

7.3 (a)(aj)

Dear Council,

My name is Maria Papaioannoy, and I am with [Rights 4 Vapers](#)—Canada’s largest consumer movement advocating for safer nicotine products. I offer this as my written submission in response to “Item 9.3 of the General Issues Committee Minutes”

I appreciate the passion young people have shown around vaping. Let me be clear: we agree that young people should NOT use any nicotine products and should NOT be sold these products. There are many laws already on the books that make it illegal for anyone to sell nicotine to a minor.

We must, however, also consider the adults in Hamilton who smoke or vape. Is it fair to impose a *fourth* layer of taxation on them? Vaping products are *already* taxed three times: a **federal excise tax**, a **provincial excise tax**, and **HST**. Introducing an additional municipal tax would be punitive and deeply unfair.

The ongoing disregard for nicotine users in these discussions is troubling. Hamilton has shown empathy and understanding for people who use drugs and has embraced harm reduction in other areas. Yet, when it comes to nicotine, the same principles seem to be ignored. Applying moral judgment and adding financial strain to those who use vaping as a harm reduction tool is not the way forward.

I am also concerned that some of the information presented relies on sensationalized studies and statistics. It is essential that all data used in shaping policy is carefully reviewed and verified.

The study referenced by the youth presenters was the [Canadian Substance Use Survey \(CSUS\)](#). However, as Health Canada clearly states:

“The method for contacting respondents was changed between CADS 2019 and CSUS 2023. The purpose of the change was to capture more respondents, particularly those aged 15 to 24. Details on changes can be found in the Technical Notes. Due to these changes, we do not recommend comparing results. CSUS 2023 results are stand-alone.”

In contrast, [Statistics Canada’s 2023 data](#)—a more stable data set—shows youth vaping rates have dropped **by approximately 40%** since

2019. This significant decline challenges the idea of an out-of-control vaping crisis. It shows that current restrictions, education, and regulations are already working, while still maintaining access for adult smokers who use vaping as a safer alternative.

The tax burden on vaping products is already extreme. For example:

- A **carton of six large-format pods** costs **\$35.94** before tax, but **\$80.64** is added in excise tax, bringing the total to **\$116.58**—a **224% tax rate**.
- A **60mL bottle of vape liquid** with a wholesale price of **\$9.99** is taxed **\$22.40**, again a **224% tax rate**.
- On average, vaping products are taxed at **182%**, *higher than cigarettes*, which are taxed at **168%** (e.g., \$74.10 tax on a \$44.10 carton of 200 cigarettes).

Vaping will become **EVEN MORE** expensive than smoking.

This makes no sense. Vaping is widely acknowledged as a less harmful alternative to smoking. ([Public Health England](#), [Health Canada](#), [Cochrane Review](#))

Taxing it more than cigarettes contradicts harm reduction principles and public health logic.

Furthermore, excessive taxation drives consumers to the black market, where products are unregulated and potentially more dangerous. It also leads former smokers to return to cigarettes, undermining public health goals.

If the concern is truly about youth access, then more resources should go toward enforcing existing laws that prohibit sales to minors and increasing those fines.

If Hamilton is seeking additional revenue, it should consider applying higher taxes on cigarettes, cannabis, alcohol, energy and sugary drinks—substances that pose far greater risks to youth than vaping.

Please reconsider this proposed fourth tax. It punishes adult nicotine users, undermines harm reduction, and will drive consumers to a black market.

Additionally, I urge Council to include an amendment that directs staff to incorporate lived experiences in their report and to hold an open consultation forum that welcomes input from all affected stakeholders.

Thank you for your time and consideration. I hope this council will pursue a balanced, evidence-based approach.

Sincerely,

Maria Papaioannoy

Rights 4 Vapers

