November 27, 2019

VIA: Mail and Email

ATTN: Honourable Christine Elliott
Minister of Health
Ministry of Health, Ontario
777 Bay Street
Toronto, ON M7A 2J3
Christine.elliott@pc.ola.org

Re: Endorsement of Correspondence re: Measures to Address the Rise of Vaping in Ontario

Dear Minister Elliott,

At its meeting on November 16, 2019, the City of Hamilton Board of Health endorsed the following correspondence regarding comprehensive measures to address the rise of vaping in Ontario: September 27, 2019 - Kingston, Frontenac and Lennox & Addington Public Health, respecting a Resolution regarding the Immediate Removal of Regulation 268 of the Smoke-Free Ontario Act, 2017; October 30, 2019 – Simcoe Muskoka District Health Unit respecting Restrictions of Vaping Products and Flavoured E- cigarettes; and, October 24, 2019 – Windsor-Essex County Health Unit respecting the Harms of Vaping and the Next Steps for Regulation.

We wish to commend your decision to prohibit the promotion of vapour products in convenience stores and gas stations effective January 1, 2020. This regulatory amendment to the Smoke Free Ontario Act, 2017 will have immediate and long-lasting benefits, protecting the health of the youth in our province.

However, the sharp increase in youth vaping rates is especially concerning given the availability and promotion of vapour products containing nicotine, the impact of nicotine on the developing brain, and the recent upward trending of cigarette smoking among this population. Our concerns are further compounded by the vaping-related pulmonary disease reports emerging in the United States and Canada. While vapour products are generally regarded as safer than combustible tobacco cigarettes, these products are not risk-free and are known to contain and emit potentially toxic substances. The emerging concerns surrounding vaping calls for a regulatory framework that provides equal protection for all Ontarians.

Hamilton Public Health Services’ comprehensive tobacco control interventions across prevention, protection, cessation and enforcement include preventing experimentation...
and escalation of tobacco use among children youth and young adults. However, in Hamilton, sales of vapour product or e-cigarettes to persons under the age of 19 have so far doubled in 2019 in comparison to all of 2018. There also is a marginal increase in tobacco sales to persons less than 19 years old in 2019 in comparison to 2018.

Immediate action is needed to curb the impacts of vaping given the increasing vaping rates among youth, widespread promotion of vaping products, and emerging concerns about vaping-related pulmonary illness. Targeted policy measures such as limiting vapour product display and advertising in convenience store strengthening penalties for retailers with a history of repeated sales to minors convictions (e.g. regulations and protections for tobacco such as the Automatic Prohibition); and restricting flavours would substantially impact youth vaping, while limiting impacts on vendors who respect restrictions against selling to young people.

As such, the City of Hamilton Board of Health endorses the following and urges:

a) That the Provincial Government immediately remove Regulation 268 of the Smoke-Free Ontario Act, 2017, so that retailers of vaping products will not be allowed to promote them, and so that the promotion and display of vape products are subject to the same prohibition as tobacco products;

b) That the Provincial Government make amendments to the Smoke-Free Ontario Act, 2017 restricting the promotion and marketing of vaping product and the sale of flavoured vaping products, and applies all regulations and protections for tobacco, such as the Automatic Prohibition, to vaping retailers; and,

c) That the Provincial Government call for restrictions to ban flavoured e-cigarettes, as the evidence clearly supports that the thousands of flavours of e-liquid available, including candy and fruit-flavoured varieties, are a significant factor in youth uptake and use.

Sincerely,

Fred Eisenberger
Mayor

CC:
Hon. Bob Bratina, MP, Hamilton East – Stoney Creek
Hon. Scott Duvall, MP, Hamilton Mountain
Hon. Matthew Green, MP, Hamilton Centre
Hon. Filomena Tassi, MP, Hamilton West-Ancaster-Dundas
Council of Ontario Medical Officers of Health
Association of Local Public Health Agencies (alPHA)
Ontario Boards of Health