

SUMMARY: Meeting with JUUL Labs Canada

Subject: Vaping Products

- Health Canada's Notice of Intent (NOI)
- JUUL's educational advertising
- New technology for vaping products

Date: 2019-02-12

Participants:

Health Canada (HC):

James Van Loon (Chair)

Director General, Tobacco Control Directorate (TCD)

Krista Locke

Director General, Consumer Product Safety, Tobacco and Pesticides Directorate (CPSTPD)

Annie-France Gravel

Director, Tobacco and Vaping Compliance & Enforcement Program (TVCEP), CPSTPD

Senior Advisor, Director General's Office, TCD

Senior Manager, Tobacco and Vaping Compliance & Enforcement Program, CPSTPD

Manager, Office of Policy and Strategic Planning, TCD

Manager, Tobacco Products Regulatory Office, TCD

Manager, Systems Configuration Unit, TCD

JUUL Labs Canada (JUUL):

Nicholas Kadysh

Director, Government Affairs, JUUL

Michael Nederhoff

General Manager, JUUL

Chris Harris

Toxicologist, JUUL

John Perenack

Consulting Lobbyist, StrategyCorp

Introduction:

A meeting was held at the request of JUUL Labs Canada (JUUL) to discuss the following issues:

- Health Canada's Notice of Intent (NOI)
- JUUL's educational advertising
- New technology for vaping products

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:

1) Health Canada's Notice of Intent (NOI)

HC provided an overview of the department's response to the reported increases in youth vaping uptake, namely the [Notice of Intent – Potential Measures to Reduce the Impact of Vaping Products Advertising on Youth and Non-users of Tobacco Products](#) (NOI). JUUL responded that the proposed measures set out in the NOI align with their own plans, for the most part. JUUL confirmed that they intend to submit a response to the NOI. JUUL indicated that they were surprised by the proposed restrictions on advertisements at point of sale as they have not seen evidence that point of sale advertising is linked to youth use of vaping products. HC responded the proposed measures are intended to address the need to limit exposure by youth to vaping product advertising.

JUUL asked why not enforce the prohibition on sales to youth? HC responded that the department intends to enforce the sales to youth prohibition. JUUL indicated that in an effort to address sales to youth, they were finalizing a secret shopper program. JUUL stated that their protocol in the US involves reporting infractions to the Food and Drugs Administration (FDA) and creating a blacklist for non-compliant retailers. JUUL stated they were considering a similar protocol for Canada, whereby they would alert HC after a 2nd infraction by a retailer. HC responded that any complaints should be sent to the general tobacco control email address, which would be actioned for follow up by the TVCEP.

2) JUUL's Educational Advertising

JUUL informed HC that they have launched educational advertising videos in the US, which feature individuals who switched to vaping as using a means to quit smoking. JUUL acknowledged that they were aware that these types of ads are not permitted in Canada.

JUUL also informed HC that advertisers for radio and print media are not sure what advertising is permitted in Canada, and that they will not run ads unless HC permits them to do so. HC stated that the department does not "authorize" promotions.

3) New Technology for Vaping Products

JUUL informed HC that they are close to completing physical hardware updates to their vaping device. JUUL indicated that they were planning a limited launch to current JUUL users to field test the device. JUUL asked whether HC would be interested in receiving aggregated data collected by the device. HC responded that the department would be interested in knowing what type of data would be collected, and confirmed that such data was not required by department.

JUUL asked HC whether a vaping device launched with age gating could be subject to exemptions from advertising restrictions. HC responded that this idea could be proposed in JUUL's response to the NOI.

4) Questions

HC acknowledged the US FDA's [statements](#) on youth vaping in the US, and reminded JUUL that youth vaping is a serious issue. JUUL responded that they wish to maintain social license to convert those who smoke to vaping.

Conclusion:

The meeting was then concluded.

Documents: N/A