

**\*\* The following is a summary that is meant as a guide to assist in placing campaigns related to tobacco advertising. It is recommended that the official legislation and legal counsel be consulted before undertaking or accepting any advertising to ensure legal obligations and interpretations are accurate.**

**Tobacco law is governed federally however provinces and municipalities may enact their own bylaws. Where there is a conflict between a provision of federal Act and a provision of a provincial bylaw that regulates, restricts or prohibits smoking, the more restrictive provision prevails. In most cases provincial statutes do not address general media advertising but detail from the corresponding Act follows for your information.**

## **Governed by the Quebec Tobacco Act**

### **All direct or indirect advertising for the promotion of tobacco, a tobacco product, a brand of tobacco product or a manufacturer of tobacco products is prohibited where the advertising**

- Is directed at minors;
- Is false or misleading, or is likely to create an erroneous impression about the characteristics, health effects or health hazards of tobacco;
- Directly or indirectly associates the use of tobacco with a particular lifestyle;
- Contains testimonials or endorsements;
- Uses a slogan;
- Contains a text that refers to real or fictional persons, characters or animals;
- Contains anything apart from text, with the exception of an illustration of the package or packaging of a tobacco product occupying not more than 10% of the surface area of the advertising material;
- Is disseminated otherwise than in printed newspapers and magazines that have an adult readership of not less than 85%;
- Is disseminated otherwise than by means of displays visible only from the inside of a tobacco retail outlet

### **Factual information**

Advertising that is intended to provide consumers with factual information about a tobacco product, including information about the price or the intrinsic characteristics of a tobacco product and about brands of tobacco products, is permitted to the extent that it does not constitute advertising or a form of advertising prohibited under the list above.

## **Sponsorship**

Any direct or indirect sponsorship that is associated in any manner whatsoever with the promotion of tobacco, a tobacco product, a brand of tobacco product or a manufacturer of tobacco products, is prohibited.

## **Sports, cultural, social or health facilities**

No name, logo, brand element, design, image or slogan, except a colour, that is associated with tobacco, a tobacco product, a brand of tobacco product or a manufacturer of tobacco products, may be associated with a sports, cultural or social facility, a health and social services institution or a research centre attached to a health and social services institution.

## **Sports, cultural or social events**

No name, logo, brand element, design, image or slogan, except a colour, that is associated with tobacco, a tobacco product, a brand of tobacco product or a manufacturer of tobacco products, may be associated with a sports, cultural or social event, except in connection with a sponsorship as above.

## **For the complete Quebec Tobacco Act, see:**

[http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/T\\_0\\_01/T0\\_01\\_A.html](http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/T_0_01/T0_01_A.html)

## **Amendments current as of November 2011**

**Date of OMAC Update: November 2011**