

Canada



Summary of Findings

I. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

While the Federal Department of Health (Health Canada) has a policy of “not partnering with the tobacco industry on tobacco control programming”, this policy does not extend across government. The Federal Lobbyist Registry reveals that the tobacco industry (TI) is currently engaging with at least 18 departments, agencies and institutions including Health Canada, the Canada Revenue Agency, Finance Canada, the Treasury Board, Canada Border Services, Public Safety Canada, Global Affairs Canada, Indigenous Services Canada, the House of Commons, the Senate of Canada, the Prime Minister’s Office, Privy Council Office, the Royal Canadian Mounted Police, and Justice Canada.

There are no restrictions on TI engagement with policy development. Health Canada regularly invites policy proposals from all parties, including the TI, and the Ministry has accepted TI recommendations for delayed implementation of regulations and policies on repeated occasions.

2. INDUSTRY CSR ACTIVITIES

Although Canada reported it had “adopted administrative measures” which included Health Canada’s “policy of not partnering with the tobacco industry on tobacco control programming,” some government departments and agencies have continued to partner with the TI and accept funding. There are no prohibitions in place to prevent these violations.

In 2020 the Government of Canada invested US\$130 million in Medicago—a vaccine developer based in Quebec that was jointly owned by Philip Morris International (1/3 equity) and Mitsubishi Tanabe Pharma (2/3 equity). The government investment in Medicago supported the development of a COVID-19 vaccine, and a new vaccine manufacturing plant

in Quebec. In March 2022, the WHO rejected an application by Medicago for the global distribution of its COVID-19 vaccine due to the involvement of Philip Morris. Medicago was subsequently dissolved by MTP in February 2023, and the production of the vaccine was halted. Although Philip Morris reports that it continues to hold liabilities to the Canadian government in relation to the vaccine collaboration, the vaccine partnership between MTP, Philip Morris and the Government of Canada has been effectively dissolved.

3. BENEFITS TO THE INDUSTRY

Under pressure from the TI, the implementation of slide-and-shell packaging was postponed for two years following the implementation of standardized packaging on tobacco products in October 2019.

The development and implementation of government guidelines regarding TI interference have been repeatedly delayed since initially promised in 2016.

Several provincial governments have divested TI stocks from holdings and portfolios including pension funds, including the governments of Alberta, Quebec and Ontario. However, the Canada Pension Fund continues to invest in tobacco company equities.

4. UNNECESSARY INTERACTION

Limitations on interactions with tobacco companies only extend to the Federal Department of Health staff and officials. There is no such limitation on interactions and partnerships with the Public Health Agency of Canada or any other government department, agency, board, or institution. Tobacco lobbyists report numerous and ongoing meetings with government officials in the Federal Lobbyist Registry.



5. TRANSPARENCY

Restrictions on meetings and interactions with the TI are limited only to the Federal Department of Health and do not apply to any other ministry, agency, or institution. The Federal Department of Health launched a website in 2019 that contains details of previous meetings with tobacco and vaping representatives.

The Federal Department of Health has proposed new regulations to “improve the information collected by Health Canada from manufacturers and importers of tobacco products and to require that the Minister disclose certain information to the public”. No regulations have been approved to date.

The Lobbyist Registration Act requires all tobacco company lobbyists to register including consulting lobbyists, but there are no special restrictions on these lobbying activities other than the general restrictions contained within the Act. TI-sponsored or affiliated organizations are not required to report their funding sources or commercial alliances.

6. CONFLICT OF INTEREST

In its reports to the Framework Convention on Tobacco Control (FCTC) Secretariat since 2010, Canada identifies only one measure in place which conforms to these recommendations: the banning of donations to political campaigns for electoral purposes. This prohibition applies to all corporations, trade unions and non-governmental organizations, not just to tobacco companies.

There are no policies to guide public office holders in accepting positions with tobacco companies other than those which apply to other industries.

7. PREVENTIVE MEASURES

The Tobacco Reporting Regulations require disclosure of some, but not all, TI activities. The Federal Department of Health launched a website in 2019 that discloses the attendees and minutes of meetings with the TI. However, this disclosure is limited only to meetings with the Federal Department of Health, and does not include other government ministries.

There is no code of conduct for public officials dealing with the tobacco industry which extends beyond the code that applies to other industries.

Through the Tobacco Reporting Regulations, the Federal Department of Health requires information on research and promotional activities, sales and sponsorship and provides some disclosure of this information. The Tobacco Reporting Regulations were amended in 2005 and 2019.

In 2020, the absence of government-wide guidelines for Article 5.3 facilitated the development of a US\$130 million Federal government collaboration with Medicago Inc—a Quebec-based vaccine developer that was owned by Philip Morris International (1/3 equity) and Mitsubishi Tanabe Pharma (2/3 equity).

The state administration is not familiar with the FCTC, particularly Article 5.3. The specifics of the TI's activities are unknown, and no special rules are adopted to protect health policies from the influence of the industry and its allies.



Recommendations

1. We recommend that the Government of Canada adopt strong guidelines to fully comply with FCTC Article 5.3 that apply to the entire public service including the administrative, legislative, and judicial branches of government and any related Boards, Agencies, Institutions and Crown Corporations.
2. We recommend that the Government of Canada work with subnational governments to ensure that they adopt strong guidelines to fully comply with FCTC Article 5.3.
3. We recommend that all government interactions with tobacco companies and their representatives and allies be publicly and fully reported in a timely manner—ideally within 30 days of each interaction.
4. We recommend that all branches of government—including the Canada Fund—avoid all partnerships and collaborations with tobacco companies including indirect corporate social marketing schemes to enhance the public image of the TI.
5. We recommend that tobacco companies and their representatives and allies be excluded from all policy development activities and consultations that apply to the production, marketing and export of tobacco products and nicotine vaping products.