

Ministry of Health



Smoke-Free Ontario Act, 2017

How the Act Affects: Vapour Manufacturers, Wholesalers, and Distributors

The Basics

The *Smoke-Free Ontario Act, 2017* prohibits the smoking of tobacco, the use of electronic cigarettes (e-cigarettes) to vape any substance, and the smoking of cannabis (medical and recreational) in enclosed workplaces and enclosed public places, as well as other designated places in Ontario, to protect workers and the public from second-hand smoke and vapour.

Smoking refers to the smoking or holding of lighted tobacco or cannabis (medical or recreational).

Vaping refers to inhaling or exhaling vapour from an electronic cigarette or holding an activated electronic cigarette, whether or not the vapour contains nicotine.

The SFOA, 2017 prohibits the display and promotion of tobacco products and tobacco product accessories at any place where tobacco products are sold. The Act also restricts the display and promotion of vapour products at places where they are sold.

Vapour Product Manufacturers, Wholesalers, and Distributors

A vapour manufacturer is a person who: Manufacturers, fabricates, or produces vapour products for distribution, sale, or storage in Ontario.

A vapour wholesaler or distributor is a person who sells or distributes vapour products for subsequent sale at retail.

Exemptions for Display and Promotion of Vapour Products

Manufacturers, wholesalers, and distributors are permitted to display and promote vapour products as long as the display and promotion complies with the *Tobacco and Vaping Products Act* (Canada).

Signage for Manufacturers, Wholesalers, and Distributors

"No Smoking" and "No Vaping" signs, or a dual "No Smoking and No Vaping" sign must be posted at all entrances, exits and washrooms, in appropriate locations and in sufficient numbers, so that everyone knows that smoking and vaping is not permitted inside the place of business of the manufacturer, wholesaler or distributor.

For information on where to get signs, please contact your local Public Health Unit.

Enforcement

Local public health units will carry out inspections and respond to complaints regarding manufacturers, wholesalers and distributors to enforce the SFOA, 2017.

Penalties

There are several penalties that a manufacturer, wholesaler or distributor could face for violating the SFOA, 2017. Manufacturers, wholesalers and distributors are advised to review the SFOA, 2017 to understand their responsibilities, and the fines that may result from failing to comply.

This fact sheet is intended as a quick reference only and should not be considered to be legal advice. For more information, please contact your local Public Health Unit.

You may also obtain information by calling toll-free:

- **INFOline** 1-866-532-3161
- **TTY** 1-800-387-5559

Hours of operation: Monday to Friday, 8:30 a.m. - 5:00 p.m. (Eastern Standard Time)

For specific information on smoking and vaping laws for manufacturers, wholesalers and distributors, contact your local Public Health Unit. To find the public health unit serving your region, please visit their website at:

<http://www.health.gov.on.ca/en/common/system/services/phu/locations.aspx>.

For more information on the *Smoke-Free Ontario Act, 2017*, please visit the Ontario Ministry of Health website: ontario.ca/smokefree.