

SUMMARY: Meeting with Canadian Vaping Association

Subject: Vaping Products

Date: 2019-03-04

Participants:

Health Canada (HC):

James Van Loon

Director General, Tobacco Control Directorate (TCD) (Chair)

Dana Beaton

Acting Director, Office of Policy and Strategic Planning, TCD

Joseph Given

Associate Director, Office of Compliance for Tobacco and Vaping Products, TCD

Senior Advisor, Director General's Office, TCD

Canadian Vaping Association (CVA):

Marc Kealey

Consultant, Kealey & Associates

Darryl Tempest

Executive Director, CVA

Sam Tam

Government Relations Chair, CVA

Introduction:

A meeting was held at the request of the CVA to discuss various topics related to the regulation of 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:

1. Opening statements

The CVA provided an overview of their memo and agenda. The CVA also acknowledged that they will be submitting to HC a response to the [Notice of Intent – Potential Measures to Reduce the Impact of Vaping Products Advertising on Youth and Non-users of Tobacco Products](#).

2. Update on CVA activities

Youth vaping:

- The CVA indicated that they and their members (i.e. qualified vape shops) take the issue of youth access to vaping products seriously. The CVA further stated that according to the Canadian Convenience Stores Association's new CEO, convenience stores have infrastructure in place to prevent sales to youth. The CVA also indicated that there is a need for assertiveness with respect to proposals to curb vaping among youth.
- The CVA indicated that they have discussed youth vaping with HC. The CVA's perspective is that these products should only be available to smokers. They further stated that they recognize youth uptake of vaping as a serious issue, and as independent vape retailers, want to be part of the solution. For example, vape specialty shops should be age restricted via licensing or accreditation.

Nicotine:

- The CVA indicated that they believe nicotine is responsible for the rapid uptake in youth vaping. They further stated that they will be recommending a nicotine limit for vaping products. They believe that nicotine salts offer a bigger nicotine hit, with a nicotine concentration of up to 50 mg/ml. This is in contrast to tank devices, which typically have a maximum nicotine concentration of 24 mg/ml.

3. CVA initiatives

YEPPWEID:

- The CVA stated that their youth education and prevention program for retailers is supported by some vaping product manufacturers.

Age verification:

- The CVA stated that they had a meeting with Canada Post to discuss online age verification. The CVA indicated that they planned to share a list of vendors with online sales mechanisms to Canada Post. The CVA further provided ideas to ensure age verification takes place upon delivery, including placing bold stickers on the package to remind the delivery person to conduct an age verification check and providing training to people making deliveries of vaping products.

- The CVA also raised the pros and cons of different online platforms that can be used for age verification when accessing an online retailer. They emphasized the importance of verification throughout the purchasing process, particularly with respect to the delivery of products purchased online.
- HC asked the CVA for their thoughts on prohibiting online sales of vaping products. The CVA indicated that they believe there is an issue with the shipping of counterfeit vaping products from overseas and selling them at a cheap price on e-commerce sites. However, the CVA further stated that taking additional measures to conduct age verification should be adequate to capture online sales, and encouraged alignment with cannabis and alcohol sales. With respect to controlling the importation of vaping products, including potentially non-compliant vaping products, from overseas, the CVA indicated that they were meeting with Canada Post for further discussion.

4. Secret shopper program

The CVA stated that it is important to educate stores before launching a secret shopper program. The CVA indicated that it was working on creating an ID guide that would be offered to vape shops and convenience stores. This would consist of a training program for new staff regarding ID verification. HC asked what the CVA would do with observed non-compliance under the secret shopper program (i.e. selling to minors). The CVA responded that they would report both members and non-members to HC via a formalized process.

5. North American initiatives

Summit:

- The CVA indicated that the North American Vaping Alliance is organizing a summit to discuss North American manufacturing standards, by bringing together good manufacturing practices expertise. The CVA stated that they feel this is necessary as there has been a lack of movement in the development of an ISO standard specific to vaping products.

Cross-border initiatives:

- The CVA discussed vaping product regulation with the provinces and territories and indicated they would like to see a coordinated approach. The CVA also engaged other countries looking to build national vaping associations.

Conclusion:

The meeting was then concluded.

Documents:

- Memorandum
- Meeting agenda prepared by the CVA