



Tobacco and Vapour Products Control Program Meeting with the Canadian Vaping Association: September 23, 2021

Subject: Meeting to discuss retailer compliance with the E-Substances Regulation

Date: 2021/09/23 **Time:** 15:00 – 15:45

Participants

Tobacco and Vapour Products Control Program	Canadian Vaping Association
<ul style="list-style-type: none">• Chair: Mariam Okwengu, Director• Luke O'Brien, Senior Policy Analyst	<ul style="list-style-type: none">• Sam Tam, President -• Darryl Tempest, Executive Director• Angela Donnan, Stakeholder Outreach

Background

A meeting was held at the request of the Canadian Vaping Industry (CVA) to discuss vaping industry compliance efforts and to present challenges with the current enforcement of the E-Substances Regulation (ESR).

Discussion

Packaging Compliance:

- CVA indicated retailers require greater clarity on B.C.'s packaging requirements under section 8 of the ESR.
- CVA highlighted requirement for retailers to also comply with federal packaging restrictions under the *Vaping Products Labelling and Packaging Regulations (VPLPR)*.
- CVA requested that the Ministry publish guidance for retailers on the plain manner requirements.



Online Sales:

- CVA explained their concern with limited enforcement of the online market.
- CVA notes that customers can purchase larger bottles/tanks of e-liquid from online retailers and have been able to purchase high nicotine concentrations from manufacturers that are located outside of Canada.
- CVA is concerned about the impact to British Columbia (B.C.) small business.
- CVA recommends the Ministry and Health Canada consider requiring “age-gating” for online sales, in which customers must produce identification before they purchase products online and again when the product is delivered to the customer.

Conclusion

- The Ministry will continue to provide guidance to retail industry on B.C.’s packaging requirements.
- The Ministry will continue to collaborate with Health Canada to the cross-jurisdictional issue of online sale of vapour products that are non-compliant with provincial and federal legislation.

No future meetings were scheduled.