

INTRODUCTION

The *Tobacco Control and Smoke-Free Places Act* Annual Report is a requirement of the Chief Public Health Officer (CPHO) as legislated within Nunavut's *Tobacco Control and Smoke-Free Places Act (TCSFPA)*. It should be noted that the *Tobacco and Smoking Act (TSA)* was adopted in Spring 2021, it is anticipated that the TSA will come into force in 2023. The *TCSFPA* will be repealed on the coming into force of the *TSA*.

The *TCSFPA* Annual Report summarizes changes to the *TCSFPA* as well as the Department of Health's (Health) efforts to enforce, comply with, and educate Nunavummiut on the *TCSFPA*. This report is for the period of April 1, 2021, to March 31, 2022.

Health's Tobacco and Cannabis Program (TCP), has four overarching goals:

- Prevention: encouraging Nunavummiut to never start using tobacco;
- Protection: protecting Nunavummiut from second-hand smoke;
- De-normalization: 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%¹, while similar data from Nunavut indicates a smoking rate of 74%.² Some communities in Nunavut have reported smoking prevalence as high as 84%.³ Furthermore, 51% of Nunavut youth aged 12-19 smoke, which is more than six times the Canadian rate of 7.7%.⁴

Tobacco use directly contributes to a high prevalence of serious illnesses and diseases in Nunavummiut, such as lung cancer, tuberculosis, and respiratory issues among infants. Smoking also weakens the immune system and damages the lungs which increases the risk of developing more severe COVID-19 symptoms.

¹ 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."

² 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.

³ 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.

⁴ Canadian Community Health Survey, 2014.

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 how, where, and by whom tobacco can be used and sold in Nunavut, who is responsible for monitoring tobacco retailers, and what the consequences are for failing to adhere to these regulations.

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.

2020/2021 *TCSFPA*-RELATED DEVELOPMENTS

Introduction of the TSA

To date, Health has focused its tobacco control efforts on education, community programming, and services. To complement its tobacco control strategy, Health has developed the new *TSA* to replace the previous *TCSFPA*. Up-to-date legislation is an important tool to help lower tobacco use rates and protect people's health. However, aside from some consequential amendments introduced in 2018, Nunavut's tobacco control legislation has not been amended in 15 years, and updates are needed for this legislation to be effective.

In 2021/22, the TCP continued the work to develop the new Act, which was introduced in September 2020. The adoption of the new Act will be covered in next years' report as this occurred in Spring 2021.

The *TSA* is organized into four major themes. Each theme aligns with the goals and objectives of the current *TCSFPA*. The new Act incorporates best practices in tobacco control and expands on the current legislation. The changes to the legislation are as follows:

1. Protecting Nunavummiut from second-hand smoke.
 - Make publicly funded housing smoke free, including Government of Nunavut (GN) staff housing.
 - Prohibit smoking in vehicles—including all-terrain vehicles (ATVs), snowmobiles, and boats—with people under the age of 19.
 - Power to appoint existing GN staff as enforcement officers.

2. Preventing people from using tobacco and smoking, particularly children and youth.
 - Ban all flavoured tobacco products.
 - Prohibit all tobacco use within 9 metres of school grounds.
 - Give enforcement officers the power to revoke a retailer's tobacco license for infractions.
 - Require tobacco and vape retailers to report every two years.
 - Raise the minimum age of sale for tobacco/vape accessories, like papers and pipes, to 19.
3. Reducing the visibility of tobacco and smoking products.
 - Prohibit price advertising signs at stores.
 - Eliminate the requirement that health warning signs and underage-sales signs be placed in stores.
 - Prohibit tobacco distributors from offering retailers incentives related to tobacco sales.
 - Introduce strong regulatory framework for specialty shops.
4. Regulating emerging products, particularly vaping devices.
 - Ban flavoured herbal shisha.
 - Regulate vaping products.
 - Prohibit sales to people under 19.
 - Prohibit sales where tobacco sales are banned.
 - Prohibit flavours other than tobacco.
 - Impose restrictions on ads and displays similar to those on tobacco.
 - Limit nicotine concentration for vaping products.

This new Act is a crucial step towards improved tobacco control in the territory, and it is a step that Nunavummiut strongly support. The feedback received during community and stakeholder consultations showed that the majority of Nunavummiut are in favour of the changes.

When it is put into force, the new TSA will introduce several new and updated measures to help reduce tobacco-use rates in Nunavut and to protect Nunavummiut from the harms of second-hand smoke. The new TSA will include many best-practices established in other Canadian jurisdictions while also introducing some progressive measures designed to account for the emerging public health issue, vaping:

- The new Act will prohibit the sale of all flavoured products and limit nicotine concentration; and

- The new Act will also prohibit vaping product advertising and ensure that vaping products cannot be seen or handled before purchase outside of a specialty vaping product shop.

The new Act will also introduce comprehensive restrictions on specialty tobacco and vaping product shops in Nunavut to ensure that such shops would not detract from the goals of the Act.

COMMUNICATIONS, EDUCATION, TRAINING, AND ENFORCEMENT

In addition to updating the legislation, Health has also been working to educate Nunavummiut and stakeholders on the requirements of the *TCSFPA*:

Social Media - Facebook

Throughout the year, the *GN Tobacco Has No Place Here* Facebook page published several posts highlighting, the current smoking laws and supports available for those wanting to quit or reduce and educational content on the harms of using tobacco products. An emphasis was placed on making the content on the Facebook page more interactive to promote participation on comments and questions. Content surrounding the new legislation is currently being created and will be published in the summer of 2022.

Smoke-Free Places Campaign

The TCP has been working towards the implementation of the Smoke-Free Places Campaign. The TCP awarded an RFP for the design and implementation of a mass-media campaign designed to inform Nunavummiut about the changes to the legislation, buffer zones and the creation of the smoke-free-places. A comprehensive campaign including mixed media content as well as specific resources for Community Health Representatives (CHRs), Health Centres, and Schools was soft launched in January 2022 and formal implementation on World No Tobacco Day 2022, which occurs annually on May 31st.

Community Cigarette Receptacle Project (Butt Bins)

In 2021-22 TCP initiated the smoke-free places project through use of Butt Bins in all communities except Clyde River and Iqaluit. The aim of this ongoing annual project is to gain insights into the behaviour of people who use tobacco, cannabis or vape products and their compliance with the smoke-free bylaws. Additionally, it provides an opportunity to identify interest of community leadership in establishing designated smoking areas outside with bins for discarded cigarettes for the hamlet building or other locations in the community. Through year one of the project, TCP liaised with hamlet officials to determine challenges, opportunities, and materials needed by the hamlets to create a designated smoking area that will be used by community members.

Training and Education

The TCP aims to increase knowledge and capacity for health care workers – CHRs and Community Wellness Coordinators to deliver tobacco reduction initiatives.

In anticipation of World No Tobacco Day 2021, the TCP team worked collaboratively with CHRs via planning sessions as well as outreach and education activities in the communities. Funding was provided for planned outreach activities and events with tobacco related programming which highlighted the 2 new laws – smoke free places and buffer zones.

A greater emphasis has been placed on the upcoming new tobacco legislation. Buffer zones and smoke-free places were at the forefront of tobacco messaging throughout fiscal year 2021-22.

Tobacco Education, Enforcement and Compliance

Alongside education and training, tobacco retail enforcement is an important component of the *TCSFPA*. Every year, Environment Health Officers (EHOs) aim to conduct two inspections with all tobacco retailers in Nunavut. These inspections focus on education as well as 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.

In fiscal year 2021/22, EHOs did a total of 40 inspections by reaching 35 unique retailers out of the 92 tobacco retailers in Nunavut. The percentage of retailers inspected has decreased significantly due to COVID-19 and travel restrictions.

Regarding enforcement, Health is working to create and appoint enforcement officers, who would focus on educating and enforcing smoking laws. While EHOs or liquor inspectors would not be asked to enforce every section of the Act, relying on them to enforce certain parts would significantly improve enforcement efforts. The inspection powers granted to inspectors would also be updated to resemble those outlined in the *Public Health Act* and *Cannabis Act*.

CONCLUSION

The objectives of the *TCSFPA* are to protect the public from second-hand smoke, dissuade youth from initiating tobacco use and smoking, de-normalize tobacco use and reduce the visibility of products, and regulate emerging products like vaping devices. To date, Health has focused its tobacco control efforts on education, community programming, and services. Moving forward, the TCP is exploring options that would place greater emphasis on enforcement, as requested during consultations for the TSA. The TCP continues to work towards putting the Act into force. Regulations and other supporting documents are in the process of being finalized. The GN remains fully committed to implementing the new TSA while providing support for those wanting to reduce or quit using tobacco products.