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the public health units
in Ontario.

alPHa Sections:

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Section

Council of Ontario
Medical Officers of
Health (COMOH)

**Affiliate
Organizations:**

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in Ontario

Association of
Supervisors of Public
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Health Promotion
Ontario

Ontario Association of
Public Health Dentistry

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Leaders

Ontario Dietitians in
Public Health

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October 22, 2018

Hon. Christine Elliott
Minister of Health and Long-Term Care
10th Flr, 80 Grosvenor St,
Toronto, ON M7A 2C4

Dear Minister Elliott,

Re: Vapour Products Display and Promotion

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 to express concerns about the proliferation of the promotion and display of vapour products.

While research is accumulating that shows vaping is less harmful than smoking tobacco, this same research shows that vaping still does introduce poisonous substances into the body. Vaping causes inflammation and has negative health impacts in a similar way to smoking tobacco.

Ontario has seen an increase in youth vaping over the past two years. This will likely continue without strict prohibitions on their promotion and marketing. We are concerned that without this action young people will be seriously harmed. The provisions that already exist within the legislation need to be strengthened and enforced.

With the recent proliferation of billboards, point-of-sale promotions and other ads for vapour products visible to children and youth in our communities, the restrictions on display and promotion under the Smoke-Free Ontario Act, 2017 and Regulation 268 have fallen demonstrably short of their intentions.

Section 4.1 of the Smoke-Free Ontario Act, 2017 clearly prohibits the display and promotion of vapour products in any place where vapour products are sold or offered for sale, except in accordance with the regulations (RSO 2018, c. 12, Sched. 4, s. 3). Regulation 268 sets out exemptions from this section for tobacconists, specialty vape shops, cannabis retailers and manufacturers, but not for other types of retailers that are accessible to minors such as convenience stores.

We were therefore surprised to see the following clarification in an October 17, 2018 memo regarding the amended Act and implementation supports issued by the office of the Assistant Deputy Minister, Population and Public Health Division (emphasis added):

“Retailers that are not specialty vape stores (e.g., convenience stores) cannot display vapour products, and *can only promote* vapour products if the promotion complies with federal law”.

This sends a mixed message that is in our estimation is not in keeping with measures that are built into the legislation to ensure that minors are not exposed to marketing and promotion of vapour products.

The appeal and popularity of these products among children and youth is well established, 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. Our concerns are magnified by the increasing availability of addictive nicotine-infused vape liquids in the Ontario market.

The predatory marketing tactics of tobacco companies – especially as they relate to enticing young people - were recognized decades ago and the effectiveness of banning their display and promotion has been clearly demonstrated. Allowing the manufacturers of vapour products (many of which are also tobacco companies) to engage in those same predatory tactics is a leap backwards for public health in general and a threat to children, in particular. We therefore strongly urge you to ensure that the restrictions on promotion and display of vape products that are built in to the Smoke-Free Ontario Act and its regulations are reinforced.

I would be pleased to meet with you to discuss our positions in more detail. Please contact Loretta Ryan, Executive Director, alPHa at 647-325-9594 or loretta@alphaweb.org to make arrangements for a meeting.

Yours sincerely,



Dr. Robert Kyle,
alPHa President



Dr. Chris Mackie
Chair, COMO

COPY: Robin Martin, Parliamentary Assistant, MHLTC
Effie Triantafilopoulos, Parliamentary Assistant, MHLTC
Helen Angus, Deputy, MHLTC
Dr. David Williams, Chief Medical Officer of Health
Dianne Alexander, Director, Health Promotion and Prevention Policy and Programs Branch
Nina Arron, Director, Health Protection and Surveillance Policy and Programs Branch
Loretta Ryan, Executive Director, alPHa

Enclosed: A photo taken October 2018 of a billboard advertising vaping located at Yonge Dundas Square. The ad fronts onto both Yonge Street and the square and it is the length and width of the building. This is located immediately across from a movie theatre that features many child-friendly films.

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