



March 5, 2020

### Notes on Bill 233

Respected Chair and members of the Law Amendments Committee,

I am thankful for the opportunity to speak about Bill 233. Smoke-Free Nova Scotia is a coalition of members with the shared vision of a smoke-free province. Throughout the years, the Government of Nova Scotia has demonstrated bravery in doing what is right for Nova Scotians and their health, especially our loved and valued youth who are the future of this province. Bill 233 is consistent with the Nova Scotian saga of public health and policy leadership.

We commend the government for proposing this bill in addition to the taxation changes that were formerly announced with the budget for 2020-2021.

I will comment on the importance of the policy levers within Bill 233 to substantiate moving forward with them. But before I do that, it is imperative to understand why the bill is warranted at a high level:

- In principle, the only reason to have vaping products in the market must be as an alternative to smoking for adult smokers who have failed to quit using evidence-based smoking cessation methods such as counselling, prescription drugs, and pharmaceutical grade nicotine products, and only after understanding that vaping products are associated with direct harms (e.g. lung illness).
- To protect underage youth and non-smoking adults from initiating vaping, the product must be available under very strict legislative parameters.
- There is a real risk that youth will transition from vaping to smoking. This gateway hypothesis has been substantiated by published studies. That risk should always be considered of utmost importance when weighed against the inconclusive evidence on the potential for e-cigarettes to be used as smoking cessation aids.

As for the policy levers from Bill 233 and taxation piece from the budget announcement, I have 4 points I want to make.

1. *Capping nicotine concentration levels at 20 mg/mL, which is the European Union's limit, is fundamental for reducing the potential for youth to become addicted to nicotine.*

A Smoke-Free Nova Scotia survey of 670 youth and young adult e-cigarette users revealed that among youth who vape nicotine-based juice, the majority (66.5%) use concentrations of nicotine 50 mg/mL or higher. Take a few seconds to think about this. Most of our youth e-cigarette users in the province use products that contain two-and-a-half times more nicotine

than the legal limit of the European Union. This is unacceptable and Bill 233 and will change that.

2. *Taxation is needed as a policy lever to reduce the affordability of vaping products for youth and to reduce the potential for vaping-related harms.*

Smoke-Free Nova Scotia's survey found that 63% of youth who vape (ages 16-18) purchase their vaping products using money earned from their jobs. In other words, youth can easily afford these products and that is why we need higher taxes. The tax increase announced with the 2020-2021 budget will reduce the affordability of vaping for underage youth.

3. *Tightening existing loopholes in smoke-free places by including patios as a smoke-free area is important to de-normalize smoking and vaping behaviour.*

There is overwhelming evidence that supports the importance and effectiveness of smoke-free policies and I find no need to delve into the details here.

4. *Adding to the enforcement powers of peace officers with respect to vendors and employees of retailers that sell vaping products is important to reduce illegal sales of vaping products.*

Smoke-Free Nova Scotia's survey with youth and young adult e-cigarette users found that 33% of youth who vape (ages 16-18) report retail locations in Nova Scotia as the most frequent outlet for accessing their vaping products. Bill 233 will allow officers to tighten enforcement and alleviate these concerns.

In closing, Smoke-Free Nova Scotia is not only stressing the importance of supporting Bill 233 with no reservations, but encouraging future vaping controls to ensure that youth and adult non-smokers are protected against vaping and smoking. Furthermore, we believe that adult smokers should have the right supports to access evidence-based smoking cessation methods, such as counselling, prescription drugs, and nicotine replacement therapies, while having the inadvisable option of vaping available as a last resort if these other methods fail.

In closing, Nova Scotian youth protection is warranted and I urge you to adopt Bill 233.

Mohammed Al-Hamdani, PhD

Executive Director, Smoke-Free Nova Scotia