

Draft Regulations

Draft Regulation

Tobacco Control Act
(chapter L-6.2)

Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation under the Tobacco Control Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation prohibits the sale of electronic cigarettes or any other devices of that nature, including their components and accessories, that contain a liquid if they do not display certain information on the product and packaging.

The draft Regulation also prohibits manufacturers and distributors from selling electronic cigarettes or any other devices of that nature, including their components and accessories, if they are not consistent with certain standards relating to the composition and characteristics of such products, in particular with regard to their nicotine concentration and their form.

Lastly, the draft Regulation makes section 29.2 of the Tobacco Control Act (chapter L-6.2), insofar as it relates to the prohibition from selling, offering for sale or distributing a tobacco product that has a flavour or aroma other than that of tobacco, applicable to electronic cigarettes or any other devices of that nature, including their components and accessories.

The draft Regulation should have a financial impact on enterprises that generate revenue through the sale of those products, in particular a decrease in turnover and a loss of jobs, more particularly with respect to shops specialized in the sale of vaping products. However, the draft Regulation is expected to have a lesser impact on enterprises that offer a variety of other products, such as convenience stores and service stations.

Further information on the draft Regulation may be obtained by contacting the Direction de la lutte contre le tabagisme, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1S 2M1; email: DGSP-vapotage@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation under the Tobacco Control Act

Tobacco Control Act
(chapter L-6.2, s. 28, 1st and 2nd pars., s. 29,
1st par., s. 29.3, 1st par. and s. 41)

1. The Regulation under the Tobacco Control Act (chapter L-6.2, r. 1) is amended by inserting the following after section 6.4:

“**6.5.** It is prohibited to sell electronic cigarettes or any other devices of that nature, including their components and accessories, that contain a liquid if they do not display the following information on the product and packaging:

- (1) the nicotine concentration, in milligrams per millilitre;
- (2) the volume of the liquid, in millilitres, including in the case of liquid refill containers;
- (3) an indication that the liquid has a tobacco flavour or aroma or that it has no flavour or aroma.

6.6. A manufacturer or a distributor may not sell electronic cigarettes or any other devices of that nature, including their components and accessories, that are not consistent with the following standards:

- (1) have a nicotine concentration of 20 milligrams per millilitre or less;
- (2) have a volume of liquid of 2 millilitres or less or, in the case of liquid refill containers, 30 millilitres or less;
- (3) not have the form of a toy, jewellery, food, animal or real or fictional character, or any other form, appearance or function that may be attractive to minors.

For the purposes of subparagraph 3 of the first paragraph, a form or appearance that conceals the intended use may be considered to be attractive to minors.

6.7. Despite section 29.3 of the Act, section 29.2 applies to electronic cigarettes or any other devices of that nature, including their components and accessories.”

2. Section 7 is amended by inserting “or sections 6.5 and 6.7” after “sections 2 to 6.3”.

3. This Regulation comes into force on the ninetieth day following the date of its publication in the *Gazette officielle du Québec*.

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