



Letter to Retailers of Vapour Products in British Columbia-Packaging Requirements

In response to questions raised by retailers of vapour products, this letter aims to provide further clarity on the Province's approach to requirements under Section 8 of the E-substances Regulation (ESR) which outlines packaging requirements.

Together, action taken by the Governments of Canada and British Columbia will have a positive effect in reducing vaping product use amongst young people.

The Province expects retailers to make every effort to comply with new vaping related regulations and where warranted, enforcement officers will use enforcement authorities authorized under the ESR and amendments to the Tobacco and Vapour Products Control Act (TVPCA) and Health Hazards Regulation under the *Public Health Act*. Retailer education materials are available on the Province's website

(<https://www2.gov.bc.ca/gov/content/health/keeping-bc-healthy-safe/tobacco-vapour>).

On June 1, 2020, Health Canada provided a letter to industry that outlined its planned approach to enforcing the new labelling requirements of the *Vaping Products Labelling and Packaging Regulations* (VPLPR) enacted under the *Tobacco and Vaping Products Act* (TVPA) and the *Canada Consumer Product Safety Act* (CCPSA) that came into force on July 1, 2020. The letter is available on Health Canada's website

(https://assets.ctfassets.net/0wutcyjgjrsv/5CtLsaOo6Gw1vXPsiOfIRa/2972c186036cfca457129c484b16a50f/Health_Canada_s_Letter_to_the_Tobacco_and_Vaping_Product_Industry.pdf).

Health Canada's letter acknowledges that the COVID-19 pandemic is having an impact on normal operations of Canadian businesses. According to Health Canada, "the unprecedented circumstances associated with the COVID-19 pandemic and the impact it is having on the ability of businesses to comply with the new VPLPR labelling requirements will be taken into account by Health Canada when addressing non-compliance with these new regulations". The letter subsequently outlines Health Canada's approach to compliance and enforcement of Part 1 of the VPLPR labelling requirements.

Enforcement officers employed by regional health authorities enforce the Province's vaping regulations following a progressive enforcement model. Health authority enforcement officers will take the first steps in a progressive enforcement model and support retailer education, public education, stakeholder relations, inspections, and surveillance until December 31, 2020 regarding Section 8 requirements under the ESR, in alignment with Health Canada's planned approach.

New product reporting requirements in the ESR, indicate that many retailers are meeting compliance requirements with respect to packaging. The Province will continue to monitor implementation of the new regulations.

Questions or comments may be directed to vaping.info@gov.bc.ca