Enforcing the Law

Enforcement officials, employed by the provincial health authorities, are responsible for the day-to-day enforcement of the Tobacco Control Act and Regulation.

Provincial enforcement officers can use one of two penalty options for owner/operators. They could receive 1) a violation ticket or 2) a penalty under the Administrative Penalty Process. Penalties for first convictions could result in a fine of up to $1,000 and/or a sales prohibition up to 30 days. These penalties can increase up to $3,000 and/or a 180-day tobacco sales prohibition.

Key Facts

- If minors are allowed in a store, then tobacco products and promotional items cannot be displayed.
- If minors are not allowed in a store, then tobacco can be displayed provided it cannot be clearly seen from outside.
- When minors can enter a store, tobacco displays must be hidden from view between every sales transaction.
- Retail signage is restricted to two types: point-of-sale signs produced by the Ministry of Health and product-price signs.
- Tobacco products cannot be sold in public sector sites such as health, hospital, government, recreational or post secondary facilities.

For further information, contact your local health authority:

Vancouver Island Health Authority 250 360-1450
Vancouver Coastal Health Authority 604 675-3800
Fraser Health Authority 604 476-7000
Interior Health Authority 250 851-7300
Northern Health Authority 1 877 617-6777

Or visit the Tobacco Control website at: www.health.gov.bc.ca/tobacco

Information in this brochure is intended to provide general information on B.C.’s Tobacco Control Act and Regulation. It should not be used as a substitute for legal or other expert advice.
Almost all provinces ban the retail display and promotion of tobacco products.
This includes products made from tobacco such as cigarettes, cigars, smokeless tobacco as well as signs, lighters, videos and clothing promoting tobacco products. Since most people start smoking before the age of 19, limiting youth access to tobacco advertising is an important step in promoting healthier choices for British Columbians.

The Rules
As of March 31, 2008, under the provincial Tobacco Control Act and Regulation, a retailer in B.C. cannot:
- Display or promote tobacco products if they can be seen or accessed by a minor inside the establishment;
- Display or promote tobacco products in a way that is clearly visible to a person outside the retail establishment.

All tobacco retailers must prevent minors from seeing and accessing their tobacco products and promotional items. There are no exemptions.

Sales Bans
After March 31, 2008, tobacco products cannot be sold in hospitals, health authority or government buildings, public recreation centres, or public post secondary institutions.

Displaying Tobacco for Sale
If minors have access to the store, tobacco products and promotional items must be hidden from view between each sales transaction. To do this, it is up to retailers to determine which method would work best for their store. It could be as simple as using a curtain that remains closed between sales, or stocking tobacco products behind doors or in drawers that are closed after every sale.

Tobacco and tobacco products can be displayed provided that:
- No one under the age of 19 can enter the store.
- Tobacco products and promotions cannot be clearly visible to a person from outside the store.
- The part of the store with the tobacco display is restricted to persons 19 years of age or older and products and promotions cannot be seen or accessed from outside the restricted area.

What about cigarette papers, tubes and filters?
Under provincial regulation, these kinds of products cannot be displayed as they promote tobacco use.

What Kind of Tobacco Signs Can I Post at My Store?
There are only two types of tobacco signs allowed by regulation in a store: point-of-sale signs and product-price signs.

Point-of-sale signs
These signs are produced by the Ministry of Health and must be posted as described in the regulation. They include 1) two decals for the cash register or drawer - one facing the customer and other facing the clerk, and 2) a warning sign to be displayed so the customer can clearly see it when they purchase their tobacco product. These signs can be obtained from your local health authority.

Product-price signs
A maximum of three signs per store are allowed to describe the tobacco products available and their price. These signs are restricted in their content, dimensions, colour and print size, and can be produced by the retailer. They may be viewed from inside or outside of the store. See section 4.32 of the Tobacco Control Regulation on the Tobacco Control web site for more details.

www.health.gov.bc.ca/tobacco