



Monitoring and Evaluating Ontario's New Tobacco and E-Cigarette Policy Measures

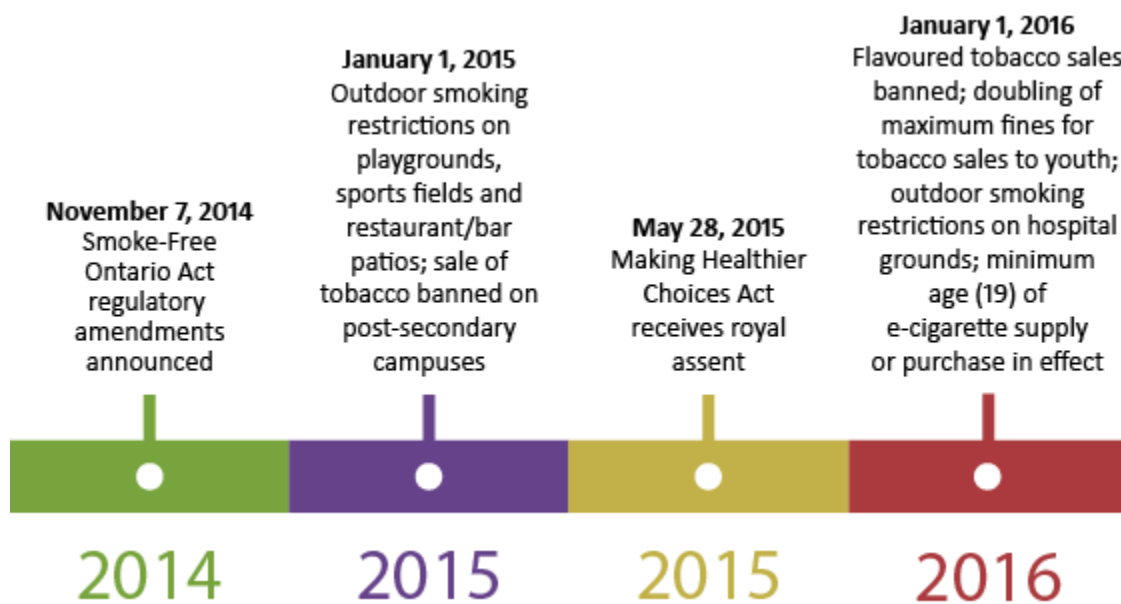
Introduction

OTRU has begun a new project to assess the implementation and impact of the new tobacco and e-cigarette policy measures recently implemented in Ontario. In this newsletter, we provide an overview of the new measures and outline evaluation activities happening in the 2016/2017 year.

Background

On November 7, 2014, the Ontario government announced amendments to the *Smoke Free Ontario Act* (SFOA). The regulatory amendments came into effect January 1, 2015. On May 28, 2015, the *Making Healthier Choices Act* (including legislative amendments to the SFOA and enactment of the *Electronic Cigarette Act*) received royal assent to protect youth from the dangers of commercial tobacco¹ and the potential harms of e-cigarettes. Figure 1 shows a timeline of Ontario's new commercial tobacco and e-cigarette policy measures. A summary of new measures is found in Figure 2. Note that not all measures have been implemented to date, particularly those that pertain to e-cigarettes.

Figure 1: Timeline of Ontario's New Commercial Tobacco and E-Cigarette Policy Measures



¹ In this document, tobacco refers to commercial tobacco products (i.e., cigarettes, waterpipe, cigars). It does not mean Sacred Tobacco used for Indigenous cultural or spiritual purposes.



Figure 2: Summary of New Commercial Tobacco and E-Cigarette Policy Measures in Ontario



Make it harder for young people to access tobacco

- Prohibit the sale of tobacco products on postsecondary campuses
- Double the maximum fines for those who sell tobacco to youth
- Clarify the process of automatic prohibitions to retailers who sell tobacco to youth



Reduce the appeal of tobacco products

- Prohibit the sale of flavoured tobacco, with a temporary exemption for menthol and clove (until Jan 2017)
- Clarify that it is prohibited to offer promotional items with a purchase of tobacco



Reduce exposure to SHS in public places

- Prohibit smoking on bar and restaurant outdoor patios; on outdoor playgrounds; in public sporting areas; on hospital properties, except in DSAs (until Jan 2018)
- Improve enforcement of indoor use of tobacco in waterpipe bars and restaurants
- Expand seizure authority of SFOA inspectors and update rights of entry for inspectors



Protect youth from the potential harms of e-cigarettes

Prohibit the:

- Sale and supply of e-cigarettes to anyone under the age of 19
- Sale of e-cigarettes in places where sale of tobacco is prohibited²
- Display of e-cigarettes in places where e-cigarettes are sold²
- E-cigarette promotions in places where e-cigarettes or tobacco are sold²
- Use of e-cigarettes in designated non-smoking areas²

² Not implemented yet



Key Findings: 2015 Evaluation of SFOA Outdoor Smoking Regulations

In 2015, OTRU conducted an evaluation to assess the implementation of the new SFOA outdoor smoking regulations on playgrounds, sports fields, and restaurant and bar patios.¹ The evaluation included street intercept surveys with 1300 smokers and nonsmokers in four municipalities, an online survey of 64 tobacco enforcement staff, and key informant interviews with staff from six public health units.

Key Findings

- Up to 70% of smokers reported smoking at least sometimes when visiting venues affected by the smoking bans in 2015.
- Self-reported exposure to SHS varied from 37% at playgrounds to 81% at park festivals or fairs in 2015.
- The greatest drop in *smoking* and *exposure to SHS* was on restaurant and bar patios (smoking: 83% a year before vs. 47% in 2015; exposure to SHS: 85% a year before vs. 57% in 2015; $p < 0.0001$)
- Only 54% of respondents were aware of the ban on smoking on and around sports fields and playgrounds while 67% of respondents were aware of the ban on smoking on restaurant and bar patios.
- 42% of smokers believed that the new smoking regulations would help them quit or cut down the number of cigarettes smoked
- Partnerships and proactive education contributed to implementation success; capacity constraints, signage and a similar pre-existing bylaw were implementation challenges

Evaluation Moving Forward

OTRU, in collaboration with key stakeholders, including public health units and non-governmental organizations, will build on the 2015/2016 evaluation to conduct a formative and outcome evaluation of new policy measures. The evaluation aims to understand:

1. Knowledge and attitudes regarding new policy measures
2. Compliance with, and enforcement of, new policy measures
3. Changes in overall sales and use of flavoured tobacco in Ontario
4. The impact of new policy measures on young people's perceptions and perceived access to e-cigarettes
5. The extent to which new policy measures protect Ontarians from SHS in outdoor settings
6. Any unintended impacts or emerging issues resulting from new policy measures
7. Changes in tobacco use including: youth tobacco use, including flavoured tobacco; youth e-cigarette use; and adult smoking behaviour



Key evaluation methods will include:

- Street intercept surveys with smokers and nonsmokers
- Key informant and youth interviews
- Youth and young adult survey
- Tobacco Enforcement Manager survey
- Tobacco Enforcement Officer survey
- Analysis of administrative data
- Analysis of Health Canada Tobacco sales data
- Population survey analysis

New Measures Advisory Group

The new measures monitoring and evaluation project will be guided by the New Measures Advisory Group (NMAG). Made up of experts in the field of commercial tobacco control, this group will help guide monitoring and evaluation activities through a participatory, collaborative process. The advisory group will:

- Help develop monitoring and evaluation questions, the approach and design
- Guide the implementation of monitoring and evaluation activities
- Help interpret results
- Promote the use of results and recommendations

Members include:

- Angelo Apfelbaum (Regional Municipality of Waterloo)
- Lorraine Fry (Non-Smokers' Rights Association)
- Martin Kuhn (Simcoe Muskoka District Health Unit)
- Kellie Milani (Thunder Bay District Health Unit)
- Michael Perley (Ontario Campaign for Action on Tobacco)
- Rowena Pinto (Canadian Cancer Society)
- Kristy Ste Marie (Youth Advocacy Training Institute)

Newsletter authors: Tracey Borland, Jolene Dubray, Michael Chaiton, Robert Schwartz

References

ⁱ Dubray J, Minichiello A, Schwartz R. Evaluation of the Smoke-Free Ontario Act Outdoor Smoking Regulations. *Evaluation News* March 2016. Available from: http://otru.org/wp-content/uploads/2016/04/kes_update_mar2016.pdf.