

**Board of Health - Request to appear before August 18, 2014 Board of Health on item 2014.HL33.1**

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**From:** Matthew Stanko <cavrdirectors@gmail.com>  
**To:** <boh@toronto.ca>  
**Date:** 08/14/2014 2:50 PM  
**Subject:** Request to appear before August 18, 2014 Board of Health on item 2014.HL33.1  
**Attachments:** Consumer R TPH August.pdf; phpV4IwHdAM[3].png

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To the City Clerk:

I would like to appear before the August 18, 2014 Board of Health to speak on item 2014.HL33.1, E-cigarettes in Toronto

**Name:** Matthew Stanko  
**Organization represented (if applicable):** Canadians Advocating Vapers' Rights  
**Mailing Address:** 1857 Pagehurst Ave Mississauga, Ontario L4X1Y5

**Daytime Telephone Number:**

I am submitting comments for distribution to the committee.

Hello,

Canadian Advocating Vapers' Rights or CAVR is a national registered Non-For-Profit volunteer organization that supports electronic cigarette use, and advocates for our electronic cigarette users across Canada. On August 11, 2014 CAVR became aware of Toronto Public Health "Position Statement" on electronic cigarettes; as well as the board's intention to present its "recommendations" to the board on August 18, 2014. This information can be found at the following link; <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.HL33.1> the "position statement" on electronic cigarettes <http://www.toronto.ca/legdocs/mmis/2014/hl/bqrd/backgroundfile-72511.pdf>

CAVR is concerned on the broad scope of these recommendations, and CAVR has serious concerns on the impact of "harm reduction" in terms of electronic cigarettes, as they relate to public health. We also voice the concerns on countless other items that have appeared in the public release statement from Toronto Public Health. We are not aware of any vendor, trade organization or advocacy group that was consulted prior to the statement being released. CAVR does agree on a few statements, we do not agree on the background, or the recommendations provided.

CAVR would be more than happy to work with any Public Health group in Canada, and we have in the past spoken to many groups that have concerns on electronic cigarettes. However we cannot accept broad recommendations that are fear based, and not based on current science. Our members require the facts not fear. We will outline items taken from the official release from Toronto Public Health and provide our position. We have summarized our response to the Toronto Public Health position paper, as well as Public Health "recommendations"

Please see out attached Statement for review.

Best Regards,

Matthew Stanko

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<http://www.canadianvaperrights.org>



For more information about making presentations to committees, visit: <http://www.toronto.ca/committees/speak.htm>

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If you appear before a committee, your name will be listed as a speaker in the minutes of the meeting. We post minutes on-line, so your name may be indexed by search engines like Google. We also videotape meetings and make the video-recordings available to the public on request.



Contact **Matthew Stanko**  
Telephone **888-363-5554**  
Email **cavdirectors@gmail.com**  
Website **www.canadianvaporsrights.org**

FOR IMMEDIATE RELEASE  
August 12, 2014

## CONSUMER RELEASE

Re: TORONTO PUBLIC HEALTH POSITION STATEMENT ON ELECTRONIC CIGARETTES

Toronto, – The Canadian Advocating Vapers' Rights or CAVR is a national registered Non-For-Profit volunteer organization that supports electronic cigarette use, and advocates for our electronic cigarette users across Canada. On August 11, 2014 CAVR became aware of Toronto Public Health "Position Statement" on electronic cigarettes; as well as the boards intention to present its "recommendations" to the board on August 18, 2014. This information can be found at the following link; <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.HL33.1> the "position statement" on electronic cigarettes <http://www.toronto.ca/legdocs/mmis/2014/hl/bgrd/backgroundfile-72511.pdf>

CAVR is concerned on the broad scope of these recommendations, and CAVR has serious concerns on the impact of "harm reduction" in terms of electronic cigarettes, as they relate to public health. We also voice the concerns on countless other items that have appeared in the public release statement from Toronto Public Health. We are not aware of any vendor, trade organization or advocacy group that was consulted prior to the statement being released. CAVR does agree on a few statements, we do not agree on the background, or the recommendations provided.

CAVR would be more than happy to work with any Public Health group in Canada, and we have in the past spoken to many groups that have concerns on electronic cigarettes. However we cannot accept broad recommendations that are fear based, and not based on current science. Our members require the facts not fear. We will outline items taken from the official release from Toronto Public Health and provide our position. We have summarized our response to the Toronto Public Health position paper, as well as Public Health "recommendations"

## **CANADIAN ADVOCATING VAPERS' RIGHTS RESPONSE:**

- The majority of the Toronto Public Health “recommendations” stem from the concept that electronic cigarettes are a tobacco product. The reality is, electronic cigarettes are not a tobacco product. While it’s correct that Nicotine comes from tobacco plants; that alone does not make electronic cigarettes a tobacco product. Electronic cigarettes do not create smoke, are not combustible, do not contain tars, and do not harm users like analog tobacco does. A few examples: “Raspberry Vodka” is not a fruit, it’s regulated alcohol product. Milk from a cow is a regulated dairy product, not a regulated beef product. Most consumers do not use “stick batteries” they use mods, which have no resemblance to cigarettes. Electronic cigarettes produce vapor, not smoke. The bottom line is electronic cigarettes are a regulated consumer product. Classifying electronic cigarettes as a tobacco product makes no sense.
- Recent studies have not shown second hand vapour is a risk, we are not aware of any credible health or safety concern in terms of second hand vapour. A recent study conducted in 2014 by BMC Medical concluded *“The aerosol generated during vaping as a whole (contaminants plus declared ingredients) creates personal exposures that would justify surveillance of health among exposed persons in conjunction with investigation of means to keep any adverse health effects as low as reasonably achievable. Exposures of bystanders are likely to be orders of magnitude less, and thus pose no apparent concern.”<sup>i</sup>*
- There is no evidence which shows that electronic cigarette use provides “initiation”. We find it hard to believe that young people would choose to use electronic cigarettes then move to a lethal, bad tasting, smelly tobacco product. The social norm vilifies smoking. One of the largest anti-tobacco organizations in the United Kingdom [ash.org.uk](http://ash.org.uk) has done extensive research and has concluded, *“The number of children and young people regularly using electronic cigarettes remains very low and their use is almost entirely amongst those who are current or ex-smokers. This is a similar pattern to that found in jurisdictions such as the USA.”<sup>ii</sup>*
- Renormalization concerns are not real concerns, they are fear based and not based on any credible data. CAVR’S position on “renormalization” makes it clear that this is a fear, and is not based on any sort of science. We also note that [ash.org.uk](http://ash.org.uk) also concluded *“However, in the absence of evidence of significant harm to bystanders, ASH does not support the inclusion of electronic cigarettes in smoke free laws which would completely prohibit their use in enclosed public places”<sup>iii</sup>*
- CAVR does not support the concept of “banning” electronic cigarette flavours. To state our position on “Fruit Flavours”: “The current use of flavourings other than tobacco or menthol flavouring for nicotine-containing fluids is akin to many other adult products that freely come in fruit or candy flavours. Electronic cigarettes should be no different. Many users of electronic cigarettes dislike traditional tobacco flavour, and want nothing to do with those flavours. It’s important to note that creating a flavour that actually tastes exactly like a burnt tobacco product is incredibly difficult as there are so many ‘notes’ and flavour compounds to consider. Many of the current successes with the use of electronic cigarettes, for former smokers transitioning from tobacco, are the new flavors that include bakery, drink and fruit flavours.

- A point to consider is that many “smoking cessation aides” also come in variety of flavours including fruit flavours. Also, one needs only walk into a liquor store to discover that many varieties of alcohol come in a vast array of flavours, including fruit flavours.<sup>iv</sup>
- Electronic cigarettes do not undermine current smoke-free legislation. This is another myth, the majority of consumers use “mods” which do not look traditional cigarettes in any way. There is no confusion on what a cigarette looks like. The bottom line is vaping is vaping by design, we find this entire concept ridiculous at best. Many things may look like a cigarette, that does not mean it is one. We would highly suggest that Tobacco Enforcement be trained on what an electronic cigarette is if there is any confusion.
- Electronic cigarettes are not marketed or “authorized” in Canada to be a quit smoking aide. If smokers are using this product to reduce tobacco use, regardless if they are “dual” users, this is a positive.
- We feel vendors of electronic cigarettes have a legal right to communicate with their customers, the same right that was upheld in the Supreme Court concerning tobacco manufacturers.<sup>v</sup> While in the case of tobacco that right was restricted, (but still allowed legally) due to the nature of health effects of tobacco, we don’t feel a court would ever agree to place those restrictions on electronic cigarettes, since that danger has not been established, nor exists to place such stringent regulations.
- While many cities have enacted bans in public areas, based on fear, not current science, New York City is facing a legal challenge by a Smoker’s Rights Organization for including electronic cigarettes in current smoke-free regulations. Current bylaws do not permit adding non-related items to existing bylaws in Canada. Electronic cigarettes are not a tobacco product, therefore it is our view that by adding electronic cigarettes to any existing smoke-free regulation could result in a legal challenge as in the case of the New York City regulation.
- In relation to consumer safety with E-liquid controls, we agree that stringent controls are required. However the best fit is the current Chemical Container Regulations or the CCR-2001. These standards already exist, however Health Canada refuses to acknowledge this designation, because its own interpretation that electronic cigarettes are a “medicine”, and due to its standard claim that electronic cigarettes “modify bodily functions”. We have publicly stated that electronic cigarettes with nicotine are legal in this country as long as the do not make health claims that are not supported.
- Nicotine “maximum” levels have been thought of for tobacco products, with the creation of “Lights” and “Ultra Mild’s” to name a few. We know from history that products with reduced nicotine levels do not reduce consumption. Smokers have found creative ways around it by inhaling more, covering vent holes and other methods. These concepts do not work and never have. Nicotine is not the issue; tar is the killer.

In conclusion, we find Toronto Public Health, which should be supporting harm reduction, is clearly going in the opposite direction. We are aware that electronic cigarettes are harm reduction products and should be embraced. We find it extremely odd that electronic cigarettes are the subjects of conversation, when Toronto Public Health has not addressed "shisha bars". We have a great concern that these bars are allowed to operate without any legal regulation in the city of Toronto. A product that is combustible is currently allowed to be used indoors, but electronic cigarettes consumers are told they may not be allowed to use the product inside; a product that does not create smoke, or combustion. We find this situation deplorable, and clearly makes no sense in terms of public health.

## CONSUMER ACTION:

We urge our members to contact their local city councillor, and provide the facts, and help them become educated. We will provide ideas to help that communication:

1. Contact Toronto Public Health at the following email address: [publichealth@toronto.ca](mailto:publichealth@toronto.ca) or use below;

[mailto:councillor\\_cho@toronto.ca](mailto:councillor_cho@toronto.ca),

[mailto:councillor\\_doucette@toronto.ca](mailto:councillor_doucette@toronto.ca),

[mailto:councillor\\_filion@toronto.ca](mailto:councillor_filion@toronto.ca),

[mailto:councillor\\_mihevc@toronto.ca](mailto:councillor_mihevc@toronto.ca),

[mailto:councillor\\_perks@toronto.ca](mailto:councillor_perks@toronto.ca)

[councillor\\_wongtam@toronto.ca](mailto:councillor_wongtam@toronto.ca),

2. This is a recommendation to go before city council, once that date has been provided, register with the City of Toronto clerk and be a speaker. We urge members to contact the Board of Health and ask to speak on August 18, 2014 at 1PM.
3. Contact your local city councillor, meet with them in person if possible and provide your experience with electronic cigarettes. Use our position statements as a guide.
4. Be an official member of CAVR! We get asked on "how many members CAVR has" and strength is in numbers. Visit <http://www.canadianvaperrights.org>

Our mission is to increase public awareness and education related to electronic cigarettes and vaping within Canada. We aim to take action to directly correct and oppose disinformation, misinformation and to promote a safer alternative to tobacco products.

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If you would like more information about this topic, please contact Matthew Stanko at 888-363-5554 or email at [cavrdirectors@gmail.com](mailto:cavrdirectors@gmail.com).

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<sup>i</sup> <http://www.biomedcentral.com/content/pdf/1471-2458-14-18.pdf>

<sup>ii</sup> [http://ash.org.uk/files/documents/ASH\\_715.pdf](http://ash.org.uk/files/documents/ASH_715.pdf)

<sup>iii</sup> [http://ash.org.uk/files/documents/ASH\\_715.pdf](http://ash.org.uk/files/documents/ASH_715.pdf)

<sup>iv</sup> [http://media.wix.com/ugd/2d4e8a\\_8379b85c1ce74ef5af2bf4643e1f33f2.pdf](http://media.wix.com/ugd/2d4e8a_8379b85c1ce74ef5af2bf4643e1f33f2.pdf)

<sup>v</sup> <http://www.thecanadianencyclopedia.ca/en/article/tobacco-advertising-ban-unconstitutional/>

