



THUNDER BAY Drug Strategy

The Thunder Bay Drug Strategy Implementation Panel has created a small Sub-Committee of Panel Members to discuss and respond to the proposed regulations set out by the Ontario Government. This submission, on behalf of the Sub-Committee, is in response to the Strengthening Ontario's Smoking and Vaping Laws Summary of Proposed Regulation under Smoke-Free Ontario Act, 2017.

1. Places of Use

The Sub-Committee is in agreement with all of the places of use in which smoking tobacco, use of e-cigarettes (including e-cigarettes containing medical cannabis) and smoking medical cannabis are prohibited. However, the proposed regulation of prohibiting smoking and vaping in public areas 20 meters from the perimeter of the grounds of a school or a youth and/or children's recreation centre during their designated hours that children and youth are allowed to use the facility poses more risk than safety to the children in these facilities. How the Sub-Committee sees this regulation, this will create a risk for students/youth having to leave school grounds and proceed 20 more metres. In most cases, this will put the students/ youth into residential areas, or close to nearby businesses to smoke or vape. Additionally, this creates a dilemma for those who smoke or vape medical cannabis to have to go 20 metre from the perimeter of the schools grounds in order to take their medication. The Sub-Committee suggests allowing schools to create designated smoking/vaping areas. Designated areas keep the students and youth close to the facility where they are safe and staff members still have the ability to supervise and maintain authority. Additionally, the Sub-Committee, would prefer designated smoking areas for restaurant and bar patios instead of 9 metres away. 9 metre from the grounds will not always ensure that those who are smoking/vaping are in a space that is safe for them and those around them. Secondly, the Sub-Committee feels that golf courses should not be excluded as places where smoking and vaping are prohibited. Golf courses should be included in the prohibition of places of use.

2. Exemptions for places of use

The Sub-Committee find it necessary to have a clear and concise definition of "scientific research", primarily, in accordance with a Health Canada licensed research establishment, opposed to any research facility. The Sub-Committee also feels it necessary to have more of an explanation of the exemption for the smoking and vaping of medical cannabis in residential hospices. The statement in the proposal is quite vague and left the Sub-Committee readers with more questions than answers. The Sub-Committee does not have recommendations, only asked that the exemption specifications be expanded upon. Lastly, in regards to the exemption for homes for special care, it was noted that the language used in the statement implies that these facilities can, but do not have to, construct and operate a controlled room for tobacco smoking or medical cannabis smoking or vaping. The Sub-Committee feels that this is appropriate, and should not be changed. The decision to construct and operate a controlled smoking/vaping room should be left to the operators of the facilities and not be a mandated regulation for these facilities. The Sub-Committee is in agreement with the proposed regulation of exemption

for the prohibition of smoking and vaping for homes for special care. While our Sub-Committee mostly agreed on the exemption for places of use for guestrooms in hotels/motels/inns, we would prefer that these locations be permitted to create outdoor designated smoking/vaping areas for recreational cannabis (not including balconies/patios of rooms).

3. Place of Sale

The Sub-Committee is in agreement with prohibiting the sale of tobacco and vapour products in the places identified in the proposed regulations. However, the term 'vapour products' is rather vague. As cannabis will only be sold in designated controlled cannabis stores, perhaps the wording can include 'including vapour products that contain cannabis'. It should be explicit that cannabis will not be sold in these products or in these locations.

4. Flavoured tobacco

The Sub-Committee agrees that flavoured tobacco should be prohibited.

5. Flavoured Vapour Products

The Sub-Committee finds it necessary to have this section clarified. To reiterate, 'vapour products' is still too vague of wording. The Sub-Committee is unclear if vapour products can or cannot contain flavour and if this applies to all vapour products, including those which contain recreational cannabis.

6. Sale and Supply to Minors

The Sub-Committee is in agreement with the prohibition of sale and supply of tobacco and vapour products to a person less than 19 years old and suggests that the possession of cannabis or products containing cannabis, such as vapours, be included in this age restricted prohibition or sale and supply. As well, the Sub-Committee has concerns on contradictory Federal and Provincial proposed regulations as they pertain to youth in possession, limits and the corresponding consequences. The Sub-Committee feels that there is a need to clarify the proposed regulations on parents/caregivers obtaining medical cannabis for their children who are less than 19 years old. As medical cannabis, of all forms, will be shipped to patients via mail, it should be clear that parents/caregivers would be able to sign for the cannabis delivery. Additionally, if the person under 19 years old designates another person to grow their cannabis for them, it should be made clear that a parent/caregiver can obtain the cannabis from the designated grower.

7. Signs

The Sub-Committee recommends that all signs be in accordance with the AODA and are accessible to all persons.

8. Display and Promotion

The Sub-Committee notes that to enforce the display and promotion regulations there will need to be penalties set out in these regulations as well as regulations on how it should be enforced. The Sub-Committee also suggests that age restriction signs should be posted in places where these products are sold. The Sub-Committee agrees that the entry of places of business

must be restricted to 19+. Product informational documents in the store which cannot be removed from the store is agreeable to the Sub-Committee, however, we suggest that there should be a distinction between product information and educational information. Educational information should be available in places where tobacco and cannabis products are sold and persons should be allowed to take them from the store (i.e. lower risk cannabis use guidelines).

9. Procedures for Employees

The Sub-Committee is in agreement with these proposed regulations.

10. Home-Health Care Workers

The Sub-Committee is in agreement with these proposed regulations

11. Evidentiary Presumption of Medical Cannabis

The Sub-Committee feels that applications for medical cannabis need to be processed in a more timely fashion in order to aid those persons who are using cannabis medically, but do not yet have their documentation.

12. Other

The Sub-Committee feels unclear about the sale and supply of vapour products and cannabis on First Nation reservation land. What will the rules and regulations of having a store and selling on-reserve be?