



COALITION QUÉBÉCOISE  
POUR LE CONTRÔLE DU TABAC

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## News Release

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# Lax Enforcement, Broken Promises Systematic violation of the ban on flavoured cigarillos

**Montreal, April 28<sup>th</sup> 2011** — A new study provides evidence of widespread violation of the “*Cracking Down on Tobacco Marketing Aimed at Youth Act*.”<sup>i</sup>

The **Quebec Coalition for Tobacco Control** released today an in-house study<sup>ii</sup> carried out on 400 samples of new flavoured “cigars”, products that were recently introduced to the market following the adoption of Bill C-32 which aimed to ban flavours in cigarettes and little cigars. The results show that 48.7% of these products weigh 1.4 gram or less and are therefore illegal according to the Act. In other words, “*in addition to circumventing the spirit of the law, the cigar industry is not even respecting the letter of the law*”, says **Flory Doucas, spokesperson for the Coalition**, which represents over 400 organizations that have all endorsed a ban on flavours in tobacco products.



Conservative Leader Stephen Harper discusses with his proposed ban on tobacco products being marketed to children on Wednesday, Sept. 17, 2008, in Welland, Ont. (Paul Chiasson / THE CANADIAN PRESS)

**Ms Doucas** adds: “*This is an extremely serious breach of the law, a law that is meant to protect children from tobacco industry marketing. While we applauded Mr. Harper’s drive to get the law passed, we are disappointed in the end results. The law is clearly not doing what it was meant to do. The cigar industry is violating both the spirit and the letter of the law. The government talks about being tough on crime, but that doesn’t seem to apply when it comes to the tobacco industry. This is not the victory for the health of our children that Harper said it would be. True commitment to public health goes beyond feel-good photo-ops. Clearly, it’s time to prohibit all flavours in all tobacco products and to close any potential loophole for the industry to exploit*”

“*The cigar industry has made a mockery of the law, and the government has allowed these companies to continue to target children with candy-flavoured deadly products. The government needs to take urgent steps to repair the law now,*” says **Cynthia Callard, executive director of Physicians for a Smoke-Free Canada**.

Along with many other health groups, **Physicians for a Smoke-free Canada** and the **Quebec Coalition** had enthusiastically applauded the adoption of Bill C-32, the purpose of which was to eliminate flavoured cigarillos — products that have rapidly become a gateway to youth smoking.

However, supporters of the legislation became rapidly disappointed by the law's apparent weaknesses. As the July 5<sup>th</sup> 2010 implementation deadline drew near, the cigar industry had already tinkered with its flavoured cigarillos in order to bypass the law. Their new "flavoured cigars" are almost indistinguishable from the outlawed "flavoured cigarillos": they have the same appearance, they have similar names and they too come in an array of candy and fruit flavours including grape, vanilla, peach and cherry. Thanks to minor changes to cigarillo design (i.e. weight and filter), "new" brands escaped the legal definition of "little cigars", which was restricted to products that weighed 1,4 grams or less.

While the Prime minister released a written statement<sup>iii</sup> on July 4<sup>th</sup> 2010 stating that "*compliance with these rules will be monitored and enforced in no uncertain terms. Adherence to the spirit of the legislation will also be monitored, and, if necessary, the legislation will be revisited,*" no official government action has been initiated on this issue since then.

**BEFORE C-32: "PRIME TIME" Cigarillos**  
(peach, rum, raspberry)



**AFTER C-32: "PRIME TIME Plus" Cigars**  
(peach, rum, cherry)



(Click images for high resolution copyright-free photos:<sup>iv</sup>)



See backgrounder on the ban on flavours here:

[http://cqct.qc.ca/Documents\\_docs/DOCU\\_2011/DOCU\\_11\\_04\\_28\\_BanOnFlavours\\_Backgrounder.pdf](http://cqct.qc.ca/Documents_docs/DOCU_2011/DOCU_11_04_28_BanOnFlavours_Backgrounder.pdf)

- 30 -

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<sup>i</sup> The *Cracking Down on Tobacco Marketing Aimed at Youth Act* banned flavouring additives in cigarettes, cigarillos and smoking tubes (blunts). Menthol is exempt. It also imposes a minimum of 20 small cigars or tubes per package. The definition of "small cigar" applies to any cigar weighing 1.4 g or less (without the tip) or one that has a cigarette filter. **Health Canada**, "An Act to amend the Tobacco Act (2009)". [http://hc-sc.gc.ca/hc-ps/tobac-tabac/legislation/federal/2009\\_fact-renseignements-eng.php](http://hc-sc.gc.ca/hc-ps/tobac-tabac/legislation/federal/2009_fact-renseignements-eng.php)

<sup>ii</sup> [http://cqct.qc.ca/Documents\\_docs/DOCU\\_2011/PROJ\\_11\\_04\\_12\\_EtudeConformiteCigares\\_FINAL.pdf](http://cqct.qc.ca/Documents_docs/DOCU_2011/PROJ_11_04_12_EtudeConformiteCigares_FINAL.pdf)

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iii The **Right Honourable Stephen Harper**, Conservative party news release, July 6<sup>th</sup> 2010.

[http://cqct.qc.ca/images/2010/WEB\\_10\\_07\\_05\\_HarperStatement\\_LawFlavouredCigarillos.jpg](http://cqct.qc.ca/images/2010/WEB_10_07_05_HarperStatement_LawFlavouredCigarillos.jpg)

iv [http://cqct.qc.ca/images/2011/Photos\\_Nouveaux\\_Cigares.JPG](http://cqct.qc.ca/images/2011/Photos_Nouveaux_Cigares.JPG)