

# **Educating your MP about vaping in Canada**

**A practical guide for small business owners &  
workers in the independent vape industry**

Version 1.1: 17-03-12

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# Outline

- Why you need to meet with MP
- How to meet.
- Goals of meeting.
- The meeting: what to say, what not to say, tips, resources, etc.
- Following up
- Myths about vaping that need to be dispelled.

# Why you need to meet with your MP

- MPs are not going to know that there is anything wrong with Bill S-5 unless you tell them.
- Personal meetings are proven to be the most effective way to persuade decision makers (far better than phone-calls or letters).

# Why you need to meet with your MP

- As a business owner in the MP's riding your opinion carries more weight than others.
- You are a leader in your area.
- You contribute to the economy, to the tax base, you employ constituents
- You should set up a meeting with the MP(s) of any ridings where you have a business location as well as the riding you live in.

# How to get a meeting

- Call the MP's office during normal office hours. The number can be found on their website.
- Do NOT just communicate your position to the person who answers the phone. You are a business owner in the MP's riding -- you can get further up the chain than a normal person.

# How to get a meeting

- Tell the person that picks up:
  - “My name is \_\_\_\_\_. I am a small business owner in MP \_\_\_\_\_’s riding. There is a bill (bill S-5) moving through parliament right now that is extremely threatening to my business, my employees, and my customers. As soon as possible, I was hoping I could speak to MP \_\_\_\_\_, or a member of their staff.”
  - If they ask you for a summary of the issue:
    - “Bill S-5 will introduce restrictions likely to cause my business to fail. The bill also prevents me from honestly describing my products, and from giving customers the information they need in order to use the products for harm reduction.”
- Take the first available meeting with the MP (or their staff if the MP is for whatever reason not available)
- Be polite & respectful with every person you speak to. Say “thank you” a lot and thank them for their help even if they aren't helpful.

# Goals of the meeting

- Your MP is busy. They probably don't know much about vaping. You do not have a lot of time to go through every detail of Bill S-5 or the vaping industry in this meeting.
- The first goal of the meeting is to begin a positive relationship with your MP & set yourself up as an expert on the topic. Give them a BRIEF background on vapour technology and the vapour industry, which they likely don't know much about.
- The second goal is to get the message across that Bill S-5 is a grave threat to your business and your ex-smoking customers.

# What to say to your MP

- Bill S-5 would make it illegal to truthfully tell customers that vaping is less harmful than combustible cigarettes. It makes it illegal to share peer reviewed science with customers.
- Bill S-5 would severely diminish access to low-risk, smoke-free products that are being used to reduce the harm from smoking. Explain to your MP that the variety of e-liquid flavours and devices is vital to helping people switch to low-risk products and stay smoke-free. Bill S-5 would ban most of the popular flavours that are helping people stay smoke-free.
- Bill S-5 will likely eliminate many or most of the products you currently sell and bring in regulations that are extremely burdensome for small businesses. It will likely result in American tobacco companies moving in and taking over the entire market while independent Canadian businesses will be forced to close.
- Bill S-5 has drawn criticism from constitutional experts and public health experts in Canada.

# What to say to your MP

- Explain to them that you support reasonable regulations for products. Things like minimum age for purchase, child-resistant packaging, informative labelling, product standards, etc, are important to the industry, and that the industry has voluntarily adopted standards on its own in the absence of federal regulation.
- Don't list off all the ways you want to be regulated, but it is important that they don't think you oppose any rules for the industry at all. Emphasis should be placed on '**REASONABLE regulation.**'
- Bring samples of the kinds of products you sell that your MP can handle and look at if they are interested. They need to see that the products are already regulated as consumer products.

# What to say to your MP

- Important: Your MP is probably not aware of the difference between the vaping industry and the tobacco industry. They are likely unfamiliar with what goes on in a vape shop, and the role you play in helping your customers switch.
- Explain to your MP that tobacco companies answer to transnational shareholders. Vape shops, on the other hand, answer to their ex-smoking customers.
- Consider bringing one of your customers to the meeting to explain, from the consumer point of view, the important services and support they get from your shop. Bring someone with a compelling story — a story that makes it easy for you to (honestly) say something like “... and this is why I quit my job in \_\_\_ to run a vape shop”

# Stay Focused

- **Do NOT:** Freestyle or improvise in your meeting. It's easy to get side-tracked on non-issues and waste all of your time, or say something that may inadvertently undermine the points you want to get across
- **DO:** Use notes. As a courtesy, ask permission from your MP. You can say something along the lines of "I'm a little nervous, do you mind if I use my notes so I don't forget anything?"

# What NOT to say to your MP

- DO NOT express an opinion on politically contentious issues like whether or not it should be legal to sell to minors. If they ask you about it, you should reply that you follow what the law says. You should also note that data from Statistics Canada shows that regular use by adolescents is extremely rare.
- DO NOT say ANYTHING negative about the industry or other vaping businesses. Keep the interaction positive, except for your message which should be that this will put you out of business if it passes. Politicians don't distinguish between you and the rest of your industry. Anything bad you say about other businesses will reflect on you.
- DO NOT bring up problems that they don't mention (even if you're offering solutions to those) .
- DO NOT try to negotiate regulations with your MP. All they need to know from you is that what is on the table is bad, except for common sense regulations like restrictions on sales to minors and child-resistant packaging.

# Know your business and have answers to the following questions (if you are asked)

- How many employees you have
- How long you've been open
- An estimate of how many customers you serve
- How much you pay in taxes.
- What causes your business contributes to and if you're a member of any local business organizations (BIAs, Chamber of Commerce, etc)
- What are the most popular flavours you sell (and who buys candy/dessert flavours)
- Other facts about your business. Do a little bit of studying yourself so that you can come back with answers if asked.

# Resources you could leave with your MP

- Canadian Constitution Foundation. Vaping and The Law: Comparing Legislation Across Canada. 2017 Available: <http://theccf.ca/vaping/>
- O’Leary, R., MacDonald, M., Stockwell, T., & Reist, D. (2017). Clearing the Air: A systematic review on the harms and benefits of e-cigarettes and vapour devices. Victoria, BC: Centre for Addictions Research of BC. Executive summary: <http://www.uvic.ca/research/centres/carbc/assets/docs/report-clearing-the-air-review-exec-summary.pdf>
- Royal College of Physicians. Nicotine without smoke: Tobacco harm reduction. London: RCP, 2016. Key recommendations: <https://www.rcplondon.ac.uk/projects/outputs/nicotine-without-smoke-tobacco-harm-reduction-0>

# Following up

- It is vital that immediately after your meeting with your MP, you follow up.
- Send a thank you email to your MP's office. Thank them, and any staff you interacted with for their time. Mention you will be in touch.
- Send a follow up letter to your MP summarizing the key problems for your business, for you, and for your employees.
- Offer to be a resource for any future questions they have.
- Remember: the meeting is the first step in what will hopefully be a productive relationship with your MP.

# Myths about Bill S-5

- Myth: Bill S-5 will make vaping products available to adults for harm reduction.
  - Reality: The bill makes nicotine for e-cigarettes legal. But along with this “legalization” comes a regime that could easily make many if not most products available on the market today illegal. E.g. it bans currently legal zero nicotine flavoured e-liquids (dessert/drinks/confectionary) & hardware testing requirements & document are not specified: there is no guarantee that companies will be able to afford these requirements.
- Myth: Bill S-5 establishes reasonable regulations.
  - Reality: by and large, the regulatory regime treats vapour products as though that are the same as cigarettes. BUT regulation should be proportionate to risk. Considering that vapour products are not likely to exceed 5% the risk of smoking, treating vapour products like cigarettes is wildly inappropriate.
- Myth: Bill S-5 will not affect “responsible” businesses that only sell to adults.
  - Reality: The entire independent industry is deeply threatened by Bill S-5.
- That Bill S-5 is balanced.
  - Reality: There is no formal harm reduction mandate in the bill. The legalization of nicotine containing e-cigarettes is being used to give the impression of “liberalization” yet the formal justification for the regulations in the bill is based in gateway mythology. The existence of the entire vapour industry is at stake. Moreover, Bill S-5 will likely create a new black market for several products that are currently legal.

# Myths about the product

- **Myth:** Flavours exist solely to attract adolescents to a lifetime of nicotine addiction.
  - **Reality:** Flavours (even candy and dessert) are extremely important to adults' smoke free journey (see e.g. Farsalinos et al 2013). It is overwhelmingly adult smokers and ex-smokers, that buy and use these products to reduce harm and prevent "relapse" to cigarettes.
- **Myth:** Vaping is dangerous.
  - **Reality:** According comprehensive evidence reviews by prestigious health groups and medical organizations like the Royal College of Physicians, E-cigarettes are unlikely to pose more than 5% of the risk of combustible cigarettes.
- **Myth:** Vaping isn't effective
  - **Reality:** Nicotine without smoke is a proven method of stopping smoking. Vaping is proving much more popular than NRT as a substitute and competitor for tobacco cigarettes. "E-cigarettes appear to be effective when used by smokers as an aid to quitting smoking" (Royal College of Physicians, 2016).

# Myths about the industry

- **Myth:** The vaping industry is marketing to youth.
  - **Fact:** The vapor industry is driven by consumer demand. Vapor consumers are almost entirely adult smokers and former smokers seeking a low-risk alternative to cigarettes. Given the large existing pool of consumers (smokers), there is absolutely no motivation for vapor businesses to target marketing to young people. In fact, according to 2015 Statistics Canada data, 15 to 19-year-olds reported NO DAILY USE of e-cigarettes. Among the same age group, only 5% reported OCCASIONAL use.
- **Myth:** The vaping industry is the tobacco industry or behaves like the tobacco industry.
  - **Fact:** The vapor industry in Canada is predominantly small, independent businesses established and run by former smokers who switched to vaping. Recent Canadian survey research by Shiplo et al (2017) found that current of e-cigarettes use is almost entirely concentrated among smokers.
- **Myth:** The vaping industry is “the wild west”
  - **Fact:** Reasonable regulations are important to the industry, and that the industry has voluntarily adopted standards such as minimum age for purchase and child-resistant packaging, ingredient listing, and warning labels, on its own in the absence of federal regulation. Overly restrictive regulation will drive consumers to the black market and expose them to unnecessary risks.

# Is vaping a gateway to smoking?

- **Myth:** Vaping is a “gateway to smoking”; vaping renormalizes smoking
  - **Reality:** “Available evidence to date indicates that e-cigarettes are being used almost exclusively as safer alternatives to smoked tobacco, by confirmed smokers who are trying to reduce harm to themselves or others from smoking, or to quit smoking completely” (Royal College of Physicians, 2016)
- **Myth:** Youth are attracted to e-cigarette flavours.
  - **Reality:** There are numerous editorials and commentary about this but little evidence to back up the claim (O’Leary et al 2016). Sweet flavours have been around for some time in Canada yet data show that youth do not regularly use e-cigarettes. A US experimental study showed that abstinent teens exhibited almost no interest in trying vapour devices, regardless of flavour (Shiffman et al 2015).

# references:

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- Shiplo S, Czoli CD, Hammond D. E-cigarette use in Canada: prevalence and patterns of use in a regulated market. *BMJ Open* 2015;5: e007971. doi:10.1136/bmjopen-2015-007971

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# about this document

- This is a working document intended to provide practical advice to Canadian vendors on meeting with their MPs about Bill S-5. It was created by Amelia Howard, a PhD candidate in Sociology at the University of Waterloo who studies the impact of regulations on the independent vape industry. She is also an independent, unpaid advocate for vaping which she believes is a promising solution to smoking harms in Canada. Amelia has no financial interest in vaping, receives no commercial funding for her research or advocacy work, and was not compensated by anyone for the creation of this document. She is solely responsible for the contents of these slides, including any errors.
- Thanks to Alex Clark (CASAA), Jim McDonald, Gillian Golden (IVVA) and Thomas Kirsop the American Vaping Association and others who provided resources, advice and feedback.