

Background Information

Tobacco and The Law

Canada's Tobacco Act



- Tobacco is legal to purchase in Canada for people who are 18 years or older, but legal does NOT mean that it is safe!

Note:

Some provinces have increased the legal age limit to purchase tobacco to 19!

- Advertising and promotion of tobacco products is prohibited on TV, radio and newspapers.
- Laws are in place that require health warnings with images on all tobacco packages. In 2011, a second round of health warnings were developed.

For more information on Canada's health warnings, see the following link:

<http://www.smoke-free.ca/warnings/Canada-warnings.htm>



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In 1997, the *Tobacco Act* was enacted to regulate the manufacturing, sale, labelling and promotion of tobacco products in Canada!

Bill C-32, an *Act* to amend the *Tobacco Act*, was introduced by the Minister of Health, the Honourable Leona Aglukkaq, in the House of Commons in 2009. The bill amends existing provisions in the *Tobacco Act* and introduces new provisions relating to, among other things, little cigars, additives in tobacco products, and the advertising of tobacco products.

For the complete description of Bill C-32, see the following link:

http://www.parl.gc.ca/About/Parliament/LegislativeSummaries/Bills_ls.asp?lang=E&ls=c32&Parl=40&Ses=2&source=library_prb

The catch-all phrase "promotion" means representation of a product or service in a way that is likely to influence and shape the public's attitudes and beliefs and buying behaviour. Aspects of tobacco promotion addressed in the *Act* include direct means such as advertisements, sponsorships and retail marketing; and also less direct means, such as the portrayal of tobacco in the movies, and in foreign media.

Advertisements

According to the *Tobacco Act*, tobacco companies may not:

- attempt to convince young people of the desirability of their product by associating it with glamour, recreation, excitement, vitality, risk, daring, or sexuality (section 22);
- depict (in whole or in part) any tobacco product, or its package or brand (section 22);
- sponsor youth-oriented activities or events (section 24);
- include the name of a tobacco product or manufacturer as part of the name of a permanent sports or cultural facility (section 25).

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Retail Promotions

Under section 30 of the *Tobacco Act*, retailers are permitted to display branded tobacco products and accessories, as well as signs that indicate the availability of tobacco products and their prices.

Note: Even though federal law states the above, our Saskatchewan *Tobacco Control Act* overrules this, therefore we do not allow retailers to display tobacco products in Saskatchewan!

Tobacco and The Arts

The Act's definition of "promotion" does not include tobacco products or brands that are used or depicted in a literary, dramatic, musical, cinematographic, scientific, educational or artistic works, productions or performances – as long as the tobacco company is not paying for the inclusion of the tobacco product or brand (section 18).

Sponsorship

Traditionally, sponsoring sporting, arts, and cultural events were an effective way for tobacco companies to build brand recognition and reach consumers. But in 1998, amendments to the *Tobacco Act* placed restrictions on tobacco sponsorship and promotion.

For more information on advertising and the *Tobacco Act*, see the following link:

http://www.media-awareness.ca/english/resources/legislation/canadian_law/federal/tobacco_act/tobacco_act.cfm