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Building *Nunavut* Together
Nunavut iuqatigiingniq
Bâtir le *Nunavut* ensemble

Chief Medical Officer of Health's 2016-2017 *Tobacco Control Act*

Annual Report

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INTRODUCTION

Preparation of the Tobacco Control Act Annual Report is a requirement of the Chief Medical Officer of Health (CMOH) as legislated within the *Tobacco Control Act (TCA)* of Nunavut. This report is an overview of *TCA* operations within the territory for the period of April 1st, 2016, to March 31st, 2017.

Throughout the past decade, many Canadian jurisdictions have observed steady declines in smoking prevalence; this downward trend has not been seen in Nunavut. A comprehensive Lot Quality Assurance Sampling (LQAS) survey was conducted by the Department of Health (Health) in 2016. This study revealed 74% of Nunavummiut aged 16 years or older smoked within 6 months prior to the survey [1]. This trend can also be evidenced by an increase in the number of cigarettes sold in the territory in 2016-2017 was 58.9 million, reflecting an increase of over 2 million (up by 4%) from the previous fiscal year¹ [3] [4]. In March of 2017, in an effort to reduce tobacco consumption rates, the Department of Finance amended the *Tobacco Tax Act (TTA)* to increase territorial taxes on all tobacco products; including a \$0.05 rise per cigarette.

Tobacco use is causally linked to numerous chronic illnesses including cardiovascular disease, a variety of cancers, and chronic obstructive pulmonary disease (COPD) [5]. In 2015, male and female Nunavummiut had significantly higher COPD prevalence rates compared to the Canadian population at 1.95 and 3.02 times respectively² [6].

BACKGROUND INFORMATION ON THE TOBACCO CONTROL ACT

The *TCA* of Nunavut was enacted in May of 2004. It is administered through Health. The Act was developed to address the significant burden of health disparities directly attributable to tobacco use in the territory. The primary objectives of this Act are as follows:

- Promote and protect the health and well-being of Nunavummiut by ensuring that public places and workplaces are smoke-free; and
- To reduce access to tobacco products, especially to youth, through restrictions on the display and sale of tobacco products.

¹ Nunavut territory-wide reported cigarette sales, by stick, per fiscal year.

² COPD rates are calculated using the Canadian Chronic Disease System methodology. This methodology is validated for the population 35 years of age and older.

Regulations to the *TCA* were developed and subsequently came into force in 2007. These regulations predominately outlined the methods by which Nunavut tobacco retailers³ are to comply with the *TCA*.

In support of the mandate of Health “to promote, protect and enhance the health and well-being of all Nunavummiut” the Nunavut Tobacco Reduction Framework for Action (TRFA) was developed for the years 2011-2016. One of the six Areas for Action identified within this framework was Enhance Regulatory Enforcement [7]. To advance with this objective, in 2016-2017 Health worked on the following initiatives:

- Nunavut Tobacco Education and Compliance Program (TECP); and
- Tobacco Has No Place Here (THNPH) Mass Media Campaign, Phase 5.

NUNAVUT TOBACCO EDUCATION AND COMPLIANCE PROGRAM

The TECP is an initiative aimed at improving tobacco retailers' compliance with the *TCA* and its regulations. The program employs a progressive enforcement model, relying on voluntary compliance strengthened through education and outreach by Health staff. All retailers have been provided adequate education and outreach, and official tobacco inspections have commenced.

PHASE I (2014-2015): DEVELOPMENT OF TOBACCO EDUCATION AND OUTREACH TRAINING MATERIALS

In 2014-2015, Nunavut Tobacco Retailer Toolkits were developed. Materials in this toolkit provided retailers with practical resources to fully comply with the *TCA* and its regulations. All materials were produced in the four official languages of Nunavut.

PHASE II (2015-2016): DELIVERY OF TOBACCO EDUCATION AND OUTREACH TRAINING

An annual Tobacco Retailer Survey (TRS) was developed. The purpose of the survey was to monitor tobacco retailer knowledge of the *TCA* over time. Prior to TECP activities, the first survey was sent to all Nunavut tobacco retailers in the summer of 2015 to establish a baseline.

In October of 2015, Environmental Health Officers (EHOs) were trained in the use of the Tobacco Retailer Toolkits. Throughout 2016, EHOs provided in-person education sessions to management staff at all 93 Nunavut tobacco retailers.

³ A Nunavut tobacco retailer is a retail vendor operating in Nunavut that is in possession of a valid retail dealer's permit as legislated within the Tobacco Tax Act of Nunavut.

In February of 2016, all territorial EHOs were designated as “Inspectors” under the *TCA*. The article permitting this appointment is as follows:

Inspectors

(1) The minister may appoint persons or classes of persons as inspectors for the purposes of this Act.

FINAL PHASE (2016-2017): PREPARATION OF TOBACCO RETAILER INSPECTIONS

The second TRS was distributed to Nunavut’s tobacco retailers in the summer of 2016. The results of the survey indicated the following:

- 9.1% of retailers reported having no signage for the 3m buffer-zone around the facility’s entrance, a decrease (↓) of 42.8% from the previous year’s TRS;
- 12.1% of retailers reported their employees were only “somewhat knowledgeable” of Nunavut’s tobacco laws, a decrease (↓) of 14.8% from the previous year’s TRS; and
- 97.0% of retailers reported they train their employees in procedures to legally sell tobacco, an increase (↑) of 0.8% from the previous year’s TRS.

The differences among the annual surveys are indicating EHO training programs are positively influencing tobacco retailer behaviour into compliance with the *TCA*.

Data management software was procured to ensure consistency in the collection of information during additional *TCA* education sessions and future tobacco inspections. In October of 2016, all EHOs were provided training in the skills and knowledge necessary to conduct formal tobacco retailer inspections. The topics covered included the following:

- Training in the use of data management software;
- Tobacco inspection protocol;
- Infraction follow-up; and
- Managing public complaints regarding *TCA* non-compliance.

A TECP policy and procedure manual was drafted. This manual is intended to assist EHOs by outlining their duties to uphold the TECP. The fair and consistent application of the manual will support future *TCA* compliance and develop strong working partnerships between tobacco retailers, EHOs, and community stakeholders.

TOBACCO HAS NO PLACE HERE, PHASE 5

The THNPH mass media campaign began in 2011 with the initiation of the TRFA. The campaign encompassed several objectives throughout its years of implementation; each consistent with the framework’s overarching goals.

Public compliance with the *TCA* was the objective of Phase 5 of THNPH. This phase was split into two components which were promoted as “Speak Up” in 2015-2016, and “Pass on Something Better” in 2016-2017. All THNPH Phase 5 materials, designed for public distribution, were made available in the four official languages of Nunavut.

COMPONENT I (2015-2016): SPEAK UP

The goal of “Speak Up” was to increase public awareness of smoking buffer-zones around entrances or exits to public places and schools. The message was “Speak up about second-hand smoke” and “Before you smoke take 3 big steps from an entrance [or] 15 big steps from a school”.

TCA legislation specifying these distance provisions are as follows:

Prohibition of smoking in public places

14. (1) No person shall smoke in any common area of an apartment or condominium, or any public place, or in the three metre radius surrounding any entrance or exit to a public place whether or not a sign prohibiting smoking is posted.

Smoking around schools

- (3) No person shall smoke in the fifteen metre radius surrounding any entrance or exit to a school.

“Speak Up” consisted of the following campaign resources:

- Newspaper advertisement;
- Radio advertisement;
- Posters;
- Social media posts and accompanying artwork;
- PowerPoint presentation; and
- Website content.

The official launch of Speak Up occurred the week of January 17-23rd, 2016, during National Non-Smoking Week (NNSW).

COMPONENT II (2016-2017): PASS ON SOMETHING BETTER

The primary goal of “Pass on Something Better” was to de-normalize minors’ acquisition of tobacco from adults, known as social sources of tobacco. The secondary goal was to increase public knowledge of the illegality of supplying tobacco products to minors. The message was “Pass on something better by not giving tobacco to kids”.

TCA legislation prohibiting the supply of tobacco to minors is as follows:

Selling or supplying to persons under 19

3. (1) No person shall sell or supply, or offer to sell or supply, tobacco to a person who is less than 19 years old

The following materials were produced for “Pass on Something Better”:

- Television advertisement;
- Radio advertisement;
- Posters;
- Caregiver resource guide;
- Social media posts and accompanying artwork;
- PowerPoint presentation; and
- Website content.

The official launch of “Pass on Something Better” occurred the week of January 15-21st, 2017, during NNSW.

CONCLUSION

The Department of Health continues to focus on

- i. Capacity building of health professionals, health educators and wellness workers throughout Nunavut;
- ii. Prevention of young people beginning to use tobacco products;
- iii. Protection of the public from environmental tobacco smoke; and
- iv. De-normalization of tobacco use throughout Nunavut.

A comprehensive multifaceted approach embracing Inuit Societal Values is essential to the reduction of harms associated to tobacco use in Nunavut. The successful operation and oversight of the *TCA* is a fundamental element of this effort. Throughout 2016-2017, the Department of Health has made advancements in ensuring tobacco retailers, and the public, are knowledgeable and motivated to comply with the *TCA*.

The Government of Nunavut remains fully dedicated to the mitigation of tobacco-related health hazards through compliance of the *TCA*; specifically by dissuading youth from initiating tobacco use, encouraging cessation, and protecting the public from environmental tobacco smoke.

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