

Report To:	Regional Chair and Members of Regional Council
From:	Hamidah Meghani, Commissioner and Medical Officer of Health
Date:	October 16, 2019
Report No. - Re:	MO-35-19 – Update on Vaping and Health

RECOMMENDATION

1. THAT the Regional Chair write to the Minister of Health requesting the immediate removal of exemptions in Regulation 268/18 made under the *Smoke-Free Ontario Act, 2017* so that retailers of vapour products will be prohibited from the promotion of vapour products, subjecting them to the same restrictions as tobacco products.
2. THAT the Regional Chair's letter to the Minister request that the automatic prohibition clause under the *Smoke-Free Ontario Act, 2017* for tobacco product retailers with two registered sales convictions be extended to vapour product retailers.
3. THAT the Regional Clerk forward a copy of the Regional Chair's letter and Report No. MO-35-19 to Halton's MPP's.

REPORT

Executive Summary

- In recent months, a number of cases of vaping-related severe pulmonary disease have been reported in the United States and Canada. As of September 27, 2019, the United States Centres for Disease Control and Prevention had 805 confirmed or probable cases and 12 confirmed deaths linked to vaping. In Canada, one confirmed case has been reported in Quebec; one possible case is under investigation in Middlesex-London. The majority of cases were among youth and young adults.
- All reported cases of vaping-related severe pulmonary disease have a history of vaping cannabis, nicotine, or both, in the 90 days prior to illness. The investigation to date has not identified any specific vapour product or substance that is linked to all cases.

- Evidence shows that youth who are exposed to vapour product advertising through various channels are significantly more likely to use the products.
- Currently, vapour products are exempt from promotion restrictions by section 22 of Regulation 268/18 made under the *Smoke-Free Ontario Act, 2017*. As a result, promotion of vapour products at convenience stores, gas stations and grocery chains is widespread.
- Under the *Smoke-Free Ontario Act, 2017*, vapour product retailers are not subject to the same penalties as tobacco product retailers. Vapour product retailers who repeatedly contravene minimum age restrictions are subject to monetary fines only. Tobacco retailers with two registered tobacco sales convictions are subject to an automatic prohibition which restricts the retailer from selling or storing tobacco for a prescribed time period.

Background

On June 19, 2019, Regional Council received Report No. MO-05-19 re: “Vaping and Health” which provided information on vaping rates among Canadian youth and the health effects of vaping. The purpose of this report is to provide an update on the newly emerging vaping-related severe pulmonary disease and advocate for change in legislation to address the promotion of vapour products and youth access in Ontario.

Vapour products are a rapidly changing class of devices, which includes e-cigarettes, vapes and mods. In this report, the term “vapour products” will be used.

The use of vapour products is a growing public health concern due to their popularity among youth. A 2019 study of Canadian youth aged 16 to 19, from the University of Waterloo, found that Canadian teens who said they had vaped in the last month increased by 74 per cent in a single year, from 8.4 per cent in 2017 to 14.6 per cent in 2018.

Recently, cases of vaping-related severe pulmonary disease have been reported in the United States and Canada. As of September 27, 2019, the United States Centres for Disease Control and Prevention had received reports of 805 confirmed or probable cases and 12 confirmed deaths linked to vaping across 46 states and one United States territory. Sex and age data was available for 771 cases: 69% of the cases were male and 78% of cases were under the age of 34, with 22% between the ages of 18 and 21 and 16% under the age of 18.

All reported cases of vaping-related severe pulmonary disease have a history of vaping cannabis, nicotine, or both, in the 90 days prior to illness. The investigation to date has not identified any specific vapour product (device, liquid, refill pod, and/or cartridge) or substance that is linked to all cases.

Health Canada released a safety alert on September 4, 2019, advising Canadians who use vapour products to monitor themselves for symptoms of pulmonary illness and to seek medical attention if they have concerns about their health.

On September 18, 2019, Middlesex-London Health Unit announced they had a case of severe pulmonary disease associated with vaping in a 17 year-old. This was the first known case in Canada. The same day Ontario Health Minister, Christine Elliott, issued an order requiring public hospitals in Ontario to provide the Chief Medical Officer of Health with statistical, non-identifying information related to incidences of vaping-related severe pulmonary disease. As of September 28, 2019, the Public Health Agency of Canada reports there is one confirmed case in Quebec and considers the Middlesex-London case, “possible,” as it is still under investigation.

Discussion

Vaping-Related Severe Pulmonary Disease

Vapour products contain numerous harmful chemicals (e.g. propylene glycol, glycerin, formaldehyde) which when inhaled cause lung damage. While the suspected cause of vaping-related severe pulmonary lung disease is chemical exposure, the specific chemical or combination of chemicals is still unknown. Most cases (77%) reported using vapour products containing cannabinoids such as tetrahydrocannabinol (THC), some (57%) reported using vapour products containing nicotine, and others reported using both. The type, extent, and severity of illness depends on multiple factors, including the chemical to which the user was exposed; chemical changes associated with heating; dose, frequency, and duration of use; product delivery methods; and behaviors and health of the user.

Most identified cases of vaping-related severe pulmonary disease have been hospitalized and some cases have progressed to respiratory failure, requiring care in Intensive Care Units (ICUs). For persons who have recovered, the long-term consequences of the disease are unknown.

Promotion of vapour products

The majority of reported cases of vaping-related severe pulmonary disease have been among youth and young adults. The promotion of vapour products significantly influences youth perceptions and use. Several studies have shown that youth who are exposed to vapour product advertising through various channels are significantly more likely to use the products. In Canada, youth exposure to the promotion of vapour products is currently high, with 48% reporting exposure to promotion on the internet.

The modern designs of the newer vapour products and the variety of flavours available for vaping make them very attractive to youth. There are over 460 brands of vapour devices (each with its own website) and over 7,000 unique flavours of e-juices available

for purchase. Newer vapour products are more diverse in their design, sometimes resembling common items such as pens, flashlights, or computer flash drives making them appear trendy and easy to conceal. Popular e-juices include fruit and candy flavours, which appeal to children and youth. Availability of flavours is one of the most frequently reported reasons for vaping in youth, followed by low perceived harm compared to other tobacco products.

Currently, there are limited restrictions on the promotion of vapour products at the federal and provincial level. As a result, promotion of vapour products on the internet and at convenience stores, gas stations and grocery chains is widespread. Health Canada has recently begun consultations around proposed measures to strengthen the *Federal Tobacco and Vaping Products Act* including: limiting the location of vapour product advertisements, placing requirements for health warnings on vapour products, and restricting point of sale promotion to name a few. Provincially, Regulation 268/18 made under the *Smoke-Free Ontario Act, 2017* sets out exemptions for vapour product retailers and allows for the promotion of vapour products at point-of sale, unlike tobacco products.

Access to vapour products

Vapour product use by youth is also impacted by ease of access. In 2018, the Health Department's School Years Program conducted focus groups among Halton youth. Participants reported feeling that vapour products were very easily accessible in Halton.

In Halton, Public Health Inspectors enforce the minimum age restrictions for tobacco and vapour products under the *Smoke-Free Ontario Act, 2017*. Unannounced youth access checks are regularly conducted and non-compliance is addressed by the Public Health Inspector using a progressive enforcement approach. Progressive enforcement includes the use of education, warnings and graduated charging options to reflect the frequency and severity of the level of non-compliance.

However, under the *Smoke-Free Ontario Act, 2017* vapour product retailers are not subject to the same penalties as tobacco product retailers. The Minister of Health can impose an automatic prohibition on tobacco product retailers with two registered tobacco sales convictions. The automatic prohibition restricts the retailer from selling or storing tobacco on-site for a prescribed time period. This strategy prevents youth from continued access to tobacco products from retailers with a history of non-compliance. The automatic prohibition does not apply to vapour product retailers who repeatedly contravene minimum age restrictions. Under the *Smoke-Free Ontario Act, 2017*, they are subject to monetary fines only.

Conclusion

Vaping-related severe pulmonary disease is a newly emerging serious illness linked to the use of vapour products. The majority of the reported cases have been among youth and young adults. Evidence suggests that advertisements of vapour products and ease

of access significantly influence use by youth. As such, restricting the promotion of vapour products by removal of the exemptions in Regulation 268/18 under the *Smoke-Free Ontario Act, 2017* and making vapour products less easily accessible by extending the automatic prohibition under the *Smoke-Free Ontario Act, 2017* to include vapour product retailers, will contribute to preventing Halton youth from using these products.

FINANCIAL/PROGRAM IMPLICATIONS

There are no financial implications associated with this report.

Respectfully submitted,



Hamidah Meghani, MD
Commissioner and Medical Officer of Health

Approved by



Jane MacCaskill
Chief Administrative Officer

If you have any questions on the content of this report,
please contact:

Hamidah Meghani

Tel. # 7806

Attachments: None

