



**PTCC**

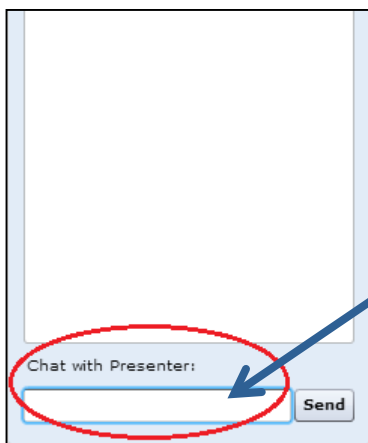
# Ontario's New Tobacco Control Measures: Implementation, Triumphs and Trials

**Presented by:**

Jolene Dubray, Tracey Borland, Michael Chaiton

June 21, 2017

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# Today's speakers



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# Today's speakers



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Generating knowledge for public health

# Ontario's New Tobacco Control Measures: *Implementation, Triumphs and Trials*

Jolene Dubray  
Tracey Borland  
Michael Chaiton  
Robert Schwartz

# What are the New Measures

Jan 2015

Smoking ban on playgrounds, sporting areas, restaurant and bar patios

Jan 2016

- Ban on e-cigarette sales to youth
- Ban on flavoured tobacco
- Smoking ban on hospital grounds (with DSAs)
- Increased fines for tobacco sales to youth
- Ban on selling tobacco on post-secondary campuses

Jan 2017

Ban on menthol tobacco

Jan 2018

100% smoking ban on hospital grounds

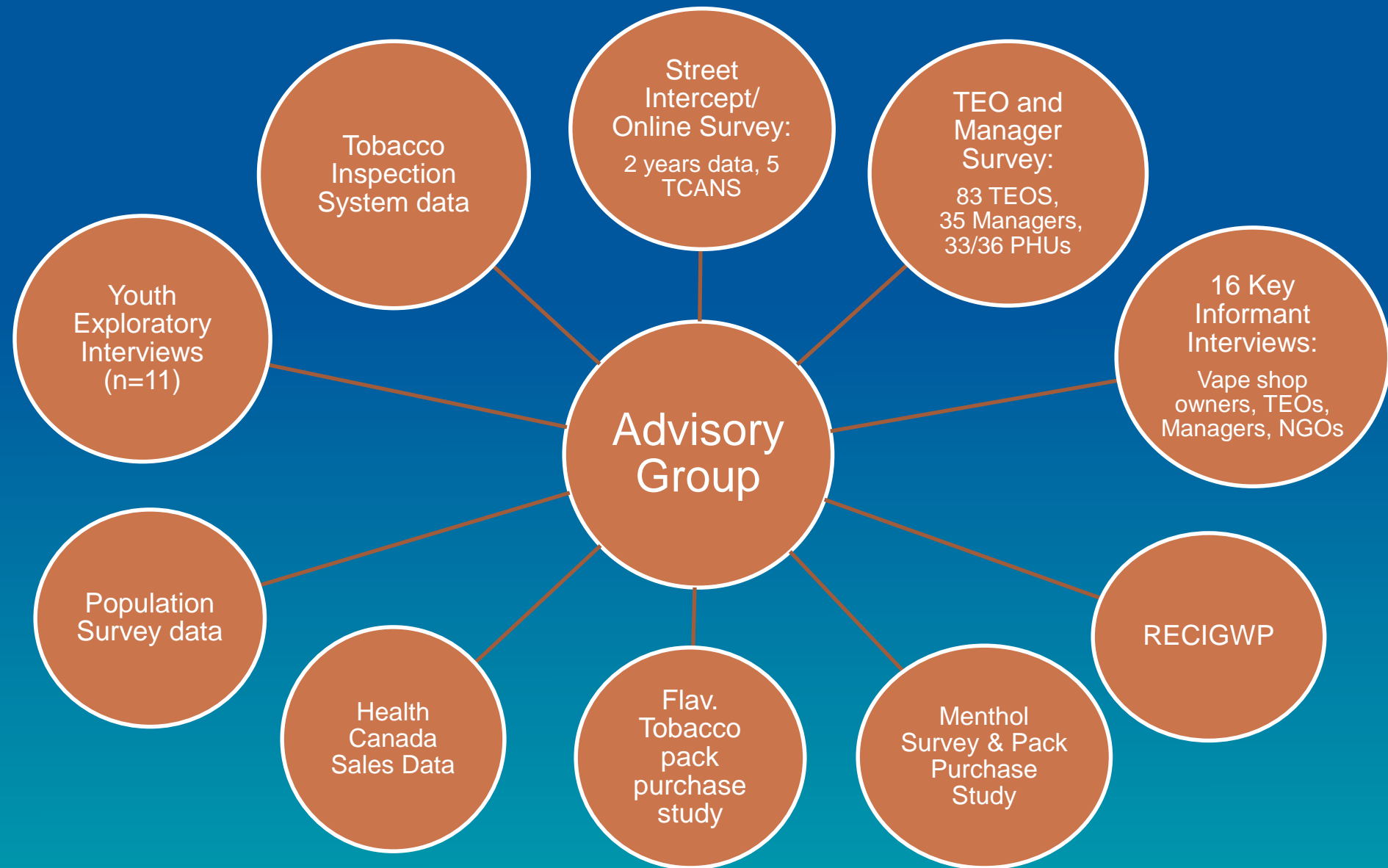


# OTRU Evaluation

Aim to assess implementation and impact of the new tobacco and e-cigarette policy measures currently in force

- Awareness and support
- Compliance and enforcement
  - Successes
  - Challenges
  - Unintended consequences

# Evaluation Methods





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# Public Support for New Measures

CAMH Monitor, 2016

# Smoke Free Spaces

## Non Smokers

- Near public building entrances 92%
- On outdoor patios/restaurants/bars 80%
- In public parks and beaches 72%
- Near outdoor recreation facilities/fields 85%
- Near outdoor children's playgrounds 96%

# Smoke Free Spaces

## Current Smokers

- Near public building entrances 83%
- On outdoor patios/restaurants/bars 36%
- In public parks and beaches 43%
- Near outdoor recreation facilities/fields 60%
- Near outdoor children's playgrounds 86%

# Flavours

- Some tobacco products can have different flavours such as menthol, strawberry, coffee, or wine. Should flavoured products be banned?:
  - Non smokers: 65%
  - Current smokers: 39%



# Flavours

- Some *e-cigarette* products can have different flavours such as menthol, strawberry, coffee, or wine. Should flavoured products be banned?:
  - Non smokers: 61%
  - Current smokers: 35%



# E-cigarette Age

- The sale of e-cigarettes to youth under 19 years of age should be banned.
  - Non smokers: 88%
  - Current smokers: 85%





# E-cigarette Free Spaces

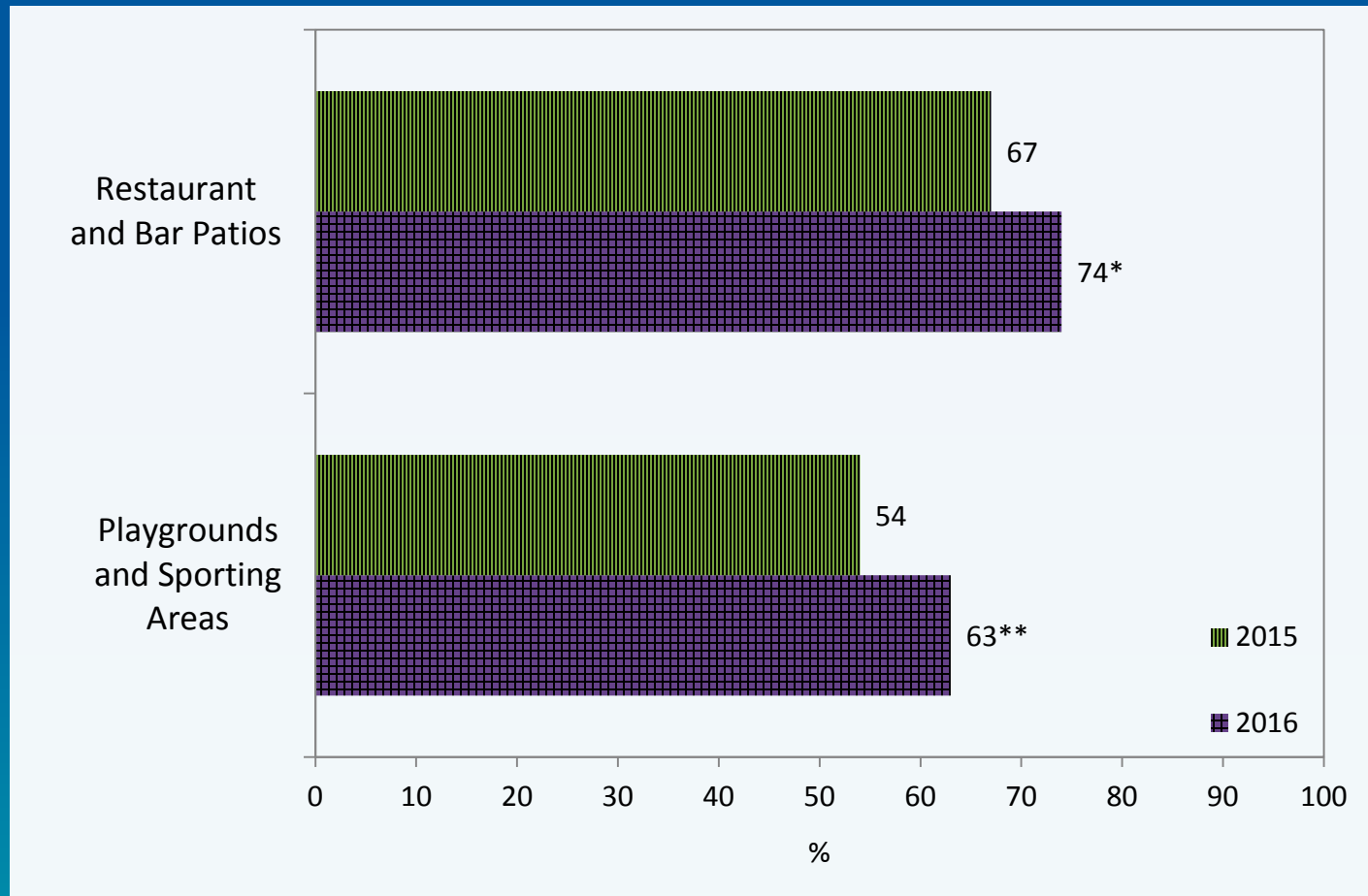
- The use of electronic or e-cigarettes should be banned in settings currently covered by "smoke-free" legislation
  - Non smokers: 91%
  - Current smokers: 68%





# OUTDOOR SMOKING REGULATIONS

# Outdoor Smoking Regulations: Public Awareness

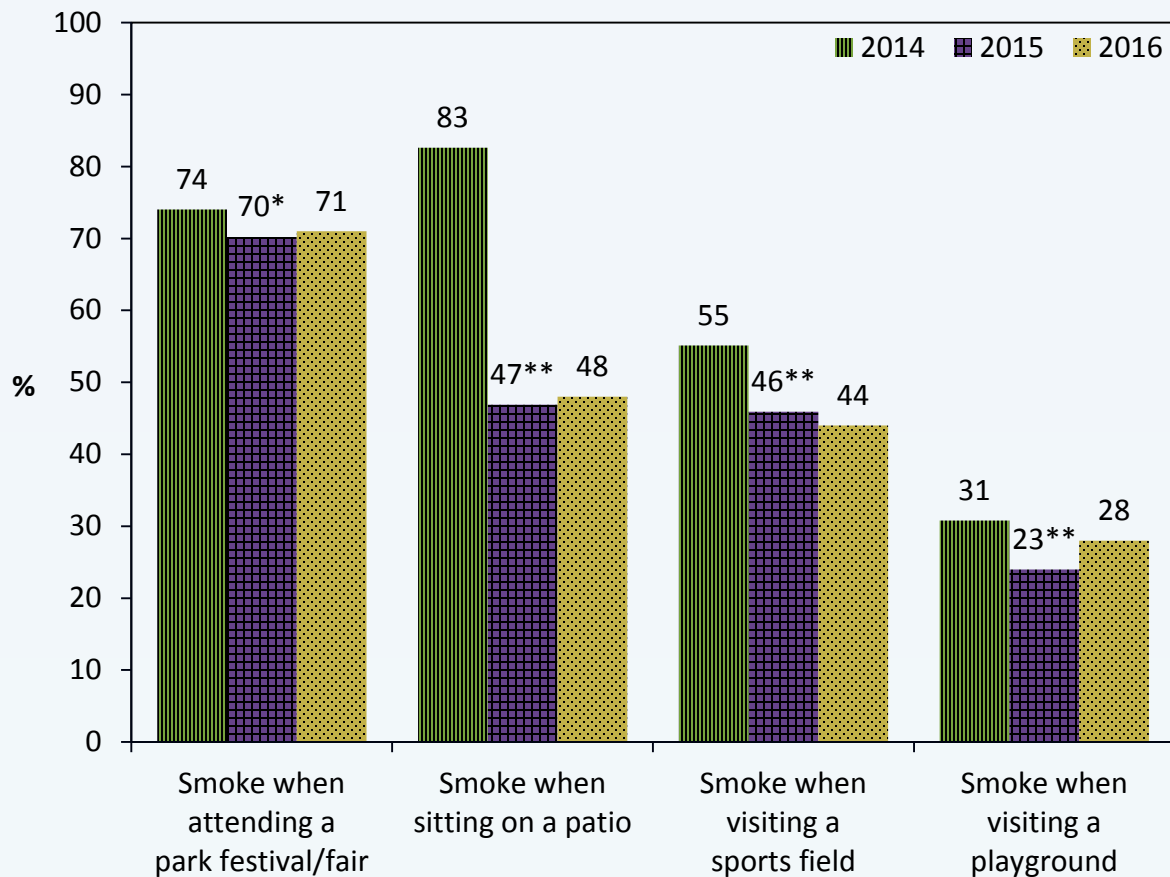


\* Significant increase between 2015 and 2016;  $p < 0.01$

\*\* Significant increase between 2015 and 2016;  $p < 0.001$

Source: Street Intercept Surveys, 2015 and 2016.

# Outdoor Smoking Regulations: Self-Reported Smoking Behaviour<sup>a</sup>



Significant decreases in 2015 compared to the year before the survey (2014)

No change from 2015 to 2016

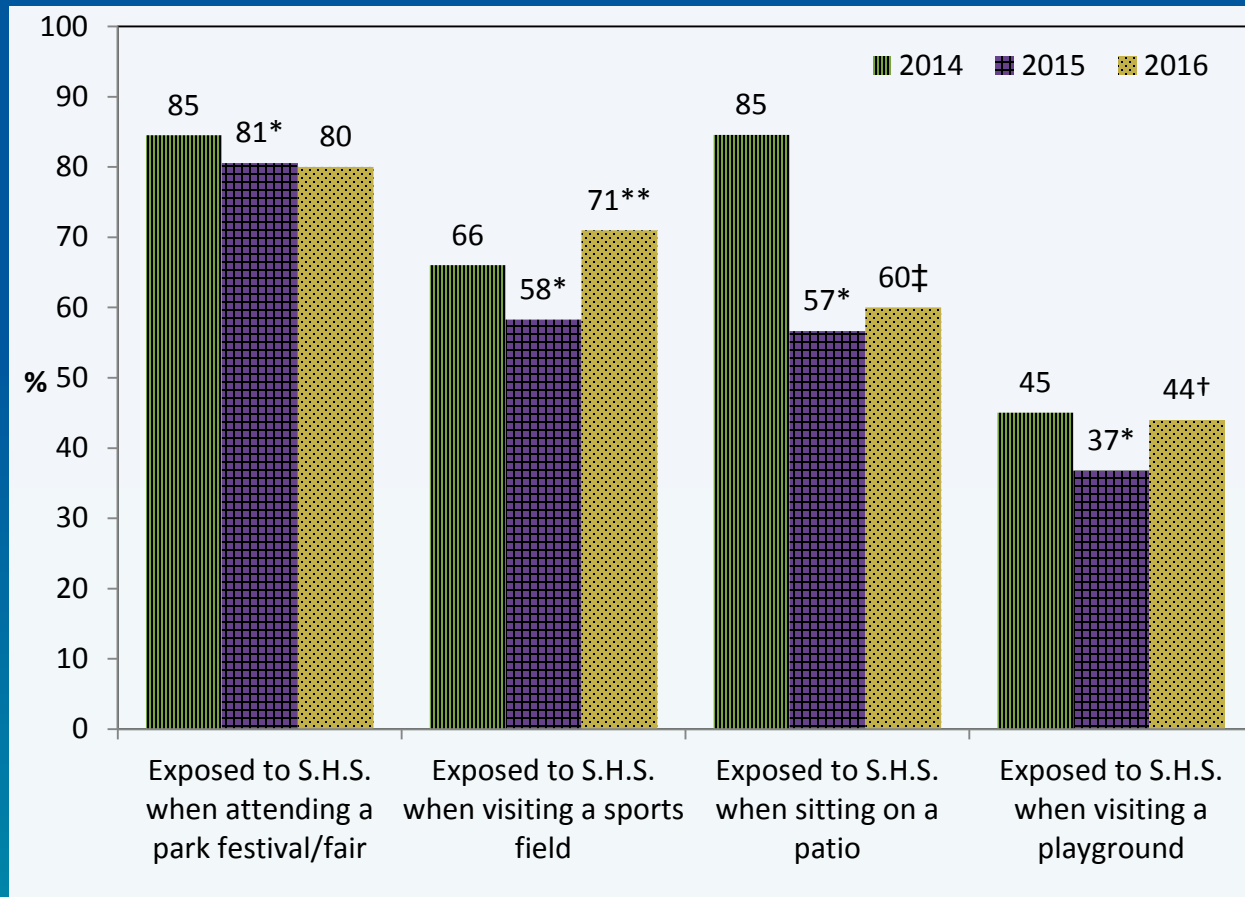
<sup>a</sup> Among survey respondents who reported visiting the affected outdoor public spaces.

\* significant decrease between 2014 and 2015;  $p < 0.01$

\*\* significant decrease between 2014 and 2015;  $p < 0.0001$

Source: Street Intercept Surveys, 2015 and 2016.

# Outdoor Smoking Regulations: Self-Reported Exposure to SHS<sup>a</sup>



Significant decreases in 2015 compared to the year before the survey (2014)

Increases in 2016 on playgrounds, sports fields and patios

<sup>a</sup> Among survey respondents who reported visiting the affected outdoor public spaces.

\* significant decrease between 2014 and 2015;  $p < 0.0001$

\*\* significant increase between 2015 and 2016;  $p < 0.0001$

† significant increase between 2015 and 2016;  $p < 0.01$

‡ significant increase between 2015 and 2016;  $p < 0.05$

Source: Street Intercept Survey, 2015 and 2016.

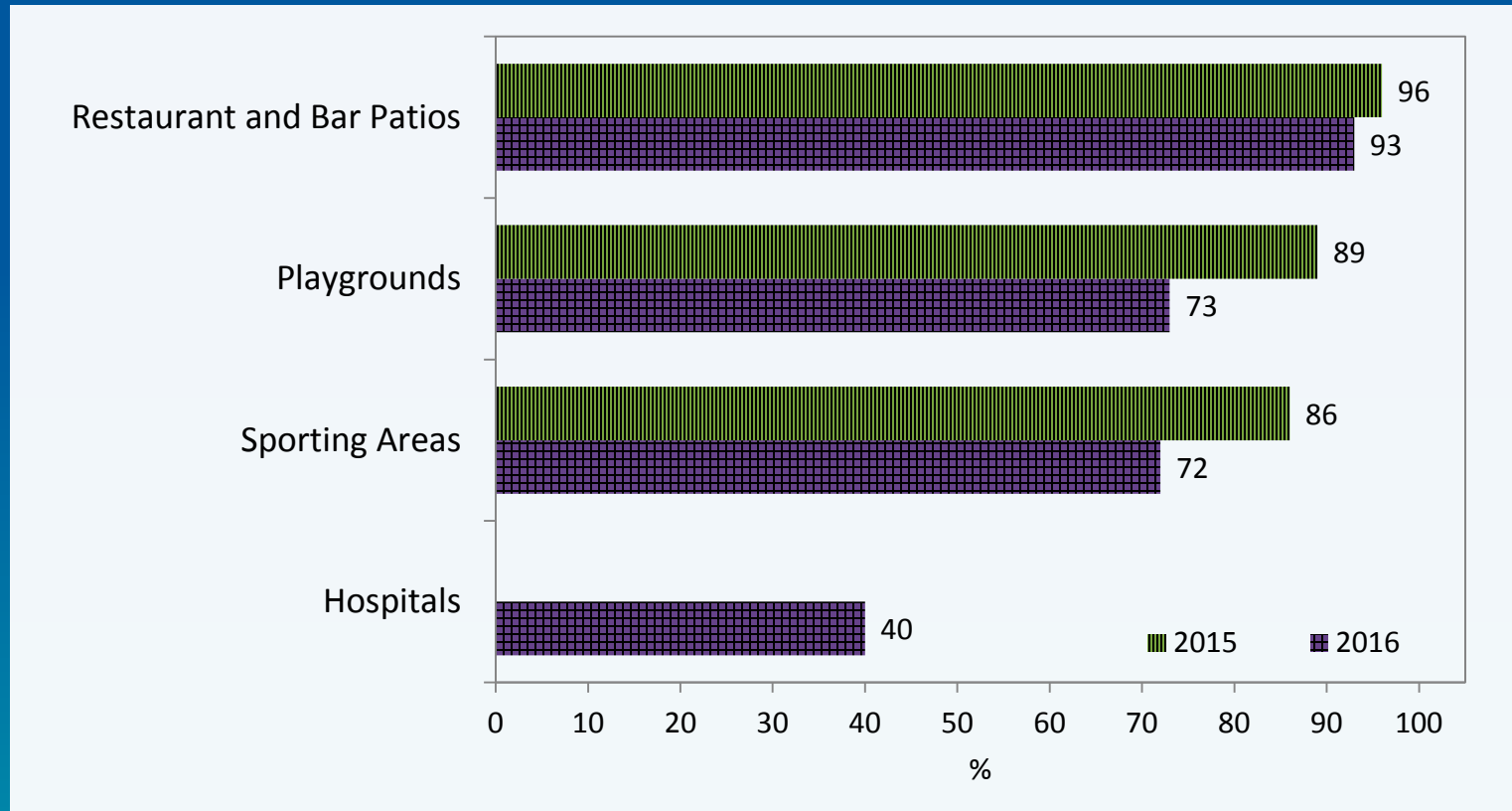
# Outdoor Smoking Regulations: Drifting Smoke

Among those exposed to SHS  
in affected areas:

- 47% reported drifting smoke came from sports field/spectator area
- 34% reported drifting smoke came from playground
- 27% reported drifting smoke came from another table on patio



# Outdoor Smoking Regulations: Compliance



Source: Tobacco Inspection System, 2015 and 2016.

# Outdoor Smoking Regulations



- ✓ Improved compliance over time
- ✓ Increased awareness among owner/operators
- ✓ Increased public awareness
- ✓ Pre-existing bylaws
- ✓ Interdepartmental collaboration
- ✓ Timely response to complaints



# Outdoor Smoking Regulations: General Challenges

- Resistance to post signage
- Lack of public awareness
- Adequate staffing to proactively enforce
- Overlapping bylaw and SFOA outdoor regulations
- Funding to post signage
- Legislative gaps



# Outdoor Smoking Regulations: Challenges by Outdoor Area



- No standardized signage
- Enforcement mainly conducted by security staff
- Special considerations for action taken
- Size of hospital grounds
- Location and structure of designated smoking area



- Posting signage
- Lack of internal support to take a stand against municipalities



- Patio definition and interpretation inconsistencies
- Confrontational patrons

# Outdoor Smoking Regulations: Unintended Consequences



100% smoke-free prior to 2018 deadline  
(positive)

Location of smokers

Single entry point



Interplay between local bylaw and outdoor  
regulations

Local bylaw signage



Drifting smoke and location of smokers

Non-traditional outdoor spaces becoming patios



# FLAVOURED TOBACCO

# Flavoured Tobacco: Compliance

In 2016, **95%** of tobacco vendors that were inspected did not have flavoured tobacco on the store shelves

# Flavoured Tobacco

- ✓ Increased awareness among tobacco vendors
- ✓ Improved compliance among tobacco vendors over time
- ✓ Increase public awareness about flavoured tobacco ban
- ✓ Distributors calling PHU for clarification on products offered to retailers



# Flavoured Tobacco: Challenges

- Re-labelling of flavoured tobacco to meet exemptions
- New tobacco products that attempt to fall under exemptions
- New tobacco products that appear to be flavoured though not marked as flavoured
- Lack of awareness among tobacco vendors
- Misinformation from Tobacco Industry reps visiting vendors
- Lack of TEO training to identify products

# Flavoured Tobacco: **KI Interviews**

- Good compliance (some initial non-compliance that resolved w/in a few months)
- Implementation Facilitators:
  - Limiting supply at manufacturer/wholesale level
  - Proactive retailer education
  - Consistency in enforcement practice
  - Provincial teamwork
  - Ministry support





# Knowledge, Education and Resources:

## KI Interviews

- Knowledge education and resources to adequately prepare enforcement staff enforcement
- Timely communication about outcomes of Ministry, Health Canada and manufacturer meetings.
- Capacity and resource Issues

*“We need materials in advance. We need the training and the materials in advance like more than a month or two ahead of what's happening. They [retailers] get all this conflicting information from reps and wholesalers... So we need more advanced notice for training and materials and signage. It needs to be quicker, on the ball what's coming out.”*

- Tobacco Enforcement Officer

# Flavoured Tobacco: KI Interviews

- Compliance undermined by industry adaptation
  - Re-label packages to fall under exemptions, but same flavour
  - Uncertainty:
    - ◆ Colours to connote flavour
    - ◆ Products labelled as 6grams
  - Shisha distributors
  - *Industry monitoring = constant, resource intensive*



# Flavoured Tobacco: KI Interviews

- Compendium of products allowed/not allowed
- “*Concise*” and “*tightened*” legislative language & clarity behind intent of legislation
- Greater enforcement at manufacturer level

*...there needed to be greater attention payed to dealing directly with the manufacturer so perhaps at the federal level or the provincial working with the manufacturers saying you know it's not okay to have these products contain these flavours that are making tobacco not taste like tobacco. So, you know as opposed to us having to go store-to-store dealing with the retailers who for the most part are basically just doing what they're told by the retailers or by the large companies themselves and their reps... I would say [that was] a systemic flaw to how the legislation was implemented, even if you take the definition part out of it.*

- Manager



# E-CIGARETTE SALES TO YOUTH

# Electronic Cigarettes Act: Compliance

In the first half of 2016, 90% of tobacco vendors/e-cigarette retailers that were inspected did not sell an e-cigarette to the test shopper.

# Electronic Cigarettes Act: Successes

- ✓ Increased awareness among tobacco/e-cigarette vendors
- ✓ Improved compliance among tobacco/e-cigarette vendors over time
- ✓ Increase public awareness about youth access to e-cigarettes
- ✓ Opportunity to educate retailers



# Electronic Cigarettes Act: Challenges

- Test shopper exposure to secondhand vapour
- Lack of public education and awareness
- Lack of awareness among tobacco/e-cigarette vendors
- Lack of staffing to proactively enforce/address complaints
- Legislative gap: e-juice not included in ban
- Lack of training for TEOs and test shoppers

# E-cig Sale and Supply to Youth:

## KI Interviews

- Perceived 'good' compliance
  - Proactive education
  - Many vape shops already implemented policy and signage before Jan 1, 2016
- Compliance issues with convenience stores and pharmacies (3 KIs)





# Convenience Stores and Vape Shops:

## KI Interviews

- Perceived lower compliance in convenience stores vs vape shops
  - Lack of product and regulatory knowledge
  - Diversity of products sold in stores
  - Organizational training for clerks?

*“When you get into the greater margin of people who are retailing these products, largely in convenience stores or areas where tobacco has traditionally been retailed, compliance starts to slip and I would suggest to you it's because...it's just that one product in a whole catalogue of things they have available...I would say that in many cases owners and particularly clerks have no idea what they're vending. They really don't even know what they are and so despite our best efforts to educate them...they're clueless as to what they are and they will often ask us, ‘Well, what is an electronic cigarette?’”*


- Manager

# Identifying E-cigarette Retailers

- Challenging & labour intensive

→ Conv stores: cyclical nature of product; lack of product knowledge

→ Vape shops: *"boots on the ground exercise"*



*"The other thing which we would have favoured was provision for a specialty shop very much similar to the provision for a tobacconist in the SFOA, where the onus lies with the operator to take out their registration with the Ministry... You would have a listing of these specialty stores and you know in the absence of any licencing regime, which we don't have for e-cigarettes, it's a crap shoot whether you find them or not."*

- Manager

- Municipal licensing structure (i.e. food/tobacco) facilitated process
- Suggestions: Specialty store provision for Vape Shops

# Test Shopping: KI Interviews

- Youth test shoppers
  - TEO conducts inspection instead
  - Does not test shop vape shops
  - Awaiting legislation
- Unfamiliarity with vaping product and terminology

*“...it's not clear at this point in time that there is enough of a concern regarding the inhalation of vapour and we have had some reports in other parts of the province where inspectors have come out of a shop when it's very heavily full of vapour that they feel a bit lightheaded, that they're having asthma like symptoms and so for us we made the determination that it was not worth sending youth test shoppers in to test shop. We still inspect. The adult TEOs still inspect but they wait until there isn't kind of active use going on at the time.”*

- Tobacco Enforcement Manager

Recruited from:

- Young Parent Resource Centre (n=7);
- RECIG Panel (n=3)
- Volunteer Group (n=1)

- Semi-structured
- In-person and telephone
- Opportunity for paired interviewing
- 20mins-38mins
- \$25 Visa Gift Card

Eligibility: Used an e-cigarette or a cigarette in past year

## Exploratory Youth Interviews



# Experiences with Purchasing Vapes

- Half aware of policy
- Ability to purchase vapes since January:
  - Four participants: harder to access vapes from retail environments
    - ◆ 2 felt not an issue because most people smoked cigarettes anyways
  - Remaining participants: no change in ability to purchase
    - ◆ Stores willing to sell to minors, looked older, had a child, already had a vape in hand
    - ◆ Other sources



# Online Retail Sources

*“...so a lot of my friends buy their stuff still in the vape stores either they don't card or they get other people who are over 19 to get the stuff for them...or they buy it online....I think cause they buy really weird, intense stuff online, which isn't available in the vape [store] ...I think there's more reliance online to buy the vaporizer itself, but still buying juice I think they still get it like in the vape stores.”*

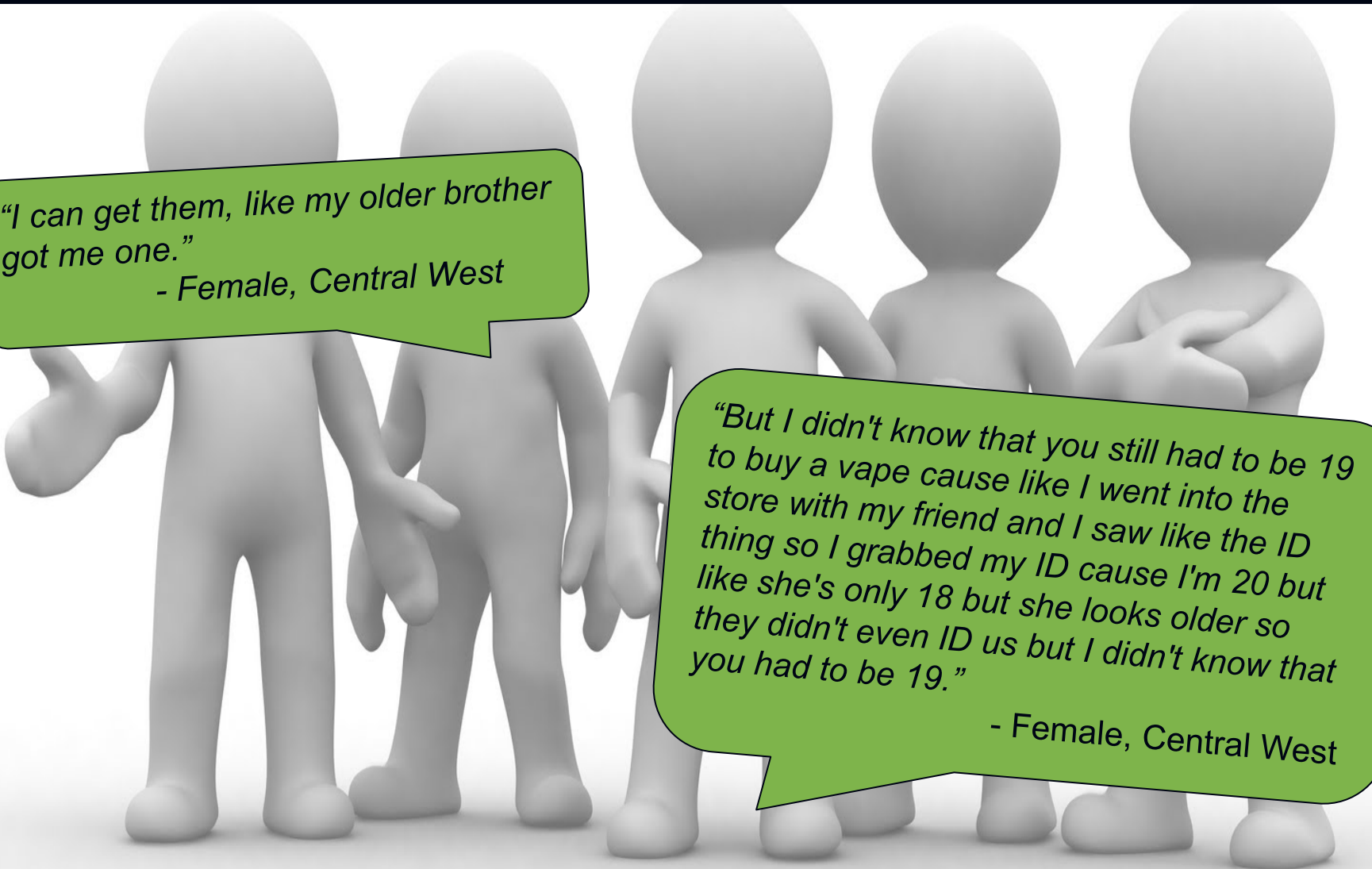
– Female, Central East



*“I know a couple friends don't even go to shops anymore. They just strictly order things online because obviously there's no way to tell who's ordering.”*

– Female, Central West

# Social Sources



*"I can get them, like my older brother got me one."*

*- Female, Central West*

*"But I didn't know that you still had to be 19 to buy a vape cause like I went into the store with my friend and I saw like the ID thing so I grabbed my ID cause I'm 20 but like she's only 18 but she looks older so they didn't even ID us but I didn't know that you had to be 19."*

*- Female, Central West*

# Social Media

*"Like they bought them and now they're trying to like [sell them], cause I always like scroll down my Snap Chat and someone is like selling either like a vape or a sheesha, hookah thing."*

*- Female, Central West*

*"It's too easy now for everything with social media, with the Internet, with phones like people can just text someone that they know say or a brother or sister and say hey, go get this for me right so it's just so easy now in our society."*

*- Male, Central West*



Thank you!

# Thanks and Acknowledgements

## New Measures Advisory Group

- Angelo Apfelbaum (Regional Municipality of Waterloo)
- Lorraine Fry (Non-Smokers' Rights Association)
- Frances Hobbs (Ontario Ministry of Health and Long-Term Care)
- Martin Kuhn (Simcoe Muskoka District Health Unit)
- Kellie Milani (Thunder Bay District Health Unit)
- Michael Perley (Ontario Campaign for Action on Tobacco)
- Rowena Pinto (Canadian Cancer Society)
- Kristy Ste Marie & Sarah Butson (Youth Advocacy Training Institute)

# Q&A



# Thank you for participating

**Your feedback is important to us!**

A link to our **webinar survey** will be emailed to you following this webinar.

# Program Training and Consultation Centre

***PTCC increases the capacity of organizations and providers to deliver effective, comprehensive, tobacco use reduction interventions in Ontario***

**SFOA Resource Centre (since 1993-94)  
Funded by Public Health Ontario**

- Technical assistance, training & resource development
- Knowledge development, exchange & programming to increase the use of research & practice-based evidence (LEARN, Communities of Practice)
  - Media relation training & consultation services through Media Network