

**Report to
Rapport au:**

**Ottawa Board of Health
Conseil de santé d'Ottawa
10 February 2020 / 10 février 2020**

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Soumis le 30 janvier 2020**

**Submitted by
Soumis par:**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-OPH-HPP-0003

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

**OBJET: OBSERVATIONS DE SANTÉ PUBLIQUE OTTAWA PRÉSENTÉES À
SANTÉ CANADA AU SUJET DE LA RÉGLEMENTATION PROPOSÉE
POUR ENCADRER LA PROMOTION DES PRODUITS DE VAPOTAGE**

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 promotion 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 acte des observations de la médecin chef en santé publique soumises à Santé

Canada au sujet de la réglementation proposée pour encadrer la promotion des produits de vapotage, présentées 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.

On June 17, 2019, the Board of Health received the [consultation report](#) on OPH's submission to Health Canada on potential regulatory measures to reduce youth access and appeal of vaping products, and approved the recommendations contained therein. On September 16, 2019, the Board of Health also received the [consultation report](#) on the Health Canada submission on proposed vaping products and packaging regulations.

On December 21, 2019, Health Canada announced public consultation on [proposed regulations with respect to the promotion and advertising of vaping products](#), with a submission deadline of January 20, 2020.

The proposed *Vaping Products Promotion Regulations* set out measures that could mitigate the impact of vaping product promotion on young people, while allowing targeted promotion to adults, in particular people who smoke.

Specifically, Part 1 of the proposed regulations would prohibit advertising that can be seen or heard by young people, including any public signage (billboards, bus shelter advertisements, etc.), on social media platforms, on TV, on radio and in all publications, including those online, unless they are addressed and sent to an adult identified by name or only accessible to adults.

Part 2 of the proposed regulations would require that a health warning be conveyed in vaping product advertising addressed or accessible to adults only; and prescribe specific requirements for advertisements delivered through various media such as text messages, audio and video. For example, the display area for the health warning would occupy at least 20% of the total surface area of the advertisement; a text-only health warning would be displayed at the beginning of the advertisement, etc.

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.

Currently, the advertising of vapour products can be found online, in newspapers and magazines, on television and radio. Internet and point-of-sale based advertising have been shown to be particularly impactful on youth's susceptibility and openness to vaping product use.¹ The Ontario Tobacco Research Unit (OTRU) reports exposure to the marketing and promotion of vaping products is high for Canadian youth and young adults, with 48% reporting exposure to such marketing on the internet.² In-store advertising is shown to have the strongest association with youth's openness and curiosity to use vaping products.³ Exposure to marketing increases youth vaping.⁴ Increased youth vaping and corresponding increased youth smoking⁵ pose a significant and long term risk to public health.

As submitted in response to previous consultations, OPH recommends that all vaping products be subject to similar advertising and promotion regulations as combustible cigarettes. Canada can better mitigate upward trends in vaping and smoking with updated regulation to protect and inform youth and adult consumers about 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) Implement enforcement measures on the promotion and advertising of vaping products on any medium accessible to youth, such as videogames and social media.
- 2) Develop targeted prevention and awareness initiatives to inform adults about the health risks associated with vaping products, including risks associated with ongoing smoking.
- 3) 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 warnings provide the national telephone number.

4) Address the treatment gap for those addicted to vaping nicotine.

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 January 14, 2020 and were then submitted to Health Canada in advance of the January 20, 2020 deadline.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

There was no consultation required for the preparation of this submission and corresponding report.

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 promotion 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 promotion regulations and report to the Board of Health as needed.

¹Best, C., Haseen, F., Van Der Sluijs, W., Ozakinci, G., Currie, D., Eadie, D., ... Haw, S. (2016) Relationship between e-cigarette point of sale recall and e-cigarette use in secondary school children: A cross-sectional study. *BMC PubliHealth*16(1), 1–8. <https://doi.org/10.1186/s12889-016-2968-2>

²Ontario Tobacco Research Unit (2018) Youth and Young Adult Vaping in Canada. https://www.otru.org/wp-content/uploads/2018/10/recigwp_project_news_oct2018.pdf

³Margolis, K. A., Donaldson, E. A., Portnoy, D. B., Robinson, J., Ne, L. J., & Jamal, A. (2018). E-cigarette openness, curiosity, harm perceptions and advertising exposure among U.S. middle and high school students. *Preventive Medicine*, 112(September 2017), 119–125

⁴[Mantey, D.S. et al. E-Cigarette Marketing Exposure Is Associated With E-Cigarette Use Among US Youth. *Journal of Adolescent Health*. 2016: 58\(6\), 686-690.](#)

⁵[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.](#)