

Bill 233

NS Law Amendments Committee

Good Morning. I am Jody Watt and pleased to be here today. I am the General Manager of Nova Scotia's largest vaping product retailer – the 14-store Vapor Trail chain with locations throughout Nova Scotia. As well, I am the Atlantic Representative of the Canadian Vaping Association (CVA) Board of Directors, Founded in 2014; Canada's leading industry association representing over 300 manufacturers, distributors and retailers. The Canadian Vaping Association has no affiliation nor receives funding from any tobacco companies. We are the only vaping association that has scheduled quarterly meetings with Health Canada to discuss policy, and provide recommendation to government to better regulate the vape industry in Canada. Some key proposals includes:

- Implementation of a dual age verification process for online sales,
- Ban National brand specific advertising in non age restricted locations/environments.
- Limiting nicotine strength to 20mg/mL
- Strengthen border control to prevent illegal/black market and non-compliant products from entering into the mainstream market.
- Creation of a GMP Standard for E-liquid manufacturing standard program to Health Canada

1. The Vapor Trail and the Canadian Vaping Association are here to express our absolute opposition to Bill 233 and more importantly the Ministerial decisions affecting flavours and taxes that have been made. Together the flavour ban and per millilitre taxation model will wipe-out adult-only vape shops in Nova Scotia. Already, shops in Nova Scotia have begun to close. If nothing changes, we will disappear, as will the taxation income.
2. Let me start by re-stating the CVA position that vaping is for adult ex-smokers. Youth should not be vaping. Period. Adults who don't smoke should not be vaping. Period. Vaping is proven to be an effective harm reduction tool that helps smokers to stop smoking cigarettes. Already tens of thousands of Nova Scotians have quit smoking by using vape products. Essential to the migration away from smoking tobacco is the introduction of flavoured e-liquids. Logically, if the only flavour available is tobacco, ex-smokers will return to cigarettes. Flavours make up approximately 94% of our e-liquid sales. Tobacco flavours, are used to transition smokers away from smoking, not thereafter.
3. The youth vaping surge that occurred across North America in 2017-18 should be a concern to lawmakers. It certainly is for the CVA. We have been working with governments across Canada to take practical steps to stop and reverse the surge in youth vaping. All evidence shows the youth surge coincided with the introduction of stylish, closed-pod, high-nicotine vaping systems being introduced by tobacco related

companies and made available in thousands of convenience stores. The youth get a nicotine buzz and quickly become addicted. Interestingly, in the UK where nicotine levels are limited to 20/mg, and thousands of flavour profiles are available, there was no youth surge.

4. Other Provincial governments are taking effective action to stop the youth surge. They are limiting the amount of nicotine in pod systems to only 20mg and eliminating all flavours in the convenience store channels where youth have access. Instead these leaders have designated adult-only expert vape shops where the vast majority of sales must be from vaping related products, as the only venues that adult ex-smokers can continue to get flavoured e-liquids. As well, some provinces are introducing new vaping taxes to help fund enforcement and education. The CVA agrees with changes introduced by the Governments of BC, Alberta, PEI and Ontario.
5. Nova Scotia seems to have forgotten adult smokers that have transitioned to vaping as a less harmful alternative, in developing these policies. Tens of thousands of adult Nova Scotians have used flavours to help transition away from combustible tobacco. The decision made by the Nova Scotian government to eliminate flavours will destroy the adult only vape shops that are in this province. The exuberant taxation policy of a per ml tax, the highest this country has ever seen, will penalize those that are trying to quit smoking by choosing this less harmful alternative. These policies favour the tobacco industries highly addictive, low volume closed pod systems, and do not discourage youth nicotine use at all.
6. If big tobacco designed a vaping control policy framework to advantage themselves, they could not do better than what Nova Scotia has done. The policy wipes out the adult-only vape shop network, eliminates flavoured products from adult ex-smokers driving them back to smoking, taxes e-liquids by volume while ignoring nicotine potency and drives all vaping related traffic through the convenience channel where they have financial control over retailers, and no harm reduction expertise available.
7. We know that Nova Scotia wants to be a leader on the youth vaping policy agenda. We would like to work with the government to develop such a policy. The current path is a disaster for ex-smokers and small non-tobacco retailers. Please set aside Bill 233, delay the introduction of the April 1st flavour ban and sit down with our industry to develop a workable policy framework that will do what we all want which is to stop youth from accessing vaping products while ensuring that more adults can quit smoking in Nova Scotia.