

October 2, 2026

The Honourable Sylvia Jones
Deputy Premier and Minister of Health
Ministry of Health
777 Bay St., 5th Floor
Toronto, ON
M7A 2J3
Email: sylvia.jones@pc.ola.org

Re: Support for Bill 125, *Smoke-Free Ontario Amendment Act (Vaping is Not for Kids), 2026*

Dear Minister Jones,

At its meeting on September 24, 2026, the Windsor-Essex County Board of Health unanimously endorsed the proposed Bill 125, *Smoke-Free Ontario Amendment Act (Vaping is Not for Kids), 2026* and urged the Government of Ontario to enact its amendments to better protect children and youth from the harms associated with vaping.

Specifically, the resolutions were passed as follows:

Now therefore be it resolved that the Windsor-Essex County Board of Health endorses Bill 125, *Smoke-Free Ontario Amendment Act (Vaping is Not for Kids), 2026*, and urges the Government of Ontario to enact the proposed amendments to strengthen protections for children and youth from the harms associated with vaping;

FURTHER THAT, the Windsor-Essex County Board of Health calls upon the Government of Ontario to implement evidence-informed measures that reduce the appeal, accessibility, and availability of vapour products to youth, including restrictions on flavoured vapour products, promotion and advertising, and youth access.

The need for action is urgent. In Ontario, 10.5% of students in grades 7 to 12 reported vaping in the past year; locally, Windsor-Essex County Health Unit enforcement officers laid charges arising from 19 sales of vapour products to minors during the first half of 2026. These findings are particularly concerning because nicotine exposure can impair adolescent brain development, including attention, memory, decision-making, and emotional regulation, and ultimately can lead to dependence. Bill 125 would address these risks by reducing both the appeal and availability of vapour products to youth. Specifically, it would restrict flavours, promotion, and advertising; limit sales to specialty vape stores; and raise the minimum purchasing age from 19 to 21.

On behalf of the Board of Health, we respectfully urge the Government of Ontario to enact Bill 125 without delay. Thank you for your consideration of this important public health matter.

Sincerely,

A handwritten signature in blue ink that reads "Joe Bachetti". The signature is written in a cursive style with a large, stylized "J" and "B".

Joe Bachetti, Board of Health Chair

Cc:

Premier of Ontario

Association of Local Public Health Agencies

Ontario Boards of Health

Andrew Dowie

Lisa Gretzky

Anthony Leardi

Trevor Jones



Windsor-Essex County Health Unit Board of Health

RECOMMENDATION/RESOLUTION REPORT – Smoke Free Ontario Amendment Act (Vaping is Not for Kids)

2026-09-24

BACKGROUND

The high rates of vaping nicotine among youth in Ontario remain a growing concern. Among grade 7-12 students, 10.5% report vaping within the past year. This figure grows to 17.3% among grade 12 students (Boak & Hamilton, 2026). Vaping poses adverse physical and mental health outcomes, especially for youth. Vaping can lead to shortness of breath, coughing, nausea, headache, mouth and throat irritation, and reduced exercise capacity (Health Canada, 2026a; Williams et al., 2026). Furthermore, nicotine affects brain development, which can negatively impact memory, attention, emotional regulation, and decision-making skills in youth (Health Canada, 2026; Versace, 2024). Youth who vape nicotine are also more likely to start smoking tobacco cigarettes or develop a substance use disorder in the future (Versace, 2024; Physicians for a Smoke-Free Canada, 2022).

Ontario has made notable progress in decreasing the prevalence of smoking and exposure to second-hand smoke (Ontario Tobacco Research Unit, 2009; PHO, 2018). Smoking prevalence among adults in Ontario decreased from 24% in 2000 to approximately 10% in 2020 (University of Waterloo, n.d.). Furthermore, the province saw a 10% reduction in exposure to second-hand smoke in workplaces as well as a 28% reduction in exposure to second-hand smoke in bars from 2003 – 2007 immediately following the implementation of the *Smoke-Free Ontario Act, 2017* (SFOA) (Ontario Tobacco Research Unit, 2009). Despite this progress, numerous regulatory gaps remain pertaining to vapour products. Youth are exposed to vaping advertising and promotion efforts both online and in stores, as well as the plethora of fruit, candy, and dessert flavours that increase attraction to vaping (Al-Hamdani, 2020; WHO, 2025). Despite the *Vapour Products Promotions and Regulations* and the SFOA, non-compliance remains a significant concern (Silver et al., 2023; Health Canada, 2026b). Youth access to vapour products also remains an issue. Over the first six months of 2026, the WECHU's TVEOs have laid 19 charges against vapour product retailers for selling products to minors. Furthermore, almost 60% of Ontario youth report that it is easy to access vapes, suggesting that although the sale of vapour products is prohibited for individuals under the age of 19, most youth can still access vapour products (Boak & Hamilton, 2026). This reveals the regulatory gaps that are contributing to high rates of youth vaping and underscores the importance of legislative action to implement prevention efforts.

In May of 2026, *Bill 125, Smoke-Free Ontario Amendment Act (Vaping is Not for Kids), 2026*, passed the first reading in the Ontario legislature. This bill proposes several amendments to the current SFOA, including:

- Prohibiting the promotion of vapour products

- Prohibiting the sale of tobacco or vapour products to individuals under 21 years old (currently 19 years old)
- Prohibiting the sale of flavoured vapour products except for tobacco flavour
- Prohibiting the sale of vapour products anywhere other than specialty vape stores
- Tax revenue generated by vapour products must be used to educate the public about the health effects of vaping
- Requiring Ontario Health to create an annual report to the Minister regarding current information on youth vaping as well as policy recommendations

Although the federal government vowed in 2021 to outlaw flavoured vapour products, this action has not yet been taken, resulting in a patchwork of different provincial regulations across the country (Stackelberg, 2026). Provinces that have banned flavours in vapes include Nova Scotia, Prince Edward Island, New Brunswick, Northwest Territories, Nunavut, and Quebec (Physicians for a Smoke-Free Canada, 2025). **In the provinces that have banned flavours, youth between ages 16-19 are more likely to vape less or stop vaping compared to provinces with no or partial flavour restrictions** (Hammond et al., 2026). Among youth who currently vape flavoured products, almost half (43%) claim they would discontinue vaping if flavours were removed (Al-Hamdani et al., 2020). Furthermore, **strong evidence supports the effectiveness of increasing the minimum age for tobacco to 21 in several U.S. studies** (Taylor et al., 2021). Increasing the minimum age of purchase for e-cigarettes to 21, as Prince Edward Island and the United States have done (Taylor et al., 2021), is one of several important components of the comprehensive strategy to reduce youth vaping proposed in the *Smoke-Free Ontario Amendment Act, 2026*.

PROPOSED MOTION

Whereas, youth vaping rates in Ontario remain unacceptably high, with 10.5% of students in grades 7–12 reporting vaping in the past year and prevalence increasing to 17.3% among grade 12 students; and

Whereas, vaping exposes youth to nicotine and other harmful substances that can adversely affect physical health, brain development, mental well-being, memory, attention, emotional regulation, and decision-making; and

Whereas, youth continue to be exposed to flavoured vapour products, advertising, and other factors that increase the appeal of vaping, while enforcement activities demonstrate that youth access to vapour products remains a significant concern; and

Whereas, evidence indicates that comprehensive approaches, including restrictions on flavours, promotion, youth access, and retail availability, can reduce youth vaping and protect the health of young people; and

Whereas, Bill 125, *Smoke-Free Ontario Amendment Act (Vaping is Not for Kids), 2026*, proposes legislative measures intended to strengthen protections against youth vaping and support population-level prevention efforts;

Now therefore be it resolved that the Windsor-Essex County Board of Health endorses Bill 125, *Smoke-Free Ontario Amendment Act (Vaping is Not for Kids), 2026*, and urges the Government of Ontario to enact the proposed amendments to strengthen protections for children and youth from the harms associated with vaping;

FURTHER THAT, the Windsor-Essex County Board of Health calls upon the Government of Ontario to implement evidence-informed measures that reduce the appeal, accessibility, and availability of vapour

products to youth, including restrictions on flavoured vapour products, promotion and advertising, and youth access;

FURTHER THAT, a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, local Members of Provincial Parliament, the Association of Local Public Health Agencies (alPHA), Ontario Boards of Health, and other relevant stakeholders for their consideration and support.

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