

Simcoe Reformer

[« Back](#)

Illegal smoke shops off limits

Posted 6 days ago FEB 05/09

The McGuinty government's attempt to curb underage smoking is turning out to be a huge waste of tax dollars.

The Ministry of Health pays the province's 36 health units \$50 million a year for youth smoking programs. Most of that is spent monitoring convenience stores to ensure they are not selling to minors.

Enforcement officers, however, are not allowed to go near the biggest source of contraband tobacco in the province -- native smoke shops. Thousands of smoke shops have popped up in recent years on the province's 163 reserves. Locally, a handful have set up illegally in Haldimand County along Highway 6.

A carton of cigarettes at a convenience store costs about \$80. However, a baggie of 100 cigarettes typically sells at a native smoke shop for as little as \$7. Yet the McGuinty government has told the Haldimand-Norfolk Health Unit that the smoke shops of Haldimand County are off-limits to enforcement staff.

The fact the worst offenders are immune to the law makes Glen Steen, the health unit's co-ordinator of healthy environments, "very" uncomfortable. He feels it is unfair to other vendors targetted under the Smoke Free Ontario Act.

"I'm sure our kids are getting cigarettes at these establishments and there's nothing we can do about it," Steen said this week.

The Ontario Convenience Stores Association also finds the situation irksome. Health units across the province regularly send underage "test buyers" into member stores in an attempt to identify vendors that sell to minors. Steen reported 261 such attempts last year in Haldimand and Norfolk, with no vendor taking the bait.

OCSA president David Bryans calls the approach "entrapment." Bryans also finds it unacceptable that the province spends so much trying to snare his members while turning a blind eye to the flood of illegal tobacco emanating from native smoke shops.

Bryans says the problem is large and getting bigger. Over the past two years, OCSA has collected cigarette butts from smoking areas at 75 high schools in Quebec and 80 high schools in Ontario. In 2007, 23 per cent of the butts were confirmed as contraband. The corresponding figure for 2008 was 28 per cent.

OCSA believes there is a better way. OCSA wants the province to make it illegal for anyone 19 years of age or under to purchase or possess tobacco products. That, Bryans said, would rid high schools of cigarettes while putting those in possession of them on par with drug abusers. Despite the association's lobbying efforts, no one at Queen's Park is listening.

"No one should be closing their eyes to this," Bryans said. "Not health boards, not parents. It's growing everywhere. But the authorities close their eyes and it is affecting our kids. We can't close our eyes to this. The health units can't close their eyes to this and say they are doing their jobs."

Langton Coun. Roger Geysens wasn't impressed this week when he learned that enforcement staff are not allowed in Haldimand smoke shops. Geysens said the money spent in Ontario on tobacco enforcement is wasted if native smoke shops are exempt.

"The province has to say there is one rule and one law for everyone," Geysens said. "If it's not on disputed property, the law should be enforced."

The subject arose last week in the legislature at Queen's Park. Leeds-Grenville MPP Bob Runciman, acting leader of the Progressive Conservative Party, said the McGuinty program obviously isn't working when nearly half the cigarettes consumed in Ontario are illegal.

"The government is sitting on its hands and looking the other way at scores of illegal aboriginal smoke shacks operating with impunity," Runciman said. "If the premier is serious about stopping teen smoking, when will he enforce the law and stop unethical efforts to entrap small business people?"

