

May 29, 2024

The Honourable Minister Mark Holland
Minister of Health
House of Commons
Ottawa, ON K1A 0A6

Subject: Need for immediate action to protect youth from the dangers of nicotine

Dear Minister Holland,

On behalf of the pediatric resident physicians at the Hospital for Sick Children, we are writing today with an urgent plea to take decisive action in protecting the health and well-being of Canadian youth from the dangers of nicotine addiction.

As young physicians, we have dedicated our professional lives to caring for children and youth. Working across all divisions of Canada's largest children's hospital – including the Emergency Department, the Inpatient Wards, the Adolescent Outpatient Clinics and numerous affiliated community-based programs – we see, firsthand, the devastating impact of nicotine addiction on our patients. We have observed 13-year-olds reporting that they initiated vaping before entering middle school. We have cared for 15-year-olds experiencing negative symptoms of significant nicotine exposure, including disrupted sleep, suppressed appetite and decreased academic performance. And we have stabilized 17-year-olds experiencing unintentional nicotine toxicity after consuming multiple nicotine pouches. Sadly, we have patient stories that can fill volumes.

As you well know, our nation already reports some of the highest teen vaping rates in the world. Now, an unfortunate legislative loophole has allowed nicotine pouches – a new product capable of serious harm to children and young Canadians – to enter the Canadian market. In your public statements issued on March 20, 2024, you recognized that protecting young people from the harmful effects of nicotine and nicotine dependency is a public health priority and pledged to urgently pursue legislative and regulatory remedies to counter this public health threat. We also acknowledge the federal government's commitment to address the issue of nicotine pouches through proposed amendments to the *Food and Drugs Act*, as outlined in the 2024 Budget Implementation Act (BIA). Unfortunately, as the weeks and months pass, we see no action, and our patients continue to present with the physical, psychological and social effects of severe nicotine addiction.

While a comprehensive strategy to address the dangers of tobacco, vaping and nicotine more broadly is required, it is imperative that urgent measures are taken immediately to address this new child and youth health threat, and we call on you to implement the following recommendations:

Recommendation 1: Immediately suspend the sale of all nicotine pouch products until comprehensive regulatory protections with appropriate enforcement are established, including the:

- 1. Prohibition of flavours attractive to children and youth, including mint and all fruit and dessert flavours;**
- 2. Prohibition of sale to all individuals under the age of 18;**
- 3. Prohibition of sale outside of pharmacy settings with product placement restricted to “behind the counter”;**
- 4. Prohibition of youth-attractive packaging and promotion;**
- 5. Prohibition of lifestyle advertising aimed at enticing young consumers;**
- 6. Development and enforcement of clinically appropriate standards on the total amount of nicotine that may be included in a single NRT product-containing package.**

Recognizing the harmful health effects associated with the use of these new products, leading regulators, including Belgiumⁱ and Australiaⁱⁱ have taken decisive action, and enforced comprehensive bans on the sale of nicotine pouches. Other comparable regulatorsⁱⁱⁱ, ^{iv}, ^v have instituted meaningful restrictions on nicotine pouch products, including age for legal sale as well as prohibitions on flavour, packaging, and marketing. As Canada contemplates how best to protect the health of young Canadians in the face of this novel threat, an immediate ban on the sale of nicotine pouches is an appropriate action, aligned with global precedent. Ensuring the appropriate regulatory safeguards are in place prior to reauthorizing the sale of these potentially hazardous substances is essential, and again, aligned with actions of comparable jurisdictions.

Of specific importance in the prohibition of flavours attractive to children and youth, including mint and fruit flavours. Evidence from the vaping experience overwhelmingly demonstrates that the availability of flavored nicotine products directly contributes to their appeal among youth^{vi}, ^{vii}. By implementing complete and comprehensive restrictions on the sale of flavoured nicotine pouches, we may mitigate the attractiveness of these harmful products to our youth, and significantly diminish the risk that these products present.

Recommendation 2: Establish a moratorium on the approval of any new nicotine pouch products, or any new category of nicotine products, until the above-mentioned protections are in place.

A formal halt on the approval of any future nicotine pouch products, or any new category of nicotine products, is essential until the regulatory conditions ensure vital public health protections are in place. This moratorium is essential to prevent the introduction of any new products to the Canadian market that may exacerbate the current epidemic of youth nicotine addiction.

Recommendation 3: Develop and launch a national youth-focused public awareness campaign to alert young Canadians of the significant risks associated with nicotine and nicotine addiction.

Recognizing the alarming rates of youth nicotine addiction at present^{viii, ix}, a youth-focused national public health campaign should be a federal priority. The campaign should be carefully crafted to educate young Canadians about the severe short and long-term health risks associated with nicotine use and nicotine addiction, and should address the range of nicotine products now available on the Canadian market (including traditional cigarettes, vaping products and nicotine pouches). By empowering our youth with knowledge, we can help prevent them from falling victim to the allure of nicotine products and safeguard their future health.

Recommendation 4: Convene an expert panel to explore the risks and benefits of regulating all nicotine-containing products that are not regulated by the TVPA as prescription drugs (with DIN numbers).

We appreciate that nicotine replacement therapies (NRTs) are an essential tool in the fight against nicotine addiction. As such, we strongly believe in the importance of enabling access to NRT to all who require it. That said, the current regulatory framework authorizing the sale of NRT as Natural Health Products creates unnecessary barriers to access (including, but not limited to, the listing of NRT on public formularies) and potentially dangerous regulatory loopholes exploitable by industry (as evidenced by the introduction of the nicotine pouch). Recognizing the serious health risks associated with nicotine use, the importance of medical oversight in the use of NRT and the need for a comprehensive regulatory infrastructure appropriate for 21st century challenges, we urge you to convene an expert panel to explore the risks and benefits of regulating all nicotine-containing products not regulated by the TVPA as prescription drugs. Our current approach leaves too many young people at risk, and too many providers with too few with options to successfully treat nicotine addiction.

Minister Holland, the health, and well-being of our youth are at stake. We urge you honor your public commitment to act on this critical issue immediately, and to prioritize the implementation of robust regulations and educational initiatives to protect Canadian youth from the harms of nicotine addiction.

We would be honored to meet with you, or your staff, to discuss our experiences, and explore how our unique expertise as dedicated child and youth health providers may be useful as you work to address these critical public health threat.

Thank you for your attention to this matter. We look forward to your prompt and decisive action in safeguarding the health of our nation's youth.

Sincerely,

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Cc: The Honourable Ya'ara Saks, Minister of Mental Health and Addictions, Associate Minister of Health
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ⁱ https://etaamb.openjustice.be/fr/arrete-royal-du-14-mars-2023_n2023041247.html

ⁱⁱ Duren, M et al. Nicotine pouches : A summary of regulatory approaches across 67 countries. *Tob Control* 2024; 33:e32-40.

ⁱⁱⁱ <https://www.retsinformation.dk/eli/ita/2020/2071>

^{iv} [https://www.government.is/library/04-Legislation/Act%20on%20electronic%20cigarettes%20and%20refill%20containers%20for%20electronic%20cigarettes%20No%2087%202018%20-%20Copy%20\(1\).pdf](https://www.government.is/library/04-Legislation/Act%20on%20electronic%20cigarettes%20and%20refill%20containers%20for%20electronic%20cigarettes%20No%2087%202018%20-%20Copy%20(1).pdf)

^v <https://technical-regulation-information-system.ec.europa.eu/en/notification/17569>

^{vi} Canadian Tobacco and Nicotine Survey (CTNS): summary of results for 2022. Health Canada, 2022: <https://www.canada.ca/en/health-canada/services/canadian-tobacco-nicotine-survey/2022-summary.html>

^{vii} Shang C et al. The impact of flavour, device type and warning messages on youth preferences for electronic delivery systems. *Tob Control*. 2018 Oct (e2): e152-159.

^{viii} [https://www.publichealthontario.ca/-/media/Documents/nCoV/epi/covid-19-epi-impact-mental-health-youth-cigarette-vape-users.pdf?rev=96e928f8dd484713b85c688f3ee6afc2&sc_lang=en#:~:text=In%202021%2C%2012%25%20of%20students,puffs\)%20in%20the%20past%20month.&text=nicotine%20always%20\(42%25\)%20or,reported%20no%20use%20of%20nicotine.](https://www.publichealthontario.ca/-/media/Documents/nCoV/epi/covid-19-epi-impact-mental-health-youth-cigarette-vape-users.pdf?rev=96e928f8dd484713b85c688f3ee6afc2&sc_lang=en#:~:text=In%202021%2C%2012%25%20of%20students,puffs)%20in%20the%20past%20month.&text=nicotine%20always%20(42%25)%20or,reported%20no%20use%20of%20nicotine.)

^{ix} <https://www.canada.ca/en/health-canada/services/canadian-student-tobacco-alcohol-drugs-survey/2018-2019-summary.html>