

**Submission to Law Amendments Committee on Bill 60
(Smoke-free Places Act (amended) and Tobacco Access
Act (amended))**

November 3, 2014

Submitted by Todd Leader

Good afternoon Madame Chairperson and Members of the Law Amendments Committee:

My name is Todd Leader. I'm a Registered Social Worker & Registered Psychologist teaching within the Faculty of Science, Saint Mary's University. I teach primarily in the areas health psychology, community psychology, and healthy public policy, particularly around addictions.

I want to congratulate you on the measures put forth in Bill 60. This is specifically in the banning of flavoured tobacco, the inclusion of waterpipe/hookah and e-cigarettes in smoking restrictions in indoor spaces, and control over how such products are marketed. With its comprehensive tobacco strategy, Nova Scotia has been a leader in tobacco control for several years. It's important that our legislation remains current to respond to clever marketing strategies and emerging new products that are aimed at addicting a new generation of tobacco users. This Bill goes a long way to ensuring that's the case.

I applaud you for recognizing that candy and fruit flavoured tobacco is clearly aimed at enticing youth into trying tobacco and becoming addicted. As the 2012/2013 Youth Smoking Survey indicated, almost half (48%) of high school students in Nova Scotia who used tobacco products in the previous 30 days had used flavored tobacco products.ⁱ This legislation would change that.

Unfortunately Bill 60 as it has been put forth excludes menthol from the flavours being banned. While menthol flavoured tobacco is not popular amongst already addicted adults, the Youth Smoking Survey mentioned before also shows that it is very popular amongst young people. More than a third (34%) of Nova Scotia youth smokers smoked menthol cigarettes in the previous 30 days.ⁱⁱ

Marketing menthol tobacco is a very strategic approach by the tobacco industry. Menthol masks the harsh taste of cigarettes, leaving the first-time smoker with a milder, more pleasant experience. The fresh taste of menthol has the ability to guise the original cigarette smell and to help ease smoke inhalation, giving young smokers the false impression that menthol cigarettes are healthier than that of regular brand cigarettes.

Researchers at the Harvard School of Public Health found that tobacco companies deliberately manipulated menthol levels in cigarettes depending on whom they marketed them to. They used lower levels of menthol to hook new smokers who preferred a milder brand, while using higher levels of menthol to hook lifelong adult smokers.ⁱⁱⁱ

I would urge you to reconsider this portion of the bill, and remove the exclusion of menthol. At the very least, if the exclusion for menthol remains, please ensure that it is for **tobacco cigarettes alone**, and does not apply to chewing tobacco, 'roll-your-own' papers, and other menthol flavoured, tobacco-related products.

The use of waterpipe/hookah is also gaining in popularity in Canada, particularly amongst youth and young adults. Young people like to experiment. They are often unaware of the health implications of using exotic new products such as waterpipes or the damage they pose through second hand smoke.^{iv} You are to be commended for including this in this legislation.

Tobacco remains the leading preventable cause of death globally.^v Kudos to you too for recognizing that electronic cigarettes pose a tremendous risk of once again "normalizing" the use of tobacco in Nova Scotia and eroding the many gains we have made in protecting the health of Nova Scotians. As the World Health Organization has recommended, these largely untested products should be strictly regulated as you have proposed with Bill 60. There should be bans on sales to minors, prohibitions on indoor use the same as other tobacco products, and restrictions on how they are marketed to youth and non-smokers or people who do not currently use nicotine.^{vi}

As a Community Psychologist, I can tell you a few things with certainty:

1. Despite what our intuition says, and despite what we are told by the tobacco industry (and others with a vested interest in product sales), education does not prevent the use of tobacco.
2. Despite what we are told by the tobacco industry (and others with a vested interest in product sales), restriction and regulation of these products **does** prevent our children from using tobacco products.

3. There is a long published history of the tobacco industry (through sponsored front organizations) manipulating public opinion and public policy through misinformation, and through covertly rallying retailers and tobacco users to speak out against regulation. I would expect you will hear from many individuals and organizations in this process who are here because of that same tactic (whether they know it or not).
4. Nova Scotia has over 100,000 fewer smokers than it did 10 or 15 years ago, and that reduction is directly the result of leadership in public policy...the same kind of leadership being demonstrated by the current Government.

Bill 60 is important legislation, which puts the health of our children and grandchildren ahead of other interests. I would urge you to endorse and potentially strengthen this legislation by removing the exclusion of menthol.

I would also urge you to Proclaim the legislation swiftly. The sooner it comes into law, the sooner the health of our children will be further protected.

Respectfully submitted:



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ⁱ (Manske SR, Rynard VL, Minaker LM. 2014 (September). Flavoured Tobacco Use among Canadian Youth: Evidence from Canada's 2012/2013 Youth Smoking Survey. Waterloo: Propel Centre for Population Health Impact, 1-18. <https://uwaterloo.ca/canadian-student-tobacco-alcohol-drugs-survey/information-researchers/reports>

ⁱⁱ Ibid

ⁱⁱⁱ Kreslake et al. "Tobacco Industry Control of Menthol in Cigarettes and Targeting of Adolescents and Young Adults," *American Journal of Public Health*, September 2008, Vol 98, No. 9. [<http://www.hsph.harvard.edu/news/press-releases/cigarette-menthol-manipulated-to-recruit-youths/> Accessed October 30, 2014]

^{iv} Shihadeh et al, "Does switching to a tobacco-free waterpipe product reduce toxicant intake? A crossover study comparing CO, NO, PAH, volatile aldehydes, "tar" and nicotine yields" *Food and Chemical Toxicology*, Volume 50, Issue 5, May 2012, Pages 1494-1498
[<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3407543/> Accessed October 30, 2014]

^vWHO Report on the Global Tobacco Epidemic, 2011. Geneva: World Health Organization, 2011 [http://www.who.int/tobacco/global_report/2011/en/ Accessed October 30, 2014]

^{vi} World Health Organization Electronic nicotine delivery systems : Report by WHO, Conference of the Parties to the WHO Framework Convention on Tobacco Control, 6th Session, Moscow, Russian Federation, July 2014 [[http://apps.who.int/gb/fctc/PDF/cop6/FCTC COP6 10-en.pdf?ua=1](http://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6_10-en.pdf?ua=1) Accessed October 30, 2014]