

March 2, 2018

Health Protection Policy and Programs Branch
Ministry of Health and Long-Term Care
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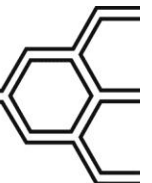
RE: Comments for “*Smoke-Free Ontario Act, 2017 Regulations*”, (proposal number: 18-HLTC007)

As the Acting Medical Officer of Health for the City of Ottawa Health Unit, I am pleased to provide recommendations in response to the provincial consultation on the *Smoke-Free Ontario Act, 2017* (SFOA). I support the Ontario Ministry of Health and Long-Term Care in its commitment to further strengthen tobacco and vaping laws, including the smoking and vaping of medical cannabis under the amended SFOA. Outlined below are areas for further restrictions, which can help protect Ontarians from exposure to all forms of second-hand smoke (SHS) and vapour.

Include shisha (water-pipe) product as a prescribed substance

In addition to vapour products and medical cannabis, **I recommend that the SFOA regulations prohibit the smoking of all combustible substances and products such that all non-tobacco substances, including herbal shisha product be prohibited in the same places where the smoking of tobacco is prohibited.** This recommendation aligns with an Ottawa Public Health staff recommendation that smoking of all combustible products be prohibited in public places and workplaces under the *Smoke Free Ontario Act* that was adopted by the Ottawa Board of Health on April 16, 2016. Prohibiting the smoking of herbal shisha in public places and workplaces will protect people from SHS exposure, de-normalize smoking, prevent youth initiation and reduce enforcement complexities. In Ottawa, the Waterpipes in Public Places and Workplaces By-law (By-law No.2016-303) was enacted on December 1, 2016, which prohibits the use of waterpipes in any enclosed public place or workplace. Ottawa’s Parks and Facilities By-law (By-law No. 2004-276) was amended in 2012 to prohibit the use of all smoked or heated products on outdoor municipal property, including shisha. Additionally, 21 other Ontario municipalities have passed similar by-laws, including Toronto, Hamilton, Peel and Mississauga.

There is growing evidence of the harmful health effects of herbal shisha use and effects of SHS exposure to workers and the public. All water-pipe smoke contains many of the



same toxicants in tobacco smoke known to cause cancer, heart and lung disease. Some evidence demonstrates that the air quality in water-pipe cafés is unhealthy and potentially hazardous due to increased pollutant levels, including carbon monoxide, particulate matter (PM_{2.5}) and polycyclic aromatic hydrocarbons.¹ Despite tobacco water-pipe smoking being prohibited in enclosed places under the SFOA, one study showed levels of air nicotine that were comparable with levels of air nicotine found in smoky bars. Estimates show that a daily one-hour water-pipe session is comparable to smoking 10 cigarettes.²

Prohibit smoking and vaping in additional places, including post-secondary campuses, outdoor construction sites, inside multi-unit housing units and balconies and inside hotels, motels and inns

As there is no safe level of exposure to tobacco, cannabis and shisha SHS, I **recommend that the SFOA be amended to prohibit smoking and vaping on post-secondary campuses, outdoor construction sites, inside multi-unit housing units including balconies and inside hotels, motels and inns.**

Tobacco use among trade workers and young adults is higher than the general population. According to the Canadian Community Health Survey, 2015, smoking rates among construction workers in Ontario were 36%, more than double that is seen in the general population (17%). The 2015 Canadian Tobacco, Alcohol and Drugs Survey showed that 18% of young adults in Ontario are current smokers. Finally, in Ontario, 33% of tenants living in multi-unit housing have noticed SHS entering into their home in the past 6 months.³ Research shows that the only effective way to protect the population from the harmful effects of SHS is to make the environment 100% smoke-free.⁴ Studies show that smoke-free environments, including outdoor places like post-secondary campuses and construction sites, inside multi-unit housing and inside hotels, motels and inns can reduce smoking rates, youth initiation rates and increase quit attempts. Smoke-Free environments have been associated with improved health outcomes such as reductions in acute coronary events, respiratory illness and cancer.⁵

I am supportive of the new provision to prohibit smoking within 9 metres from a restaurant or bar patio and in a “public area” within 20 metres of a school. **However, the prohibition on smoking and vaping within 20 meters of the perimeter of the**

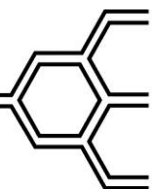
¹ Shihadeh A et al. Comparison of tobacco-containing and tobacco-free waterpipe products: Effects on human alveolar cells. *Oxford Journals*, 2016.

² Zhou S et al. Air Quality in New York City Hookah Bars. *Tobacco Control*, 2015

³ Smoke-Free Ontario Scientific Advisory Committee, Ontario Agency for Health Protection and Promotion (Public Health Ontario). Evidence to guide action: Comprehensive tobacco control in Ontario (2016). Toronto, ON

⁴ Protection from Exposure to Second-Hand Smoke, World Health Organization (2007)

⁵ Smoke-Free Ontario Scientific Advisory Committee, Ontario Agency for Health Protection and Promotion (Public Health Ontario). Evidence to guide action: Comprehensive tobacco control in Ontario (2016). Toronto, ON



grounds of a school and/or children's recreation centre should not be restricted to designated times but instead exist at all times to be consistent with the current regulations for no smoking on school property. To compliment this provision and to achieve a comprehensive approach to reduce youth tobacco use, I believe increased resources for youth smoking cessation are required.

With the recommendation of prohibiting medical cannabis inside the units of multi-unit housing, **I recommend that the Ontario Government provide an exemption to permit property owners to create exemptions for the smoking and vaping of medical cannabis use under limited conditions, such as:**

- Smoking or vaping is the prescribed method to achieve the desired therapeutic effect for the treatment of a disability or disability-related symptoms – medical evidence can be requested; and
- Locating outside creates too much hardship (i.e. the person is not ambulatory).

Maintaining smoke-free policies should be the primary goal. The province should therefore support smoke-free spaces by providing property owners and members of the public with guidance documents that outline alternative accommodations to permitting smoking or vaping of medical cannabis inside a multi-unit dwelling.

Accommodations for consideration include:

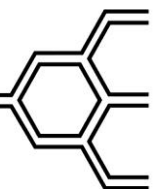
- Smoking or vaping outside
- Using other forms of medical cannabis (tinctures, pill forms, oral sprays, edibles)

Accommodations must be considered on a case-by-case basis.

Provide additional resources to support local Boards of Health to regulate speciality vape stores

I am supportive of the proposed regulation requiring specialty vape stores to register with the Board of Health. **I recommend that the Ontario Government consider providing additional resources and training to Boards of Health to administer the proposed process to regulate specialty vape stores,** as in the City of Ottawa there are currently over 30 active specialty vape stores.

Further, I am supportive of the province's proposal to ban flavoured vapour products in the future and recommend the province initiate public consultation on this matter as soon as possible. Bans on flavours that appeal to children and youth will help prevent youth initiation and de-normalize the smoking behaviour among youth and young adults. At the April 18, 2016 meeting of the Ottawa Board of Health, the Board approved an Ottawa Public Health staff recommendation that the *Electronic Cigarettes Act, 2015* be strengthened by prohibiting the sale of flavoured e-cigarettes



Thank-you for the opportunity to provide recommendations to the SFOA regulations. I look forward to the implementation of the SFOA regulations, which will further protect Ontarians from SHS exposure, enhance youth and young adult tobacco prevention efforts, support people to quit smoking and further denormalize smoking.

Should you have any questions or wish to discuss the recommendations, please contact me at vera.etches@ottawa.ca or by telephone at 613-580-6744 ext. 23675.

Sincerely,

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