, Ontario, K1A 0A6

Dear Minister Holland,

#### **Re: Regulation of Nicotine Products**

On behalf of the Association of Local Public Health Agencies (alPHa) and its Council of Ontario Medical Officers of Health, Boards of Health Section and Affiliate Organizations, I am writing to request that Health Canada take swift action to stop the sale and promotion of nicotine pouches to youth and continue progress towards eliminating commercial tobacco and nicotine use and in keeping with our Association's call for a comprehensive smoking, vaping, and nicotine strategy in the attached resolution.

While smoking rates are at an all-time low, commercial tobacco use remains the leading preventable cause of death and disability in Ontario, as well as in Canada.<sup>i, iii</sup> Emerging nicotine products such as e-cigarettes and nicotine pouches threaten to increase nicotine addiction amongst youth and adults who do not smoke. Research in nicotine addiction continues to show a path to tobacco. For example, youth who use e-cigarettes have been shown to be three to four times more likely to start smoking tobacco cigarettes <sup>iii</sup>.

alPHa is very concerned that nicotine pouches have been approved for sale and promotion in the Canadian market with even less regulation than e-cigarettes. Nicotine pouches have been approved for sale to children of *any* age and are legal to be promoted to all audiences, including on television, billboards and using social media and lifestyle ads. Colourful displays at points of sale and free samples are also permitted. Regulations prohibiting the sale and advertising of tobacco and vapour products to those under 18 years (19 years in Ontario) serve to protect youth from a lifetime of nicotine addiction and are thus among the strategies included within Canada's *Tobacco and Vaping Products Act* and the *Smoke-Free Ontario Act*, 2017.

Similar restrictions are urgently required for nicotine pouches including restricting flavouring that appeals to youth. Flavours were removed from tobacco cigarettes to help reduce their appeal to youth, though they continue to be a driving force of youth vaping <sup>iv</sup>. Restricting all flavours except those that impart a tobacco flavour in both e-cigarettes and nicotine pouches would further reduce the risk of nicotine addiction among youth and adults who have never smoked.

alPHa supports the immediate calls to action recently made by health organizations such as <a href="Physicians for a Smoke-Free Canada">Physicians for a Smoke-Free Canada</a>, requiring reclassification of nicotine pouches as a prescription product, or to suspend the sale of nicotine pouches until the regulatory gap is closed, both of which being approaches that could be done quickly and administratively without the need for regulatory amendment. Further, alPHa supports the recommendation to establish a temporary moratorium on the approval of any further nicotine pouch products, or any new category of nicotine products, under the Natural Health Product Regulations, until the regulatory gap is closed, unless the products are sold on a prescription basis.

This emerging nicotine product highlights the need for a federal smoking, vaping, and nicotine strategy that aligns with Canada's current Tobacco Strategy target of less than 5% commercial tobacco use by 2035 with respect to all nicotine delivery products. Such a strategy would complement the call for a renewed and comprehensive smoking, vaping, and nicotine strategy in Ontario that was introduced via alPHa Resolution A23-02, passed by our membership at our 2023 Annual Conference as attached for your reference.

We look forward to working with you and welcome any questions regarding this issue. Please have your staff contact Loretta Ryan, Executive Director, alPHa, at loretta@alphaweb.org or 647-325-9594.

Sincerely,

Dr. Charles Gardner

C. Gandon

President

**Copy:** Dr. Kieran Moore, Chief Medical Officer of Health, Ontario

i Ontario Agency for Health Protection and Promotion (Public Health Ontario). Ontario Tobacco Monitoring Report 2018 [Internet]. Toronto, ON: Queen's Printer for Ontario; 2019. Available from:

https://www.publichealthontario.ca/-/media/documents/T/2019/tobacco-report-2018.pdf

ii Murray CJL, Aravkin AY, Zheng P, Abbafati C, Abbas KM, Abbasi-Kangevari M, et al. Global burden of 87 risk factors in 204 countries and territories, 1990–2019: a systematic analysis for the Global Burden of Disease Study 2019. The Lancet. 2020 Oct;396(10258):1223–49.

iii Collishaw, N. (2022, February 14). Science has marched on: it is time to update the advice to Canadians. Physicians for a Smoke-Free Canada. <a href="https://smoke-free-canada.blogspot.com/2022/02/science-has-marched-on-it-is-time-to.html">https://smoke-free-canada.blogspot.com/2022/02/science-has-marched-on-it-is-time-to.html</a>

iv Hammond, D., Reid, J. L., Rynard, V. L., & Burkhalter, R. (2019). ITC youth tobacco and vaping survey: Technical report – Wave 3 (2019). University Of Waterloo. Updated May 2020.

The Association of Local Public Health Agencies (alPHa) is a not-for-profit organization that provides leadership to Ontario's boards of health. alPHa represents all of Ontario's 34 boards of health, medical officers and associate medical officers of health, and senior public health managers in each of the public health disciplines – nursing, inspections, nutrition, dentistry, health promotion, epidemiology, and business administration. As public health leaders, alPHa advises and lends expertise to members on the governance, administration, and management of health units. The Association also collaborates with governments and other health organizations, advocating for a strong, effective, and efficient public health system in the province. Through policy analysis, discussion, collaboration, and advocacy, alPHa's members and staff act to promote public health policies that form a strong foundation for the improvement of health promotion and protection, disease prevention and surveillance services in all of Ontario's communities.



#### **RESOLUTION A23-02**

TITLE: Toward a Renewed Smoking, Vaping, and Nicotine Strategy in Ontario

SPONSOR: Simcoe Muskoka District Health Unit (SMDHU)

WHEREAS commercial tobacco use remains the leading preventable cause of death and disease in

Ontario and Canada; and

WHEREAS the direct and indirect financial costs of tobacco smoking are substantial and were

estimated at \$7 billion in Cancer Care Ontario and Public Health Ontario's 2019 report

The Burden of Chronic Diseases in Ontario; and

WHEREAS the prevalence of cigarette smoking among Ontarians aged 15 years and older in 2020

was 9.9%, amounting to 1,222,000 people; and

WHEREAS the commercial tobacco control landscape has become more complex with the rapid rise

of vaping among youth, as well as the concerning prevalence of waterpipe and cannabis

smoking; and

**WHEREAS** the membership previously carried resolution A21-1 proposing policy measures to

address youth vaping for implementation at the provincial and federal levels, several of

which have yet to be implemented; and

WHEREAS the membership previously carried resolution A17-5 recommending that the provincial

tobacco control strategy be aligned with the tobacco endgame in Canada; and

WHEREAS Ontario and Canada have made great strides in commercial tobacco control in Ontario,

which are now endangered by the lack of a provincial strategy and infrastructure to

support its continuation; and

WHEREAS disproportionate commercial tobacco and nicotine use and associated health burdens

exist among certain priority populations;

**NOW THEREFORE BE IT RESOLVED** that the Association of Local Public Health Agencies write to the Ontario Minister of Health recommending that a renewed and comprehensive smoking, vaping, and nicotine strategy be developed with the support of a multidisciplinary panel of experts, local public health, and people with lived experience;

**AND FURTHER** that the Association of Local Public Health Agencies recommend that, in the development of a target for such a provincial strategy, the expert panel examine the sufficiency and inclusiveness of Canada's Tobacco Strategy target of less than 5% commercial tobacco use by 2035 with respect to all nicotine delivery products;

**AND FURTHER** that the Association of Local Public Health Agencies recommend that the pursuit of health equity be foundational to such a provincial strategy;

**AND FURTHER** that a copy be sent to the Chief Medical Officer of Health of Ontario.

# **BACKGROUND:**

TOWARD A RENEWED COMMERCIAL TOBACCO AND NICOTINE STRATEGY IN ONTARIO

#### 1. Commercial Tobacco

Canada has made great strides in commercial tobacco¹ control, and Ontario has until recent years been a leader among our provinces and territories, having made tremendous progress in decreasing smoking rates and in turn the negative health outcomes of smoking. Smoking prevalence among Canadians and Ontarians 15 years and older have dropped from 25% and 23%, respectively, in 1999 down to around 10% in 2020.¹ This decrease is representative of a remarkable downward trend nationally and provincially that appear to be on track to reach the endgame goal of less than 5% tobacco use by 2035, a target adopted by the federal government in Canada's Tobacco Strategy² and previously recommended for adoption in Ontario³. The recent Report of the First Legislative Review of the *Tobacco and Vaping Products Act* elaborates on this trend, noting that "declines in the number of young persons who smoke played an important role in declining prevalence rates overall; smoking rates among Canadians aged 15-19 are currently at an all-time low."<sup>4</sup>

However, it is crucial to note that this progress was achieved over decades, with explicit commercial tobacco control strategies in place to guide tobacco control research, policy development, and policy implementation; all this work was also undergirded by a robust infrastructure. Recent examples of progress in the federal policy arena include the implementation of policies around plain and standardized packaging for commercial tobacco products and enhanced package health warnings, as well as a ban on flavours in cigarettes and most cigars. Provincially, Ontario has strengthened its commercial tobacco contraband measures.

While Canada retains a strategy, Ontario is now operating without one—and there is still much work to be done: Tobacco use remains the leading preventable cause of death and disability in Canada,<sup>5,6</sup> killing approximately 48,000 Canadians each year,<sup>2</sup> of which nearly 17,000 are Ontarians.<sup>7</sup> The Ontario Public Health Standards' *Tobacco, Vapour and Smoke Guideline, 2021* states that "[e]very day tobacco kills more Ontarians than alcohol, illegal drugs, accidents, suicides and homicides combined. People who use tobacco are more likely to go to the hospital and stay longer. They are also likely to die younger."<sup>8</sup> The economic burden is similarly immense: While updated data on the economic burden of tobacco use is needed, 2017 data indicated health care costs of \$6.1 billion and overall costs of \$12.3 billion nationally.<sup>9</sup> In Ontario, a separate report determined the overall annual economic burden of tobacco smoking to be around \$7 billion, exceeding that of alcohol consumption, physical inactivity, or unhealthy eating, taken separately.<sup>10</sup>

# 2. Vaping

The landscape of commercial tobacco and nicotine products has become more complex with the advent of vaping products containing nicotine, which includes electronic cigarettes (e-cigarettes), the primary users of which are youth. Vaping is the "act of inhaling and exhaling an aerosol produced by a vaping product, such as an electronic cigarette." Most vaping devices use electrical power from a battery to heat a liquid solution to produce an aerosol that is breathed in by the user through the mouthpiece. Most vaping liquids contain nicotine, the levels of which range from very low to more than what is found in a typical tobacco cigarette, together with flavouring compounds that are dissolved in a liquid mixture

<sup>&</sup>lt;sup>1</sup> Commercial tobacco is distinct from traditional or ceremonial use of tobacco by Indigenous peoples. In the implementation and enforcement of the *Smoke-Free Ontario Act, 2017*, the Ministry of Health protects the use of tobacco by Indigenous peoples and communities when used for traditional or ceremonial purposes.

composed typically of propylene glycol and/or glycerol (i.e., vegetable glycerin). 11 Some vaping liquids also contain cannabis. 12

National data from 2021 indicates that 13% of adolescents aged 15 to 19 years and 17% of young adults aged 20 to 24 years in Canada reported having vaped at least once during the 30-day period before the survey, compared with 4% of adults aged 25 or older. 13 Provincially, there has been a meteoric rise in youth vaping rates in recent years: According to the Ontario Student Drug and Health Survey, grade 7-12 students who reported used vaping products in the past year doubled from 11% in 2017 to 23% in 2019, with 13%—representing approximately 105,600 students—vaping weekly or daily. 14 These rates are particularly alarming among students in higher grades: The 2019 survey indicated that 35% of students in grade 12 vaped in the past year, of which 21% were vaping weekly or daily. 14 Moreover, among students who vaped in the past year, those who reported using a nicotine-containing product doubled from 28% in 2017 to 56% in 2019. 14 The more recent 2021 survey noted a decrease of past-year vaping among students to 15%. However, those who reported using a nicotine-containing product increased further to 84%, implying that the overall percentage of students vaping nicotine-containing products remained approximately the same as in 2019. There are several challenges to interpretation of the 2021 survey results. For example, the change to an online mode of questionnaire delivery for 2021 led to dramatically decreased response rates that may impact the provincial representativeness of the results. 15 The report also indicates that "because of the significant changes to the methodology in 2021, caution is warranted when comparing these estimates with those from previous OSDUHS cycles."15 More broadly, both the COVID-19 pandemic as well as changes to the federal and provincial regulatory and policy environments since 2019 have likely impacted the prevalence of youth vaping; however, longitudinal assessments have been disrupted by the pandemic and therefore the extent of impacts is unknown. Further monitoring, data collection and evaluation is needed to understand the impact of these changes and events on adolescent vaping initiation, escalation, and overall prevalence.

Regardless of the method of delivery, the highly addictive effects of nicotine are fundamentally the same, and may have particularly insidious effects on the developing brains of youth. 16,17 Although vaping products have been advertised in part as a harm reduction and smoking cessation product that may reduce health risks and possibly save lives for people who smoke, with some evidence to support this claim, <sup>18,19</sup> there has been no discernible population-level change in smoking cessation rates since vaping products entered the market.<sup>20</sup> Therefore, any individual-level efficacy of vaping products as a smoking cessation tool does not appear to translate to population-level impact. Furthermore, the vast majority of uptake has been among youth without a smoking history. In fact, among those who reported having vaped in the past 30 days, a majority (61%) of youth aged 15 to 19 and more than one-quarter (27%) of young adults aged 20 to 24 had never tried a tobacco cigarette in their life, which suggests that the majority of youth are not using vaping devices to reduce or quit smoking. 13 Therefore, the current evidence around the benefits of vaping products for the purpose of smoking cessation, while still evolving, is not of relevance to youth. In contrast, the evidence to date around the harms of vaping is becoming increasingly clear; in particular, people who vape but do not smoke are on average around three times more likely than those who do not vape to initiate cigarette smoking, 21,22 lending credence to the concern of a gateway effect. Additional evidence of harms from vaping includes the following:

- A variety of substances known to be toxic, carcinogenic, or cause disease have been identified in vaping products.<sup>23</sup>
- Intentional or accidental exposure to nicotine e-liquids can lead to poisoning, which can be lethal, with a significant number of accidental poisonings occurring in children under the age of six.<sup>21</sup>
- Vaping can cause burns and injuries, which can be lethal.<sup>21</sup>
- Vaping can cause respiratory disease in the form of E-cigarette or Vaping Use-Associated Lung Injury (EVALI).<sup>21</sup>
- Vaping can lead to seizures.<sup>21</sup>

Vaping products contribute to environmental waste.<sup>21</sup>

Moreover, there are differences between vaping and smoking dependence that may impact attempts to quit, including the greater variability in vaping products compared to cigarettes, the discreteness and convenience of vaping, and the greater social acceptability of vaping among youth.<sup>24</sup> To address the rise of vaping, Ontario has required retail registration with local public health units for sale of flavoured vaping products (except mint-menthol or tobacco flavours), restricted sale of flavoured products (except mint-menthol and tobacco flavours) to specialty vape stores, banned sale of vaping products in several public premises, and banned their use in most public premises, though with notable exceptions such as post-secondary institutions. There are also several promising local and regional campaigns such as "Not an Experiment"<sup>25</sup> aiming to raise awareness among youth, parents, and educators about the risks of vaping. However, more control measures and interventions, as well as evaluation of their effectiveness, are needed to protect youth from the harms of both vaping as well as all future commercial nicotine delivery products.

#### 3. Waterpipe smoking

Also referred to as "shisha" or "hookah", waterpipe smoking involves smoking a heated tobacco or non-tobacco "herbal" product. <sup>26</sup> Its increase in prevalence globally may be explained in part by misconceptions of lesser harm relative to other forms of tobacco smoking, its social nature, and the availability of various flavours and nicotine-free products. <sup>26</sup> However, waterpipe smoking of both tobacco and non-tobacco products results in inhalation of various carcinogens and toxins, and results in similar negative health effects to cigarette smoking. <sup>26</sup> Moreover, while the *Smoke-Free Ontario Act, 2017* prohibits the use of tobacco in waterpipes in restaurants and bar patios, the use of non-tobacco products in waterpipes is still permitted, impacting not only waterpipe smokers but also the public through secondhand and thirdhand smoke. <sup>26</sup>

# 4. Cannabis smoking

Cannabis, which can be consumed by various means including smoking, vaping, and ingestion, refers to all products derived from the *Cannabis sativa* plant, and can consist of up to approximately 540 different chemical substances, among which the main psychoactive constituent is tetrahydrocannabinol (THC).<sup>27</sup> The federal *Cannabis Act* came into force in October 2018, resulting in legalization and regulation of production, distribution, sale, import, export, and possession of cannabis for adults of legal age.<sup>28</sup> The 2021 Canadian Cannabis Survey indicates that approximately 25% of Canadians have reported using cannabis in the past 12 months, of whom 74% reported smoking as one method of cannabis consumption.<sup>12</sup> In addition to an array of health effects associated with cannabis consumption, smoked cannabis in particular can increase risk of bronchitis, lung infections, and chronic cough.<sup>29</sup> The *Smoke-Free Ontario Act, 2017* prohibits the smoking of cannabis in enclosed workplaces, enclosed public places, and other designated places.

# 5. Ontario's commercial tobacco and nicotine control landscape

Despite concerted efforts through research and reports providing evidence-informed recommendations towards a "tobacco endgame" culminating in the *Smoke-Free Ontario Modernization* report in 2017,<sup>3</sup> there has been limited incorporation of these recommendations into the province's approach to commercial tobacco and nicotine control.<sup>30</sup> For example, actions to increase the cost of commercial tobacco products through tax and other pricing policies have been limited; Ontario continues to have the second lowest retail price and total tobacco tax for tobacco products in Canada.<sup>31,32</sup> Moreover, among the many programs and services that have been lost during the COVID-19 pandemic, commercial tobacco and nicotine prevention, protection, and cessation programs have been significantly impacted. Indeed, the

broader commercial tobacco control infrastructure in Ontario has declined substantially both before and during the pandemic, a decline that is closely tied to the loss of a provincial strategy. With the loss of the Smoke-Free Ontario Strategy, the following crucial infrastructure has been lost: the Smoking and Health Action Foundation, the Leave the Pack Behind program, the Youth Advocacy Training Institute as well as the associated youth advocacy programming, the Program Training and Consultation Centre, funding to public health units for youth and young adults as staff, Smokers' Helpline telephone counselling, Registered Nurses Association of Ontario special projects for tobacco control, Heart & Stroke Foundation of Ontario mass media campaigns, and provincial mass media campaigns. In addition, provincial funding has been reduced for monitoring, research, and evaluation, which has impacted the activities of organizations such as the Ontario Tobacco Research Unit. Funding from other sources such as NGOs has also been lost for organizations such as the Ontario Campaign for Action on Tobacco. Furthermore, many stakeholder engagement opportunities at the provincial level, such as through the Tobacco Control System Committee, the Youth Prevention Task Force, the Communications and Marketing Advisory Committee, the Protection and Enforcement Task Force, the Research and Evaluation Task Force, the Capacity Building and Training Task Force, and monthly calls between Tobacco Control Area Networks and Ministry staff, have been discontinued. Finally, organizations such as Public Health Ontario have had a reduced focus on commercial tobacco and nicotine as an inevitable consequence of the significant resources that have been committed to combatting the COVID-19 pandemic, although their recent reengagement in this area is inspiring.

These setbacks are compounded by ongoing inequities in the health impacts of tobacco and nicotine use among certain populations. Smoking is a socioeconomically stratified behaviour, as evidenced by decreasing prevalence rates with increasing education.<sup>33</sup> Disproportionate commercial tobacco and nicotine use and associated health burdens exist among Indigenous populations, members of the LGBTQ2S+ community, low-income populations, people with less formal education, people working in certain occupations (e.g., trades), individuals with mental health needs, individuals who use other substances, and incarcerated individuals.<sup>2,9,31,34</sup> Moreover, while reaching less than 5% tobacco use by 2035 may be possible with current strategies, such a target on its own does not sufficiently address this disproportionate burden among these populations. When addressing such health inequities among Indigenous peoples, it is also important to take a culturally safe approach that distinguishes between commercial tobacco use and traditional or ceremonial use of tobacco.

#### 6. Examining the policy options

In late 2022, the Simcoe Muskoka District Health Unit (SMDHU) performed a brief jurisdictional scan focusing on recently implemented commercial tobacco and nicotine control policies (see Appendix A) and explored the grey literature to both identify existing policies at the federal and provincial levels, as well as determine some of the priority areas for action for a renewed smoking and nicotine strategy. SMDHU also conducted a conversation with key informants, the key points of which were summarized through the lens of an adapted version of the World Health Organization's MPOWER framework<sup>2</sup> (see Appendix B).<sup>36</sup>

Given the relative recency of vaping as a phenomenon, evidence is emerging related to the effectiveness of interventions to reduce vaping<sup>23,37–41</sup> as well the cost-effectiveness of doing so.<sup>42</sup> Lessons learned from interventions used to combat commercial tobacco use may also be applied to address vaping.<sup>40</sup> However, evaluation will be needed to confirm effectiveness. There have already been a variety of effective

<sup>2</sup> The World Health Organization Framework Convention on Tobacco Control (FCTC) is a legally binding international health treaty on tobacco control, which 182 countries including Canada have ratified.<sup>35</sup> To help countries reduce demand for tobacco, the WHO developed the MPOWER measures: Monitor tobacco use and prevention policies; Protect people from tobacco smoke; Offer help to quit tobacco use; Warn about the dangers of tobacco; Enforce bans on tobacco advertising, promotion and sponsorship; and Raise taxes on tobacco.<sup>36</sup> Disposition of Resolutions – 2023

commercial tobacco and nicotine control interventions implemented in Ontario and other Canadian jurisdictions over the years, but a coordinated, comprehensive, multi-level, evidence-informed, and enduring strategy is needed to achieve the target of less than 5% tobacco use by 2035. Such a strategy would continue to be informed by evidence and focus on the traditional pillars of prevention, cessation, and protection, as well as industry denormalization and engagement of disproportionately impacted groups such as First Nations, Inuit and Métis (FNIM) organizations and communities. <sup>3,9,34,43,44</sup> However, for such a strategy to work, there must be provincial and federal commitments to strong regulations around all alternative methods of nicotine delivery. In particular, the Council of the Chief Medical Officers of Health has recommended a "broad regulatory approach to all alternative methods of nicotine delivery (i.e. other than tobacco products) that offers strong youth protection while allowing appropriate access for adult who smoke to products if they are proven effective in decreasing or stopping the use of all nicotine-containing products."<sup>45</sup>

#### 7. Conclusion

Despite significant progress in commercial tobacco control, the health and economic burdens of tobacco-related disease in Canada remain unconscionably high. Moreover, vaping, waterpipe smoking, and cannabis smoking have added further complexity to the smoking and nicotine control landscape that risks undoing the tremendous progress that has been made. A coordinated, comprehensive, and enduring provincial smoking and nicotine control strategy is needed to save lives, protect young minds, reduce health inequities, and save money.

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# Appendix A: Jurisdictional Scan of Tobacco and Nicotine Control Policies in Canada

**Summary:** A jurisdictional scan of Canadian federal, provincial, and territorial tobacco and nicotine control strategies was performed. An array of pre-existing documents<sup>32,46–48</sup> (environmental scans, briefing notes, etc.) produced by Physicians for a Smoke-Free Canada (PSC) cover similar objectives, and therefore constitute a major contribution to this scan. Overall, strategies have continued to focus on efforts surrounding the four pillars of prevention, cessation, protection and denormalization, with varying degrees of emphasis on each. However, the last few years have seen a deceleration in commercial tobacco control efforts, while vaping products have taken the spotlight, particularly following the amendment of the *Tobacco Act* in 2018 to become the *Tobacco and Vaping Products Act* (TVPA).

With respect to commercial tobacco control, the following recent changes have occurred at the federal, provincial, and/or territorial levels:

- plain and standardized packaging
- enhanced package health warnings
- ban on flavours in cigarettes and most cigars including menthol and cloves
- additional contraband measures in some jurisdictions

With respect to vaping control, the following recent changes have occurred at the federal, provincial, and/or territorial levels:

- taxes on vaping products
- retail licensing/registration
- minimum age restrictions
- requiring proof of age in stores
- display bans in stores
- restriction to sale in specialty vape stores
- bans on internet sales
- bans on incentives to retailers
- bans on non-tobacco flavours
- bans on various forms of advertisement
- restrictions on nicotine content
- health warnings

There are also plans at the federal level for implementing "reporting requirements that would require vaping product manufacturers to submit information to Health Canada about sales and ingredients used in vaping products."<sup>4</sup>

**Limitations:** While such a scan would be most useful if it summarized the implementation of the jurisdictional strategies that were identified (in addition to effects of implementation, technical feasibility, political viability, alignment with the Canadian regulatory landscape, etc.), the scan was largely limited to information that could be gleaned from web-based searches of the grey literature. Furthermore, jurisdictions outside of Canada such as New Zealand, 49 Australia, 50,51 Finland 2 and California 3 may provide further insights into tobacco and nicotine control, but were not covered in this scan.

**Table A1: Jurisdictional Scan Results** 

F/P/T	Strategic Document	Alignment with Endgame Target <sup>47</sup> (less than 5% by 2035)	Recent Policy Implementation <sup>4,32,44,46</sup> (listed if not already implemented in Ontario)
Fed	Canada's Tobacco Strategy <sup>2</sup> (2018)	<ul> <li>Supports endgame goal of less than 5% by 2035.</li> <li>Note: In 2020/2021, Health Canada changed its progress indicator from "percentage of Canadians (aged 15+) who have used any tobacco product in the last 30 days" to "Percentage of Canadians (aged 15+) who are current cigarette smokers."<sup>54</sup></li> </ul>	<ul> <li>Vaping products: ban on ads in stores (except age-restricted stores), display ban, ban on broadcast ads, ban on billboards/outdoor signs, ban on lifestyle ads, ban on sponsorships, ban on youth-appealing ads, health warnings / labelling requirements, restriction on nicotine content (max 20 mg/mL), excise tax, plan to ban all flavours except tobacco and mint-menthol, plan to impose vaping product reporting requirements, compliance and enforcement activities</li> <li>Tobacco products: Plain and standardized packaging, enhanced package health warnings, ban on flavours in cigarettes and most cigars including menthol and cloves</li> </ul>
BC	BC's Tobacco Control Strategy: targeting our efforts <sup>55</sup>	<ul> <li>No endorsement of endgame goal</li> <li>BC's 2013 Guiding Framework for Public Health<sup>56</sup> targets a reduction of smoking to 10% by 2023.</li> <li>In the 2018 report First to 5% by 2035<sup>57</sup>, the Clean Air Coalition of BC recommended that BC be the first jurisdiction to achieve 5% by 2035, but there is no evidence of endorsement by government.</li> </ul>	<ul> <li>Vaping products: tax, retail notification and reporting requirement, sale of flavoured products restricted to specialty vape stores, ban on sale and use in some public premises</li> <li>Tobacco products: subsidized nicotine replacement therapy (NRT) to all residents, second highest level of overall taxation on cigarettes (\$15.30 for a 20-pack), highly regarded stopsmoking service model, some exemplary practices in Indigenous stewardship</li> </ul>
АВ	Creating Tobacco- free Futures: Alberta's Strategy to Prevent and Reduce Tobacco Use 2012-2022 <sup>58</sup>	<ul> <li>No endorsement of endgame goal</li> <li>10-year targets set for 2022: <ul> <li>Albertans ages 15 and over:</li> <li>12 %</li> <li>Albertans ages 12 to 19: 6%</li> <li>Albertans ages 20 to 24:</li> <li>20%</li> <li>Pregnant women in Alberta:</li> <li>11%</li> </ul> </li> </ul>	Vaping products: ban on possession below minimum legal age, ban on sale in some public premises, ban on use in most public premises including outdoor cultural events

F/P/T	Strategic Document	Alignment with Endgame Target <sup>47</sup> (less than 5% by 2035)  - Reduce estimated per capita	Recent Policy Implementation <sup>4,32,44,46</sup> (listed if not already implemented in Ontario)
		tobacco sales by 50 per cent to 745 units in 2022.	
SK	No strategic document identified. Public-facing Information available on their Tobacco and Vapour Products webpage.	<ul> <li>No endorsement of endgame goal</li> <li>The Saskatchewan Coalition for Tobacco Reduction produced a report entitled Protecting our Future: Recommendations to reduce tobacco use in Saskatchewan, but this document does not appear to have been endorsement by government.</li> </ul>	Vaping products: tax, ban on sale and use in some public premises
МВ	No strategic document identified. Public-facing information available on their Smoking, Vaping Control & Cessation webpage.	No endorsement of endgame goal	Vaping products: ban on sale and use in some public premises
ON	Smoke-Free Ontario: The Next Chapter - 2018 <sup>30</sup> Note: This strategy was neither adopted nor implemented by the present government.	<ul> <li>No endorsement of endgame goal</li> <li>Reduce smoking to 10% by 2023</li> <li>Reduce the number of smoking-related deaths by 5,000 each year.</li> <li>Reduce exposure to the harmful effects of tobacco and the potentially harmful effects of other inhaled substances and emerging products (including medical cannabis).</li> </ul>	<ul> <li>Vaping products: retail registration with local public health unit required for sale of flavoured products (not tobacco or mint-menthol), sale of flavoured products (except tobacco and menthol) restricted to specialty vape stores, ban on sale in several public premises, ban on use in most public premises (post-secondary institutions excluded)</li> <li>Tobacco products: additional contraband measures</li> </ul>
QC	Stratégie pour un Québec sans tabac 2020-2025 <sup>59</sup> (see Appendix A for summary English translation)	<ul> <li>No endorsement of endgame goal</li> <li>Reduce smoking to 10% by 2025.</li> </ul>	<ul> <li>Vaping products: retail         notification requirement, ban on         internet sale and on incentives to         vaping product retailers, ban on         sale in most public premises, ban         on use in many public premises</li> <li>Tobacco products: subsidized         nicotine replacement therapy         (NRT) to all residents</li> </ul>
NB	New Brunswick's Tobacco-Free	• Supports endgame goal of less than 5% by 2035.	Vaping products: retail licensing/registration, ban on all

F/P/T	Strategic Document	Alignment with Endgame Target <sup>47</sup>	Recent Policy Implementation <sup>4,32,44,46</sup> (listed if not
	Living Strategy: A Tobacco and Smoke-Free Province for All <sup>60</sup> (2019-2023) was produced by the NB Anti-Tobacco Coalition, funded by the Government	(less than 5% by 2035)	already implemented in Ontario)  flavours except tobacco, ban on use in most public premises
NS	of NB.  Moving toward a Tobacco-Free Nova Scotia: Comprehensive Tobacco Control Strategy for Nova Scotia <sup>61</sup> (2011)	<ul> <li>No endorsement of endgame goal</li> <li>Decrease tobacco use rates individuals aged 15-19 years to 10%, 20-24 years to 20%, and 25 years and older to 15%.</li> </ul>	Vaping products: retail licensing/registration, tax, ban on all flavours except tobacco, ban on sale and use in most public premises (post-secondary institutions included)
	Public-facing information available on their Tobacco Free Nova Scotia webpage.		
PEI	No strategic document specific to tobacco control identified. Tobacco control is addressed in PEI's Wellness Strategy <sup>62</sup> (2015-2018)	No endorsement of endgame goal	Vaping products: Sale restricted to age 21 years and above and only in specialty stores, ban on all flavours except tobacco, ban on sale in many public premises, ban on use in several public premises (post-secondary institutions included)
NL	Tobacco and Vaping Reduction Strategy <sup>63</sup> (2021) produced by the Newfoundland and Labrador Alliance for the Control of Tobacco, which is an alliance of government and non-government partners.	<ul> <li>No endorsement of endgame goal</li> <li>Action areas:</li> <li>Community capacity building</li> <li>Education and awareness</li> <li>Healthy public policy</li> <li>Cessation and treatment services</li> <li>Research, monitoring and evaluation</li> </ul>	<ul> <li>Vaping products: retail licensing/registration, tax, ban on sale in many public premises, ban on use in several public premises (post-secondary institutions included)</li> <li>Highest level of overall taxation on cigarettes (\$15.71 for a 20-pack)</li> </ul>
YT	No strategic document identified. Public- facing information available on	No endorsement of endgame goal	Vaping products: ban on use in many public premises

F/P/T	Strategic	Alignment with Endgame	Recent Policy
	Document	Target <sup>47</sup>	Implementation <sup>4,32,44,46</sup> (listed if not
		(less than 5% by 2035)	already implemented in Ontario)
	government webpage.		
NWT	No strategic document identified. Public-facing information available on Tobacco Control webpage.	No endorsement of endgame goal	Vaping products: ban on all flavours except tobacco, ban on possession below minimum legal age, ban on sale in some public premises, ban on use in many public premises
NU	Nunavut Tobacco Reduction Framework for Action <sup>64</sup> (2011- 2016)	<ul> <li>No endorsement of endgame goal</li> <li>Guiding principles draw from Inuit culture and practices.</li> <li>Supports a coordinated communications plan using a range of media tools and using both universal and targeted approaches (including youth, pregnant women and their partners, and parents and Elders).</li> <li>Younger age group is targeted through school and community youth programs because youth initiate tobacco use largely between 8 and 16 years of age.</li> </ul>	Vaping products (per Tobacco and Smoking Act <sup>65</sup> , which received Assent on June 8, 2021, but is not anticipated to come into force until 2023): plan to consider vaping product price restrictions, plan to ban incentives to vaping product retailers, plan to ban sale and use in most public premises, plan to ban all flavours except tobacco and any product designed for use as flavouring for any smoking product, plan to make all publicly funding housing smoke-free, plan for biennial reporting requirements for vape retailers

# Appendix B: Priorities for a Provincial Smoking and Nicotine Strategy — Key Informant Conversation Summary

To inform the call for a renewed and comprehensive provincial commercial tobacco and nicotine strategy, the Simcoe Muskoka District Health Unit (SMDHU) conducted a conversation on November 17, 2022, with a panel of key informants with extensive experience in commercial tobacco control in Ontario and Canada, in addition to following up individually upon request from some key informants for further discussion. The meeting was framed as an informal discussion around commercial tobacco and nicotine control, using past strategies and reports as a springboard to identify provincial priorities for a renewed commercial tobacco and nicotine strategy, as well as federal priorities to address relevant policy gaps.

# Participants included:

- John Atkinson, Executive Director, Ontario Public Health Association
- Cindy Baker-Barill, Smoke-Free Program Manager, Smoke-Free Program and Central East Tobacco Control Area Network, Environmental Health Department, SMDHU
- Hillary Buchan-Terrell, Advocacy Manager (Ontario), Canadian Cancer Society
- Cynthia Callard, Executive Director, Physicians for a Smoke-Free Canada
- Vito Chiefari, Manager, Health Protection, Community & Health Services Dept, York Region
- Rob Cunningham, Senior Policy Analyst, Canadian Cancer Society
- Dr. Charles Gardner, Medical Officer of Health and Chief Executive Officer, SMDHU
- Dr. Lesley James, Director, Health Policy & Systems, Heart & Stroke Foundation
- David Neeson, Supervisor, Tobacco and Electronic Cigarette Control Team, Health Protection Division, Community and Health Services, York Region
- Michael Perley, former Director, Ontario Campaign for Action on Tobacco
- Dr. Emil Prikryl, Public Health and Preventive Medicine Resident, NOSM University
- Dr. Steven Rebellato, Vice President, Environmental Health Department, SMDHU
- Dr. Robert Schwartz, Executive Director, Ontario Tobacco Research Unit and Professor, Dalla Lana School of Public Health
- Linda Stobo, Program Manager, Substance Use Program, Healthy Living Division, Middlesex-London Health Unit
- Melissa van Zandvoort, Health Promotion Specialist, Smoke-Free Program and Central East Tobacco Control Area Network, Environmental Health Department, SMDHU

While it is our recommendation that the development of a renewed strategy be supported by a multidisciplinary panel of experts, Table B1 frames the priorities identified during the key informant conversation through the lens of an expanded version of the World Health Organization's MPOWER framework (i.e., MPOWER+):

Table B1: Priorities within the MPOWER+ Framework

Re-invest in research/monitoring and evaluation to ensure practice and policy decisions are based on evidence. Continue to explore age restrictions for smoking and vaping. Further expand smoke- and vape-free public places. Continue to increase access to smoke- and vape-free housing. Direct focus towards consumer rights to be protected from marketing of nicotine products. Increase subsidization of smoking cessation pharmacotherapy for all residents.
places. Continue to increase access to smoke- and vape-free housing. Direct focus towards consumer rights to be protected from marketing of nicotine products. Increase subsidization of smoking cessation
p
Implement mass media and social marketing campaigns of greater intensity and duration targeted at youth and young adults addressing the real and potential harms of vaping such as its impacts on mental health, addiction, and environmental waste.  Implement mass media and social marketing campaigns of greater intensity and duration targeted at high-risk populations addressing the harms of smoking and the benefits of quitting.
Return the focus of nicotine control efforts to the industry through activities such as leveraging litigation opportunities to further denormalize the industry and hold industry accountable for past and future harms to society.  Ban all flavours except tobacco flavour (if not achieved federally).  Restrict availability in brick-and-mortar settings and online access.  Strengthen retail registration and licensing requirements.  Further regulate vaping product design (e.g., plain and standardized packaging for vaping, health warnings).  Intensify tobacco and vaping product advertising promotion and sponsorship bans.

MPOWER+ Measure	Priorities	
Raise taxes on commercial tobacco and vaping products.	<ul> <li>Ensure continued funding for enforcement through the Smoke-Free Ontario Act, 2017.</li> <li>Implement a tax on vaping products, as well as regulatory fees as a means of cost recovery.</li> <li>Further increase taxes on combustible</li> </ul>	
	tobacco products.	
+ Add a strong health equity lens by linking commercial tobacco and nicotine control approaches to broader objectives addressing health inequities.	Address the disproportionate use of commercial tobacco and nicotine use and associated health burdens among Indigenous populations, members of the LGBTQ2S+ community, youth, low-income populations, people with less formal education, people working in certain occupations (e.g., trades), individuals with mental health needs, individuals who use other substances, and incarcerated individuals.	
Add bold interventions as indicated by evidence to further reduce the supply, demand, and access of all current and future industry nicotine delivery systems.	Implement recommendations from the Council of Chief Medical Officers of Health to develop a "broad regulatory approach to all alternative methods of nicotine delivery (i.e. other than tobacco products) that offers strong youth protection while allowing appropriate access for adult smokers to products if they are proven effective in decreasing or stopping the use of all nicotine-containing products."  **Total Commendations**  **Total Comm	