



Physicians *for a* Smoke-Free Canada ♦ Médecins *pour un* Canada sans fumée

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March 12, 2015

Mr. Mathew Cook
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Re: Order amending the Schedule to the *Tobacco Act* *Canada Gazette Part I, March 7, 2015*

Dear Mr. Cook,

Physicians for a Smoke-Free Canada welcomes the opportunity to provide comments on the above-noted proposed order amending the schedule to the Tobacco Act.

We wish to congratulate you and your colleagues on the preparation of the Regulatory Impact Analysis Statement. It provides valuable information and points to the important public health and monetary benefits that will flow from providing better protection for Canadians from flavoured tobacco products.

That being said, the opportunity should be seized to provide even better protection than is being proposed. We note that 11 of 11 governmental authorities, 11 of 11 NGOs, 2 of 2 professional associations, 1 of 1 academics and 9 of 10 members of the general public that provided comments in fall of 2014 called for a ban on menthol in tobacco products. Despite this chorus of informed opinion in favour of a ban on menthol, the proposed order maintains the exception for menthol. As noted in the RIAS, some jurisdictions, including some provinces of Canada are moving to ban menthol in tobacco products. The failure to do so at the national level is rationalized as the federal regulation providing "a minimum set of restrictions." In this context, a minimum set of restrictions applied to products that are commercially available across the country makes little sense. As one provincial authority commented, "the most efficient and effective approach would be to have federal legislation that would apply consistently across the country." We urge you to heed the chorus of informed opinion that you have already heard and ban menthol in all tobacco products.

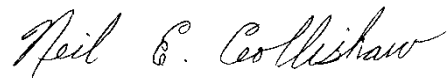
We note also that our earlier concern about blunts has not been addressed. Currently, suppliers wrap several blunt wraps together until their weight exceeds 1.4 grams and call them a small cigar. Under the new proposal, to carry on selling a flavoured product that the government is trying to ban, they need only wrap more blunt wraps together until the weight exceeds 6 grams.

There is little rationale for blunt wraps to exist at all. We would therefore prefer that they be prohibited. If, for some reason, that cannot be done, the possibility that suppliers of blunts can skirt the flavour ban by disguising them as cigars should be foreclosed.

We reaffirm our earlier call for tobacco control legal and policy machinery that is more robust and responsive. Such robust and responsive machinery could be created at the same time that the government provides a fulsome response to the March, 2015 Report of the Standing Committee on Health that calls for a new regulatory framework for e-cigarettes.

As always, we would welcome the opportunity to further discuss these and other ideas for improved tobacco control in Canada.

Yours sincerely,

A handwritten signature in cursive script that reads "Neil E. Collishaw".

Neil E. Collishaw
Research Director

c.c. Suzy McDonald, Associate Director General, Controlled Substances and Tobacco Directorate, Healthy Environments and Consumer Safety Branch