

**Report to
Rapport au:**

**Ottawa Board of Health
Conseil de santé d'Ottawa
16 September 2019 / le 16 septembre 2019**

**Submitted on September 5, 2019
Soumis le 5 septembre 2019**

**Submitted by
Soumis par:**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2019-OPH-HPP-0009

**SUBJECT: OTTAWA PUBLIC HEALTH SUBMISSION TO HEALTH CANADA ON
PROPOSED VAPING PRODUCTS AND PACKAGING REGULATIONS**

**OBJET: SOUMISSION DE SANTÉ PUBLIQUE OTTAWA PRÉSENTÉE À SANTÉ
CANADA AU SUJET DE LA PROPOSITION DE RÈGLEMENT SUR LES
PRODUITS DE VAPOTAGE ET LES EMBALLAGES**

REPORT RECOMMENDATION

That the Board of Health for the City of Ottawa Health Unit receive the Medical Officer of Health's submission to Health Canada on proposed vaping products and packaging regulations, as outlined in Document 1, and approve the recommendations contained therein.

RECOMMANDATION DU RAPPORT

Que le Conseil de santé de la circonscription sanitaire de la ville d'Ottawa prenne connaissance de la soumission de la médecin chef en santé publique présentée à Santé Canada au sujet de la proposition de règlement sur les produits de vapotage et les emballages, énoncée dans le document 1, et approuve les recommandations qui y figurent.

BACKGROUND

On March 4, 2019, the Board of Health received the report [Let's Clear the Air \(LCA\) 3.0](#), which outlined Ottawa Public Health's (OPH) updated strategy to prevent youth initiation of smoking, vaping and cannabis use and described work with partners to reduce exposure to second-hand smoke and vapour, and increase supports for cessation. This report also included recommendations to strengthen smoking legislation and regulations at the municipal, provincial and federal levels.

As per the LCA 3.0 report recommendations, the Mayor of Ottawa and the Board of Health Chair submitted a letter to the Premier of Ontario, the Honourable Doug Ford, and the Deputy Premier and Minister of Health and Long-Term Care, the Honourable Christine Elliott, recommending that the Province prohibit the sale of flavoured vapour products designed to appeal to youth, and the advertising of vaping devices at point of sale. A response was received from Minister Elliott advising that the federal government is responsible for legislation regulating the sale and promotion of vaping products.

On June 17, 2019, the Board of Health received the [consultation report](#) on the submission to Health Canada on potential regulatory measures to reduce youth access and appeal of vaping products, and approved the recommendations contained therein.

On June 21, 2019 Health Canada announced public consultation on [Vaping Products Labelling and Packaging Regulations in Canada](#) with a submission deadline of September 5, 2019. The proposed new regulations strengthen the requirements for labelling and packaging of vaping products and require that all vaping substances be labelled with a list of ingredients. In addition, vaping products containing nicotine would be required to display a standardized nicotine concentration statement and a health warning about the addictiveness of nicotine. The proposed regulations would also mandate child-resistant containers and a toxicity warning.

The proposed regulations are expected to help protect the health and safety of Canadians by increasing awareness of the health hazards of nicotine and by creating consistency amongst vaping product labels and packages so that adults who choose to use them can more easily understand their contents. They would also aid with the safe

storage of vaping products, help protect children from accidentally ingesting vaping liquid, and provide clear information on what to do in the event of a poisoning.

DISCUSSION

Since March 2019, OPH has made progress on its *Let's Clear the Air 3.0 Strategy*, including: recommending that the federal and provincial governments strengthen smoke-free and vape-free legislation to reduce youth access and appeal of vaping products; increasing youth knowledge about the harms associated with vaping within schools and other community settings; and working with the Emergency and Protective Services Department to harmonize the City's smoking related by-laws.

Vaping among youth in Canada continues to increase in incidence and prevalence and corresponds to an increase in cigarette smokingⁱ. This research substantiates concerns that an underregulated vaping market will lead to increased smoking and threaten young generations with higher rates of preventable tobacco-related illness and deathⁱⁱ. International differences in vaping and smoking are associated with product availability and differences in local regulationⁱ. Consistent with prior submissions, OPH recommends that all vaping products be subject to similar regulation as combustible cigarettes. Canada can better mitigate upward trends in vaping and smoking with updated regulation to protect and inform youth and adult consumers of vaping products.

See Document 1 for OPH's full submission to Health Canada that includes the supporting evidence and rationale for each recommendation. In summary, OPH's recommendations are as follows:

- 1) Establish a national centralized point of contact for poison control, such as a toll-free Poison Helpline that connects callers to their nearest regional poison control centre and require that product labels provide the national telephone number (60(1)).
- 2) Revise the wording of regulatory text 59(1) to promote proper disposal and safe storage of nicotine products rather than 'use of entire contents'.
- 3) Implement further restrictions on the promotion, advertising and display of vaping products.
- 4) Require plain and standardized packaging on all vaping products.
- 5) Prohibit the manufacture and sale of all flavoured vaping products appealing to children and youth.
- 6) Further restrict the allowable amount of nicotine in e-liquids and salts.

- 7) Develop prevention and awareness initiatives to increase public awareness about the risks associated with nicotine addiction and toxic consumption.

Due to the timelines associated with the public consultation process, these recommendations were circulated to Members of the Board of Health for their review and feedback on August 6, 2019 and were then submitted to Health Canada in advance of the September 5, 2019 deadline.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

To inform the development of the Medical Officer of Health's submission to Health Canada in response to the proposed vaping products and packaging regulations, staff consulted with the Canadian Association of Poison Control Centres.

LEGAL IMPLICATIONS

There are no legal impediments to the Board of Health approving this report's recommendation.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

SUPPORTING DOCUMENTATION

Document 1 - Medical Officer of Health's submission to Health Canada in response to proposed vaping products and packaging regulations.

DISPOSITION

This report is presented to the Board for approval of the recommendations outlined in the supporting document. OPH will continue to monitor any proposed legislation,

regulations and emerging evidence related to vaping products and packaging regulations and report to the Board of Health as needed.

ⁱ [Hammond, D. et al. Prevalence of vaping and smoking among adolescents in Canada, England, and the United States: repeat national cross-sectional surveys. *BMJ*. 2019; 365:l2219 | doi: 10.1136/bmj.l221](#)

ⁱⁱ [Pisinger, C. Why public health people are more worried than excited over e-cigarettes. *BMC Medicine*. 2014; 12, 226.](#)