

Response to Health Canada's Third Legislative Review of the *Tobacco and Vaping Products Act*

Submitted to Health Canada in September 2025.

Key Points

- Tobacco use remains a major source of harm for people in Canada, second only to alcohol, despite a decline in use and costs since 2018.
- People who use alcohol, cannabis or controlled psychoactive products often use them in conjunction with tobacco and vaping products with nicotine (VPN), which can lead to compounded issues.
- Despite federal regulations, youth in Canada continue to be exposed to ads and multiple other forms of promotions for tobacco, VPN, alcohol, cannabis and gambling — most often through digital media, including social media and streaming platforms, highlighting the need to strengthen compliance with federal advertising restrictions.
- Enforcement and compliance efforts should be expanded, including independent monitoring of both sales and promotional activities.
- Regulatory oversight in digital spaces should be modernized, using tools such as independent age verification processes and AI-driven ad monitoring to better detect and respond to violations.
- A co-ordinated, multi-psychoactive product approach is recommended, integrating tobacco, VPN, alcohol, cannabis, and gambling enforcement under a shared monitoring and compliance framework.

Introduction

The Canadian Centre on Substance Use and Addiction (CCSA) is grateful to provide feedback on Health Canada's Third Legislative Review of the *Tobacco and Vaping Products Act* to discuss the rise of vaping and cannabis use among youth in Canada who are often exposed to ads and many other forms of promotions, such as product placement in television series or films, for these substances.



CCSA was created by an act of Parliament to provide national leadership to address substance use in Canada. As trusted counsel, we provide national guidance to decision makers by harnessing the power of research, curating knowledge and bringing together diverse perspectives.

CCSA supports maintaining an evidence-based public health approach to tobacco and vaping regulations to help protect people in Canada from tobacco and vaping-related death and disease. This includes continued oversight to protect youth from tobacco and vaping products.

For more than 15 years, researchers from the University of Victoria and CCSA have assessed the costs related to the use and harms of various psychoactive substances in Canada through the [Canadian Substance Use Costs and Harms \(CSUCH\) project](#), which includes smoked tobacco products. And in March 2025, CCSA conducted a survey measuring the exposure of youth aged 16–24 to ads for alcohol, cannabis, gambling, tobacco and vaping products with nicotine (VPN). We also compared federal legal frameworks around ads for these psychoactive products, analyzing the potential links between them and their exposure to youth.

Drawing on our longtime monitoring and research of tobacco and VPN, we share our general comments about the legislative review and provide responses to a couple of questions outlined in the legislative review.

General Comments on the Legislative Review

Risks, Harms, and Costs of Tobacco and VPN

The legislative review outlines a reduction of cigarette use between 2018 and 2022, which is reflected by CSUCH data illustrated in Figure 1 below.

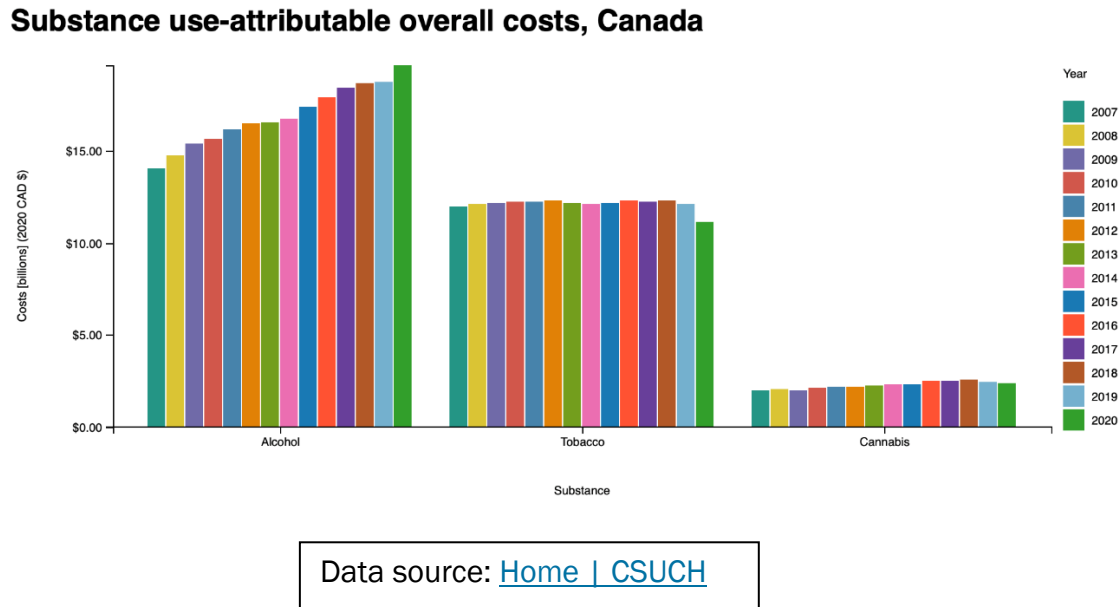
The figure shows that costs associated with tobacco use have reduced since 2018, suggesting a decades-long reduction of tobacco use among the Canadian population and echoing the decrease from 2018, outlined in the legislative review.

This translates into a reduction of the costs associated to diseases attributable to long-term exposure to tobacco smoke, such as cancers or strokes and brain damage, and a reduction in the costs associated to some short-term health risks of cigarette use, such as elevated blood pressure and heart rate, or respiratory difficulties.

However, the same figure, suggests that tobacco use is still a major contributor to harms and costs incurred by psychoactive substances authorized for sales to Canadian adults, second only to alcohol use in this respect over 2007–2020. Cannabis has been a distant third over the same period.



Figure 1. Costs associated to alcohol, cannabis and tobacco in Canada, 2007–2020.



The recent decline in costs, suggesting regulations are effectively curbing use and harms, and the continuing high costs associated with tobacco use strongly justify the increased efforts in tobacco compliance and enforcement announced in the legislative review.

Though the CSUCH project does not currently include VPN, many recent studies suggest that the risks, harms, and costs of using VPN are not insignificant due to the increasing characterization of the risks and harms of the use of these products.

For example, a recent systematic review concluded that there is substantial evidence that e-cigarette exposure is associated to biomarkers of cancer risk (Kundu et al., 2025).

Other recent reviews characterized some preoccupying perinatal outcomes from vaping liquids – though it was not the case of all outcomes under review (Deprato et al., 2025; Ussher et al., 2024; Vallée et al., 2025). It has also been the case for several other specific health problems (Bandara et al., 2024).

Other studies have also suggested associations between using VPN and initiating cigarette use afterwards, notably in youth (Reynolds et al., 2024).

The hopes for harm reduction from people transitioning from smoking to vaping due to mass commercialization of vaping products have considerably deflated in recent years. For example, a recent review suggests that the increase in daily and/or non-daily vaping has not led to increases in smoking cessation (Quach et al., 2025). Scholarly debates are on-going about the harm reduction potential of vaping products relative to tobacco products, but ties to the tobacco and/or vaping industry of many of the participants claiming favourable



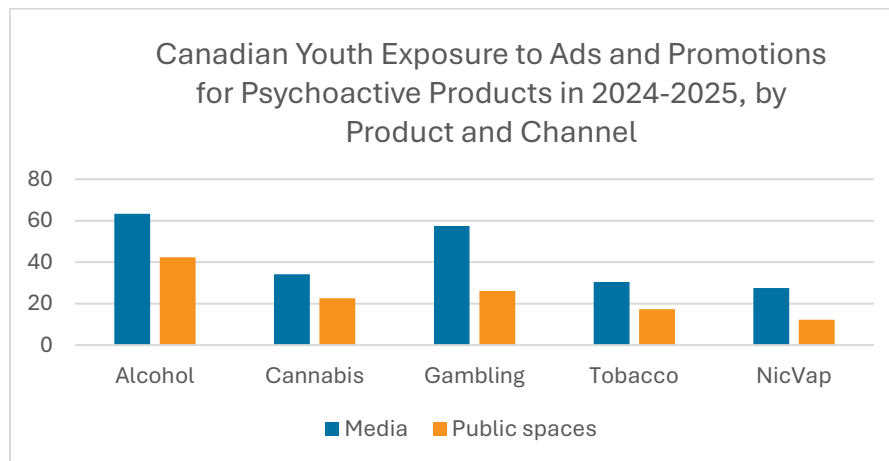
outcomes in these regards create serious suspicions of bias among public health experts (Vidaña-Perez et al., 2022).

Ads for Psychoactive Products Reaching Youth

As noted earlier, in March 2025, CCSA conducted a survey on substance use–related ads reaching youth in Canada aged 16–24, promoting alcohol, cannabis, gambling, and tobacco and VPN.

From our analysis of the federal legal frameworks around these kinds of ads, and as Figure 2 below demonstrates, youth are considerably less exposed to ads for cannabis, tobacco and VPN than to those for alcohol and gambling products.

Figure 2. Canadian youth exposure to ads and promotions for psychoactive products.



This difference underlines the relative effectiveness of federal regulations for the former products, but it also clearly outlines the regulations’ shortcomings, considering they are meant to completely protect youth from exposure to most ads and other forms of incentivizing promotion for tobacco or VPN in various public spaces and media.

When asked in our survey about where youth were exposed to these ads, as indicated in Figure 2 above, respondents shared that they were more commonly seen in media, and specifically — not shown in the graph — digital media. Streaming and/or social media platforms were the most common types, more so than other media types such as print, broadcast television and radio.

The significant costs of tobacco use, the evolving characterization of the risks, harms and benefits of VPN, and the high level of exposure of youth to ads for both tobacco and VPN, largely justify ramping up enforcement and compliance measures, as outlined in the legislative review.



Responses to Questions in the Legislative Review

“How could the Government of Canada improve monitoring/oversight of the product markets considering these products are widely available?” (Changing market subsection)

One of the ways this could be achieved is by funding research initiatives to supplement reports on compliance and compliance efforts by Health Canada.

For example, in Switzerland, a federal enforcement agency has funded a not-for-profit organization to monitor the in-person and online sales of alcohol products to minors. The exercise has been carried out on a yearly basis since 2015 (Notari & Vorlet, 2024). The monitoring reports rely on a sampling strategy that makes the results representative of the overall behaviour of the alcohol market operators in the country. The reports seem to have helped authorities focus their enforcement and compliance efforts on the most crucial issues, and there are indications that these can result in increased compliance. It is noteworthy that this same organization had previously been tasked with monitoring the sales of tobacco cigarettes.

The Government of Canada could consider a similar strategy for the tobacco and VPN markets. It could even consider taking an all-legal-substances approach, possibly including the alcohol, cannabis and gambling sectors. These substances and products are faced with similar issues and incur significant social costs that could be alleviated in part by better enforcement and compliance efforts.

The Government of Canada could also include in the suggested monitoring effort the promotional activities of all these market operators, not only their sales practices to underaged people in Canada. Such a broad mandate could offer economies of scale — notably because many vendors of tobacco and vaping products also sell and promote alcohol and gambling products.

Which measures, technologies or tools would be useful to better monitor/have better oversight of internet and social media? (Regulating in a digital era subsection)

There are three main regulatory strategies to address the issue of online sales to minors:

1. Prohibit online sales and home delivery altogether (as is currently done in Quebec¹).
2. Allow the practice but impose age verification with ID of the buyer on delivery by the agent, which is done in most provinces with cannabis products.
3. Impose a verification of the buyer’s age before products can be ordered online. New tools to verify the age of customers have been developed by commercial operators. Though they appear to be effective at ensuring the age of the customers, they have

¹ Consulted August 8, 2025: <https://www.quebec.ca/sante/conseils-et-prevention/saines-habitudes-de-vie/mode-de-vie-sans-tabac/loi-concernant-la-lutte-contre-le-tabagisme#c13522>



raised concerns over the safety of the data collected in the process and related privacy issues.

In a recent undertaking, French lawmakers have banned the distribution of pornographic materials to minors. Considering the data safety issues, the agency responsible for the implementation of the law imposed an age verification process that is likely to protect individuals' right to privacy in an adequate manner. The two cornerstones of this verification process are a verification agency independent from the retail operator and the double-blind process whereby the verification agency does not know which sites are being accessed by a customer and the retailer does not receive private information on the customer.²

Concerning online promotional activities, the development of an AI-based tool to monitor the compliance of commercial operators could partly resolve the issue of the resources needed to analyze significant numbers of websites, social media platforms and networks, and streaming services publishing huge volumes of promotions. Such tools have been suggested by a World Health Organization report as one of the policy options to consider for the purposes of monitoring and increasing the compliance of promotions of various products, including tobacco.³

Conclusion

Despite the decline in tobacco use and its associated costs, tobacco remains one of the leading contributors to substance use-related harms in Canada, and the risks and harms linked to VPN products are becoming increasingly evident.

CCSA's recent research highlights the persistent exposure of youth to ads and many other forms of promotions for tobacco, VPN, and other psychoactive products — despite regulations intended to protect them. This underscores the need for stronger enforcement and modernized oversight, particularly in digital spaces.

As such, we support Health Canada's commitment to enhanced compliance efforts and encourage the adoption of innovative monitoring strategies — such as independent research partnerships and AI-powered ad surveillance — to ensure regulatory frameworks keep pace with rapidly evolving product markets and marketing tactics.

Protecting the public in general and youth specifically and reducing substance-related harms must remain central to Canada's public health approach.

² Consulted on July 25, 2025: <https://www.arcom.fr/sites/default/files/2024-10/Arcom-Referentiel-technique-sur-la-verification-de-age-pour-la-protection-des-mineurs-contre-la-pornographie-en-ligne.pdf>

³ Consulted on July 25, 2025: <https://escholarship.org/uc/item/44v4p4mn>



References

- Bandara, N. A., Burgos-Blasco, B., Zhou, X. R., Khaira, A., Iovieno, A., Matsubara, J. A., & Yeung, S. N. (2024). The Impact of Vaping on the Ocular Surface: A Systematic Review of the Literature. *Journal of Clinical Medicine*, 13(9). Multidisciplinary Digital Publishing Institute. <https://doi.org/10.3390/jcm13092619>
- Deprato, A., Garud, A., Azzolina, D., Murgia, N., Davenport, M. H., Kaul, P., Lacy, P., & Moitra, S. (2025). Associations between vaping during pregnancy and perinatal outcomes: A systematic review and meta-analysis. *Journal of Hazardous Materials*, 486, 137028. <https://doi.org/10.1016/J.JHAZMAT.2024.137028>
- Kundu, A., Sachdeva, K., Feore, A., Sanchez, S., Sutton, M., Seth, S., Schwartz, R., & Chaiton, M. (2025). Evidence update on the cancer risk of vaping e-cigarettes: A systematic review. *Tobacco Induced Diseases*, 23. European Publishing. <https://doi.org/10.18332/tid/192934>
- Notari, L., & Vorlet, J. (2024). *Achats tests d'alcool 2023. Rapport national sur la vente d'alcool aux mineures*. <https://doi.org/10.58758/rech170a>
- Quach, N. E., Pierce, J. P., Chen, J., Dang, B., Stone, M. D., Strong, D. R., Trinidad, D. R., McMenamin, S. B., & Messer, K. (2025). Daily or Nondaily Vaping and Smoking Cessation among Smokers. *JAMA Network Open*, 8(3). <https://doi.org/10.1001/jamanetworkopen.2025.0089>
- Reynolds, C. M. E., Mack, J. B., O'Connor, L., & McAvoy, H. (2024). The effects of vaping on children and adolescent health: a review of systematic reviews. *The Lancet*, 404, S87. [https://doi.org/10.1016/S0140-6736\(24\)02008-7](https://doi.org/10.1016/S0140-6736(24)02008-7)
- Ussher, M., Fleming, J., & Brose, L. (2024). Vaping during pregnancy: a systematic review of health outcomes. *BMC Pregnancy and Childbirth*, 24(1). <https://doi.org/10.1186/s12884-024-06633-6>
- Vallée, A., Eid, M., Feki, A., & Ayoubi, J. M. (2025). Maternal vaping and pregnancy adverse outcomes: A systematic review and meta-analysis. *Women and Birth*, 38(5). <https://doi.org/10.1016/J.WOMBI.2025.101951>
- Vidaña-Perez, D., Reynales-Shigematsu, L. M., Antonio-Ochoa, E., Ávila-Valdez, S. L., & Barrientos-Gutiérrez, I. (2022). The fallacy of science is science: The impact of conflict of interest in vaping articles. *Revista Panamericana de Salud Publica/Pan American Journal of Public Health*, 46. <https://doi.org/10.26633/RPSP.2022.81>



About CCSA

CCSA was created by Parliament to provide national leadership to address substance use in Canada. A trusted counsel, we provide national guidance to decision makers by harnessing the power of research, curating knowledge and bringing together diverse perspectives.

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