More than five months have passed since new occupants moved into office of the Prime Minister and a new cabinet was sworn in. From the perspective of tobacco control, it’s hard to say whether the proverbial honeymoon period is over, or whether it just failed to happen. Certainly, there are indications that federal initiatives to reduce tobacco use are weaker and more vulnerable.

**Funding Cuts**

The most easily measured set-back has been cuts to the federal tobacco control program, especially its mass media component.

In 2001, the then Ministers of Finance and Health (Mssrs. Paul Martin and Alan Rock) pledged “more than $480 million in a comprehensive, integrated and sustained tobacco control strategy over the next five years.” Forty percent of the money was dedicated to mass media activities, based on the successes of other jurisdictions (like California, Florida and Massachusetts) that had used government advertising to expand public acceptance of effective public health measures.

The original plan provided for $110 million in anti-tobacco funding for this fiscal year (2004-2005). Current indications are that this funding has been cut by more than $30 million.

Three new government-wide initiatives have struck a ‘triple-whammy’ to the tobacco control program:

- **#1: Expenditure freeze**
  In December 2002, cabinet ordered an expenditure review that became a de-facto freeze on all programming for the last quarter of the 2003-2004 fiscal year. Tobacco control planning ground to a halt.

- **#2: Central agencies claw back anti-tobacco advertising budget**
  Just as this “expenditure deferral” was coming to an end on March 31st, a moratorium on all government advertising was put into effect on March 15, 2004 and the $80 million which remained in budget for anti-smoking advertisements was transferred to central agencies.

(Continued on page 2)
• #3 Budget reallocation

A new round of “expenditure review” was announced in the March 23, 2004 budget, aimed at reallocating funding to new government priorities. Health Canada has been required to reduce its spending by $57 million.

A moratorium on anti-smoking advertisements

The largest part of Health Canada’s anti-smoking initiative was the mass media component (40% of expenditures). Some of this is distributed through grants to provincial and municipal governments, and to community organizations. At the federal level, advertisements such as the “Heather Crowe” campaign and the “Bob and Martin” quit campaign have helped keep tobacco issues in the public eye, and have helped millions of Canadians better understand the importance of smoke-free spaces.

The government has responded to the sponsorship scandal by cutting all federal advertising (to a total of only $70 million for all government departments). This is a serious threat to the anti-smoking campaign. Now Health Canada must compete with all other government initiatives for a share of the $70 million media buy.

By way of comparison, tobacco companies spend over $70 million just on promotions in retail stores. Health Canada is unlikely to be able to claim even as much as a 20% share of the available funds. Should the mass media campaign ever get back on track, it will be funded at less than a quarter of the $40 million per year originally planned for the 2004-2005 fiscal year.

Hiring Freeze

The new government has imposed hiring restraints on the public service, constraining the ability of Health Canada to engage staff.

Although a new Public Health Agency will soon be split off from Health Canada, tobacco is expected to remain under the responsibility of the Minister of Health.

Tobacco taxes made more money available

Ironically, the threat to funding for tobacco control programs comes as both government and tobacco companies have increased their revenues from tobacco sales.

Tax increases announced at the same time as the pledge for a five-year tobacco control program have given the government an additional $990 million in annual tax revenues. Tobacco companies have increased their profit margin on cigarette packages from $0.70 to $1.07 during the same period. Taxes are enormously helpful in reducing smoking, but they are not a substitute for a comprehensive approach to tobacco control.

If it ain’t broke, don’t nix it

The federal tobacco strategy, combined with other health initiatives in Canada, has been remarkably successful in achieving the objectives of reducing smoking and exposure to second hand smoke.

• Since 2000, the number of smokers in Canada has fallen by almost a million.
• The number of young Canadians who have never smoked has increased by over a quarter million.
• There were 7.4 billion fewer cigarettes smoked in 2003 than in the year before the Health Canada program came into effect.
• Millions more Canadians now live in communities where workers and the public are protected from second hand smoke.

Nonetheless, the job is far from done. Even with this progress, tobacco is the largest cause of preventable death and disease in Canada, and a major contributor to health care costs.
Whatever happened to the ban on ‘light’ and ‘mild’?

Three years have passed since former Minister of Health, Alan Rock, requested that tobacco companies remove misleading terms like "light" and "mild" from their cigarette packages, and 30 months have elapsed since he issued a formal notice of regulatory intent to ban them. Sadly we seem no closer today to ending this dangerous marketing practice.

The government has had ample time to clarify its intentions and to make clear whether it will or will not continue to allow these misleading terms. The public is entitled to know why the government has failed to fulfill this objective.

PSC is calling on the Minister of Health to take one of the following three steps:

- Make public how and when these descriptors will be removed from Canadian cigarette packages.

- Confirm or deny the rumours that Justice Canada does not believe that there is the legal authority under the Tobacco Act to ban these terms.

- Make public any decision to abandon this policy initiative.

Either Health Canada believes in this initiative, or it does not. If it no longer believes that this is an important measure, it should make that clear. If there are legislative or other legal problems, these should similarly be made public so that Parliament is better able to amend the law.

Banning Misleading Cigarette Descriptors: The story so far...

**May 31, 2001 to December 1, 2003.**

**31 May 2001** World No Tobacco Day. Hon. Allan Rock asks tobacco companies to voluntarily remove "light" and "mild" terms from cigarette packages within 100 days, and asks the Ministerial Advisory Council on Tobacco Control to recommend actions in the event the companies do not comply.

**21 August 2001** Environics reports that two-thirds of Canadian support ending the use of "light" on cigarette labels.

**8 September 2001** 100 days pass but the tobacco companies don’t remove the misleading descriptors.

**1 November 2001** Health Minister Allan Rock releases the findings of an Expert Panel, which advises that regulations under the Tobacco Act be passed to ban the use of the descriptors. He says: "We believe that the use of descriptors such as 'light' and 'mild' on tobacco product packaging is confusing smokers and misleading them to believe that these products are less harmful to their health... we are taking the first step towards the adoption of regulations to help protect the health of Canadians."

**27 November 2001** United States' National Cancer Institute scientific report concludes no benefit from lower tar cigarettes.

**1 December 2001** Notice of Intent published in Canada Gazette proposing ban on the terms "light" and "mild." Deadline for public responses to notice of intent is January 15, 2002.

**January 2002** Brazil bans use of "any type of descriptor, on the packaging or in advertising material, such as: ultra low tar, low tar, smooth, light, soft, leave, moderate tar, high or any others that could induce consumers to an erroneous interpretation as to the tar contained in cigarettes."

**November 2002** The World Health Organization Scientific Advisory Committee on Tobacco Product Regulation recommends a ban on all misleading health and exposure claims and related packaging.

**December 2002** Health Canada research shows that 2 of every 3 smokers of 'light' cigarettes switched to light based on the belief that there would be fewer health risks.

**10 December 2002** The European Court of Justice rejects a tobacco industry challenge to the EU directive banning the terms 'light' and 'mild', 'low-tar', etc.

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**13 December 2002** The Quebec Superior Court upheld the federal Tobacco Act against an industry claim of unconstitutionality. The law allows the federal government to regulate how cigarettes are labelled.

**8 May 2003** Lawyers from the Klein Lyons firm file a class action lawsuit against Imperial Tobacco for damages associated with the deceptive trade practice of 'light' labels on cigarette packages.

**20 May 2003** World Health Organization adopts text for a global tobacco treaty, the Framework Convention on Tobacco Control. The treaty calls for an end to all misleading descriptors, including the use of such terms as "low-tar" and "light."

**16 June 2003** Complaint filed by the Non-Smokers Rights Association with federal Competition Bureau regarding the deceptive trade practice of labelling cigarettes as "light" or "mild."

**15 July 2003** Canada signs the Framework Convention on Tobacco Control - but doesn’t say when it will ratify the treaty, or whether it will implement the requirement to ban the terms "light" and "mild."
Cigarettes less likely to cause fires.

On March 31st, Royal Assent was given to Bill C-260, an act to amend the Hazardous Products Act (fire-safe cigarettes). Championing the bill in the Senate was Dr. Yves Morin, former Dean of the Faculty of Medicine at Laval University.

Here are some of his remarks when moving second reading of the bill:

Honourable senators, I cannot think of another bill that will have such an immediate impact on the health and well-being of Canadians. It will save lives, prevent injuries and protect property.

Every year, 100 Canadians die in fires caused by cigarettes and more than 300 are seriously injured. The financial cost of cigarette fires in Canada is estimated to exceed $100 million a year. Few injuries cause as much pain, disfigurement and handicaps as burns from these fires. Young children and older people who are less able to escape from the fire are among those most hurt by cigarette fires.

It is not surprising that fires started by cigarettes incur proportionately more fatalities than other fires such as those started by cooking equipment. The reason lies in the way that cigarette fires begin. When cigarettes come into contact with flammable products such as mattresses, bedding or upholstered furniture, they start smouldering and can continue undetected for some time before violently bursting into flames. Smoke and toxic gases from the smouldering material can render people unconscious, putting them at even greater risk of injury or death.

In 1998, the Ragoon family of Brampton, Ontario lost three children in such a fire. Devastated by their loss, they approached their Member of Parliament, John McKay. Mr. McKay researched the subject and introduced, in 1999 — now five years ago — a private members bill to replace standard cigarettes with fire-safe cigarettes. At the time, this technology was not well known and there was widespread opposition to the bill. Mr. McKay doggedly kept his bill alive through successive sessions of Parliament.

This afternoon, it is fitting to pay tribute to our colleague, John McKay. For me, this is the perfect example of what a private member’s bill should be. Mr. McKay’s efforts exemplify the potential for a member of Parliament to make a real difference. Fortunately, Mr. McKay’s refusal to give up paid off. Times have changed and opposition to fire-safe cigarettes has diminished, sadly because of continued deaths from cigarette fires.

In New York, for instance, a cigarette-induced fire in 1998 was responsible for the deaths of three firefighters — members of the Ladder Company 170 in Brooklyn. Legislation similar to that of Bill C-260 was passed in the state legislature and by June 24, 2004, all cigarettes sold in New York will have reduced ignition propensity.

We now face the same opportunity to prevent deaths and injuries in Canada. At the last session of Parliament, this bill was unanimously passed in the other place. The Minister of Health supports the bill. Health Canada has nearly completed its work on the technical aspects of the bill. Even some members of the tobacco industry are now supportive of the process.

There are many techniques available to significantly reduce cigarette’s ignition propensity. They do not change the taste of the cigarette nor do they increase toxicity. One cigarette of this type has been on the market for some time, namely, the Merit brand, manufactured by Philip Morris in the United States. These cigarettes have concentric bands of ultra thin paper applied on top of traditional paper. These bands act as speed bumps to slow down the rate at which a cigarette burns. Other manufacturers are currently using other techniques.

There is absolutely no reason to delay this bill any longer. Every week that passes while we are considering this legislation will see two more Canadians die from cigarette-induced fires. Honourable senators, we must not let any more time pass. We must act quickly and decisively to move this bill to committee. Canadians expect no less from us.

Shortly after the passage of C-260, Health Canada proposed regulations which would require all cigarettes sold after October 2005 to meet a performance standard for ignition potential. Canada will be the second jurisdiction to require cigarettes to be made less hazardous in this way (the New York measures come into force on June 30th, 2004).

Health Canada’s regulatory impact assessment (published in the Canada Gazette and available through www.gosmokefree.ca) offers a compelling and clear rationale for this initiative, and suggests that this measure will save between 18 and 36 lives a year.
On the eve of a federal election, the Minister of Agriculture announced a $71 million package for Canada’s—count them—820 tobacco farmers. He also indicated his provincial colleagues too would contribute to a $118 million fund for tobacco farmers.

The Minister of Agriculture is also the MP for the riding of Haldimand-Norfolk-Brant where the announcement was made and in which 90% of these farmers reside. Coincidence? We think not.

$140,000 per farmer is a significant pay-out — but it’s not yet clear how the money will be spent, or what the government is seeking to achieve.

More important than the size of the subsidy is the purpose to which it will be put — and there the details are missing. Even the local coverage in the Minister’s own riding disappointedly described the Minister’s proposals as “vague.” The only details available are in a 5-paragraph news release, which says the program’s purpose is:

• providing assistance to producers for whom tobacco growing is no longer viable.

• providing skills and development tools to advance producers’ ability to take advantage of opportunities outside the tobacco-growing industry.

• monitoring imports to identify changing trends in international tobacco markets.

The new Minister of Agriculture is one of Canada’s most enthusiastic tobacco boosters. He has traveled as far as China to promote Canadian tobacco exports. He voted against the Tobacco Act in 1997 (even though it was introduced by his own government).

### 1987: An expensive attempt at transition

There is no indication that the government will not repeat the mistakes of the last government attempt at tobacco transition.

In 1987, Agriculture Canada’s “Redux” Program aimed to reduce the tobacco quota from 387 million pounds to 135 million pounds. The budget was $75 million dollars (each farmer was eligible for up to $150,000).

Redux was a failure. Farmers sold their quota to family and friends: they did not stop farming tobacco, but they became tobacco “labourers” instead of farmers.

This expensive program resulted in a small reduction in producers, but there was actually an increase in the amount of tobacco grown.

### Needed: an “Exit” program

To avoid the mistakes of the past, PSC this year wrote the Minister of Agriculture to suggest a conclusive and compassionate solution to the stated concerns of tobacco farmers.

PSC’s proposal is to buy-out and retire all tobacco quota in Canada, and to wind down the Ontario Flue Cured Tobacco Marketing Board. After this buy-out, farmers would be free to grow tobacco, but would not benefit from supply management.

Because tobacco manufacturers have artificially propped up the tobacco farming sector with over one billion dollars in private subsidies over the last fifteen years, we think it’s incumbent on these big companies to pay to fix the problem they have created.

Under this proposal, farmers would receive exit payments of about $300,000 each.

Key features of PSC’s proposal:

• **A quick phase-out of tobacco growing in Canada** in an orderly, effective and fair manner.

• **No cost to taxpayers.** The entire cost of the program is borne by tobacco companies, either by direct voluntary payments or through a government-run program, the cost of which is entirely offset by revenue from new taxes on tobacco.

• **No public money to promote tobacco exports** or continued tobacco growing in Canada.

• **Monitoring by a publicly appointed agency** that includes representation from the public health community and public auditors.

We believe this program, at no cost to taxpayers, would be attractive to farmers, and would allow them to leave the industry with dignity. It also benefits public health by removing—for once and for all—the political pressure to keep Canadian tobacco farmers in business.

<table>
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</thead>
<tbody>
<tr>
<td>Number of tobacco producers</td>
<td>2241</td>
<td>1700</td>
</tr>
<tr>
<td>Pounds of tobacco grown</td>
<td>110 million lbs</td>
<td>154 million lbs</td>
</tr>
</tbody>
</table>
Forty years after the health effects of smoking were well established, it’s time we asked whether we are doing enough.

On the one hand, we have made real progress. In 1965 more than six in ten Canadian men smoked, as did four in ten Canadian women. Today, only two in ten Canadian men and women smoke.

On the other hand, we are not far from where we started. There are almost as many smokers today (5.3 million) as there were in the mid-1960s (6 million), when public measures to reduce tobacco use first began. Almost as many cigarettes were smoked in 2002 (47 billion) as in 1965 (53 billion).

After two generations of public health engagement, the number of smokers has not fallen significantly. Nor has medical science found the once-hoped-for cures for tobacco-caused disease; cigarettes continue to claim one in five Canadian lives.

Tobacco control successes over four decades suggest that the current comprehensive measures are effective, and that they are necessary to reduce smoking. But our slow progress in reducing absolute levels of smoking suggests that these measures are not sufficient to end tobacco use, or even to reduce it to minimal levels. The world is far closer to eradicating polio than it is to eradicating tobacco.

Demand-side vs. Supply-side
Most public measures used to reduce smoking (like higher taxes and bans on advertising) are aimed at reducing the demand for tobacco. These ‘demand-side’ interventions are very different from the (usually unsuccessful) ‘supply-side’ interventions used to manage illegal drugs. Canada has engaged supply-side strategies to manage the market for cigarettes, including transition payments for tobacco farmers, import tariffs on tobacco to protect the domestic tobacco market, anti-smuggling initiatives, and bans on sales to minors. The Ontario Flue-Cured Tobacco Growers’ Marketing Board is an example of a government-endorsed supply-side intervention designed to assist tobacco farmers.

“Supply-side” strategies help achieve other social goals.
There may be untried supply-side strategies that could significantly reduce tobacco use. Supply-side interventions have been found to be very effective in other sectors where ‘the market’ fails to produce the socially-optimum level of production and consumption.

Examples include publicly-funded inoculations, state investment in the development of transportation routes, regulated monopolies in utilities and telephone services, quotas for Canadian content on television and radio, government-owned liquor outlets, supply-management of agricultural products like dairy and grains, single-payer health care systems, etc.

“Industrial strategies” combine supply and demand side interventions.
These strategies aim to “reduce the gap assumed to exist between the actual outputs of manufactured goods and the socially optimal level.”

The traditional policy tools for governmental industrial strategies include tariffs, quotas, subsidies, licensing, protected oligopolies and monopolies, profit controls, bans on foreign ownership and requirements for non-profit operations. These strategies are used to both increase production (as in the case of minimum quantities of Canadian television programming), or decrease production (as in the case of limited licences for taxi services).

An industrial strategy could make tobacco control measures even more “comprehensive.”
We believe that Canada could further reduce tobacco use by better managing the supply of tobacco products. To that end, we have launched a research initiative to identify industrial strategies or other public approaches which can further reduce tobacco use. In January, the Canadian Tobacco Control Research Initiative awarded PSC $50,000 towards this research project.

Industrial strategies have been used to co-manage demand and supply of many sectors when considered in the public interest.
Is it time we had such a strategy for tobacco??
CPP Contributions Invested in Big Tobacco

M any, if not most, of the 16 million Canadians who are required to contribute to the Canada Pension Plan are not aware that their pension savings have been invested in tobacco company stocks. How then would they feel to learn their pension savings were used to vote down proposals to improve the business practices of the world’s largest tobacco transnational, Philip Morris/Altria (maker of Marlboro and Virginia Slims).

For the past three years, the Canada Pension Plan Investment Board (CPPIB) has increased its holdings in private companies, including tobacco companies. These investments give the board the power to vote, on behalf of CPP contributors, on shareholder motions.

At the Annual General Meeting of Altria Shareholders, held on April 29th in East Hanover, New Jersey, The CPPIB voted against each of the proposals aimed at reducing the harmfulness of cigarettes (see across).

All Canadian workers residing outside of Quebec must contribute 4.95% of their earnings (to a maximum of $1831) to the Canada Pension Plan.

The Federal government collects CPP contributions and then gives it to the Canadian Pension Plan Investment Board (CPPIB) for investment. The CPPIB is accountable to federal and provincial ministers, but operates at ‘arms length’ from government.

For the past three years, the contributions of the 16 million Canadian workers who are members of the CPP has been invested in shares in the stock market. These investments include shares in tobacco companies and other corporations which produce controversial and harmful substances.

Physicians for a Smoke-Free Canada has sought - without success - a change in the CPPIB investment policy.

In January this year, we launched a LIFESAVINGS campaign to help inform Canadians of the dangerous and harmful ways their pension funds were being invested. Details on this campaign can be found at www.smoke-free.ca/lifesavings/cpp/

Tobacco companies in which CPP contributions are invested:

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<tr>
<th>Tobacco Company</th>
<th>Number of Shares</th>
<th>Value (CAD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROTHMANS INC</td>
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<tr>
<td>ALTRIA GROUP INC (US)</td>
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<tr>
<td>BRIT AMER TOBACCO (UK)</td>
<td>694,000</td>
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<td>EASTMAN CHEM CO (US)</td>
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<td>1,872,000</td>
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<td>IMPERIAL TOBACCO (UK)</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>99,254,000</strong></td>
</tr>
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How the Canadian Pension Plan Investment Board Voted: April 29, 2004

Proposal 1 – Philip Morris and Ways of More Adequately Warning Pregnant Women

"Shareholders request ... warn women of childbearing age of the harm caused by tobacco use to them and their baby before and after birth..."

CPPIB Voted AGAINST

Proposal 2 – Report on Health Risks Associated with Filters

"Shareholders request ... an independent panel of outside experts to issue a report addressing: (a) previous test results, by cigarette brand, of any and all materials released from cigarette filters, (b) the toxicological test results of filter materials performed by Philip Morris or subcontractors; and (c) results of studies undertaken to measure the human health risks of all filter materials in mainstream smoke..."

CPPIB Voted AGAINST

Proposal 3 – Political Disclosure Resolution

"Shareholders request that the Company ... report ...its policies for political contributions..."

CPPIB Voted AGAINST

Proposal 4 – Cease Promoting Light and Ultralight Brands

"... stop all advertising, marketing and sale of cigarettes using the terms "light," "ultralight," "mild" and similar words and/or colors and images ...

CPPIB Voted AGAINST

Proposal 5 – Voluntarily Place Canadian — Type Warnings on All Its Cigarette Packs Worldwide

"... Voluntarily place Canadian-style warnings on all cigarettes it sells in the United States and, subject to applicable laws, in those countries where Canadian-style warnings are not yet required...

CPPIB Voted AGAINST
## Recent events

### December

The **B.C. Government** raised tobacco taxes to $35.80 for a carton of 200 cigarettes—the second highest tobacco tax in the country.

### January

Ontario Health Minister **George Smitherman** announced that smoking in workplaces and public places will be banned in Ontario within 3 years — but no legislation yet!

The **Lung Association’s Youth Tobacco Team** asked the Ontario government to give a restricted rating on all movies showing tobacco.

**Physicians for a Smoke-Free Canada and other health agencies** released a report to federal Finance Minister Ralph Goodale urging him to close a loophole that allows roll-your-own tobacco to be taxed at one-third the rate applied to cigarettes. They also recommended a Canada-wide tax increase of $5 per carton of 200 cigarettes.

Tobacco Control **Lobby Day on Parliament Hill** hosted by PSC and the Canadian Medical Association.

The **Quebec Revenue Department** began an audit of JTI-Macdonald Corp. of Toronto, seeking to claim unpaid taxes, mainly between 1990 and 1994, on contraband tobacco.

### February

**CTUMS** (Canadian Tobacco Use Monitoring Survey) results show that smoking prevalence in Canada is down to 20%. For the first time since 1994/95, youth (age 15-19) reported a lower smoking rate (18%) than the total population.

### March

The **Saskatchewan Court of Appeal** allows the government’s appeal of a lower court decision striking down a ban on retail display of cigarettes. Rothmans, Benson and Hedges had successfully claimed that the provincial ban on point of sale advertising contradicted the federal tobacco control laws and was essentially unconstitutional.

### April

**Manitoba** Health Minister Jim Rondeau introduces legislation to make all public places smoke-free on October 1, 2004.

**Minister of Public Works** announces moratorium on government advertising—Health Canada’s anti-smoking ads are caught in the freeze.

**Imperial Tobacco** announces it will end its subsidy to Canada’s tobacco farmers.

**Parliament** passes bill C-260, a private member’s bill introduced by John McKay, MP to require fire-safe cigarettes.

### May

**Saskatchewan** moves ahead with smoke-free legislation. Following passage of smoke-free bylaws in Moose Jaw, Saskatoon, Yorkton, Prince Albert and Humboldt, **Health Minister John Nilson** introduces legislation to make all public places smoke-free on January 1, 2005.

**Health Canada** gazettes regulations to require “reduced ignition potential” (RIP) cigarettes after October 1, 2005.

Federal Agriculture Minister **Bob Speller** announced tobacco growers in Ontario and Quebec will get $71 million in federal aid. The money will be used to help farmers leaving the industry and to ensure the viability of remaining producers.

The Ontario Government raises **cigarette taxes** by $2.50 a carton.

May 31 – **World No-Tobacco Day**.

Workplaces across **Nunavut** and the **Northwest Territories** become smoke-free. Also, Nunavut’s Bill 33 comes into force, which will reduce the sale of tobacco to minors by making it illegal to sell to anyone under 19.