

**Fourth Session - Fortieth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Human Resources**

*Chairperson*  
*Mr. Dave Gaudreau*  
*Constituency of St. Norbert*

**Vol. LXVII No. 4 - 6 p.m., Wednesday, September 30, 2015**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON HUMAN RESOURCES**

**Wednesday, September 30, 2015**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Dave Gaudreau**  
*(St. Norbert)*

**VICE-CHAIRPERSON – Mr. Ted Marcelino**  
*(Tyndall Park)*

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Messrs. Allum, Chomiak, Hon. Ms. Crothers, Hon. Messrs. Lemieux, Nevakshonoff*

*Messrs. Gaudreau, Graydon, Marcelino, Martin, Pivniuk, Smook*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights*

**PUBLIC PRESENTERS:**

*Ms. Suzane Bouchard, private citizen*  
*Mr. Kyle Bloomfield, private citizen*  
*Mr. Edward Wei, private citizen*  
*Mr. Alexander Derksen, private citizen*  
*Mr. Randy Klassen, private citizen*  
*Mr. Will Cooke, private citizen*  
*Ms. Leona Weday, private citizen*  
*Mr. David Lofchick, private citizen*  
*Ms. Stephanie Mitchell, private citizen*  
*Mr. Craig Billows, private citizen*  
*Mr. Thomas Glas, private citizen*  
*Ms. Julie Wei, private citizen*

**WRITTEN SUBMISSIONS:**

*Brennden Mackenzie, private citizen*

**MATTERS UNDER CONSIDERATION:**

*Bill 30–The Non-Smokers Health Protection Amendment Act (E-Cigarettes)*

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**Mr. Chairperson:** Good evening. Will the Standing Committee on Human Resources please come to order.

Our first item of business is the election of a Vice-Chairperson. Are there any nominations?

**Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection):** I'd like to nominate Ted Marcelino.

**Mr. Chairperson:** Are there any further nominations? Ted Marcelino has been nominated.

Any further nominations?

**An Honourable Member:** I nominate Shannon Martin.

**Mr. Chairperson:** Shannon Martin has been nominated.

Are there any other nominations?

**Voice Vote**

**Mr. Chairperson:** All those in favour of Ted Marcelino being the Vice-Chairperson, please signify by saying aye.

**Some Honourable Members:** Aye.

**Mr. Chairperson:** All those opposed to Ted Marcelino being Vice-Chairperson, please signify by saying nay.

**Some Honourable Members:** Nay.

**Mr. Chairperson:** And the Ayes have it—in my opinion, the Ayes have it.

So I now declare that Ted Marcelino is elected Vice-Chairperson.

\* \* \*

**Mr. Chairperson:** This meeting has been called to consider Bill 30, The Non-Smokers Health Protection Amendment Act (E-Cigarettes).

I would like to remind the committee that this evening's meeting is the fourth one in a series of meetings held for consideration of Bill 30 as per our agreement between House leaders.

Presenters were scheduled and assigned to present at those meetings. Also for your information and in accordance with rule 92(7) as this is now our fourth meeting to consider the bill, no further registrations to speak on Bill 30 are accepted.

Therefore, tonight we will hear from the final 18 presenters registered to speak, and you have that list before you.

On the topic of determining the order of public presentations I will note that we do have out-of-town presenters in attendance marked with an asterisk on the list. With this consideration in mind, what order does the committee wish to proceed?

**Mr. Cliff Graydon (Emerson):** I would suggest that we do what we normally do, that is, out-of-town presenters first.

**Mr. Chairperson:** Is that agreed by the committee? *[Agreed]*

Before we proceed with presentations, we do have another number of items and points of information to consider.

First of all, if there's anyone in the audience who would like to make a presentation this evening, please register with the staff at the back of the room. Also, for the information of presenters, while written versions of the presentation are not required, if you are going to accompany your presentation with written material we ask you provide 20 copies. If you need help photocopying, please speak with the staff.

As well, in accordance with our rule there is a time limit of 10 minutes allotted for presentations with five minutes allowed for questions from committee members.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

A written submission on Bill 30 from Brennden Mackenzie has been received and distributed to committee members. Does the committee agree to have the document appear in Hansard transcript of this meeting? *[Agreed]*

Prior to proceeding with public presentations, I'd like to advise members of the public regarding the process for speaking in committee. The process of our meetings—proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say that person's name. This is the signal for the Hansard recorder behind us to turn on the mics and turn off the mics.

Thank you for your patience, and now we will proceed with the public presentations.

I will now call on Suzane Bouchard.

Do you have any written materials?

**Ms. Suzane Bouchard (Private Citizen):** I only have 19 copies because I left my original in the photocopy machine, so.

**Mr. Chairperson:** Okay. Please proceed when you're ready.

**Ms. Bouchard:** Thank you.

Good evening, ladies and gentlemen. I want to thank you for this opportunity to come here today to share my story with you and with those behind me. I am not standing here as a scientist, a business owner or professional in the vaping industry. I am not going to spout statistics, numbers and argue the validity of info from either sides of the spectrum. I come here today as the daughter of a smoker, the wife of a vaping non-smoker and the mother of two young boys.

My father has been smoking since he was 10, almost 60 years now. I have watched him struggle and suffer with his addiction my whole life, trying again and again with different quitting aids. I watched him fail over and over. This did not stop me, however. As early as age 12, I was sneaking butts from Dad's ashtray and experimenting with smoking. I remember coughing like crazy and the headache but I kept going, eventually taking full cigarettes from his packs. He smoked so much that he never noticed. By age 16, I was buying my own packs and was a full-on smoker.

In my 20s, my dad was diagnosed with Ménière's disease, a condition that affects his equilibrium to the point he once jumped from a moving tractor because he felt that it was tipping over. Another symptom of his disease is a jet-engine-like sound that he hears 24-7. It never stops. We do not know what causes his condition, but his doctors have told him that excessive tobacco use can aggravate the symptoms. Through sheer willpower, he has significantly reduced the amount he smokes, but he has been unable to completely quit.

Because of excessive bouts with pneumonia and other infections, I have managed to completely quit smoking, but I still do crave once in a while and on occasion have still lit up and enjoyed a cigarette. That was until two years ago. A knowledgeable

member of our vaping community and a neighbour of ours came into our home and introduced my family to vaping. My dad and my husband were set up with juice and a vaporizer. Within two weeks, they stopped buying cigarettes.

My dad started with 20-milligram strength of nicotine, and within four months of stopping cigarettes, he was down to six and three. During this time, the symptoms of his Ménière's disease all but disappeared, resulting in needing less medications to manage his symptoms which in turn further improved his overall health as those medications had many negative side effects.

Unfortunately, however, due to the impact of incorrect anti-vaping propaganda and pressure from people neither supporting nor fully understanding the vaping industry, my dad has put down his vape and is full-time smoking again. His disease symptoms are back in full force as well as the side effects from the plethora of pills he takes each day. I fear if my dad cannot overcome his addiction, he will not be here to watch his grandsons grow. My hope is that once he sees our government, one he wholeheartedly believes has our best interests at heart, supporting this method of quitting cigarettes, he may try again and, hopefully, be successful this time.

There is a story of success in all of this. My husband, a man who has smoked a pack and a half a day for a very long time, nearly costing our family \$6,000 a year—there are no words that I can use to describe how proud I am to say that he is now a non-smoker and nor will he ever be a smoker again. This is because of vaping and the support that we received from our vaping community. The effects of this change have been unmeasurable in our family. My children and I no longer suffer with throat, sinus and lung infections. Our home, clothes, vehicles and ourselves no longer carry the stench of cigarettes. He even snores less. The money we have saved has allowed our family to get out of debt and has put us into a position to buy our first home.

\*(18:10)

I have developed an intolerance for tobacco smoke, to the point that just being around someone who has recently smoked causes excessive coughing and burning in my eyes and nose. This summer, we took a family trip with a group of friends and family, and one of the passengers insisted on smoking in the vehicle the entire week that we were driving there and back as well as in the cabin where me and my children were staying. By the end of the week,

myself and my boys were suffering with sore throats and lungs. Yet I can attend a vaping convention and be in a room with nearly—or over a hundred vapers all vaping various levels of nicotine and I'm able to breathe freely.

While people argue the safety of this product and the similarity to tobacco, my body tells me something different.

To address the proposed amendment to ban flavoured e-liquids on the grounds that it entices and influences children, I ask: What could more affect our future generations than that of watching their elders? My son, who is six, adores his father and grandfathers as any little boy should, and he has a little brother that adores him. I remember so clearly the day he said to me: Mommy, when I'm a man I am going to smoke like my daddy and my papa. He would beg me when we would go to convenience stores to buy him the pretend smokes that he would find in the candy sections. I used to give in until the day I found him and his then-two-year-old brother sitting on the steps of our house having a smoke together. I swore I would never buy them again.

Since my husband has quit smoking and started vaping, my son has stopped asking for those candy cigarettes. He no longer makes pretend cigarettes from sticks and pens. Watching their father make the healthier choice for both himself and his family has given them more than just the health benefits they will see in their lives. He is setting an example that is going to have a major impact on whether or not they and their children will be smokers.

I beg you: Please do not take away such an essential part in the journey to quitting cigarettes. The health of our future generations is at stake.

Thank you.

**Mr. Chairperson:** Thank you very much for your presentation.

**Hon. Deanne Crothers (Minister of Healthy Living and Seniors):** Ms. Bouchard, thank you very much for coming, and it's certainly been a theme that I've heard every committee night that we've been here about the community of vapers and also the impact that those who have—the impact on their lives, not only on their health but, certainly, in your case, where you mention that you were able to get out of debt and buy a first home. Congratulations, that's wonderful.

I really appreciate that you came out this evening to share your story and to hear how positively it's impacted not just your immediate family, but your children's grandfather, and I hope that you continue to have success in this. Thank you.

**Mr. Graydon:** Thank you very much for your presentation tonight, Mrs. Bouchard. It takes a lot of courage, as I've said many times now at committee, to come and speak in front of a lot of strangers. But you brought up a good point. You brought up a point about your father who, from pressure from people that didn't know the benefits or understand the benefits or the misconception of what vaping is and what is in this—in the products that you use for vaping, and I'm not a vaper, I'm not a smoker. Now I'm a reformed smoker, so I do a lot of preaching about smoking. But last night, on my way home, I stopped at a service station to get gas and I asked the two young ladies that were pumping gas if they had tried e-cigarettes. They're grade 11 students in a little community south of Winnipeg. They said, no, absolutely not. We don't smoke either. But we understand that vaping is way worse than cigarettes.

That misconception is out there. How and what advice would you give us as legislators to change that perception?

**Ms. Bouchard:** I think doing what we can to educate people and not just leaving it up to social media posts that are, you know, made by anyone and can have statistics and numbers in them that aren't accurate. I think putting, you know, your name on stuff that our government is supporting this product and our government is saying that these products are, you know, maybe not the best alternative, they're not 100 per cent safe, but they are helping people, and I think that if people can see that someone as important as our government is standing behind it, they will understand that, you know, negative and the inaccurate information is not what we should be looking at.

**Hon. Jon Gerrard (River Heights):** I just want to thank you for coming in and sharing your story and your family's story. It's much appreciated and it's being well listened to and—

**Mr. Chairperson:** Thank you very much for your presentation.

I'm now going to call on Anne Maxwell. Anne Maxwell? Okay, her name will now be dropped to the bottom of the list, and we're going to start from—

that was the last out-of-town presenter. We're going to start from the top now. It will be Kyle Bloomfield.

Do you have any written materials for the committee?

**Mr. Kyle Bloomfield (Private Citizen):** Yes, I do.

**Mr. Chairperson:** Okay. Please proceed when you're ready.

**Mr. Bloomfield:** Ladies and gentlemen, good evening. I'm sure that by now, you've heard a number of previous presenters telling you all about how vaping is far safer than smoking and backing up those statements with various scientific studies. I'm also sure that you have heard from a great number of different special interest groups, all with their own agendas they—that they are trying to push. I'm not here to bombard you with more studies and more facts. I'm here to tell you my story and my experience with vaping.

I started smoking at 14. I quickly began smoking over a pack a day. I tried everything to quit. At various times, I used the patch, the gum, lozenges, spray. I received a prescription for Zyban, a prescription for Champix. I tried cold turkey. The list goes on. If it was out there to quit smoking, I tried it. Nothing I tried worked. I would have a brief, limited period of success with quitting and then be right back to smoking a pack a day. I resigned myself to the fact that I would be a lifetime smoker and that I would quite possibly die from a smoking-related illness long before my time. During my multitude of quit attempts, I even made a brief foray into vaping using one of the cheap cigalikes that you can find at convenience stores. Again, no success using that product.

It wasn't until a co-worker of mine took me to a dedicated vape shop that I thought there might—these might be a way to quit for good. I dealt with a knowledgeable staff member who took the time to help me find the right unit, the right nicotine level and the right flavour to help me. And that is something I'll come back to: the flavour. She explained that vaping was not technically a smoking cessation aid, but that a number of people had quit smoking while vaping including the staff member I was speaking with. She was passionate about vaping and took the time that I needed to have my questions answered. This would not have been possible without a dedicated, knowledgeable professional.

I'm now coming up on my one-year anniversary of my quit date. On October 15th, I will have been

free from tobacco for a year, a year that I've noticed massive changes in my health, changes for the better: a year that I've been able to breathe easier, a year that I've been able to play with my children without becoming winded, a year that my kids haven't told me I smell, a year that I rediscovered my sense of taste and smell, a year that has been the first step to returning the life that I robbed myself of when I began smoking.

Something I quickly came to realize when I made the switch and started to see a positive effect that it was having on my help—on my health is that vaping is not smoking. While it may not be completely 100 per cent safe, honestly, what is? It is a far safer alternative than smoking tobacco. Vaping is a powerful harm-reduction tool.

Not only am I no longer a slave to tobacco, but I've managed to cut my level of nicotine substantially as well. When I began vaping, the strength of the juice I was using was an 18. That is 1.8 per cent or 18 milligrams of nicotine. I'm now down to a three, and I plan on moving down to zero in the near future. Not only has vaping made me able to quit smoking, but I'm also weaning myself off of my addiction to nicotine.

I do believe that vaping should be regulated and that the juice, et cetera, should only be sold to consumers over the age of 18 who can make an informed decision, a policy that the shops I go to have already implemented voluntarily. I think that flavoured juices should be allowed. It makes vaping a more pleasant experience. In my opinion, flavoured juices also increase the likelihood of success of a person using vaping to quit smoking. As well, artificial flavouring is already permitted in other regulated liquid products. Why should e-juice be any different?

\* (18:20)

I think the decision about vaping in public places should be left to the proprietor of the establishment, not to government regulation, as long as there's no minors present in the establishment.

I do not think that vaping should be treated the same way as smoking, as they are two very different things, and I thank you for your time.

**Mr. Chairperson:** Thank you very much for your presentation.

**Ms. Crothers:** Mr. Bloomfield, thank you very much for coming out this evening and for

sharing your thoughtful presentation with us. Congratulations on your—the fact that you no longer use tobacco. I think that's great. Thank you very much.

**Mr. Graydon:** Thank you very much for your presentation tonight, Kyle, and I noticed that you started smoking at 14. Some have started at 12; some have started at eight; some have started at 16. And I'm wondering, they were probably influenced by their parents or older siblings or someone close by that influenced them to start smoking, but, at the same time, how do we go about stopping them from smoking at all? If you're vaping and your son's watching you vape, do you think that he will start—want to start on vaping or—because if we're using nicotine, knowing full well there's not a health issue with nicotine but, at the same time, it is addictive, do you feel that this might encourage him to—or her, your daughter or nephew, niece, to start wanting to vape and/or because of the different flavours?

**Mr. Bloomfield:** That is something I have thought about. Actually, I found out today that both of my parents, who smoked, have both been smoking for over 50 years, both took up vaping because they've seen the success that I've had with it.

My children are coming up on four. They have seen me smoke. They now see me vape. Their maternal grandfather still smokes. They are interested by my vape, but they don't have the fascination with it that they have with their grandfather's cigarettes. I do catch my children playing the stick game with, you know, I'm having a cigarette because, you know, grandpa has a cigarette. And, as well, as I said, I'm going to be moving down to zero nicotine, and once I am weaned off of nicotine, my next step is to wean myself off of the habit, the smoking—or the vaping, rather, just wean off of that completely, and then they won't see it at all.

Honestly, though, if my children were to pick up any sort of habit that we would consider bad for them, be it underage smoking, underage drinking, experimenting with illegal drugs, underage vaping, of all of the bad things that are out there, and if I had to play devil's advocate and pick the least of all the evils, I wouldn't be happy if they started vaping, but it would be better than if they started smoking.

**Mr. Gerrard:** You mentioned that you tried vaping with one of the cheap cigalikes. You know, I understand that there's a significant difference between sort of first generation e-cigarettes and

second generation. Were the cigalikes sort of the first generation, and why were they not successful?

**Mr. Bloomfield:** They were trying to be a cigarette. They had the little LED light out the end of it that would light up when you inhaled them. They looked like a cigarette. You used them like a cigarette. They attempted to taste like a cigarette. Basically, I was just trading in the old-fashioned analog cigarette that you light with a lighter for the new high-speed battery-powered one.

When I switched to the newer generation vape, when I started vaping proper, having that ability to pick my nicotine level, to pick a flavour that would encourage me to not go back to cigarettes, being able to customize it to my needs made it far more effective than a convenience store cigalike. As well, I dealt with somebody who was a professional in the area. They knew what they were talking about. They knew about the equipment. A convenience store clerk doesn't know. It's no different than them selling a pack of gum or a bag of chips. To them, it's just one more sale at the register. And so it just didn't—because I didn't get the help, I didn't get the support, it didn't work.

**Mr. Chairperson:** Thank you very much for your presentation, Mr. Bloomfield.

I will now call Edward Wei.

Do you have any written materials for the committee?

**Mr. Edward Wei (Private Citizen):** No, I do not.

**Mr. Chairperson:** Okay. Proceed when you're ready.

**Mr. Wei:** Good evening, honourable ministers. I would like to thank you for your time and allowing me to speak on part of Bill 30, The Non-Smokers Health Protection Amendment Act.

My name is Edward Wei. I am 23 years old. I'm a certified firefighter and a licensed paramedic within the province of Manitoba. That being said, I'm also one of the owners of TheraVape. Unlike my esteemed colleague Eden Sorrell, I will not be providing you with a three-inch stack of peer-reviewed studies. Instead, I would like to share with you my journey to become smoke-free.

I started smoking at the ripe age of 15 years old. For me, I thought I was the coolest guy on the block. I thought, hey, I only smoke cigars; it's not as bad as actually smoking cigarettes. I started smoking these

cigars on a casual basis some weeknights and mainly on weekends. I still remember my first pack as being an eight-pack of Colts. When I turned 16, I tried my first cigarette at a high school party, and from that point on, I never purchased another pack of cigars. A pack of cigarettes and cigars at that time were pretty much on par in terms of price, but with the pack of cigarettes, you get 20 of them versus the eight-pack of Colts.

So some of you may ask me, how did I end up buying cigarettes at such a young age? The answer was simple. All I had to do was wait outside a store that sold cigarettes and ask enough people until that one person said yes.

After my high school graduation, I was your typical post-grad teenager. I had no idea on what I wanted to pursue in terms of a career, which also allowed me to go out a lot more. I had no commitments with school, which allowed me more time to keep smoking. At this time, I was smoking around half a pack a day.

About half a year after graduating high school, I decided that I was going to pursue a career as a firefighter with the City of Winnipeg. After mailing off a few applications to multiple fire colleges across Canada, I was accepted in the college in Alberta where I would finish my fire training.

Throughout my training, the academic portion really wasn't that hard. What I struggled with the most was mainly anything that required cardio. I knew that I was at disadvantage due to the fact that I still smoked. Surprisingly, this did not deter me or even make me think about quitting smoking.

After graduating fire college, I knew that I'd have to enrol into a paramedic academy if I ever wanted to get on with the Winnipeg Fire Paramedic Service. Fast forward a few months and I was accepted into an academy right here in Winnipeg. At times, the stress from school and studying really didn't help my habit, as I was still smoking half a pack a day and some days more. The exams were hectic and the academic portion was definitely really hard. We did 10 exams within five months, and some of these exams were spaced only two weeks apart.

I managed to finish the program with an 85 per cent average, and I—and off I went to practicum. The physical, on-demand jobs—on-the-job demands were definitely hindered by my smoking habit, the constant lifting and moving that goes on when transferring a patient and the fast pace of work



in an emergency situation. I never really knew how hard doing CPR was until I had to do it for the first time. Imagine adding on the stress of having a loved one or family member screaming in your ear while doing CPR, trying to resuscitate your patient. After that specific call, that's when I truly realized how my smoking problem could affect the outcome of someone's care. I wanted to be the best paramedic possible for both myself and my patient, but smoking truly did hinder that aspect of my job.

\*(18:30)

In the fall of 2013, while working up in northern Manitoba as a paramedic, I received a phone call from a really good friend of mine and now one of the three partners of TheraVape, Brian Cheung. He called me in the afternoon right after I had gotten off the night shift and he said, hey, Eddie, guess what I discovered? He went on to explain that he purchased an e-cigarette and it really did help him, in his opinion, to quit smoking.

That really did have me intrigued, as I was looking to quit, and, really, as long as I've known him, he was a smoker. I told him that once I had gotten back to the city, if he'd be willing to show me a thing or two with the device, I'd definitely be interested in getting set up. These devices truly are lifesavers. The moment I purchased my device, I instantly was able to cut out cigarettes. I no longer had the cravings for a cigarette in the mornings or, really, any time throughout the day.

Out of curiosity, I decided to try a cigarette after vaping exclusively for about a month. I absolutely hated it. The taste of burning tobacco is atrocious, vile and disgusting. I starting vaping with a 16-milligram juice, and one of my first flavours I tried was a custard flavour. I'm now down to three milligrams.

The proposed amendment to ban all flavours would be detrimental to the industry and, in my opinion, would hinder the success of people giving e-cigarettes a fair chance. As you've heard before, and many people start off with the tobacco flavour and soon transition to a familiar flavour, whether it be their favourite dessert or fruit.

Regarding section 9.1(2), please include stakeholders from the e-cigarette industry as part of the advisory committee. It would promote a level playing field in an industry that big tobacco already aims to control.

One of the major reasons TheraVape started was due to the fact that we're able to help people on a grand scale, compared to our professional careers. In the day-to-day life as a paramedic, I was able to help one patient at a time, but doing what we do now, our outreach and our customer base is limitless. We've all quit our professional careers and have committed all of our time and resources to our venture because we truly do believe it will help millions of people.

In closing, if this bill was to pass the way it is currently written, I'd be perfectly content. I'd like to thank and commend the Honourable Deanne Crothers for taking the initiative and proposing a fair and reasonable bill that will potentially save thousands of Manitobans' lives in the future.

For convenience stores and gas stations, I would still like to see basic starter kits and juices available as long as stores receive proper training—a proper training brochure and instruction from a supplying vape shop. For a rural community, it may provide the user a chance to make the switch. If they do decide to upgrade to a more advanced hardware, they should seek the assistance of the nearest vape shop.

Thank you.

**Mr. Chairperson:** Thank you very much for your presentation.

**Ms. Crothers:** Mr. Wei, thank you for coming this evening and presenting your experiences. I have listened to some of the suggestions that you've made, and I just want to reiterate for folks that are concerned about the flavoured piece, this legislation—that's not included in the scope of this legislation, so I think you can rest easy on that count. Thank you for coming.

**Mr. Graydon:** Thank you for coming and sharing your story, and I'm sure in the line of work that you do, you do run across a number of people that do have a breathing issue and are probably smokers, and one might have thought that that would have been enough to make you want to quit smoking, but, at the same time, cigarettes are very, very addictive, and it is difficult to quit.

If these vape machines, e-cigarettes, are hidden from the public view, how do we go about letting everybody know? Someone says, oh, well, yes, the social media is one way of doing this, but is there a responsibility that we as legislators have to make the public more aware?

**Mr. Wei:** I mean, what it would come down to is proper education and training. I know with cigarette products what they do is they like to keep it behind closed cabinets where the consumer can't see it. We could possibly do the same thing with e-cigarettes, but as long as the staff had proper training to properly consult with the potential client on the e-cigarette use, how to use the device, I think it would benefit the end-user ultimately.

**Mr. Gerrard:** Thank you for your presentation and going over things so carefully.

Just—my question is how important do you think that having the choice of flavours is to the success of the e-cigarettes in helping people stop smoking?

**Mr. Wei:** I truly do believe flavours are the key. I mean, everyone has—everyone always goes through their favourite phases of food. For me right now, it's sushi. But, whenever I go for sushi, I don't always get the same roll. And the same thing can be applied to e-cigarettes. I mean, like I was saying before, everyone starts off with the tobacco flavour, and once they get sick of the tobacco flavour, they then transition to a flavour that they're familiar with or a flavour that they like.

**Mr. Chairperson:** Thank you very much for your presentation.

We'll now call Kim Petriew, please. Kim Petriew?

Okay, her name will now be placed at the bottom of the list, and we'll go with Kim Boyko. Kim Boyko?

That name will be moved to the bottom of the list. Alexander Derksen?

Do you have any written materials for the committee?

**Mr. Alexander Derksen (Private Citizen):** I do not.

**Mr. Chairperson:** Proceed when you're ready.

**Mr. Derksen:** Thank you for having me here today. I want to start off by telling you that I smoked my first cigarette 20 years ago almost to the day. I was 11 years old. I was influenced by my parents who were very heavy smokers. I spent 20 years trying to quit. I tried everything. I tried the patch; an allergic reaction to the glue nearly killed me. That is a dangerous product if you're not aware of the possible side effects.

I tried the gum. I over-chewed. I made myself sick with nicotine poisoning. That is a dangerous product.

These are products that are not classified as tobacco products. They are openly displayed on shelves. People can see them; they can take it off the shelves themselves. These are not tobacco products because their purpose, their scope, their intent is to help people to quit smoking.

Obviously, all products have a potential danger. These products, of course, have a potential danger. With e-liquids, if someone is to falsely drink a liquid rather than vape it, there is potential for harm, which is why e-liquids come with a warning label that tells people specifically not to drink it, not to let your pets have it, not to let it—put it—place it within reach of your children. The key difference is that throughout everything that I tried, nothing else worked.

Two years ago, my doctor told me that it was time to quit smoking or die. My lung health had deteriorated to the point where I was averaging one or more lung infections every month. I was recently laid off of work at the time. I had very little money to work with. My—at the time—girlfriend was basically supporting me. And then I heard about e-cigarettes and I went into a shop. I was skeptical as anyone would be. It sounded kind of hokey: an electrical device that gives you some kind of water vapour. I didn't know anything about it. So I asked a knowledgeable staff who explained to me how it worked, what was contained in it, the level of testing that their manufacturers did on the products to make sure of the chemicals that are or are not present in those products. I took it home and I decided to give it a shot.

I still wasn't satisfied. I did a lot of research online. The grade of propylene glycol that is used in these products is the same grade of propylene glycol that is in every artificial food flavouring because they are using the same artificial food flavourings. It's something that we ingest every day.

The only harmful product in it that I could find if I ingested the wrong way was nicotine. And so I took caution. I made sure to use the product properly.

And I'm not going to say that I haven't had a cigarette since because that would be a lie. I've quit cold turkey in the past. I lasted eight months but that first cigarette brought me back to smoking a pack a day.

When I relapsed with smoking just over the summer, the pressures of planning a wedding—it's a nightmare; anyone who's been married knows that—but what amazed me was how easily I was able to put my pack of cigarettes back down afterwards. All I had to do—because I had cut down, like many people here, from an 18 milligram to a three milligram, and when I fell back into smoking, which was only a week, by the way, one week, I relapsed into smoking for—I raised my nicotine level with the vaping back to a six and have successfully stopped smoking again.

\* (18:40)

The biggest challenge that every smoker faces is when they have that first cigarette again afterwards, the fear that comes with that when you try to face the daunting task of quitting smoking. If I cave even once, I'm back at it. E-cigarettes help eliminate that fear. They help people who have relapsed back to smoking know that they can quit again just as easily as they did the first time. Moreover, one of the reasons it is essential we do not classify this as a tobacco product is because in the first three months of anyone who switches completely to e-cigarettes, you start to notice the exact same effects that you get when you quit smoking cold turkey. The lungs begin to heal; you begin to cough up the tar. If you were continuing to use tobacco, that won't happen.

Moreover, many of these products are available without nicotine as well, so when it comes to vaping indoors, first of all we have no evidence of any harmfulness to the second hand of it, and if there is nicotine present in the second hand, then allow it only in 18-plus locations. It can't be classified as tobacco. We don't classify patches and gum as tobacco because they help people stop smoking. Yet the vaping industry is afraid to call their products smoking cessation devices because there could be legal action. It's such a new industry, we're all walking on eggshells and we need our government to stand up for this because so many people across Canada and the United States and Europe are being helped by these. We need to be able to tell people, this can help you quit.

I've heard questions about concerns about whether children will be influenced by seeing adults using these products; 99.9 per cent, I am positive, of the people using these products, are people who were smokers. What children are seeing are adults who have struggled with a lifetime of smoking finally be

liberated from all of the negative health effects of those by using these products.

My nephew has asked me about smoking, and his parents are raising him really well. He thinks smoking is a disgusting habit and he scolds adults who smoke. Bless him; he's only seven and he already knows that. And he asked me about vaping when I started that, and I said, no, it's not something you should do. It's something that someone who has been a smoker should use to get free from tobacco. He understands that at seven years old. It's something that parents have to be responsible for educating their children on. If they are going to see them using it, parents have to be able to be the ones to tell their children, this is to help you get away from that, because it's not about trying to get people hooked. It's not about trying to get children to use these products; it's the opposite. It's about trying to get people away from tobacco, which kills us. It overburdens our health-care system, and as someone who has seen dramatic health improvement from using them, it is essential that we not classify this as tobacco.

We all have a breaking point. All smokers or former smokers had a breaking point where they felt they had to try to quit. If we cover these products up like we do with tobacco, it will be out of sight, out of mind. We can't do that with these products. We need to have it on the shelves. This is arguably a safer product than patches or gum, because it is sold at places where people are informed of what they are buying. They have the warning label. They don't tell you with the nicotine patches that you could have an allergic reaction to the glue that could potentially kill you. That's not anywhere obvious on the box, but every bottle of e-liquid is clearly marked with a warning saying, do not drink this. It is bad for you to ingest it that way.

And, moreover, I heard reference to those little cigalikes, which were products mainly produced by tobacco companies, the companies that have admitted they are trying to kill us, that they are trying to turn our children into addicts so that they can kill them in the future.

The vaping industry is small, local businesses, people who care about trying to help people get free from tobacco, and it's important that our government recognize that and do it publicly by refusing to classify these products as tobacco products. Thank you.

**Mr. Chairperson:** Thank you very much for your presentation.

**Ms. Crothers:** Mr. Derksen, thank you very much for that very articulate presentation. There are a number of things that I wanted to comment on, but in keeping time for other people who may want to ask questions, I'll keep my comments very brief.

I appreciate that you identified the challenge—I think you phrased it as walking on eggshells. We really tried to find a balance that would not discourage people from being able to access this device as a way to quit using tobacco. But also, we have to, with all due respect, be mindful of the concerns from those in the health field also who do have concerns with this.

And this is where the balance comes in. I understand it's hard to argue with the experiences of many people that we've heard from, and I'm delighted that it's been so beneficial. As I've said before, we're the only province that's come forward to allow vaping sampling and education to continue to take place in vape shops, and I stand firmly by that because I believe that the opportunity for people to be able to quit something as addictive as tobacco use—it's beneficial for people to be able to have. I can't say I'm fully endorsing it, which I think is what I'm hearing this evening, but we're trying to find a balance that will allow people to access this product still but also warning people that we still don't know enough about this product yet. But thank you very much for coming. I appreciate it.

**Mr. Graydon:** Thank you for your presentation tonight, Mr. Derksen. It was—it's clear that you want to see a separate legislation, that you don't want to see this legislated under the same tobacco act; you wanted to have it under a different legislation, and many people have said that as well.

But I'm wondering, how do you feel about the—our health system deals with people that are having lung problems, strokes, so on, that are attributed to cigarettes. CancerCare hasn't come out in favour of this to see this stop. What I see at these hearings—what I've—from private citizens that have nothing but their health invested, that's what they have—their health and the people around them that they want to see them get healthy. You have nothing else invested. You're not selling a vape machine, you're not selling the product, so on and so forth. I applaud all of you that do that and have done that in the past and probably will continue to do it even after the hearings.

But wouldn't our health system want to do the same thing, and how do we encourage our physicians? Has anyone had a physician recommend that, try the e-cigarette? Did they do that for you when you were chewing the gum? And also, you talked about overdosing on the gum, which is a nicotine gum. How does the amount of nicotine in the gum compare to what's available when you're vaping?

**Mr. Derksen:** Well, as to the nicotine levels in the gum versus when you're vaping, they tell you in very fine print with the gum to chew the piece of gum twice and put it in your cheek. I don't know if anyone here is a gum chewer. That's not very realistic, especially when you're also fighting a habit which you're still craving, and you respond to the craving by continuing to chew, thinking it's going to help until, before you know it, you're finding yourself nauseous and pouring sweat and feeling dizzy, all of the symptoms of nicotine poisoning. And I've experienced those.

\*(18:50)

Whereas with vaping, because you do almost feed the habit—because it is almost like smoking, but it is not smoking, and it's very obvious to anyone who tries it—you go until your craving is met. And if you are having to do it too much, then your nicotine level is set wrong. And for people starting out, that's important to know. That's why it's important to have dedicated professionals who are helping people to find the right level for them to start, and then even if they want to, like many of us here, wean themselves down and know that it's going to take a little bit of willpower along the way.

As for the health-care industry, I think if they do the research, as many other countries have, they will recommend it. My doctor didn't recommend to me to start vaping, but he's seen the difference since, and I do know that he doesn't suggest to his patients who smoke to do so, but he does mention to them that that is something some of his other patients have done.

**Mr. Chairperson:** Thank you. Time for questions and answers has expired.

**An Honourable Member:** Do I have leave to ask a brief question?

**Some Honourable Members:** Leave.

**Mr. Chairperson:** Okay, leave has been granted for Honourable Mr. Gerrard.

Go ahead.

**Mr. Gerrard:** Thank you very much. You mentioned that you had seen a big difference in your health from when you were smoking to when you were vaping. Can you just elaborate a little bit and tell us a little bit more about that?

**Mr. Derksen:** Absolutely. Until about a year and a half ago, I could not walk up a single flight of steps without becoming winded. And, as I had mentioned earlier, I was averaging at least one lung infection per month. The last lung infection I got was when I had relapsed and started smoking again. I haven't had one the rest of the time that I've been vaping. I walked up the steps here three times today just to remind myself that I can. It's the first time in a decade that I have been able to commit myself to performing physical activity to lose some of the weight that I very obviously need to.

**Mr. Chairperson:** Thank you very much for your presentation.

I will now call on Randy Klassen.

Do you have written materials for the committee? Please proceed when you're ready.

**Mr. Randy Klassen (Private Citizen):** Madam Minister, honourable members, I want to thank you for this opportunity to speak on this. First thing I'd like to do is tell you a little bit about myself. Like a lot of teenagers back in the '70s, I started smoking when I was 16. I gave into peer pressure, had to be with the cool kids. Despite multiple attempts I continued to smoke until I decided to ask my doctor for help when I turned 50. First I tried the nicotine patch on the advice of the doctor. He told me to give that a try, and, after two weeks of horrible nightmares, almost psychedelic dreams, I stopped the patch so that I could actually get some sleep.

After that, I tried Zyban. What happened under Zyban was—about the last thing I remember while I was still on Zyban was I was about to drive up a highway and pull into the oncoming lane and get rid of what was hurting me so bad.

Shortly after that, I had a nervous breakdown. It's now been five years. I'm still on medication for anxiety and for depression, and when I had my nervous breakdown, I ended up missing six months' worth of work. About the first three or four months I couldn't even leave my house; that was how badly the Zyban affected me.

About 18 months ago I started doing a little bit of online research and I discovered these vaporizers.

I did a lot of reading, probably about a month, month and a half worth of reading online, looking up whatever articles I could find before I went into a vape shop and decided to take a look and see. I wasn't expecting much. I was expecting, maybe, it would be something along the lines of any other little niche shop, a head shop, or anything else. I was really surprised. The people there that were looking after me knew exactly what the devices were able to do. They were able to coach me into the use of it. They allowed me to try some of the different flavours, which I thought were fantastic. It didn't taste like a cigarette, which was a bonus, and I walked out of there happy and content with my little vaporizer.

About a week or so, maybe 10 days, into using the vaporizer, still having my cigarettes with me, taking one, taking the other, whatever the—I decided to grab at the time, I realized I was about three or four days since my last cigarette. Of course, as soon as I realized that, I had to pick one up and try it, and it tasted horrible. I started coughing. I threw it away after two drags. And that was about 18 months ago. So, basically, at least in my opinion, I quit smoking by accident, which was a real surprise after all the things that I had tried.

A few months after that, after my friends got tired of me preaching to them about how great this little device was, I actually arranged for an early retirement from my federal government job, so I could start working in the industry and help people discover what I had discovered. It didn't matter to me that I was making probably less than half what I had been sitting at a desk with the feds. The thrill and the joy I was getting out of helping people over the course of the day was gratification.

Also, in the past 18 months, I've learned a few things about at least my particular nicotine addiction. After a couple of months of vaping with 18 milligrams, I started feeling nauseous partway through the day, little bit light-headed, not feeling so well. I decided to do a little bit of research into that and found that I might be getting too much nicotine. Dropped myself down to 12 milligrams, all the symptoms went away. A couple of months later, the symptoms were coming back again: light-headedness, nauseous. Went down to six milligrams. Now, I started to wonder, is the nicotine actually—is my body actually rejecting the nicotine? It started to seem like it to myself. Nowadays I'm using three milligram, maybe zero, depending on my mood. Basically, I can take it or leave it.

I am proud to say that I no longer smoke, but I believe that without being able to try this device first, have a hands-on look at it, try some flavours, have some expert coaching in it, I'd probably still be smoking today. I'd probably still be waking up in the morning coughing, hacking, headachy and regretting every time I reach for my pack of cigarettes and my matches.

My personal experience also makes me question the motives of some of these supposed health agencies that are out there. Why would they be so set against people using these devices that they're calling for bans, they're calling for things to be hidden? It almost seems like they're more interested in looking after their jobs or looking after the donations they're getting from some of their benefactors. It's absolutely unconscionable to me that any organization that claims to be looking after public health wouldn't be embracing this. If those comments are offensive to anybody in the room, I apologize for it. This is what I truly believe.

Now, if I may, I could—I would like to comment on the bill itself. And I'm sure you've heard it over and over, and I apologize again for that: Vaping is not smoking. There's no combustion. There's no smoke. By 'simpling'—by simply adding or vapour products after tobacco products to existing legislation, it's inferring that vaping is as bad as smoking, and that's simply not true.

A recent press release from the Public Health England states that an expert independent evidence review concluded that the current best estimate is that e-cigarettes are around 95 per cent less harmful than cigarettes. Again, vaping is not smoking.

\* (19:00)

E-juice itself is not tobacco. It's simply a combination of propylene glycol, currently used in vaporizers to deliver other pharmaceuticals—I believe asthma inhalers as well—vegetable glycerine, currently used in theatrical and in nightclub fog machines, natural artificial flavouring and, optionally, nicotine. To consider e-juice tobacco because it contains nicotine, you'd also have to conclude that cauliflower, green tomatoes, potatoes would also be—have to be classified as tobacco because they also contain nicotine.

Second-hand vapour is also not a health risk to bystanders. As far back as 2012, the journal *Inhalation Toxicology*—I'm sorry—published results from an experiment comparing indoor air quality

from e-cig vapour with smoke from tobacco cigarettes. Their findings? For all by-products measured, electronic 'cigarists' produced very small exposure relative to tobacco cigarettes. The study indicates no apparent risk to human health from e-cigarette emissions based on the compounds analyzed. That was back in 2012. I keep hearing from some of the horror stories in the newspapers and, again, some of our supposed health agencies, there's not enough research. They're being—they've been researching this for three years already.

Considering all these points, I'd like to suggest the following: Any amendments recommended by agencies with the ulterior motive of keeping their benefactors happy instead of being concerned with public health be ignored; that this bill should be reconsidered; it is critically flawed and incorrectly ties vaping to 'tobacco' regulations. In its place a new piece of regulation regarding vapour products not connecting tobacco would be beneficial; and if this bill is still to be considered, any reference to banning the use of vapour products in adult-only establishments be removed or reworded at management's discretion.

I thank you for your listening.

**Mr. Chairperson:** Thank you for your presentation.

**Ms. Crothers:** Mr. Klassen—excuse me—thank you very much for coming. I appreciate your perspective on this, and for so clearly laying out what changes you think I should be making to this piece of legislation.

I just want to add for the last one, I was quite surprised when I met with the hotel and restaurant associations that I thought that they would be quite supportive, but, in fact, they weren't and had indicated to me that this was not something that many of the hotels and restaurants they represented wanted. And no one was more surprised at that than I was. And their argument was that they felt that they had come so far in terms of public acceptance of things like tobacco, and I know, I get your point what you're saying, that this is not—you don't see this as the same for a variety of reasons, and I won't argue with you on that. Their—what they were hearing from their members, though, was that this was not something that was wanted.

So I'm not sure if that surprises you as much as it surprised me, but that is something that I did take into consideration with this bill.

**Mr. Graydon:** Yes, I'd like to thank you, Mr. Klassen, for making your presentation tonight and in a very passionate way covering the issues that you went through, and thank you very much for coming tonight. That's—we appreciate the—everyone's opinion on this. Thank you.

**Mr. Gerrard:** Thank you for coming and sharing your story, and you clearly feel that this has a tremendous amount of potential, and it says something when you leave one job and accept a career with a lower income just to be able to help others. Thank you.

**Mr. Chairperson:** Thank you for your presentation, Mr. Klassen.

I'll now call Will Cooke.

Do you have any written materials for the committee?

**Mr. Will Cooke (Private Citizen):** No.

**Mr. Chairperson:** No? Proceed when you're ready.

**Mr. Cooke:** My name is Will Cooke, and I've worked for the past six years in tobacco reduction. In the past, I worked at the Canadian Cancer Society and I currently work at Manitoba Tobacco Reduction Alliance. I'm here today speaking as a private citizen. The committee has heard from a variety of stakeholders at these extensive committee hearings. We've heard from people that work in public health, and we've seen that although many in public health are excited to see people quit smoking, health concerns remain around the long-term use of e-cigarettes, some of which have been shown to contain levels of toxicants and carcinogens, albeit at much lower levels than cigarette smoke.

Also, many are concerned about the impact that e-cigarettes may have on smoking rates. With high rates of e-cig use among young people, will they lead young people to try cigarettes? Could they cause former smokers to relapse into nicotine addiction and then into smoking? Vapour products are quite new, and we just don't have definitive answers to these questions quite yet.

The committee has also heard from people who have used e-cigarettes to quit smoking, some of whom now own vape shops. As a former smoker myself, I had used the nicotine gum to quit. It took me a few tries, but when I was able to quit, I wanted to tell other smokers how much it helped me in the hopes they would quit smoking as well. For people like myself and many who are here today who

were heavily addicted, quitting smoking is a huge achievement, and people are often excited about the method that worked for them. We've seen some of that enthusiasm in these committee hearings.

Now, although stakeholders from public health and those stakeholders in the vaping community have some differences of opinion about how e-cigarettes should be regulated, there seems to be a certain amount of agreement that e-cigarettes need to be regulated. For example, most seem to agree that they should not be accessible to youth. It is certainly important to protect children from these products. A variety of studies have shown that nicotine has particular effects on a young person's developing brain, and for this reason, youth are likely much more susceptible to nicotine addiction than adults.

As vaping products frequently contain nicotine, protecting youth from these products by restricting advertising, promotion and retail display is a necessary step to prevent youth from using them. We know restricting youth access is also very important to Manitobans. In a recent MANTRA survey, more than three quarters of Manitobans supported restricting access to vape shops to those 18 years of age and older, and there was support for this across demographics regardless of age, smoking status or vaping status. We've heard from many vape shop owners at these hearings who see this as important as well.

But it has been suggested to this committee that the current legislation should be changed so that vaping products can be displayed and even tested in places that allow persons under the age of 18, places like convenience stores. It is very important that this concession not be given. Because the intention of the bill is to prevent youth from using e-cigarettes, they should not be exposed to them in retail environments, especially retail environments like convenience stores where tobacco products are also sold. To allow this would completely undermine the stated purpose of the legislation, which is protecting youth. The current proposed bill that limits product display and testing to where youth are not permitted and where vaping is the main business activity is fine as it is and should not be changed to accommodate other retailers.

It has also been suggested before this committee that the current legislation should be changed to allow vapour product testing mini-conventions or meetups to take place in indoor public places. The stated justification of this is that people can invite

their smoking friends to try vapour products at these events. But the benefit of allowing this is unclear, as people can already engage in product testing and sampling in vape shops and will continue to do so under the new regulation. Why wouldn't a person just invite their smoking friend to their local vape shop to try these products instead? Also, where would these vaping meetups take place? The Manitoba Hotel Association and the Manitoba Restaurant and Foodservices Association have both appeared before this committee and asked that e-cigarettes be regulated in a way similar to the way smoking is regulated in their establishments. Again, the proposed bill is fine in this regard and should not be changed to accommodate these vaping meetups, which would only serve to create confusion among the public and enforcement problems around vaping in public places.

It should be noted that exemptions for vaping of this type are unpopular among Manitobans. In our MANTRA survey, two in three Manitobans opposed allowing e-cigarette use in adult-only venues like bars, casinos and lounges. At this point, it should be mentioned that the Province did the right thing by removing potential exemptions for bars, casinos and lounges. By doing so, the Province minimized many potential risks around e-cigarettes and is combatting the problem of dual use.

For those who are unaware, dual users are people who use both e-cigarettes and traditional cigarettes. They're not using e-cigarettes to quit smoking but to reduce smoking or to satisfy their nicotine addiction when the use of combustible cigarettes is either socially unacceptable or not legal. Many people who use e-cigarettes are dual users.

\*(19:10)

The United Kingdom has the best monitoring of e-cigarette use, and a 2014 study found that of the 2.1 million e-cigarette users in the UK, 1.3 million were dual using; 48 per cent were dual using to reduce the amount they smoke and 37 per cent were doing it to save money. We have evidence that dual use is a problem in Manitoba as well. In the MANTRA survey, about half of people who identified as daily smokers had used an e-cigarette, and about 16 per cent had used recently; about 22 per cent of occasional smokers had used recently.

Many smokers who are using e-cigarettes just to reduce their smoking often feel they're improving their health, but much evidence suggests they may not be getting many—any health benefits at all. A

number of important case studies show that even large reductions in smoking, even cutting cigarette use by more than half, is of little health benefit.

A 30-year Norwegian study of over 50,000 adults found long-term follow-up provides no evidence that smokers who cut down their daily cigarette consumption by more than 50 per cent reduce their risk of premature death significantly.

A Danish study of 20,000 people with 15 years' follow-up concluded smoking reduction is not associated with decrease in mortality from tobacco-related diseases.

Two long-term Scottish studies support the view that reducing smoking consumption should not be promoted as a means of reducing mortality.

By contrast, there are real benefits to quitting smoking, and quitting smoking, not simply reducing smoking, is what must be promoted. For this reason the laws around tobacco use remain the primary concern, and these laws must continue to advance as smoking remains the big problem in public health, still killing 37,000 Canadians and 1,500 Manitobans every year.

I would like to congratulate the Province of Manitoba on regulating e-cigarettes under The Non-Smokers Health Protection Act. Banning use in public places, indoor workplaces, advertising, promotion and sales to youth will go a long way to minimize potential risks associated with e-cigarettes, while, at the same time, this regulation will do nothing to prevent people from using them to quit smoking.

I would further like to congratulate the Province for removing potential exemptions for adult-only establishments like bars, casinos and lounges. By eliminating these possible exemptions, you reduce the problem of dual use. You also protect people from trying addictive nicotine products that may cause them to get hooked or relapse into nicotine addiction in places where inhibitions are often lowered.

While the Province is to be congratulated for introducing e-cigarette legislation, it should be noted that under the current legislation vape shops are being regulated less restrictively than in other provinces that are regulating e-cigarettes. Since the Province is allowing sampling and testing of products in vape shops, we think it is important that those places should just be vape shops. We don't want a situation where a place that calls itself a vape



shop is also selling tobacco products. We don't want a situation where vape shops become lounges for young adults that serve food and drinks and promote a lifestyle of vaping.

If people are using vapour products, let it be to quit smoking, as many people here have testified at this committee. Let it not be to adopt the latest trend. For this reason, I ask in the regulations it be designated that vape shops that allow testing and sampling of products be only allowed to sell e-juice and products directly associated with vaping. Thank you.

**Mr. Chairperson:** Thank you for your presentation.

**Ms. Crothers:** Mr. Cooke, thank you very much.

If I understand that correctly, you currently are working with MANTRA, and—

**Mr. Chairperson:** Mr. Cooke.

**Mr. Cooke:** That is correct.

**Ms. Crothers:** So I want to thank you for the work that you do in terms of MANTRA's mandate to help people completely quit using tobacco. Thank you very much.

And on the point in regards to vape shops and being very specific about what the definition of a vape shop is, I think we'll be addressing that later today. Thank you.

**Mr. Gerrard:** Thank you for coming and presenting here.

You know, we earlier had a gentleman who had started smoking at age 11 and then spent, as he said, 20 years trying to quit. For a person who starts smoking at age 11 and is unable to quit with conventional other than e-cigarettes, are you suggesting that he should wait until he's 18 before being able to try vaping and e-cigarettes to stop his smoking? *[interjection]*

**Mr. Chairperson:** Mr. Cooke.

**Mr. Cooke:** Pardon me. I think that person should certainly talk to their doctor because there might be special considerations. You know, there are definitely considerations if a person has schizophrenia or other things. So I would say the person should talk to the doctor and take their doctor's advice on how best to quit.

**Mr. Dennis Smook (La Verendrye):** Thank you for your presentation, Mr. Cooke. You seem to have a lot of statistics. I was just wondering, are there—what

the numbers are of, say, youth that are starting to vape versus youth that are starting to smoke.

**Mr. Cooke:** Yes. We don't have a lot of really new data, unfortunately. The data that we have in Canada is from something called the Canadian tobacco and alcohol, drugs survey. The last time that data was collected was in 2013.

At that time, ages 15- to 19-year-olds were—had—people who had used e-cigarettes was about 20 per cent, although people who had used them recently was much lower than that; if I'm recalling correctly, I think it was about 4 per cent. By contrast, 15- to 19-year-olds smoking has fallen over the years, which is good news, and I believe it sits at perhaps 11 or 12 per cent right now in the province.

**Mr. Smook:** Would you sort of say, then, if it wasn't for vaping that we'd have more youths smoking?

**Mr. Cooke:** It's—you can't make that conclusion because the data—the most recent data we have is from 2013. We know vaping has just recently really taken off in Manitoba. I believe the first vape shop in Winnipeg opened up in late December of 2013. Now there are much more than 20. I think 20 was recorded by Health Canada several months ago. So you can't—we cannot make that correlation yet.

**Mr. Chairperson:** Thank you very much for your presentation.

I will now call on Brenlee Sanford. Brenlee Sanford? That name will be dropped to the bottom of the list, and we will now go with Chris Santos. Chris Santos? That goes to the bottom of the list.

Leona Weday?

Do you have any written materials for the committee?

**Ms. Leona Weday (Private Citizen):** Pardon me?

**Mr. Chairperson:** Did you have any written materials for the committee?

**Ms. Weday:** No, didn't.

**Mr. Chairperson:** No? Okay, please proceed when you're ready.

**Ms. Weday:** Well, I'm Leona. I started liking the smell of tobacco when I was six years old. My dad had a co-worker. My grandfather smoked. They used to come to the house, and I just loved that smell. They used to send me to the store to buy them cigarettes. I never tried it yet, but I waited until I was

10, and that was back in the '60s. I really, really liked tobacco.

In 2000, I was diagnosed with MS. My neurologist told me that smoking could make it worse. I had relapsing-remitting. It did turn to secondary progressive in 2013. She told me to seriously stop smoking. Well, I'd tried, and I had tried many times. I tried the patch, which I got the rash from; the gum, never worked, it always was so hard to chew, and when I left it in the side of my mouth it would burn a hole, just ugh; I tried hypnosis, didn't work; acupuncture; lozenges, pretty much the same.

This year—no, last year, when I went to see my neurologist, my fingers were turning white, and I mean white. It looked like I had frostbite. My husband was concerned that my neurologist saw it. She recommended that I went to see a vascular specialist. The vascular specialist nurse told me to really consider quit smoking. So she gave me this information and everything else.

Then I went to see Dr. Junaid. He pulled out a little box—well, first off, he told me I could either have Buerger's disease and start losing fingers or I had Raynaud's. Thank God it was Raynaud's. He pulled out a little box off his desk and he said, you need to start vaping. I said, what's this? So he showed me, and he took a drag of it and blew it, and I went, wow. I had never really heard about them. So he said—he gave me the—three names, places to go and check them out.

So the next day, my husband and I went into first vape shop. They got me set up, and that was in March. And I went home and I tried it and it was like, no, I don't know. But then, I had to quit. So I had another doctor's appointment with another doctor at the end of March, and he said to me, you need to quit smoking. So I said, well, okay. I upped my level of nicotine, I took it a lot more serious, and I did. It took me a long time.

\*(19:20)

My kids smoke, so they would come to the house and they'd smell like cigarettes, and I'd want that cigarette. So, if they went outside, because we smoke outside in our house, if they went outside, I would follow them. Well, they—Mom, no, no, no, but Mom did. Mom stole their cigarettes, just like they had when they were little. They got me to crave and crave and crave that cigarette that I could vape when there was no smokers around, not a problem, but

when I was exposed to a smoker, that's when I really needed that cigarette.

So, even with the higher nicotine, I was weak. What I ended up doing was avoiding my children, so for the past three months I've not had a cigarette. I don't like the smell of my kids, and I tell them that, and my husband thinks I smell a lot better.

I also went to see Dr. Marrie last month for my annual checkup—that's my neurologist—and my motor skills have improved three to four seconds, which was great, because they were going downhill pretty fast. I can walk faster. I've lost weight, and I attribute that to the flavours, because you can get some good dessert flavours.

And, like, that's—oh, yes, and I do want you to consider this as separate from tobacco. I don't think it should be lumped in with the tobacco laws and regulations because it's not. I think that we need separate laws. We need it—have its own set of regulations, and that's about it.

**Mr. Chairperson:** Thank you for your presentation.

**Ms. Crothers:** Mr. Weday, thank—Ms. Weday—I'm sorry—thank you very much for coming in and for sharing your experience with us. I'm happy to know that you found a way to move forward, especially under the current health situation that you're facing, and I hope you continue to find well-being. Thank you.

**Mr. Gerrard:** Thank you very much for coming and sharing your story. You had a problem with the tips of your fingers being white. You talked about having symptoms of multiple sclerosis. Have these changed at all now that you've stopped?

**Ms. Weday:** Big time, yes. If I have a cigarette—well, I haven't had one for a while, but when I still had a cigarette, my fingers, I would go in the house and my fingers would be white right down to the bottom knuckles, and it was bad. And I haven't had that problem since, so as long as I stay away from the tobacco smoke, I'm fine. I just—that's why I think it needs regulation—separate regulations. I don't want to be exposed to that cigarette smoke anymore. I don't want to have to go at a—I don't know, at a bar, and go stand outside with all the smokers, because that's when my fingers are going to go white again, so.

**Mr. Gerrard:** And the symptoms of multiple sclerosis?

**Ms. Weday:** Oh, they've improved quite a bit, yes.

**Mr. Gerrard:** Can you tell us more about that?

**Ms. Weday:** Well, I can walk. I was in a wheelchair at one time, and I'm able to walk. I have better memory, which isn't that great, but it's still better than it was. Just overall, like, Dr. Marrie, you know how they do the tests and everything? Everything came out better than when I was relapsing, remitting. So she's giving me one more year, and we'll see if maybe some of the medications can help again, because I can't take any right now.

**Mr. Shannon Martin (Morris):** Thank you very much for your presentation, and we've talked earlier from other presenters and we talked about role models, and we've talked often about role models the other way, about getting into cigarettes. I'm wondering what are your—is it your hope that your success with e-cigarettes may potentially serve as a role model for your own children? You'd mentioned how you used to sneak out and follow your children just to get that cigarette smoke off them. *[interjection]*

**Mr. Chairperson:** Ms. Weday, go ahead.

**Ms. Weday:** Sorry. My son has already started to be a dual vaper and a cigarette smoker. I think that he's trying very hard, and I'm sure he will succeed because he sees what it's done to me. My daughter, on the other hand, she's a little more stubborn. It might take her a little longer, but she's—her husband has come—he's the one that actually really encourages the e-cigarettes. So, yes, I don't think it's a gateway for my grandkids to start smoking either. I mean, they don't like the smell of smoke. They don't like me vaping. I vape outside when they're over. I don't push it on them, so.

**Mr. Chairperson:** Thank you very much for your presentation.

Now I'm going to call on David Lofchick.

Do you have written materials for the committee?

**Mr. David Lofchick (Private Citizen):** I do.

**Mr. Chairperson:** While they're handing them out, you can proceed when you're ready.

**Mr. Lofchick:** It's probably sounding like a broken record to you already, but I smoked for 40 years—or good evening, honourable chairwoman—person and honourable members.

I smoked for 40 years, started when I was 16. I learned to smoke at Teddy's coffee shop at the

U of W Collegiate. Took me about a week to get through my first pack, and after it was gone I had to go out and buy another. That's all it took.

After 10 years of smoking, I began my attempts to quit. You've heard of all the different methods that vapers have tried and haven't worked. I tried them all except for Champix, as I was not a candidate due to a brain condition diagnosed at birth.

I'm happy to report that I'm the father of three adult children, none of whom smoked, as they observed my struggle to quit. Of my extended family members, there's one smoker remaining; five are vaping, two are vaping at zero nic. The one who still smokes is a bright 33-year-old, recently married, is a computer programmer for the federal government, and he's fallen victim to the propaganda; he's afraid to try vaping.

So I first discovered vaping July 18th, 2014. The same day I bought my first starter kit was the last day I smoked. Fast-forward less than five months to December 13th, 2014, I retired from a 33-year career in real estate and converted my offices into a vape shop.

My son is my partner. He never smoked. He vapes occasionally. It doesn't bother me. I read a study where sitting in a room with an ignited scented candle is more harmful than vapour. And you don't need to—a 30-year blind study to determine that.

Changes that I'd like to see to the bill: I'd like to see the elimination of any advertising restrictions. Health Canada's done enough. We already have one arm tied behind our back.

And I'd like you to refer to the handouts. This is a seven-day rolling report of the likes that our Facebook page has received by age and sex demographics. Although it's a small number—it's lower than typical because we elected to promote attendance at these hearings rather than our business—you can see that the vast majority are 25- to 34-year-olds; 55 to 64, my demographic, zero.

\* (19:30)

Statistically speaking, 25 per cent of those who smoked are already dead. We need to be able to reach out to them. And we have to use catchphrases like, make the switch, kick the ash. We cannot advertise these devices as a smoking cessation tool. And I don't know if you have the means to overcome that, or the ability. That's our biggest problem.

No wares visible to minors: I'd like to see that out. I'm 57. I won't walk into a store with blacked-out windows. To me, it implies that something untoward is going on, and I'm sure that even more women feel the same way. I'd also like to see no e-cig or e-liquid sales in head shops, only for the reason of optics. It creates another negative association, and we are fighting a propaganda war.

Thank you. That's my presentation.

**Mr. Chairperson:** Thank you very much for your presentation.

**Ms. Crothers:** Mr. Lofchick, thank you very much for coming, and you're not the first person to say in your presentation that you left your previous work to devote yourself entirely to a business tied to vaping to help other people in the way that you feel you've been helped. So I think that's a very bold step, unless I misunderstood. *[interjection]*

**Mr. Chairperson:** Mr. Lofchick, go ahead. Say that again.

**Mr. Lofchick:** I said, no, you did not misunderstand. I sold real estate for 30 years and retired from it approximately three months after I discovered vaping.

**Ms. Crothers:** So how long have you been having a business with vaping?

**Mr. Lofchick:** We opened December 13th, 2014.

**Ms. Crothers:** I'm just curious, have you seen—I think I know the answer to this, but I'm going to ask it anyway—have you seen an increase in the number of clients and customers that you have since you opened to now?

**Mr. Lofchick:** Of course, you would with any new business, but, yes, it's grown faster than I could have ever imagined.

**Mr. Martin:** Thank you very much for your presentation, Mr. Lofchick.

You mentioned if—and if I misheard you, correct me, but that you'd like to see the elimination of any advertising restrictions.

**Mr. Lofchick:** It's very important that we advertise in printed media. My demographic are often not computer literate, and it's reflected in the numbers that you can see in this Facebook analytic. We can't reach them through social media. Kids read news online, adults read hard copies, older adults in particular, and we need that outlet.

**Mr. Martin:** And just to—further to your current business, is the majority of your customers, are they in-store customers or are they online customers?

**Mr. Lofchick:** We do not sell online, although we certainly don't oppose online sales. We have two very reputable online dealers in Winnipeg and an all-star in northwestern Ontario, and I think they should be able to carry on.

**Mr. Gerrard:** Yes, thank you for coming forward.

Now, you've had, I guess, about 10 months of experience with your vape shop. Based on that experience and following people who've come in, what sort of success rate are you seeing with people who come in who want to quit?

**Mr. Lofchick:** Virtually 100 per cent, although those that fail don't readily admit it. But it is rewarding. People come in week after week, beaming, two weeks no cigarettes, three weeks no cigarettes. I don't know if any of the honourable members present have anything to do with financial portfolios, but what I hear more often recently are asthmatics that are no longer taking any medications, and I'm just wondering if that's reflected in Pharmacare claims at all, if that's showing up. That's the most common theme that I've been hearing recently is people getting off meds.

Something I neglected to mention: Countless attempts to quit; every single time, I put on weight, and rapidly. I've not put on an ounce with these e-cigarettes.

**Mr. Chairperson:** Thank you very much for your presentation.

I will now call Stephanie Mitchell.

I see that they're handing out your written materials, so please proceed when you're ready.

**Ms. Stephanie Mitchell (Private Citizen):** Good evening, Chairman, Honourable Minister and committee members.

Like many of the other presenters, I'm going to start at the beginning of my experience with tobacco and my quit story. I took my first puff of a cigarette at age 10. My grandma used to send me to fetch and light her smokes. By 12 she had taught me how to roll them, and at 13 I was tucking some away for myself while I rolled hers. By that time I was addicted, and I would smoke half a pack to a pack of cigarettes a day habitually from then 'til I was 25, which at that point was almost half my life.

Over the years, I tried to quit many, many times. I tried every quit method I could get my hands on. The only time I was close to succeeding was when I was pregnant with my son, eight years ago. I was so sick my whole pregnancy, I couldn't smoke without vomiting. It wasn't long, however, after Hunter was born that my addiction took over again.

When my—when I was a teenager, my grandma, who was also my greatest friend in the world, had her first bout of congestive heart failure and was soon after diagnosed with COPD. Chronic obstructive pulmonary disease is a progressive lung disease that makes it difficult to breathe. Progressive means that the disease gets worse over time, and it is caused by smoking. In the years that followed, there would be many sleepless nights when my family would stand in the waiting rooms and hallways of hospitals with tears in our eyes, wondering if she could be saved this time. I'm thankful my son had eight years to get to know her, and they became great friends too.

But, as he watched her struggle with her health, he became more and more concerned about me and my fiancé. Kurt has been in his life since he was one and was also a pack-or-more-a-day smoker. Hunter and his step-siblings would beg us to quit over and over again. It was heartbreaking to disappoint them each time we tried and failed.

It was just over a year ago, during another emergency hospital visit with my grandma, that I—a really bad one—the doctors had prepared us for the worst—that I finally broke down to my parents. They are non-smokers and had been concerned about my tobacco use for years. I didn't want to put my family, my son and step-children through the torture of watching me die.

My dad suggested that I try vaping. My parents had watched me fail at cold turkey, gum, the patch, prescriptions, laser therapy, and the list goes on and on. One of my dad's co-workers had recently had success with vaping, and he told me where she had got hers.

I went the next day and got set up. I threw away my last pack of cigarettes and never looked back. Kurt saw how well I was doing and a week later went and switched right over as well. Both of us are now just a little over a year smoke-free.

The changes in our health are nothing short of amazing. I am no longer short of breath, my cough is gone, I don't cough up disgusting grey phlegm

anymore, I haven't had bronchitis since, and I no longer get sick as often as I did when I was compromising my immune system by smoking.

Unfortunately, this technology came too late for my grandma, who passed away in July, 10 days after her congestive heart failure left her with less than 40 per cent heart function—I'm sorry.

**Mr. Chairperson:** It's okay, take your time.

**Ms. Mitchell:** I sat with her almost every one of those 10 days, watching her struggle for each breath, never seeming to be able to gasp enough air to satisfy her lungs. I would have given anything for more time with her, but by the time the end finally came, I was just relieved and thankful that her pain was over. I hope with all my heart that because of vaping, horrific deaths like my grandma's—horrible, painful, slow deaths caused by cigarettes—will decline until they are eventually a thing of the past.

\* (19:40)

Bill 30 as it stands is the most well-written bill on e-cigarettes in all of Canada, and I thank you for your thoughtfulness and careful consideration. For the most part, it includes things that we as a vaping community are already doing. I don't know of any vape shops that sell to minors or even allow them on the premises.

It has been my experience that vapers try to be respectful of others by not vaping in public spaces. We are aware of what vaping looks like to those who aren't informed or educated about what it is, but it is not tobacco, it's not smoking, and it's the single most effective smoking cessation tool ever produced. And, for most of us, it's the one thing that finally saved our lives.

The title of Bill 30 is The Non-Smokers Health Protection Amendment Act. Well, we are non-smokers. We made the choice to protect our health by quitting smoking tobacco, but this bill does not protect us. By segregating us to vape with smokers, we will be forced to be subjected to the second-hand smoke and toxins we fought to rid from our lives. If we choose to move away from smokers, we're being forced even farther away from the society we fought to be a part of again, non-smokers, not to mention what it does to further the public's perception that it's just like smoking or maybe it's worse. What should be a giant step forward will take a monumental step back.

It's been said that there's not enough evidence that vaping is safer than tobacco in the short or long term, but that's simply not true. Other governments and their health organizations, specifically in the UK and Spain, have done the research and completed scientific studies and have concluded that vaping is as much as 95 per cent safer, if not more, than smoking tobacco. It has been deemed that there is no such thing as second-hand vapour. It is even being supported as a legitimate smoking cessation tool and being promoted as such by these same health organizations.

I'm not going to go into the science. The entirety of those studies have been presented and provided to you by those who've spoke before me. What I will say is how disappointed I—and let down I am by my own government, who is not putting forth that same effort to understand properly the very thing they're trying to legislate, something that could save the lives of millions of Canadians.

This brings me to my next issue with Bill 30, the prohibiting of advertisement. It is absolutely beyond my comprehension why our government would prohibit advertisement of a product that could potentially change so many of its constituents' lives for the better, not to mention save them billions in health-care dollars. I feel as though you as elected members of government are potentially failing thousands of people you are tasked to serve by not allowing them access to information about this life-saving tool.

It has been stated many times that Bill 30 is not a ban of e-cigarettes; however, we are poised at the top of a slippery slope. The decisions you make now in regard to this bill will set the precedent for any other proposed legislation to come. There are already many uninformed organizations who would like to see more restrictive amendments to this bill. It's a step towards classifying e-cigarettes in alignment with tobacco products, allowing them to be legislated, restricted, banned and taxed as such. This is possibly the most detrimental part of the bill as it stands.

I beg you to consider all the information, the good science, the life-changing stories and testimonies you've heard here and weigh the implications this bill could have on our vapers' and non-smokers' health and well-being before you vote on Bill 30.

I also implore you not to consider imposing any of the other amendments we've heard being

proposed here, amendments concerning the sale of flavoured e-liquid, banning the use of e-cigarettes in vape shops or allowing convenience stores to sell e-cigarettes.

Firstly, I'd like to say that not one of us wants to see minors vaping. However, like so many other adult industries, at times youth may get access to these products regardless of restrictions in place. It is up to parents to educate their children about the dangers associated with use, just like alcohol. I truly believe that any teens who may be vaping or trying it out are teens that otherwise would have used or tried traditional tobacco.

Also, may I remind you that there are many products that are marketed to adults that are made in flavours that are enticing to children, yet these are still made and advertised, even though some of them could be detrimental to their health.

We sell cotton candy and birthday cake vodka and many other child-enticing flavoured alcohol. Adults enjoy these flavours, too, and just because children may also like them is not a reason to ban them.

Being able to vape in vape shops, to try different products and all of the wonderful flavours of e-liquid, is absolutely integral to smokers being able to quit successfully, and for those who've quit, to continue to be successful.

Vape shops' employees are knowledgeable and spend a lot of time helping their customers to find the right set-up and flavour for them, as this is unique to each individual.

I'm going to skip ahead a little bit. Again, I'm aware that these amendments are not part of the bill as it stands. However, they are amendments that have been proposed in this room and they are very concerning.

This just brings me back to my statement that your choice, here and now, in regards to this bill will set the stage for all future legislation and will affect all of us vapers and non-smokers who also have the right to the protection of our health.

To close, I'd like to share a letter written by my son Hunter on how important vaping is to him and how it changed his life. I hope this gives you an idea of the reach and positive effect vaping has had on so many of us and our families.

He wrote: Hi. My name is Hunter and I am eight years old. My great-grandma was very sick because

she smoked for so long. She had to carry oxygen around with her, coughed all the time, and went to the hospital a lot. She died this summer. My mommy smoked since before I was born. I used to be scared she would get sick and die like my great-grandma. Then she quit smoking and starting vaping. Now I don't have to be scared anymore. Please help everyone who smokes start vaping and save their lives too.

I'd like to thank you again for having me.

**Mr. Chairperson:** Thank you for your presentation.

**Ms. Crothers:** Ms. Mitchell, thank you for coming. I'm sorry for the loss of your grandmother. I'm sure that was very difficult and certainly difficult to talk about in front of a room full of strangers as well, so thank you for coming.

I just—I do want to comment on one point. At one point you had said that by not having the freedom to advertise in the way that you'd like, we're preventing people from getting access to information about it, but I just want to point out that if we weren't interested in allowing people to have access to that kind of information, we certainly wouldn't be making the exception that we have, unlike other provinces where you can go into a vape shop to get education directly from people that know what they're talking about as far as using this device. So I would ask to keep that in mind. But I want to ask if you'd just pass along our thanks to your children for including their letters. It was very effective in your presentation. Thank you.

**Mr. Graydon:** Thank you very much for your presentation tonight, and I know it wasn't an easy presentation for you to make, but we certainly share in your grief as well, and our condolences with the loss that you've suffered in the past.

Often, tonight, we have heard that people have started on an e-cigarette and then they quit. I hate using that term e-cigarette. Like, it's either you're a vaper or you're a smoker. E-cigarette is a demonized term, actually, that many people, because they don't know what's in these devices, say they're worse than the cigarettes are, so I just wish we could find a different term, but that's not what I wanted to ask you about. I wanted to ask you is with so many people that first tried, and then they went to a vape shop, and it was a professional that walked them through the system that allowed them to quit smoking, that allowed them to enjoy what they were doing using it

as a substitute, using it as a crutch until they were able to walk away and be smoke-free.

Is that something that the elected representatives and the health system should be looking at, is professionals doing this? And then how do we advertise these? Vape shops in the city of Winnipeg—yes, there's 20 of them, or 25, or however many there are, they're not that far apart. In rural Manitoba I would suggest they're probably 150 miles apart, if they are that close. How do we go about this? And first of all, is it important that you have some support from a professional, and then how do we go about getting that message out?

\* (19:50)

**Ms. Mitchell:** I certainly agree with you about the term e-cigarette. It's absolutely integral the support you get from the staff at the vape shops, and they are professionals. Their knowledge is so important for people walking in with no information about the products that they need to use to change their lives.

In regards to advertising, I don't know what the scope of what you would be allowed to do is, but I believe that they should be classified as smoking cessation tools, and I think that the government should be able to promote them as such.

**Mr. Graydon:** Do you believe that there should be separate legislation and separate regulations then? As was pointed out to me last night by an individual that said, it's simple you just start a home-based business, should there be separate regulations, some licensing procedure, then, for the vape shops?

**Ms. Mitchell:** I don't think anybody in the community would be against that. I think it's very important to have regulations in place.

**Mr. Gerrard:** Yes, thank you for sharing your story.

You started when you were 13 years old. One of the things which I think is a potential concern is that we may have children who are, say, 15, have been smoking for a couple of years, want to quit, have tried various other things but would not be able to under any circumstance get access to vaping. One of the options potentially would be to allow research to be conducted under which such a—say, a 15-year-old who's tried everything else and wants to stop could be part of a research study in which vaping was an option, but this bill would very specifically prohibit such a research study ever being done because nobody is allowed to supply or offer to supply a vapour product to a child.

What do you think given your experience of starting when you were 13 and wanting to quit? You know, what should be done with, say, a child who's 15 or 16 who's been smoking for two or three years or whatever—we've heard 11—to help that child who has tried everything else?

**Ms. Mitchell:** I do agree with the legislation that prohibits the sale of this—these products to anyone under the age of 18. However, if my child was a smoker and they came to me and they wanted to quit, I would go and I would buy my child whatever they needed to quit, regardless of any restrictions in place. And I believe that if that was the case, then as a parent you would—should be able to make that decision for your child.

**Mr. Chairperson:** Thank you very much for your presentation.

I will now call on Craig Billows.

Do you have any written material for the committee tonight?

**Mr. Craig Billows (Private Citizen):** Do not.

**Mr. Chairperson:** No?

**Mr. Billows:** No.

**Mr. Chairperson:** Proceed when you're ready.

**Mr. Billows:** Good evening, everyone. Good evening, Mr. Dewar—I see you there.

I just wanted to share my experience as a vaper. I do not have any financial interest in this. I'm not a part of any shop or I'm not employed or an employee.

Basically, it all goes back to, say, 16 years old. I had a back injury, I was—actually a football injury. I picked up smoking in high school. I smoked for about nine years. In that period of time, I probably put on about 170 pounds.

It really wasn't until I tried everything. It really wasn't until I had discovered e-cigarettes or vaping. I tried one of those cigalikes back in the mid-2000s with no success. Probably, it wasn't 'til about three years ago that on a trip down to Minneapolis I'd picked up a generation 2 device when I'd finally been able to 100 per cent quit. I haven't had a cigarette in about three years. I'm down about 70 pounds from the heaviest I've ever been. You know, this was—you know, I come from a family where one person smoked. Smoking almost ruined my relationship with my parents when I was a teenager. I would like

to pretend that, you know, when I'm a father, I would do everything I can to stop my kids from smoking, but I remember exactly what it was like, how I was when I was that age, and how it wasn't even—it wasn't preventable.

I do believe that vaping could potentially save tens of thousands of lives of Manitobans. I really truly believe that. And that is all.

**Mr. Chairperson:** Thank you very much for your presentation.

**Ms. Crothers:** Mr. Billows, thank you very much for coming and sharing your perspective. I appreciate it. Thank you.

**Mr. Chairperson:** All right, I will next call the next person—is Thomas Glas [*phonetic*]. Thomas? Did you have any written materials?

**Mr. Thomas Glas (Private Citizen):** I do.

**Mr. Chairperson:** Okay. Please proceed when you are ready to.

**Mr. Glas:** Please excuse me. I am a little nervous this evening.

Good evening, honourable ministers, distinguished members of this Assembly. Thank you for allowing me the privilege of offering you my testimonial regarding Bill 30.

I am not a physician or a scientist, nor do I claim to have any sort of expertise regarding the phenomena currently referred to as vaping. My name is Thomas Glas. I am currently self-employed as a courier. Prior to this I worked briefly in the social services sector, and prior to this I served as an artilleryman in the Canadian Armed Forces, all of which entailed working in a highly stressful environment.

I have smoked and used tobacco products regularly since 1985, which is 30 years. I have tried unsuccessfully to quit smoking more than a dozen times during this period. I have tried various methods of smoking cessation products, which included Champix, nicotine patches, nicotine gum, nicotine inhalers, acupuncture, and even tried cold turkey. None of these gave me any reprieve from my nicotine addiction, save for brief periods lasting no more than a few days, at the least, and a month, at the most. All of these methods came with varying degrees of side effects, which included sleeplessness, depression, mood swings and irritability.



Two years ago, in 2013, I ended up in the Concordia Hospital with a viral lung infection for seven days. I missed work for the entire month of November in order to recuperate at home. During a follow-up visit with my physician, I was urged most strongly to find a way to try to quit smoking, as my lungs and respiratory system have been severely compromised by the infection. My doctor told me, in no uncertain terms, that smoking would kill me.

During my recovery, I tried hard to resist my urges for nicotine. At times I could go a few hours, even a day, without lighting up. Eventually, my desire for nicotine became too great, and I would give in to the temptation of lighting a cigarette. My breathing difficulties persisted up until the spring. I suffered from sleep apnea, which further disrupted my sleep patterns and caused me to feel lethargic, morose and irritable. My snoring got so bad that it would literally rattle windows in my home, frightening our cats and causing my son to become extremely concerned for my health.

This year for my birthday, my son decided that he would take me to an e-cigarette venue here in Winnipeg. I was extremely skeptical that these strange-looking electronic devices would have any ability to curb my cravings for nicotine. I found the staff at said venue to be extremely knowledgeable and helpful in instructing me to use the devices and the nicotine e-juice effectively.

\* (20:00)

I took the product home, read through the information the vendor had provided me with, and proceeded to give it a try. For myself I had chosen a tobacco-flavoured juice with a strength of 24 milligrams along with a non-tobacco-flavoured juice, Earl Grey, 18 milligrams. I had bought an extra tank, one for each flavour, and charged them both as I had been instructed. The results were immediate. I had never experienced such an intense sensation with regular cigarettes. The flavour was much stronger than smoking, and I have, since that day, July 9th, 2015, not had a single cigarette, nor have I any desire to smoke a cigarette since.

Within the first two weeks, I reduced my nicotine e-juice level to 12 milligrams, then by mid-August, to six milligrams. I am currently alternating between six milligrams and three milligrams, and by year's end I hope to be at zero milligrams of nicotine. Within the first six months of the new year, I hope to—I hope and intend to give up the habit entirely.

You have heard it said during some of last night's presentation that vaping is not smoking. I wholeheartedly agree. As someone who smoked for 30 years, upwards of a pack and a half a day, I can tell you without hesitation that the two habits are completely different, though visually they appear similar. I have estimated that I would have spent roughly \$2,193.75 on cigarettes from July 9th to today. Instead, I have spent roughly \$716.50 on e-cigarette equipment and the nicotine juice. This is a total savings of \$1,477.25 in a 90-day period.

I have more energy now than I have had in years. My health, my breathing, has improved considerably and to such an extent that I felt it was important enough for me to attend this evening and tell you my story. And, while I agree that there needs to be legislation in place regulating the use of e-cigarettes and vaping products, I beseech you to consider not lumping the habit of vaping in with current tobacco legislation or, at the very least, that you consider amending the bill to allow for advertising of these products by licensed and reputable vendors.

I ask also that you please do not restrict the flavouring of these e-juices, as it has been my experience and among my friends as well, that the non-tobacco flavoured e-juices are the most helpful in curbing the cravings for cigarettes.

I am certain that vaping has given me a new lease on life, and I look forward to enjoying the rest of my life with renewed health and nicotine free.

I thank you for your time and would welcome any questions you might have.

**Mr. Chairperson:** Thank you for your presentation.

**Ms. Crothers:** Mr. Glas, I just want to say thank you very much for coming this evening and sharing your experience with us. I appreciate it.

**Mr. Doyle Pivniuk (Arthur-Virden):** Thanks again for your presentation, Mr. Maxwell. I just wanted to ask you a question. When it comes to the—your doctor, after all the results that you got back and all the improvements in your health, is this something that he would recommend to any other patients? Did he—was he impressed with the way that you've quit very quickly and then the results of your improved health?

**Mr. Chairperson:** Mr. Glas?

**Mr. Pivniuk:** What has he mentioned to you?

**Mr. Chairperson:** Mr. Piwniuk, sorry.

Mr. Glas.

**Mr. Glas:** My doctor suggested Champix, which I did try, unsuccessfully. It caused severe depression and mood swings, so I would sneak a cigarette here and there and feel terribly guilty when Junior would catch me with one, you know.

**Mr. Gerrard:** You say that your health has improved dramatically. Before, you had sleep apnea, you had big problems with snoring. Have these changed, and can you tell us a little bit more about other aspects of your health which has changed?

**Mr. Glas:** Absolutely. Prior to switching to an e-device, oftentimes—my workday begins around 5 o'clock in the morning. I would come home around 4:30, 5 o'clock in the evening, and I'd have to take at least an hour-long nap, then get up and engage with my family. But I would be lethargic. I—during my free time I'd rather lay around—lay about on my couch and watch TV than get outside and get any fresh air. This is the first year in probably five or six years that I've actually managed to help my son with our garden, and I have lost 19 pounds since July 9th.

As for the snoring, yes, oftentimes my snoring would be so loud that, as I mentioned, it would rattle the windows, and my son would come into my room and shake me to wake me up, or I would stop breathing in the middle of the night at times as well. You know, when you snore and you have the sleep apnea, you make all sorts of terrible noises, I guess, and I haven't done that now in several months. I'd say probably since the beginning of August.

**Mr. Chairperson:** Thank you very much for your presentation.

**Mr. Glas:** Thank you.

**Mr. Chairperson:** I'll now call Ryan Edel. Ryan Edel? No? Okay, that name will drop to the bottom of the list.

We'll now move onto Julie Wei. Do you have any materials for the committee?

**Ms. Julie Wei (Private Citizen):** Yes, I do.

**Mr. Chairperson:** Okay. While they're handing it out, feel free to proceed when you're ready.

**Ms. Wei:** Good evening, honourable ministers. Thank you for the opportunity to speak on Bill 30. My name is Julie Wei, and I'm an employee at

TheraVape Incorporated. My role is in marketing and social media. Three weeks ago, I ran a contest on our Facebook page. To enter, participants were asked to share how vaping has impacted their health, good or bad. There was no bias or preference given for the positive stories or for the extremity of the stories themselves. It was simply a random draw.

To our delight, we were flooded with nothing but positive feedback. Please allow me to read some of the testimonials that we have collected. I know that we did not receive a single piece of negative feedback as a result of vaping.

Zigfred David Baumanis, he wrote: I smoked cigarettes for over 10 years pretty heavily, and I found my lungs weren't doing so great, wheezing and getting out of breath just by walking up a few stairs. It almost felt like my body was shutting down and aging double the speed.

I then discovered vaping, took the plunge of throwing away cigarettes straight-up, and just puffing on a basic KangerTech EMOW Starter kit. It felt better than smoking. I got the nicotine but not the nasty hit to the lungs like a cigarette does.

After a few months of being off the smokes and just vaping, my lungs feel so much more clear. I can be more physically active without losing my breath and, of course, all the flavours are amazing.

I told my dad this, too, and he also made the conversion to vaping and also states the exact same benefit to his lungs since the change.

Not only did vaping change my health for the better, it's not just a hobby or an alternative to smoking. It's a huge thriving community filled with the friendly vaping enthusiasts that enjoy putting their time and money into a cause with a positive outcome.

I moved to Canada from England not that long ago, and yet I've made so many good friends just because the community was right there at the right time at the right place.

Karen Zopfi Ladue: Vaping has changed my life for the better. I never thought I would quit smoking. I had tried everything to quit—Wellbutrin, Chantix, gum, patches—nothing worked. I would quit for a week, then start sneaking cigarettes again, telling myself a couple is not that bad. I'd smoked two and a half packs a day for over 20 years. I have not smoked a cigarette in almost two years. I have not cheated either.

I no longer cough. I can breathe, taste, and run now. I will be able to see my grandchildren grow up.

Matt Anderson: Vaping has affected my life in many ways, from no longer breathing in tar, cyanide, formaldehyde and 3,997 other chemicals, to socializing and meeting great new people who share the same passion. I was skeptical at first of vaping. I didn't like how some companies didn't check what's in their juice flavourings, but it's companies like yours, TheraVape, that make me feel great about kicking the habit because I know exactly what's in the juice and can make informed decisions when deciding between forms of nicotine delivery.

Vaping has not only affected my life but the life of everyone around me personally. Thanks to improved health, which I directly attribute to being smoke free for six months. After smoking for nearly 12 years and trying to quit numerous times, I've finally done it, thanks to the great people and the vaping community helping me make a—make the switch.

Dani Dee: Vaping has saved my life. It has cured my addiction to cigarettes. I feel better. I look better. I breathe better. I don't cough; I'm not tired. There are so many positive things to say about vaping.

\* (20:10)

Rye Guy: Vaping has changed my life and prolonged it. It isn't just a stop-smoking plan; more so, it's an engaging hobby, and the community is rock solid. Being a diabetic, I also get desserts in a wide array of flavours pretty much any time of the day. Sweet tooth plus diabetes does not have to equal amputation, blindness or a host of other related complications.

Zach Frye: Vaping has allowed me to bring back my healthy lifestyle. I started running again; the dog and I are getting back into shape; not sure that the dog's thrilled about it but he's a trooper. Before quitting, I couldn't even imagine running without hacking up a lung.

Kelly Howe-Leclair: As a smoker, I couldn't make it up a flight of stairs without feeling winded. I couldn't go from sitting to lying down or vice versa without spending half an hour coughing. I had sinus colds and infections at least three times a year. I couldn't play with my kids. Now I can do all that and more.

Robby Punx: Vaping has helped in so many ways. I can breathe better now and not be hacking up

a lung in the morning when waking up. I don't stink like an ashtray; my fingers aren't brown anymore from holding a cigarette. I had to stop smoking. It was getting to be too much and just not good for my health. I just wanted to stop due to my dad passing away from lung cancer. He smoked two to three packs a day, and I didn't want that happening to me in the future.

Mark C. Millen: Vaping helped me to quit smoking after 20 years and multiple failed attempts. I feel good now. I breathe easy and no more being ruled by cigarettes. It's bad when you have to bundle up and go outside in a snowstorm to get your smoke on. I hate being ruled by cigarettes. Now I'm healthy and happy.

Tim Ethier: After smoking a pack a day for 20 years, I was at the point where I had a pretty bad smoker's cough combined with audible wheeze. I also would have had bronchitis two to four times a year every year. Since I quit smoking and started vaping in August of 2014, the cough and wheeze are both gone, and I haven't had bronchitis once. When I get a cold now, it's minor and gone in a few days, where, as a smoker, every cold I came into contact with would just wreck havoc on my lungs. I struggled for years trying to quit smoking every few months, and nothing ever worked until I found vaping. I have never and will never go back to cigarettes, and I'm a hundred per cent confident of this. I have young children and feel like I have more energy for them, more money for the household and I am adding years to my life to spend with them. Vaping has changed my life and the lives of my girlfriend and many of my close friends that all made me—all made the switch at the same time.

In a perfect world, e-cigarettes should have their own act since they are not tobacco and do not share the same risk profile. The only thing they have in common is nicotine and the fact that you inhale the product.

As another presenter mentioned yesterday, nicotine is found in many natural sources other than tobacco. It would be just as appropriate to amend the eggplant act, and since eggplants contain nicotine as well, I also enjoy inhaling eggplant in large quantities. It's delicious.

I do hope we get an e-cigarette-specific act one day, but failing this and in the absence of an eggplant act to amend, I believe Bill 30 makes a fine substitute.

Please be sure to amend—to include the amendments proposed by Eden Sorrell on September 14th, the most important of which was to include representative members of the e-cigarette industry as part of the advisory committee in section 9.1(2). Without this amendment it gives tobacco retailers unfair control over an industry they compete against directly, but they contribute nothing to.

Please reject the amendments proposed by vaping opponents that seek to restrict flavours and in-store use. As many have shared already, this would be detrimental to public health because it impedes an access to a powerful harm-reduction tool.

Now I would like to take a moment to answer some of the concerns brought forward by Mr. Cooke from MANTRA earlier today. He spoke about carcinogens and toxins and smoking rates which then lead to the gateway theory and people then smoking cigarettes. This was all debunked in Eden's three-inch pile of peer-reviewed studies that was presented about two weeks ago.

And also with conventions—the benefits of convections, restaurants and hotel associations don't want vaping, but there are a lot of privately owned establishments that already embrace it. There is a meet that happens in Toronto that was a few months ago, and hundreds of people throughout Canada went to Toronto to go to this VapeCan, because you have all these vendors there that sell different types of flavouring and products to customers that they don't have local access to at home.

Now, with dual users, he also mentioned that much evidence shows little benefit in reduction alone. This does not support reduction but only for quitting. But reduction is a step in the process of quitting.

And he also mentioned that there was a correlation between vaping increasing and smoking decreasing, that there was no correlation. But, as we discussed with Dr. Gerrard two weeks ago, that we looked over various statistics and there is a definite and timely correlation between the two.

I just want to say thank you again for letting me speak on behalf of Bill 30. And I'll be here to answer questions.

**Mr. Chairperson:** Thank you very much for your presentation.

**Ms. Crothers:** Ms. Wei, thank you very much for coming and for presenting these, testimonials, I'll call

them. Thank you for that. I appreciate you being here again this evening.

**Mr. Graydon:** Yes, thank you very much for coming and doing the presentation, and the work that you put into the presentation that we can follow up on, that it does take time to do that, and we certainly appreciate it.

Also appreciate the comments that you made after your presentation. I don't know that there's a benefit for anyone to demonize the e-cigarette or the vaping. It seems like there are enough testimonials there to show that they do help quitting.

I was a smoker for many, many years. And I quit many times. And we didn't have e-cigarettes when I quit. I tried candies, I tried a lot of things, and I—the gums made me sick. And, finally, I bought five pounds of Smarties, and I want to tell you, I hate those little things now. But they did help me quit smoking because of the caffeine that was in them, I suspect; I have no idea, nothing to back that up other than the fact that I don't smoke today, and that there's not many sitting around this table that I can't beat from the bottom of this building to the top, running up the stairs, because I do have my wind back, even though I have half of a lung missing—wasn't because of the smoking that that's—that that has taken place, that was asbestos and workplace, as well as my ranch that caused this. But it had—smoking didn't help me, let's put it that way. But it wasn't—that wasn't the main issue.

So, yes, thanks very much, again, but I don't think demonizing the e-cigarette or hiding it is going to be beneficial to the health of Manitobans and all Canadians.

**Mr. Gerrard:** Yes, thank you. You argue very strongly for having representative members of the e-cigarette industry as part of the advisory committee. I just want to give you one more chance to make that as clear as you can, why this is so important and what you feel such members would add to the committee.

**Ms. Wei:** The way I see it, is that big tobacco companies see e-cigarettes as a competition. So, if we have members on the advisory committee, it would help the e-cigarette industry, because if big tobacco is their competitor, they're going to do everything they can in their power to crush e-cigarettes, and they won't give them a fair chance to fight. So having, you know, part, like—members of

the e-cigarette industry as part of the advisory council, it would help the people make a stand.

**Mr. Chairperson:** Thank you very much for your presentation.

Now we're going to start back on the bottom of the list to the names that had dropped.

So Anne Maxwell? So her name is now going to be taken off the list.

Kim Petriew? That name will now be taken off the list.

Kim Boyko? That name will now be taken off the list.

Brenlee Sanford? That name will now be taken off the list.

Chris Santos? That name will now be taken off the list.

\* (20:20)

And Ryan Edel? And that name will be taken off the list.

And that concludes the presenters that we have tonight for public presentations on Bill 30.

\* \* \*

**Mr. Chairperson:** So we'll now proceed by—the clause by clause of the bill.

During the consideration of the bill, the table of contents, the preamble, the enacting clause and the title are all postponed until the other clauses have been considered in their proper order. Also, if there's agreement from the committee, the Chair, myself, will ask—will call clauses in blocks to conform to the pages, with the understanding that we will stop at any particular clause or clauses where members have comments, questions or amendments to propose.

Is that agreed? *[Agreed]*

Does the minister responsible for Bill 30 have an opening statement?

**Ms. Crothers:** Well, I just would like to thank everyone who's come. I have to say that over the course of these evenings we were able to hear differing perspectives about vaping, and we've heard many personal stories from those perspectives. I'd like to thank all the presenters who took the time to prepare a presentation for us as well as the many people who came to listen to this committee. I think I feel almost like I'm recognizing neighbours in the

community; I've seen so many familiar faces over the four committee evenings we've had. So thank you very much.

And, while I have heard concerns about the potential health risks, the impact on those who don't vape, I have also heard very clearly the sometimes life-changing effect switching to vaping has had for former smokers and very, very clearly have heard the sense of community that exists within the vaping community in this province.

So we want to find a balance in continuing to see people have success in quitting smoking while still protecting children from these devices, and protecting our children will remain our focus with this legislation.

Through consultations with stakeholders on this issue, I feel we have had to amend this bill for consistency. Tonight I will be putting forward two amendments that I would like to highlight specifically here right now.

The first amendment will continue to allow sampling in vape shops and prohibit minors from entering them. This amendment will allow us the ability to more clearly define what a vapour product shop is, should the need arise in the future. And, if this should happen, we will once again be consulting with the proprietors of vapour product shops, other stakeholders and the public.

The second amendment I am moving will repeal the creation of a regulation to exempt adults-only establishments from the ban on use in enclosed public spaces where smoking is currently prohibited. This will bring us in line with legislation in other provinces as well as align with the policies many gaming and beverage facilities have already implemented. And, as this is our first piece of legislation in regard to e-cigarettes and vaping, I appreciate the differing perspectives that have been presented in committee over the past four committee evenings and the very respectful way in which people have presented their perspectives. I'm very appreciative of that.

So thank you very much.

**Mr. Chairperson:** We thank the minister.

Does the critic from the official opposition have an opening statement?

**Mr. Graydon:** I thank the minister for bringing this forward—the bill forward. As she pointed out, this is one of the first bills in Canada that's been brought

forward in the provinces. But, at the same time, I just heard her say that this brings us into line with other provincial regulations, and I found that a little confusing. But I do have a hearing impairment, so I might have missed something that the minister said.

I—when I first saw the bill—and I didn't see that there was a lot of issues with the bill—there were some that I—we thought should be separated, and one of them would've been, of course, and I've discussed this with the minister in the past, that it should be separated from the tobacco industry. We've heard that strongly tonight, and I'm sure that the minister will take that into consideration as we go forward, as the bill gets further along the line.

So I'd like to thank all of the presenters that were here tonight and the other three nights. It takes, as I've said many times, it takes a lot of courage to come and speak to a group of people like this, in front of a group of people that you don't know. And so, again, thank you for all of your points of view. If everyone thought alike, we'd only have needed one of you here. So it was nice to have all the points of view.

So, with those few words, Mr. Chairman, we can proceed.

**Mr. Chairperson:** Thank the member for his comments.

Now proceed with the clauses.

Shall clause 1 through 3 pass?

**Some Honourable Members:** Pass.

**An Honourable Member:** No.

**Mr. Chairperson:** I hear a no.

Clause 1—pass; clause 2—pass.

Does clause 3 pass?

**An Honourable Member:** No.

**Mr. Chairperson:** No.

**Ms. Crothers:** I move

*THAT Clause 3 of the Bill be amended in the proposed definition "vapour product shop" by adding ", subject to any additional criteria specified in the regulations," after "means".*

**Mr. Chairperson:** It has been moved by the Honourable Minister Crothers

*THAT Clause 3 of the Bill be amended in the proposed definition vapour shop product—or sorry—*

*"vapour product shop" by adding ", subject to any additional criteria specific in the regulations," after "means".*

I'll read that again.

*THAT Clause 3 of the Bill be amended in the proposed definition "vapour shop product"—"vapour product shop" by adding ", subject to any additional criteria specified in regulations," after "means".*

The amendment is in order, and the floor is open for questions.

Seeing no debate, is the—the committee's ready for the question?

**An Honourable Member:** Question.

**Mr. Chairperson:** Shall Clause 3 pass as amended? *[interjection]*

Amendment—pass; clause 3 as amended—pass.

**Mr. Graydon:** A point of clarification. If we have questions on any clause, can we ask them as we go through?

**Mr. Chairperson:** Yes.

Shall clause 4 pass?

**Mr. Martin:** I do actually have a question on clarification, and I hope I'm in order here. I just—clarification from the minister on 2(1)—one, on no e-cigarettes use in enclosed places, subsection (e). And one of the prohibitions would be "a vehicle used in the course of employment, while carrying two or more employees."

Just for my own clarification, is that the same, I guess, language, used in terms of the non-smoking protection act? Non-smoking, whatever it's called, tobacco act?

**Mr. Chairperson:** So we're going to have to ask leave of the committee, because that clause was passed. *[Agreed]*

**Ms. Crothers:** Yes, it is. It's the same wording that's being used in the tobacco act.

**Mr. Chairperson:** Clause 4—pass; clause 5—pass; clauses 6 through 9—pass; clauses 10 through 13—pass.

Shall clauses 14 and 15 pass?

**An Honourable Member:** No.

**Mr. Chairperson:** Clause 14—pass.

Shall clause 15 pass?

**An Honourable Member:** No.

**Mr. Chairperson:** No.

**Ms. Crothers:** I move

*THAT Clause 15(1) of the Bill be amended in clause (a) by adding the following after the proposed clause 9(1)(a.0.1):*

(a.0.2) specifying additional criteria for the purpose of the definition "vapour product shop";

**Mr. Chairperson:** It has been moved by Honourable Minister Crothers

*THAT Clause 15(1) of the Bill be amended in clause (a) by adding the following after the proposed clause 9(1)(a-0-1):*

(a-2–or 0-2) specifying additional criteria for the purpose of the definition "vapour product shop";

The amendment is open, and the floor is open for questions.

**Mr. Graydon:** Exactly what does that mean, Madam Minister?

\* (20:30)

**Ms. Crothers:** So this will allow us to be more specific about what a vape shop is determined to be. There were some concerns that it was too general and that it might allow others who don't primarily sell vape products to be able to call themselves a vape shop, so this will allow us the potential to be more specific about what exactly a vape shop would be.

**Mr. Graydon:** So we will see this in regulation?

**Ms. Crothers:** Yes.

**Mr. Graydon:** And how do you propose to police this, Madam Minister?

**Ms. Crothers:** I'm not comfortable with the word policing, but we have those who enforce regulations currently and they would be the ones that would be ensuring that these regulations are followed.

**Mr. Graydon:** And they would be the same people that enforce the tobacco act?

**Ms. Crothers:** That's correct.

**Mr. Graydon:** Okay.

**Mr. Chairperson:** Question?

Amendment—pass.

Does clause 15 as amended pass?

**Some Honourable Members:** Pass.

**Some Honourable Members:** No.

**Mr. Chairperson:** No? Okay.

**Ms. Crothers:** I move

*THAT Clause 15(1) of the Bill be amended by deleting clause (b).*

**Mr. Chairperson:** It has been moved by Honourable Minister Crothers

*THAT Clause 15(1) of the Bill be amended by deleting clause (b).*

The amendment is in order, and the floor is open for questions.

**Mr. Graydon:** So that negates what the explanation in the bill was at the very beginning? Is that the purpose of that?

**Ms. Crothers:** No. This deletes the regulation-making power—allowing adults-only establishments to be exempted from the ban on vaping in enclosed public spaces. That's what this amendment does.

**Mr. Graydon:** In the explanation of the bill at the beginning was that you were going to authorize e-cigarettes in beverage rooms and other places where children were generally prohibited. So now what you're doing is you're negating that particular clause and part of your explanation of the bill with this amendment. Is that—am I correct in that assumption?

**Ms. Crothers:** No. What I'm saying is that, originally, when this bill was brought forward, we were going to look at allowing adults-only establishments to be able to have vaping. This is removing that. It's an explanatory note; it's just a tool.

**Mr. Graydon:** So that I understand, it's clear that I'm a little slower than some of your colleagues on this, but it says that if children are generally prohibited from entering places or vehicles; otherwise, you're saying that you could do that if there were no children present. Is that what you're saying?

**Ms. Crothers:** No, it's not what I'm saying.

**Mr. Chairperson:** Any further debate?

**An Honourable Member:** Question.

**Mr. Chairperson:** The question is, does the clause 15 as a second amendment pass?

**Some Honourable Members:** Pass.

**Mr. Chairperson:** Clause 15, second amendment, is accordingly passed.

Clause 15 as amended—pass; clause 16—pass; clauses 17 and 18—pass; clauses 19 through 21—pass; enacting clause—pass; title—pass. Bill be reported as amended.

The hour being 8:35, what is the will of committee?

**Some Honourable Members:** Rise.

**Mr. Chairperson:** Committee rise.

*COMMITTEE ROSE AT: 8:35 p.m.*

#### WRITTEN SUBMISSIONS

Re: Bill 30

Good evening your honour and everyone else on the board and thank you for letting me come and speak on behalf of bill 30 " the Non Smokers Act." I am coming to you as someone who used to smoke Cuban Cigars, which have been proven to be more harmful then smoking regular cigarettes. I am also here to give my view from a shops point of view. I have been working for "The Steam Shoppe" for around three months now, and have been vaping for 11 months. I started smoking four years ago because of stresses in my life and being diagnosed with chronic depression. When I started smoking cigars I was smoking 2-3 a day and started with just the small Colt's cigars. I progressed to smoking 1-2 Habana's a day, which ranged anywhere from \$14-\$19 a cigar. A little back ground on myself; I play Semi pro paintball, I have ADHD, hypothyroidism, disability with reading, writing, and comprehension. I now only suffer from mild depression, due to vaping being more acceptable then smoking. A lot of my friends didn't want to be around me because of the cigars smell. I was having trouble breathing and doing any sort of exercise because of my thyroid and smoking habits. My parents were very concerned for me because we have lost both my mom's brother, and my dad's mom from smoking related cancer, both who were heavy smokers. My grandma would light her next smoke from the smoke she had in her hand (a chain

smoker). About 8 months ago I got the scare that I might also have cancer in my lymphoid. They found a couple of lumps that where 1.2 and a .90, so they rushed my into the cancer care for further investigation. They came to the conclusion that it could be cancer and that I had to go back for more tests. I just went in 2 months ago to hear my last test results and I got cleared of all signs of cancer. When I got this first scare I said to myself that I would not go back to cigars and that I would continue to just vape. So I tossed out the rest of my cigars and told myself that it will be straight vaping from now on. It was a hard thing to do because I had 3 cigars left, and that was a lot of money for me to be throwing away. I knew my heath was more important than that money. Now that I have been strictly vaping I have lost the edge to go back to cigars, I was offered a drag of one of my buddies cigars and I took one drag off of it and my throat burnt for the rest of the night and even into the next day.

Now going back to my hobby and career as a paintballer, smoking almost killed my career. I couldn't run as much as I used to, I didn't have the stamina to do the drills that the team and my sponsors wanted me to do to stay on the team. One of my other team mates started vaping and he told me to try it and that it helped him because he was in the same boat just the year before. So that is what I did, I went out to one of my local shops and picked up just a basic kit and since I have I have been able to stay on the team and actually help them bump up into a higher division after taking nationals last year and we have been invited back to play in that higher division for this upcoming nationals, smoking almost killed my chances of all of this.

This brings me to where I am now, I started working for the Steam Shoppe about 3 months ago when they opened their doors. I have seen a lot of different customers come through our doors from the youngest being 18 and telling me that he had been smoking since he was 15 to just last week a 87 year old lady came in to quit smoking and to start vaping after seeing what a great thing this has done for her daughter. At the Shoppe we have a deal going on to help people stop smoking, that deal is that if you bring in a half pack or more of cigarettes we will give you a free starter kit, to help them get off of the filthy habit of smoking. We have had around 10 people come in and take us up on this amazing offer. Coming back to this 87 year lady, she has come back a couple times now for more e-juice as well as just some reminders on how to use



the vaporizer itself. This is a commitment that we have set forth to our customers. We welcome people to come back if they have any questions or just need help in general. Our goal here at the shop is to help our customers with the transition from conventional cigarettes to a less harmful alternative. Our shop policy is to ID our guests that look under the age of 25, we are very strict on that and even if they say that they are over the age of 18 but we feel as though they might not be and they don't have an ID we do apologize to them and ask them to leave. We don't sell or want minors in our shop. All of our windows have been frosted so people from the outside can't see in, as well we have signs saying that you must be at least 18 years of age to enter the shop.

I am a strong advocate to bill 30 on the No e-cigarette use in enclosed places

2(1.1) except as permitted in section 3, 3.1 or 4.1, no person shall use an e-cigarette in

- (a) An enclosed public place;
- (b) An indoor workplace;
- (c) A group living facility;
- (d) A public vehicle; or
- (e) A vehicle used in the course of employment, while carrying two or more employees.

But I feel as though if smokers can have a designated smoking area then we as vapers should be able to have a designated vaping area as well. I know personally myself I don't want to be put back in with the smokers, getting that second hand smoke and having my cloths smell of cigarette smoke.

As for the ban on the flavors I do not agree with this at all, Rob Cunningham with the Canadian Cancer Society said and I quote.....

"We're recommending regulatory authority for the future to be able to restrict flavours. I mean there should not be candy cane, bubble gum, and candy floss flavours,"

These flavours or some of our top sellers. When people start vaping they will normally start on a "Tabaco flavour" and then to switch to a different flavour. We as vapers love all the different flavours because as a smoker you lose your taste buds and you get used to that flavour. Once you start vaping it actually allows you to get your taste buds back and you can actually start to taste what is going into your mouth. I personally started on a flavour of a Cuban cigar at a 12 nicotine level and now I am down to a 6 even most days I go down to a 3 nicotine level. But now my favourite flavours are called Tucan loops, Hammer, and red diamond; all which are candy flavours or even looking at tucan loops which has the flavour of fruit loops. These flavours might be enticing to kids but it also is for people that are 18+ years of age.

In closing, I do welcome the majorities of Bill 30's content and I think that the vaping industry should be regulated, however there must be no restrictions on the juice flavours, as well as I think that vaping is the healthier choice than smoking and if there was to be too many restrictions put onto this bill then I assume that a lot of people would go back to smoking. I also agree with being able to test the different flavours in the shop, and only allowing regulated shops to be able to sell the products.

From: Brennden Mackenzie

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.gov.mb.ca/legislature/hansard/hansard.html>**