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Building *Nunavut* Together  
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Bâtir le *Nunavut* ensemble

# Chief Public Health Officer's 2019-2020 *Tobacco Control and Smoke- Free Places Act*

## Annual Report

## INTRODUCTION

The *Tobacco Control and Smoke-Free Places Act* Annual Report is a requirement of the Chief Public Health Officer (CPHO)<sup>1</sup> as legislated within Nunavut's *Tobacco Control and Smoke-Free Places Act* (TCSFPA). This report summarizes changes to the TCSFPA as well as the Department of Health's (Health) efforts to enforce, comply with, and educate others on the TCSFPA. This report is for the period of April 1<sup>st</sup>, 2019, to March 31<sup>st</sup>, 2020.

Specifically, Health's Tobacco Reduction Program (TRP), has four overarching goals:

- Prevention: encouraging Nunavummiut to never start using tobacco;
- Protection: protecting Nunavummiut from second-hand smoke;
- Denormalization: influencing attitudes around tobacco use so that it is no longer considered the norm in Nunavut society; and
- Cessation/Reduction: encouraging and helping Nunavummiut who want to reduce or quit tobacco.

High tobacco use rates in Nunavut are a pressing concern for Health. In 2018, for people aged 12 and older, the average smoking rate across the provinces was 16%<sup>2</sup>, while similar data from Nunavut indicates a smoking rate of 74%.<sup>3</sup> Some communities in Nunavut have reported smoking prevalence as high as 84%.<sup>4</sup> Furthermore, 51% of Nunavut youth aged 12-19 smoke, which is more than six times the Canadian rate of 7.7%.<sup>5</sup>

These high rates of tobacco use are correlated with equally high rates of serious illness and disease in Nunavummiut. Nunavut has the highest lung cancer incidence rate in the world, and the death rate for this disease is three times higher in Nunavut than the rest of Canada.<sup>6</sup>

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<sup>1</sup> When the new *Public Health Act* came into force in early 2020, the title of the Chief Medical Officer of Health (CMOH) was changed to Chief Public Health Officer (CPHO). The title of this report has been changed to reflect that.

<sup>2</sup> The 2018 Canadian Community Health Survey does not include the territories when referring to national averages. As a result, data for Nunavut is taken from the 2014 version of the survey; Statistics Canada, June 25, 2019, "Health Fact Sheets - Smoking, 2018."

<sup>3</sup> These statistics (74% and 16%) are taken from two different surveys: the Lot Quality Assurance Health Survey (LQAS) and the Canadian Community Health Survey (CCHS), respectively. Although CCHS does measure smoking rates across Canada, including Nunavut, LQAS methodology leads to more accurate sampling. For example, LQAS surveys Nunavummiut in person and in their preferred language, while CCHS does so over the phone in English or French. These LQAS results are also in line with the latest Inuit Health Survey.

<sup>4</sup> Government of Nunavut, 2014. "Canadian Community Contaminants Report: Arviat and Cambridge Bay," as cited in Chief Medical Officer of Health, "2015-2016 *Tobacco Control Act* Annual Report," p.2.

<sup>5</sup> Canadian Community Health Survey, 2014.

<sup>6</sup> Chief Medical Officer of Health. "2011-2012 *Tobacco Control Act* Annual Report."

Smoking also increases the risk of developing tuberculosis (TB) infection by up to 3.5 times, increases the risk of progression from infection to disease, and increases the risk of death among TB patients.<sup>7</sup>

Given these high tobacco use rates, reducing tobacco use and minimizing its adverse outcomes remains a priority for Health, and the *TCSFPA* is an important part of the Department's approach to address this.

## BACKGROUND ON THE *TCSFPA*

Health has been responsible for the administration of the *TCSFPA* and its regulations since their enactment in 2004 and 2007, respectively. The *TCSFPA* outlines the details of tobacco retail in Nunavut: everything from who can buy and sell, to where it can be used, to who enforces these rules. The *TCSFPA* has two principal objectives:

- Promote and protect the health and wellbeing of Nunavummiut by ensuring that public places and workplaces are smoke-free; and
- Reduce access to tobacco and related products, especially for children and youth, through restrictions on the display, promotion, and sale of these products.

Tobacco control laws are an important part of Nunavut's strategy to lower tobacco use rates.

## 2019/20 *TCSFPA*-RELATED DEVELOPMENTS

### *AMENDMENTS TO THE TCSFPA*

Health began the process of amending the *TCSFPA* in late 2018 so that it can better protect the health of Nunavummiut. The proposed amendments would strengthen the Act in several ways and are organized into four themes. These themes as well as the main proposed changes are listed below:

1. Protect Nunavummiut from second-hand smoke;
  - Health looks to establish a number of public housing units owned by the Government of Nunavut (GN) as smoke-free.
  - Health looks to prohibit smoking in vehicles—including ATVs, snowmobiles, and boats—with people under age 19.

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<sup>7</sup> Chief Medical Officer of Health. "2011-2012 *Tobacco Control Act* Annual Report."

2. Prevent people, particularly children and youth, from becoming tobacco users;
  - Health looks to ban all tobacco products with a flavour or aroma other than of tobacco in order to minimize the appeal of tobacco, especially to children and youth.
  - Health looks to provide Environmental Health Officers (EHO) - the Health staff tasked with enforcing the *TCSFPA* - the capacity to temporarily revoke a retailer's tobacco license for infractions, like selling to minors or improperly storing tobacco products
3. Reduce the visibility of tobacco products; and
  - Health looks to prohibit price advertising signs at retail stores where minors have access.
  - Health looks to repeal the requirement that public-facing health warning and no-sales-to-minors signs be placed at retail.
4. Regulate emerging products.
  - Health looks to prohibit flavoured herbal shisha.
  - Health looks to regulate vaping products (more on this in the next section).

In the last year, Health has conducted consultations on the *TCSFPA*. The goal of the consultation was to obtain feedback from Nunavummiut on the proposed amendments to the *TCSFPA* and to provide information on the reasoning, expected outcomes, and impacts of the proposed changes. Health elicited feedback through in-person consultations and through remote consultations (i.e., e-mail, telephone, telehealth, call-in radio shows, and comment cards). During February 2020, Health's consultation team visited Gjoa Haven, Taloyoak, Rankin Inlet, and Chesterfield Inlet. The team met with a variety of stakeholders in all communities and held community town hall meetings in all but Rankin Inlet. The consultation team also solicited feedback from several other groups via remote consultations. A consultation report will be forthcoming in Fall 2020. The feedback from these consultations will inform the drafting of the amendments.

#### *VAPING-RELATED INITIATIVES AND AMENDMENTS*

In the last year, vaping has become a serious health issue across North America. There are two primary concerns around vaping:

1. The serious yet still unclear long-term health effects of vaping; and
2. The steadily increasing use-rates among youth.

Vaping threatens decades of tobacco control efforts to reduce smoking rates and denormalize smoking while also risking the health of children and youth. Given these realities, Health has endeavoured to protect Nunavummiut from vaping in a few ways.

In November 2019, the CPHO sent letters to all North West Company stores and Co-Op stores in Nunavut and to the head offices of each corporation. These letters outline concerns around the risks vaping presents, especially in the current under-regulated policy environment. The letter recommends that retail stores voluntarily stop the sale of vaping products until Health introduces vaping regulations to protect the health and safety of Nunavummiut. The North West Company and all Co-Op stores responded by halting the sale of vaping products until new regulations are in force.

Over the last year, Health's proposed *TCSFPA* amendments related to vaping have also changed to reflect the emerging evidence on vaping's health harms and use trends. The 2018/19 CMOH *TCSFPA* Annual Report notes that Health proposed to "restrict the sale, use, and promotion of vaping products similarly to how tobacco products are regulated." While this is still the case, the proposed amendments to vaping products have been expanded to reflect what was heard from Nunavummiut during consultations. Specifically, the proposed amendments are now as follows:

- Prohibit all advertising and promotion of vaping products;
- Restrict sale of vaping products to people under 19;
- Require retailers to keep all vaping products and accessories out of sight and prohibit the handling of products prior to sale;
- Prohibit the sale of all vaping products with a flavour other than that of tobacco; and
- Limit the concentration of nicotine in vaping products.

These proposed changes primarily aim to prevent youth from ever vaping or continuing to vape by reducing the appeal and addictiveness of vaping.

#### *EDUCATION, TRAINING, AND ENFORCEMENT*

In addition to updating the *TCSFPA*, Health has also been working to educate Nunavummiut on the requirements of the *TCSFPA* and how they help protect people's health.

Health hosted telehealth and in-person training sessions with EHOs, Community Health Representatives (CHRs), and health care professionals about vaping and cannabis. Depending on the target audience, these sessions explained the legislation on the sale, display, and

advertising of these products, the updated smoking laws, the health effects of vaping and cannabis use, how the different products work, and approved messaging to use when talking to the public.

To reach the general public, Health used several different avenues. During Tobacco Reduction Month, Health released a public service announcement (PSA) on the current smoking laws and a PSA on the harms of vaping. The Minister of Health also released a statement on the harms of vaping. Throughout the year, the GN Tobacco Has No Place Here Facebook page released weekly posts highlighting, among other things, the current smoking laws. Health also began developing a short video explaining the current laws on smoking. It is anticipated that the video will be posted on social media and shown at local venues beginning in Fall 2020. Health has also updated its presentation on the TRP to all participants during staff orientation to focus more on tobacco legislation

Health also prioritizes informing people about the current legislation while doing community visits. During visits to Sanikiluaq, Taloyoak, Gjoa Haven, Rankin Inlet, Chesterfield Inlet, and Cambridge Bay in 2019/20, Health met with school staff, store managers, health centre staff, and Senior Administrative Officers (SAOs) to explain the current legislation and deliver new no-smoking signage.

In 2019, Health released a Request for Proposals (RFP) for a mass media campaign that would inform Nunavummiut about the expanded buffer zones and smoke-free status of schools and health facilities. The campaign will also highlight why these smoking laws are important to protecting people's health. The contract was awarded to Atiigo Media in March 2020, and work on the campaign began that same month. It is anticipated that the campaign will release its first public materials in Fall 2020.

Alongside education and training, tobacco retail enforcement is an important component of the *TCSFPA*. Every year, EHOs aim to conduct two inspections with all tobacco retailers in Nunavut. These inspections are as much about education as they are about enforcement: EHOs work with the retailers to ensure that they are aware of the legislation that affects them. Education is an integral part of enforcement. On the one hand, changes in legislation and high turnover with tobacco retailers can lead to misunderstandings. On the other hand, by adopting the role of the educator before enforcement officer, EHOs build stronger working relationships with the retailers, which encourages voluntary compliance. During the 2019/20 fiscal year, EHOs conducted 118 inspections with 67 retailers. Of these inspections, 94% complied with the legislation.

## CONCLUSION

Legislation and education are two components of Health's work to reduce tobacco harms in Nunavut, and both played a crucial role in the last fiscal year. Throughout 2019/20, Health worked to educate the public and train Health staff on no-smoking laws while initiating amendments to the *TCSFPA* to support the health and wellbeing of Nunavummiut.

The GN remains fully committed to advancing the *TCSFPA*'s objectives: to reduce tobacco use rates and reduce tobacco-related health harms among all Nunavummiut.