

## Attachment 3: Summary of Consultations for Updating the Municipal Alcohol Policy

Toronto Public Health (TPH) initiated stakeholder consultations in February 2015 on caffeinated energy drinks (CED) to inform updates to the Municipal Alcohol Policy (MAP). Consultations included an online survey, in-depth interviews, meetings with stakeholders and written submissions to TPH. Stakeholders consulted were (i) festivals and events organizers, and (ii) associations such as the Canadian Beverage Association, which represents manufacturers of CEDs, and the Toronto Association of Business Improvement Areas (TABIA). Toronto Public Health also consulted with City divisions affected by policies in the MAP, Smart Serve Ontario and Health Canada.

### A. Online Survey of Festival and Event Organizers

Toronto Public Health commissioned Ipsos to conduct an online survey of festival and event organizers in Toronto. The survey instrument was developed by TPH in consultation with Ipsos and the City's Event Support Unit, Economic Development and Culture. The purpose of the survey was to learn about the perceptions of event organizers on the practice of mixing alcohol with CEDs and the impact of a restriction on CEDs at events held on City property where alcohol is served by Special Occasion Permit (SOP) or by holders of a valid liquor sales licence with Catering Endorsement.

The City's Event Support Unit sent an email notice to 185 stakeholders on the "Festivals and Events Network" (a listserv of event operators and other interested parties maintained by the Unit) to request participation in the online survey. The survey was open for 19 weeks between October 16, 2015 and March 1, 2016. The initial invitation to partake in the survey was followed by three reminder emails. Respondents participated voluntarily and participation was anonymous (i.e. names of individuals or organizations were not recorded as part of the survey). The online survey garnered 27 responses resulting in a response rate of about 15 percent.

The results of the survey were treated as qualitative by Ipsos, hence provide us with directional, thematic and insight-driven findings. Overall key findings from the online survey are presented in Table 1:

Table 1: Key findings from the online survey

<i>Alcohol and CED service practices</i>	<ul style="list-style-type: none"><li>- Almost all respondents serve alcohol at least at some of their events</li><li>- Almost half of those surveyed serve CEDs at their events; however, most say drinks that mix alcohol with CEDs are not on their menu and never served at events held on City property.</li></ul>
<i>Perceptions on alcohol mixed with a caffeinated energy drink</i>	<ul style="list-style-type: none"><li>- Almost all survey respondents agree that drinking energy drinks and alcohol together <u>in excess</u> may be harmful to health.</li><li>- However, survey respondents were divided in their level of concern related to serving alcohol mixed with caffeinated</li></ul>

	energy drinks at the events they host. Some were concerned, others were not concerned.
	- Most respondents were aware of the labelling "do not mix with alcohol" as part of the list of cautionary statements on CED containers
<i>Impact of prohibiting CEDs at events where alcohol is served on City Property</i>	<ul style="list-style-type: none"> <li>- Most event organizers did not anticipate an impact on event attendance and their ability to meet the needs and expectations of their current or potential clients should there be a ban on CEDs.</li> <li>- Most event organizers consulted through the online survey indicated that their events are not sponsored by CED companies or their representatives.</li> </ul>
<i>Ways to reduce potential impact of restrictions on CEDs as suggested by respondents</i>	<ul style="list-style-type: none"> <li>- Some respondents said there are no negative impacts while others offered alternatives to a ban such as education, signage and posters indicating the health effects of mixing CEDs with alcohol.</li> <li>- A couple of respondents said the way to reduce these negative impacts is to offer alternatives to energy drinks such as water and sports drinks.</li> <li>- Some did not believe there should be a ban on CEDs for reasons such as people who don't drink alcohol are likely to drink CEDs.</li> </ul>
<i>Strategies to prevent people from consuming alcohol mixed with caffeinated energy drinks</i>	<ul style="list-style-type: none"> <li>- Many of the respondents indicated that CEDs should be banned in the designated alcohol service areas while others disagreed on a ban.</li> <li>- Other recommendations by event organizers included: <ul style="list-style-type: none"> <li>• regulations that restrict you from buying alcohol and energy drinks together</li> <li>• limit on the number of energy drinks sold to an individual</li> <li>• not having it available on the regular menu</li> <li>• offering alternative drinks to CEDs</li> <li>• raising awareness through signage and labelling on drinks</li> </ul> </li> </ul>

## B. In-depth Interviews with Key Informants

TPH also commissioned Ipsos to conduct in-depth interviews with stakeholders to gain insight on the topics covered in the online survey. The interview questions were designed to complement the online survey questions. Ipsos invited organizers of large events to participate in the interview and also interviewed other organizations that had contacted Ipsos requesting an interview, such as the Canadian Beverage Association.

A total of nine interviews were conducted by phone by an Ipsos researcher during January to May, 2016.

## Findings from Key Informant Interviews

### Awareness of issues concerning CEDs

- Most respondents did not recall recent messaging on CEDs at the time of the interview. However, those who did stated the following: they are commonly used in night clubs; they recalled messaging regarding the impacts of mixing CEDs with alcohol; the evidence is old and European organizations studying this have declared that mixing energy drinks with alcohol is not an issue.
- The respondents expressed mixed views on Health Canada's cautionary statement on CED labels not to mix alcohol with CEDs. Some indicated that labels don't work (i.e. consumers' awareness does not increase), some disagreed with the cautionary statement (i.e. felt it is not supported by science), while others agreed with the cautionary labelling (i.e. felt CEDs were "dangerous").

### Impact of restricting CEDs at events where alcohol is served

- Most of the nine interview participants indicated that a ban on CEDs would have a negative impact. The reasons provided for this view varied including:
  - some felt it would put events on City property at a disadvantage if CEDs are allowed for sale at other events (not on City property);
  - some indicated there will be financial loss;
  - some expressed concerns of losing sponsorship money;
- Some participants did not feel there would be an impact on their events because they do not serve CEDs.
- One participant felt banning CEDs would have positive impact on their events because of past negative experiences (e.g. having to call an ambulance to deal with event attendees who had consumed alcohol and CEDs).

### Ways to reduce potential impact of restrictions on CEDs

- Interview participants provided the following suggestions:
  - Educating the public rather than banning
  - Clear signage with warnings
  - Drink limit of only one drink served with an energy drink
  - Funding from the City to compensate for loss in sponsorship money
  - Provision of a non-alcoholic area onsite where people could buy CEDs

### Best practices when serving alcohol and improving safety at events

Participants mentioned a number of measures including SmartServe® training for staff, education, signage, drink limits, enhanced monitoring and security, alcohol free zones and provision of free water as best practices or precautions.

### C. Consultations with the Canadian Beverage Association

In addition to participating in the in-depth interviews conducted by Ipsos, the Canadian Beverage Association was provided several opportunities, upon their request, to consult with TPH during the period of February 2015 to September 2016. The additional consultations included two face-to-face meetings with senior staff at Toronto Public Health, including the opportunity for the Association to make a presentation jointly with some manufacturers of leading CED brands to the Medical Officer of Health. The Canadian Beverage Association informed TPH that it does not recommend mixing alcohol with CEDs while noting that the statement is not based on current science.

Additionally, the Canadian Beverage Association had ongoing email and telephone correspondence with TPH staff to learn more about the consultation process, details regarding the preparation of the report to the Board of Health and to provide written material for TPH's consideration.

### D. Consultations with Smart Serve Ontario and the Alcohol and Gaming Commission of Ontario (AGCO)

The AGCO requires individuals who are involved in the service of alcohol to have completed the AGCO-approved server training program, Smart Serve®. Smart Serve training is developed and delivered by Smart Serve® Ontario, a division of the Hospitality Industry Training Organization of Ontario. Toronto Public Health consulted with Smart Serve® Ontario regarding the training program and has learned that Health Canada's cautionary statement to not mix alcohol with CEDs is not included in the training material. Smart Serve® was of the opinion that it is prudent to raise awareness of Health Canada's cautionary statement because concerns about patron co-consumption of alcohol and CEDs have been raised by bartenders and bar owners being trained. The AGCO informed TPH that changes to the training program to include material on Health Canada's caution statement will have to be made by Smart Serve® Ontario and for AGCO's consideration and approval.

### E. Consultations with City of Toronto Divisions

The MAP is implemented by staff from several City Divisions at events held on City property where alcohol is served by holders of a Special Occasion Permit (SOP) or a valid liquor sales licence with a Catering Endorsement which allows alcohol service at an unlicensed location. Toronto Public Health consulted with staff from the divisions of Economic Development and Culture, Parks, Forestry and Recreation, and Facilities Management at the City. Further, TPH consulted with the City Manager's Office and the City Solicitor to clarify the scope of application of the MAP.

The City Solicitor is of the opinion that the Acting Medical Officer of Health's recommended amendment to the MAP prohibiting the sale of CEDs within designated alcohol service areas has the potential to reduce the City's liability risk. Divisional staff are generally aware of the practice of mixing CEDs with alcohol and of the health concerns with such practices. Staff indicated that they use discretion to enhance safety at events held on City property by requiring additional precautionary measures to complement the MAP. For example, City staff have denied an event organizer's request

to designate an entire civic square for alcohol service and only approved alcohol service in designated areas for the event. Further, staff stated that they have previously placed conditions on sampling of CEDs on City property (e.g. volume limits, proof of age identification). Staff also stated that they are not aware of CED brands sponsoring City-run events where alcohol is served, however, they were aware that privately organized events on City property may be and have been sponsored by CED brands.

Staff also identified exceptions to where the MAP might apply such as at facilities where the City has a license agreement with a caterer (also licensed to serve alcohol) to operate food and restaurant facilities on City property. However, provisions in the MAP may be included as part of the City's license agreement with a caterer. It was also confirmed that the MAP does not apply to the City's agencies. Staff suggested that City agencies that allow events with alcohol (through an SOP or Caterer's Endorsement) on property or in facilities they operate could review and consider adopting policies found in the MAP.