

# Health Canada and the Canadian Vaping Association meeting: Quarterly update call- April 15, 2020

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## Subject:

Vaping Products

## Date:

**April 15, 2020**

## Participants

Health Canada (HC)

- Dana Beaton
  - Acting Director General, Tobacco Control Directorate (TCD) (Chair)
- Denis Choinière
  - Director, Tobacco Product Regulatory Office, TCD (co-Chair)
- Manager, Tobacco Product Regulatory Office, TCD
- Manager, Tobacco Product Regulatory Office, TCD
- Joseph Given
  - Associate Director, Office of Compliance for Tobacco and Vaping Products, TCD
- Manager, Office of Policy and Strategic Planning, TCD
- Policy Analyst, Office of Policy and Strategic Planning, TCD (secretariat)
- Krista Locke

- Director General, Consumer Products and Controlled Substances Directorate (CPCSD), Regulatory, Operations and Enforcement Branch (ROEB)
- Tiana Branch
  - National Director, Tobacco and Vaping and Controlled Substances Division, CPCSD, ROEB
- Senior Manager, Tobacco and Vaping and Controlled Substances Division, CPCSD, ROEB
- Senior Advisor, Tobacco and Vaping and Controlled Substances Division, CPCSD, ROEB

#### Canadian Vaping Association (CVA)

- Samuel Tam
  - President
- Darryl Tempest
  - Government Relations and Executive Director
- Shaun Casey
  - Government Relations Chair

## Introduction:

A meeting was held at the request of the CVA to discuss various topics related to vaping products.

The Chair opened the meeting by doing round table introductions. The Chair reminded participants that this meeting is subject to disclosure as per HC's [Openness and Transparency policies](#). In the interest of transparency, the department stated that it would be making a record of the meeting publicly available. The [handling of information and privacy notice](#) was mentioned and acknowledged.

## Subjects:

### **Industry compliance initiatives**

Through consultations with their members and small and large vaping retailers, the CVA is developing an industry guidance document to help industry understand and comply with vaping product regulations in Canada.

### **Overview of Health Canada inspection**

A CVA member recently underwent a Health Canada inspection pursuant to the *Tobacco and Vaping Products Act* and the Canada Consumer Product Safety Act. The CVA has used this experience to further inform the above-mentioned industry guidance document.

### ***Vaping Products Labelling and Packaging Regulations* - What the CVA has done and is doing**

The CVA has been communicating to its members that products should be distributed with labels that meet the requirements outlined in the *Vaping Products Labelling and Packaging Regulations* (VPLPR) to ensure compliance by July 1, 2020. The CVA expressed that further clarification of section 48 of the VPLPR would be beneficial to the vaping product industry.

### **Provincial interactions across Canada**

The CVA provided an overview of the feedback it has received during its meetings with some provinces and territories regarding vaping over the last several months. Flavours, nicotine concentration and taxation were topics of interest.

The CVA asked Health Canada whether the department was expecting any new data on youth uptake of vaping in the short term. Health Canada indicated that they would consult with the surveillance team and follow up with the CVA.

## **Reporting of non-compliant vape retailers**

The CVA provided an overview of the provincial and territorial approaches to regulating vaping product retailers during the COVID-19 pandemic. The CVA noted their concerns regarding limited consumer access to legal vaping products in some provinces due to temporary business shutdowns. Health Canada reminded the CVA of section 9 of the *Tobacco and Vaping Products Act* and invited them to notify Health Canada should they be aware of any suspected non-compliance.

The CVA asked if Health Canada had observed an increase in reported non-compliance. Health Canada indicated they would look into reported cases and follow up with the CVA.

## **Growing membership**

The CVA indicated that its membership has grown substantially across Canada over the past six months. It is mainly comprised of vaping product retailers, but also includes vaping product manufacturers.

## **Round Table**

The CVA indicated that they would be working with the vaping product industry ahead of the adoption of the *Vaping Products Promotion Regulations* to encourage compliance.

Health Canada informed the CVA that the web posting of the updated Forward Regulatory Plan, which was expected April 1, 2020, as well as the third quarter compliance reports, are delayed due to COVID-19-related files being given priority. Health Canada indicated that interested parties and stakeholders will be notified when the updated Forward Regulatory Plan is posted.

## **Conclusion:**

The meeting was then concluded.

## Documents:

- Meeting agenda prepared by the CVA