

The Right Honourable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa ON K1A 0A2

August 14, 2009

Dear Prime Minister,

Re. alPHa Resolution A09-2, Tobacco Advertising and Promotion

On behalf of member Medical Officers of Health, Boards of Health and Affiliate organizations of the Association of Local Public Health Agencies (alPHa) I am writing to introduce our 2009 Resolution calling for a complete federal ban on tobacco advertising and promotion.

In 2007, many Canadians were shocked to see a reappearance of tobacco advertising in certain print publications following a Supreme Court interpretation of Canada's Tobacco Act (1997) that allowed tobacco companies the right to place ads in publications with an adult readership of at least 85%.

Putting aside the improbability of an accurate measurement of the proportion of a readership that is in the Age of Majority, when looked at another way, this ruling could be translated as a license for tobacco companies to advertise to 15% of Canada's children. Laws governing tobacco promotion in this country have always been based on the idea that any number above 0% in unacceptable.

We were therefore very pleased to learn that the Government of Canada had introduced Bill C-32 even as public health experts across the country were mounting advocacy efforts to close this objectionable loophole. We were also pleased to see that the proposed amendments to the Tobacco Act included other provisions that are aimed at protecting young Canadians from the predatory practices of the tobacco industry, namely by prohibiting enticing flavour additives to tobacco products and reducing the availability of single "little cigars", which are presumably more attractive to young people due to affordability.

Although we were hoping that the Senate would approve these measures before rising for the summer, we would like to use this opportunity to draw your attention to some additional provisions that our members would like included in the present amendments, namely a complete ban on tobacco advertising and promotion even in venues where minors are excluded. Tobacco products are also harmful to adults, and their promotion is aimed squarely at masking the reality of their significant dangers, and most certainly interferes with adult smokers' efforts to quit.

We hope that all members of the House and of the Senate will consider the attached Resolution and pass the proposed amendments to Canada's Tobacco Act without delay.

Sincerely,

ORIGINAL SIGNED

Linda Stewart,
Executive Director

Copy: Hon. Leona Aglukkaq, Minister, Health Canada
Hon. Marjory LeBreton, Leader of the Government in the Senate
Hon. Margaret Best, Minister of Health Promotion (Ontario)
Hon. David Caplan, Minister of Health and Long-Term Care
Dr. Arlene King, Chief Medical Officer of Health (Ontario)

alPHa RESOLUTION A09-2

TITLE: Tobacco Advertising and Promotion

SPONSOR: Peterborough County City Board of Health

WHEREAS In a ruling related to a challenge from tobacco companies of the 1997 Tobacco Act, the Supreme Court in 2007 upheld the 1997 Act, which severely restricts tobacco companies' right to advertise;

WHEREAS Following the Supreme Court ruling, the tobacco companies resumed the limited advertising allowed by the 1997 Act which had been voluntarily withdrawn during the 10 year interim period while their challenge made its way to the Supreme Court;

WHEREAS The resumption in advertising has resulted in emerging concerns about industry marketing and advertising activities (including those specifically targeting younger audiences) through mechanisms including product description, package design, lifestyle associations, aggressive marketing of “user-friendly” smokeless tobacco, and promotion during special events, in bars and on the internet;

WHEREAS Six months have already passed since the Ontario legislature passed a law, Bill 124, to ban flavoured tobacco and regulate packaging of cigarillos; and

WHEREAS An Act to amend the Tobacco Act Bill C-32, was introduced in Parliament on May 26, 2009 to restrict tobacco industry advertising and product flavouring.

NOW THEREFORE BE IT RESOLVED THAT the Association of local Public Health Agencies:

- 1) write to the Federal Minister of Health and the Prime Minister advocating for a change to the proposed amendment to the Tobacco Act such that it includes a complete ban on tobacco advertising and promotion even where minors are prohibited by law (eg. bars and nightclubs);
- 2) request that the Provincial Minister of Health, the Minister of Health Promotion, and the Premier advocate with their federal counterparts for a complete ban on tobacco advertising and promotion; and
- 3) support national advocacy initiatives that call for further restrictions on tobacco advertising and promotions.

ACTION FROM CONFERENCE:

Moved: R. Pellizzari (Peterborough)

Seconded: V. Sterling (Toronto)

Resolution CARRIED AS AMENDED