

TO: Chair and Members of the Board of Health

FROM: Christopher Mackie Medical Officer of Health / CEO

DATE: 2019 May 16

---

## HEALTH CANADA SEEKING FEEDBACK ON MEASURES TO LIMIT YOUTH ACCESS AND APPEAL OF VAPING PRODUCTS

### **Recommendations**

*It is recommended that the Board of Health:*

- 1) *Receive Report No. 040-19 re: “Health Canada Seeking Feedback on Measures to Limit Youth Access and Appeal of Vaping Products”;*
- 2) *Submit a letter to the Tobacco Control Directorate of Health Canada, attached as [Appendix A](#), expressing its support and recommendations for strengthened measures to limit youth access and appeal of vaping products; and*
- 3) *Endorse and submit a letter prepared by the Southwest Tobacco Control Area Network, attached as [Appendix B](#), to the Tobacco Control Directorate of Health Canada on behalf of the eight public health units in southwestern Ontario.*

### **Key Points**

- On April 11, 2019, Health Canada issued an opportunity for stakeholders and members of the public to provide [comments](#) on proposed measures, under the authority of the [Tobacco and Vaping Products Act](#), to limit youth access and appeal of vaping products. The deadline for submissions is May 25, 2019.
- Health Unit staff prepared a letter for Board of Health approval (attached as [Appendix A](#)) to express its support and propose recommendations for considerations on how to limit youth access and appeal of vaping products.
- Staff from the Southwest Tobacco Control Area Network, prepared a letter (attached as [Appendix B](#)) for endorsement and submission by the Middlesex-London Board of Health on behalf of the eight public health units in southwestern Ontario.

### **Background**

Vaping rates are increasing dramatically across Ontario. Vaping is safer than tobacco cigarettes; however, this does not mean that they are harmless. Vaping products that contain nicotine are addictive, and nicotine alters brain development in youth, including the areas of the brain that relate to focus and learning. Nicotine also impacts areas of the brain that control addiction pathways, making it harder to quit.

Even without nicotine, e-cigarettes don’t produce harmless water vapour. There is conclusive evidence that e-cigarette use increases airborne concentrations of particulate matter, heavy metals, and other toxic chemicals. In addition to direct health risks, the National Academies of Sciences, Engineering and Medicine have determined that there is substantial evidence that e-cigarette use increases the risk of ever using combustible tobacco cigarettes among youth and young adults.

It is important to prevent the use of vaping products by youth and non-tobacco users, and regulatory measures that would restrict flavours, regulate product and packaging design, and reduce youth access are important policy levers to help contribute to this public health goal.

### **Health Canada Seeking Feedback on Measures to Limit Youth Access and Appeal of Vaping Products**

On February 5, 2019, Health Canada announced measures to address vaping by Canadian youth. A [Notice of Intent](#) (NOI) was issued in conjunction with an announcement about a [public education campaign](#) that is currently in market across the country. Health Canada opened a forty-five-day consultation period to obtain feedback on the proposed measures set out in the NOI to limit vaping product advertising. The Middlesex-London Board of Health submitted two letters proposing recommendations for consideration by Health Canada on how to strengthen measures to limit vaping product advertising via regulation ([Report 026-19](#)).

On April 11, 2019, Health Canada opened a community consultation to gather comments on additional regulatory measures to reduce youth use of vaping products. As outlined in Health Canada's [consultation document](#), the scope of the regulatory measures includes:

- Prohibiting the manufacture and sale of vaping products with certain flavours or flavour ingredients and/or prohibiting the promotion of certain flavours;
- Restricting the concentration and/or delivery of nicotine in vaping products;
- Regulating design features;
- Restricting online retail access;
- Restricting product packaging; and
- Increasing regulatory transparency and openness.

### **Opportunity for Strong Measures through Federal Regulation**

The *Tobacco and Vaping Products Act* provides restrictions on the promotion of flavoured vaping products and prohibits lifestyle advertising, sponsorships, testimonials or endorsements, and other advertising that could be appealing to youth. However, further regulatory measures are needed to reduce youth access and appeal of vaping products.

MLHU's Chronic Disease Prevention and Tobacco Control Team and Southwest Tobacco Control Area Network Team have both prepared submissions to Health Canada for Board of Health approval and submission, attached as Appendices A and B, respectively. The letters express support for the *Tobacco and Vaping Products Act* and propose recommendations for consideration by Health Canada.

This report was prepared by the Healthy Living Division.



Christopher Mackie, MD, MHSc, CCFP, FRCPC  
Medical Officer of Health / CEO