
**Action on Smoking & Health (ASH Canada)
Quebec Coalition for Tobacco Control
Physicians for a Smoke-Free Canada**

March 30, 2026

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Ottawa, ON K1A 0A6

Re: Need to federally ban flavours in vaping products to protect Canada's youth in every province

Dear XXXX,

The Federal government's prompt response to the [irresponsible marketing](#) of nicotine pouches will likely prevent the explosive levels of [youth consumption](#) experienced with nicotine vaping products. The slow and tepid federal response to the aggressive marketing of vaping products – including through flavours and gadgety characteristics – has not meaningfully reduced the appeal and accessibility of e-cigarettes among adolescents, teenagers and young adults. The failure to adequately protect Canadian kids has resulted in [one of the highest](#) rates of youth vaping in the world, with [27 % of grade 12 students](#) having used an e-cigarettes in the last 30 days.

Since Marjorie Michel was named to her post as Health Minister last May 13, 2025, close to 50,000 high school students have started to vape.

Arguments for further delays in cracking down on flavoured vaping products are not justified in our view. We are therefore writing to share with you some promising evidence from Quebec experience with vaping flavour regulations with the hope this and other recent scientific findings will lead you to question the rationale used to continue to postpone Health Canada's [2021 draft regulation](#) banning sweet and fruity additives in commercially available vaping products.

Indeed, one of the main reasons [cited](#) by previous federal Health Ministers to justify the ongoing delays is Health Canada's need to develop an adequate enforcement plan in order to avoid the challenges observed in other jurisdictions, including Quebec: "*A patchwork approach, or one that we cannot enforce properly, would not solve the problem or risk greater harms... In jurisdictions that have gone forward with a ban, we have seen [the] industry exploit grey areas for their own gain*" (January 26, 2025).

However, last November, we [wrote to the Health Minister Marjorie Michel](#) to explain that:

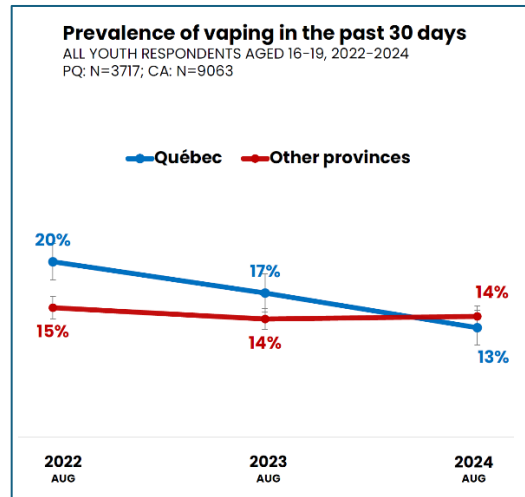
- 1. An imperfectly enforced federal ban on flavouring additives is better than no ban at all, specifically to reduce youth appeal and access.**
- 2. A federal ban will improve the enforcement of provincial bans.**
- 3. A federal ban on online and interprovincial sales would greatly improve the enforcement of provincial (and federal) rules.**
- 4. A ban that includes all appealing flavours is easier to enforce than one that would exempt some, as the draft regulations proposed to do by allowing mint and menthol.**
- 5. The implementation of collaborative protocols between Ottawa, the provinces and the territories would improve compliance with provincial and territorial bans.**

Sadly, there has been no meaningful follow-up to this letter, as well as no indication that the minister intends to move forward with the regulations. Accordingly, we are turning to all Members of Parliament to share the following findings in the hope of securing your support for a federal ban on flavours.

1) While youth vaping has declined in Quebec following its ban on flavours, flavoured products are sold to Quebecers by businesses from outside the province.

According to the 2022-2024 International Tobacco Survey published by University of Waterloo's Professor David Hammond, **the overall rate of 16- to 19-year-olds who vape declined following Quebec's flavour ban.** The youth vaping rate went from 17% in 2023 to 13% in 2024, while remaining stable at 14% in the rest of Canada.

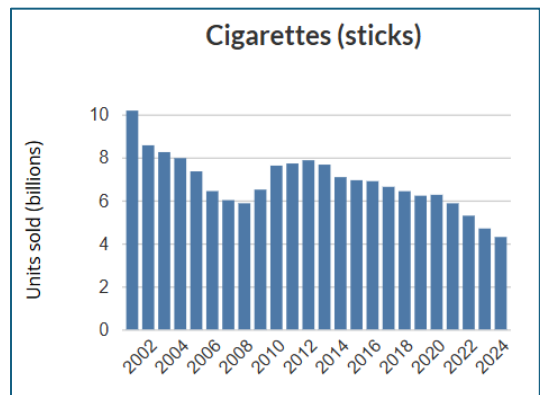
Unfortunately, youth continue to consume illegally flavoured vapes. **This coincides with a three-fold increase of the rate of Quebec youth who purchase their vaping products online,** jumping from 5% in 2023 to 16% in 2024, as well as those who purchase from a third party (6% to 17%), according to the same ITC report. These rates have remained relatively stable in the rest of Canada.



Quebec youth's access to illegal flavoured vapes is unsurprising given the poor compliance of legal vape shops across the country: **a whopping 43 % of specialty stores across the country are non-compliant** according to Health Canada. The most common types of non-compliance are prohibited flavours, testimonials or endorsements, lack of proper health warning and nicotine concentration exceeding 20 mg/mL.

Furthermore, contrary to **vaping lobbyist claims** (based on **defective polling**), **Quebec flavour ban has not led to an increase in cigarette sales,** says the data tobacco manufacturers provided to Health Canada. The decline in the number of cigarettes sold appears to have continued at the same pace since 2020, years before the flavour ban.

2) A federal ban on flavours and a ban on online sales remain relevant despite some provincial bans



If Quebecers continue to have access to flavoured vaping liquids, it is largely because of disingenuous industry tactics, such as the sale of compatible "flavor enhancers" (which provinces could ban) and labelling fruit flavours as "tobacco", as well as illegal online interprovincial sales, where consumers obtain well-known vaping product brands through legal retailers and wholesalers located in other provinces.

Online sales are effectively illegal in Quebec, but remain legal at the federal level, in addition to interprovincial sales. The federal rules allow retailers across the country to take orders for provincially prohibited flavours (or designs) and to ship them to Quebecers, with few or any consequences since they fall outside of Quebec's jurisdiction. A federal ban on flavours would go a long way to prevent the illegal sale of flavoured products to provinces like Quebec by legal retailers from other provinces. A ban on online sales would also have the advantage of easily detecting illegal online promotions and sales.

Implementing the federal approach to banning flavours would also allow for easier monitoring and enforcing, compared to current provincial bans. This is because the federal approach consists of banning any additive that is not explicitly permitted. Provincial bans, on the other hand, rely solely on the

4) Vaping products represent an onramp to addiction, in addition to maintaining addiction

In the last election, the Liberal Party [promised to](#) “prioritize the health of young Canadians by taking strong action to curb youth vaping and stand up to the tobacco and nicotine industry ... we support restrictions on flavored products, which are clearly designed to appeal to young people.”

While the federal government dithers and delays with respect to the promised vaping flavour restrictions, many youths continue to fall into the nicotine addiction trap. Canadian youth deserve first-class protection from all tobacco and nicotine products and from the companies that are deliberately targeting adolescents and teenagers through various promotions.

The [tobacco and vaping industry](#), often the same entities, have coopted the notion of “harm reduction” in order to promote vaping products as an alternative to smoking without any regard for their efficacy in getting smokers to completely switch, nor the health risks of vaping. In a real-life setting at the population level (as opposed to a clinical context), **vaping products are much more likely to maintain addition or to serve as an onramp to addiction compared to other smoking cessation aides** – hence the recommendation “against using e-cigarettes for smoking cessation” except in very specific circumstances, as outlined in the Canadian Task Force on Preventive Health Care’s clinical practice guideline on smoking cessation.

Strengthening [Health Canada’s 2021 proposed flavour restrictions](#) to include mint and menthol would [align the country with others](#) like Finland, Estonia, Denmark, Lithuania, Latvia, Netherlands and China, not to mention the forty other countries that prohibit vaping products altogether. Once finalized and implemented, smokers would still have access to vaping products - just without sweet and fruity flavours.

Given the intense and [ongoing lobbying and disinformation campaigns](#) by the [nicotine industry and its allies](#), **we call on all Members of Parliament to urge the federal government to prioritize the health of Canada’s youth and promptly strengthen and implement the proposed federal vaping flavour regulations.**

Sincerely,

Cynthia Callard
Physicians for a Smoke-Free
Canada

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