

July 10, 2013

Dear Windsor and Essex-County Mayors:

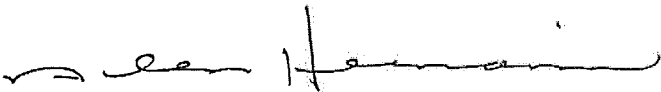
On June 18, 2013, the Windsor-Essex County Board of Health (WECHU) passed a resolution to address recent activities by the Ontario Convenience Store Association (OCSA) that involve advocating for a reduction in contraband tobacco.

It is the view of the Windsor-Essex County Health Unit that some of the promotional activities associated with this campaign that have been used in tobacco retailers are illegal promotion of tobacco under the Smoke Free Ontario Act. In addition, anti-contraband promotional activities that occur in isolation of concurrent messages on the hazards of using all tobacco products are not responsible or accurate public health messaging.

Background information on the OCSA campaign and related issues is detailed in the board resolution attached. We strongly encourage municipal councils in Windsor-Essex to review the information in the resolution and to receive any submissions on the subject from the OCSA with great caution.

If you have any further questions on this matter please feel free to contact me.

Sincerely,



G. Allen Heimann, MD, MHSc.
Medical Officer of Health

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Attachment: WECHU Board Resolution – June 20, 2013

cc: Board of Directors, Windsor-Essex County Health Unit
Kristy McBeth, Manager, CDIP, WECHU
Mary Brennan, County Council Services
Becky Murray, City of Windsor Council Services
Gordon Fleming, Manager of Public Health Issues, alPHa
Ontario Boards of Health

Windsor-Essex County Health Unit

Board of Directors

Resolution Recommendation

June 20, 2013

Issue

Recent activities of the Ontario Convenience Store Association (OCSA) advocating for a reduction in contraband tobacco are illegal promotion of tobacco under the Smoke Free Ontario Act. In addition, anti-contraband promotional activities that occur in isolation of concurrent messages on the hazards of using all tobacco products are not responsible or accurate public health messaging.

Background

On Monday May 13, 2013, the OCSA sent out a press release to announce the launch of a new contraband awareness campaign in London and Windsor. The campaign featured an “interactive tablet” and supportive promotional items through which customers of the premises were asked to send a letter to Ontario Minister of Finance Charles Sousa and Premier Kathleen Wynne directly from the store. Based on Section 3.1 (3) and 7 of the Smoke-Free Ontario Act (SFOA), the Windsor-Essex County Health Unit’s tobacco enforcement team is of the view that these campaign materials and messaging are in contravention of the SFOA. In addition to this type of campaign, the OCSA has been making efforts to bring the issue of contraband tobacco to the attention of municipal councils in Ontario. The OCSA and related organizations in Quebec and nationally in Canada have for some time been calling on governments to exercise greater control over contraband tobacco. While reducing contraband is an objective shared by all, the following points need to be considered.

- No type of tobacco product is safer than any other. Legally manufactured cigarettes sold through convenience stores are no safer than contraband cigarettes or any other type of tobacco product. Unlike any other consumer product, tobacco industry products have no safe level of use and kill half of their long-time users when used exactly as intended. Nicotine addiction, whether through the use of contraband or legal cigarettes, is an addiction which has often been compared to heroin or cocaine addiction.
- Although most retailers do not sell cigarettes to young people, a minority percentage still do. If the OCSA wishes to address the tobacco problem, it should do so by advocating that anyone found selling cigarettes to minors should immediately lose their right to sell both cigarettes and lottery tickets. The OCSA should also agree to a reduction in the number of retail outlets selling this uniquely toxic and hazardous product, which is now sold through multiple locations in every community in Ontario.
- From time to time, the convenience store sector has advocated for a reduction in tobacco taxes as a means of addressing the contraband problem. However, price has been shown by years of research to be the most effective means of reducing consumption, especially among young people (who are more price sensitive than adults).

- The convenience store sector has also advocated that tobacco possession by minors be made illegal. The Government of Ontario sees this is a “blame the victim” strategy which attempts to put the responsibility for youth tobacco use on young people (many of whom have no concept either of addiction or of the types of long-term health consequences of tobacco use when they begin to experiment with tobacco industry products).

Proposed Motion

WHEREAS smoking tobacco is known to have a direct and indirect harm on the health of the smoker as well as those who are exposed to second-hand smoke,

WHEREAS contraband tobacco has negative public consequences and impacts such as unrestricted youth access to tobacco and an increase in criminal activity;

AND WHEREAS contraband tobacco products are easily accessible in our community;

NOW THEREFORE BE IT RESOLVED that the Board of the Windsor-Essex County Health Unit supports the Ontario Government’s 2012 Budget commitments and other provisions in Bill 186 and amendments to the Tobacco Tax Act to support the elimination of contraband tobacco in Ontario

AND FURTHER the Board of the Windsor-Essex County Health Unit supports the Ontario Government’s Smoke Free Ontario Strategy efforts to reduce and/or eliminate the use of all tobacco products in Ontario and, therefore, cannot support the OCSA’s position on promoting the legal use of tobacco products.