

Good afternoon Madam Chair and members of the committee. My name is Mike Hammoud. I am president of the Atlantic Convenience Stores Association, a not-for-profit trade organization representing the interests of the convenience store industry in Atlantic Canada. There are close to 1,000 convenience stores in Nova Scotia employing some 8,500 Nova Scotians full- and part-time.

The issue here today with Bill 60 is the regulation of flavoured tobacco products and the regulation of electronic smoking devices or ESDs. Convenience stores are the largest retailers of legal tobacco in Nova Scotia so we have a great interest in this bill.

Convenience store operators have considerable experience in the responsible sale of tobacco products to adults. Our members adhere to a strict code of conduct, follow the industry's We Expect ID age-verification practices, and do not sell tobacco to minors. It is unfortunate that the majority of underage youth obtain their tobacco products from friends, acquaintances or family members of legal age.

The Atlantic Canada Convenience Stores Association and its members do not condone or support the sale of tobacco products targeting underage youth. We support tougher regulations on candy and confectionary flavoured products skirting federal regulations. And while we would prefer one national law to prevent splintered legislation across the country we understand the provincial government's rationale for introducing Bill 60.

Madam Chair, flavoured tobacco cannot be demonized in and of itself. For example there are traditional smoke and smokeless flavoured tobacco products consumed by adults that fall well outside the interests of underage youth. These products include traditional cigars, cigarillos and pipe tobacco with aromas generally attributable to vanilla, port, wine, rum or whiskey. They also include smokeless oral and nasal products such as chewing tobacco, dipping tobacco, snuff and snus.

The provincial government has stated that menthol flavoured tobacco products will be exempt under new regulations because they have been on the market for decades and are not marketed to youth. We presume that the products and flavours I previously mentioned will also be included in the exemptions as there is clearly negligible interest in them among underage youth and in no way are underage youth a target demographic.

Madam Chair, I would be remiss if I did not draw to the attention of this committee the serious issue of illegal tobacco that is sold in Nova Scotia. By our estimates, illegal tobacco accounts for between 14% and 18% of the total cigarette market in Nova Scotia. Regrettably, underage youth are a key market for criminals who traffic in these illegal products.

Government needs to be conscious of the unintended consequences of banning products. Bans can eliminate regulated, legal sources of products and the tax revenue from those sources, but as law enforcement agencies will confirm, they can also create the conditions for black market illegal trade. Marijuana is a banned illegal product, as you know, but it is not difficult to access.

Any legislation that impacts access to tobacco products must be complemented by planned deterrence and law enforcement measures to address the likelihood of increased black market sales.

With respect to electronic smoking devices, the Atlantic Convenience Stores Association is strongly against the sale of these products and their components to underage youth. In fact, Canada's national and regional convenience store associations established guidelines several months ago that encourage our retail members to conduct age-verification checks and restrict the sale of ESDs to individuals of legal age for tobacco purchases. We support the provincial government's intent to treat electronic smoking devices as age-restricted products.

Once again, we would prefer one national law with respect to ESDs to prevent splintered legislation across the country, but we understand the rationale for the provincial government's actions.

Lastly, Madam Chair, I would like to express our disappointment with the provincial government at the lack of consultation with key stakeholders, or at least our industry, in whatever review was undertaken on the issue of flavoured tobacco and electronic smoking devices in Nova Scotia. I thank the Department of Health and Wellness for their responsiveness to our queries after the government's intent to amend tobacco access legislation was announced in the speech from the throne, but there should have been more openness and consultation earlier. Important amendments to the regulations are integral to Bill 60 and I trust that the provincial government will be more proactive in engaging stakeholders, who retail the legal product in the regulation amendment process.

Thank you.