Index

ABUSE OF DOMINANT MARKET POSITION
See also REVIEWABLE PRACTICES
Cases, **2:45**
Defences, **2:53**
Elements of practice, **2:46**
anti-competitive acts, **2:49**
class or species of businesses, **2:48**
control, **2:47**
practice, **2:50**
substantial lessening or prevention of competition, **2:51**
Exemptions, **2:53**
Joint dominance, **2:52**
Overview, **2:43**
Summary, **2:54**
What constitutes practice, **2:43**

ADVERTISING STANDARDS CANADA
Complaints to, **1:101**

ALBERTA
Advertising of alcoholic beverages and cannabis
guidelines
general merchandise liquor store handbook, gaming and liquor commission, **20:5**
liquor agency handbook, gaming and liquor commission, **20:6**
liquor licensee handbook, gaming and liquor commission, **20:3**
retail liquor store handbook, gaming and liquor commission, **20:4**
regulations
Gaming, Liquor and Cannabis Regulation, **20:2**
statutes
Gaming, Liquor and Cannabis Act, **20:1**
Consumer protection, consumer credit, direct marketing
regulations
alberta regulation 56/2002, **20:19**
Alta. Reg. 75/2011, home inspection business regulation, **20:23**

ALBERTA—Cont'd
Consumer protection, consumer credit, direct marketing—Cont'd
regulations—Cont'd
Alta. Reg. 246/2005, energy marketing and residential heat submetering, **20:22**
appeal board, **20:16**
automotive business, **20:14**
collection and debt repayment practices, **20:15**
consumer transaction cancellation and recovery notice, **20:20**
cost of credit disclosure, **20:12**
credit and personal reports, **20:11**
designation of trades and businesses, **20:17**
direct sales cancellation and exemption, **20:9**
gift card, **20:18**
internet sales contract, **20:13**
payday loans, **20:21**
time share and points-based contracts and business, **20:10**
statutes
Consumer Protection Act, **20:8**
Privacy
regulations
Personal Information Protection Act, **20:25**
statutes
Personal Information Protection Act, **20:24**
Trade practices
guidelines
alberta motor vehicle industry council advertising checklist, **20:31**
alberta motor vehicle industry council general codes of conduct, **20:32**
appraised values and price comparisons, **20:26**
disclosure of total price, automobiles, **20:27**

ALBERTA—Cont'd
Trade practices—Cont'd
guidelines—Cont'd
misleading estimates, **20:28**
motor dealers' association of alberta advertising code of ethics, **20:30**
promotional terminology (retail merchants), **20:29**

ALCOHOLIC BEVERAGES
See also SPECIFIC PRODUCT ADVERTISING
Advertising content restrictions, **7:237**
Introduction, **7:234**
Jurisdiction of regulations, **7:235**
Other restrictions, **7:238**
Permitted forms of advertising, **7:236**

ANTI-SPAM
Guidelines
compliance and enforcement
compliance and enforcement information bulletin CRTC 2012-548, **18:8**
compliance and enforcement information bulletin CRTC 2012-549, **18:7**
compliance and enforcement information bulletin CRTC 2014-326, **18:6**
compliance and enforcement information bulletin CRTC 2018-415, **18:14**
frequently asked questions
businesses and organizations, **18:10**
Canada's anti-spam legislation, **18:9**
requirements and guidance
anti-spam law's changes to Canadian Federal Privacy Law: a guide for businesses doing e-marketing, **18:12**
Canada's anti-spam legislation (CASL) guidance on implied consent, **18:16**
Canada's anti-spam legislation requirements for installing computer programs, **18:11**
enforcement advisory, notice for businesses and individuals on how to keep records of consent, **18:13**

ANTI-SPAM—Cont'd
Guidelines—Cont'd
requirements and guidance—Cont'd
enforcement advisory, notice for businesses collecting customer data with in-store wifi, **18:15**
Memorandum of understanding
cooperation, coordination and information sharing, **18:5**
Regulations
electronic commerce protection regulations, **18:2**
electronic commerce protection regulations (CRTC), **18:3**
regulatory impact analysis statement, **18:4**
Statutes
Act to promote the efficiency and adaptability of the Canadian economy (CASL), **18:1**

ATTEMPTS TO INFLUENCE PRICES
See also PRICE MAINTENANCE
Agreement, **2:10**
Any like means, **2:13**
Generally, **2:9**
Promise, **2:12**
Threat, **2:11**

AUTOMOTIVE
See also SPECIFIC PRODUCT ADVERTISING
Bait and switch advertising, **7:233**
Disclaimers, **7:218**
General impression rule, **7:211**
ambiguity, **7:212**
omission, **7:213**
text of advertisement literally true but visual impression false, **7:215**
text of advertisement technically correct but creates false impression, **7:214**
Legislative overview, **7:209**
Materiality, **7:217**
Not false or misleading in material respect, **7:210 et seq.**
Popularity and preference claims, **7:225**
Price advertising, **7:226 et seq.**
Price disclaimers, **7:219**
comparative price claims, **7:221**
limitations on special offers, **7:222**
particulars of financing offers, **7:223**

AUTOMOTIVE—Cont'd
Price disclaimers, **7:219**—Cont'd
total price, **7:220**
Savings and sale claims, **7:231**
Sophistication of typical purchaser, **7:216**
Special features offers, **7:232**
Technical and performance disclaimers, **7:224**
Total price disclosure, **7:227**
disclosure of non-optional elements, **7:228**
financing and lease disclosure, **7:230**
regulatory policies, **7:229**

BAIT AND SWITCH ADVERTISING
See also MISLEADING ADVERTISING
Automotive advertising, **7:233**
Bargain price, **1:78**
Commissioner's guidelines, **1:81**
Defences, **1:82**
Reasonability, **1:80**

BRITISH COLUMBIA
Advertising of alcoholic beverages and cannabis
guidelines
ministry of justice liquor control and licencing branch, **21:4**
what advertising departments need to know, advertising rules for liquor licensees, **21:3**
regulations
liquor control and licensing, **21:2**
statutes
Cannabis Control and Licensing Act, **21:1.50**
Liquor Control and Licensing Act, **21:1**
Automotive advertising
guidelines
motor dealer, **21:7**
motor vehicle sales authority advertising, **21:8**
new industry code of conduct, **21:9**
regulations
motor dealer, **21:6**
statutes
Motor Dealer Act, **21:5**
Consumer protection, consumer credit, direct marketing, trade practices
regulations
B.C. Reg. 12/2009, home inspector licensing regulation, **21:18**

BRITISH COLUMBIA—Cont'd
Consumer protection, consumer credit, direct marketing, trade practices —Cont'd
regulations—Cont'd
B.C. Reg. 57/2009, payday loans regulation, **21:17**
B.C. Reg. 292/2008, prepaid purchase cards regulation, **21:16**
B.C. Reg. 295/2004, debt collection and repayment regulation, **21:20**
B.C. Reg. 296/2004, travel industry regulation, **21:21**
B.C. Reg. 297/2004, administrative penalties regulation, **21:19**
business practices and consumer protection, **21:12**
consumer contracts, **21:13**
disclosure of the cost of consumer credit, **21:14**
telemarketer licensing, **21:15**
statutes
Business Practices and Consumer Protection Act, **21:10**
Coupons and trading stamps
statutes
Trading Stamp Act, **21:22**
Packaging and labelling
regulations
workplace hazardous materials information system regulation, **21:23**
Privacy
regulations
cannabis control, **21:25.50**
cannabis licensing, **21:25.30**
personal information protection, **21:25**
statutes
Personal Information Protection Act, **21:24**
Privacy Act, **21:26**
Pyramidic sales
statutes
Multilevel Marketing Regulation Act, **21:27**

BUSINESS PRACTICES LEGISLATION
See also TRADE PRACTICES LEGISLATION

CANNABIS PRODUCTS
Generally, **7:253-7:269**

CHECKLISTS
Labelling, prepackaged pet food for dogs and cats, **8:52**

CHILDREN, ADVERTISING TO
Children and drug advertising, **7:98**

COMPETITION LAW AND COVID-19 PANDEMIC
Competition bureau enforcement, **8:53**
2020-2021 annual plan: protecting competition in uncertain times, **8:59**
cracking down on deceptive marketing claims about covid-19 prevention or treatment, **8:54**
letter from the commissioner to the canadian bar association, **8:58**
statement from the commissioner regarding enforcement, **8:57**
statement on competitor collaborations, **8:56**
what the competition bureau is doing, **8:55**
Pro-competitive policies
empowering small and medium enterprises through pro-competitive policies, **8:61**
strengthening canada's economy through pro-competitive policies, **8:60**
supporting competition on the road to economic recovery, **8:62**

CONSUMER AGREEMENTS
Generally, **4:52-4:62**

CONSUMER PROTECTION
Legislative history, **4:1**
Principles of consumer protection for electronic commerce, **8:14**

CONSUMER RESEARCH AND SURVEYS
Generally, **1:48**
See also PERFORMANCE CLAIMS TEST

CONSUMER WARRANTIES
See also CONSUMER PROTECTION
Introduction, **4:24**

CONSUMER WARRANTY LEGISLATION
See also CONSUMER WARRANTIES
Abolition of contractual privity defence, **4:43**
Express warranties, **4:41**
parol evidence rule, abolition of, **4:41**
written warranties, minimum requirements, **4:42**
Generally, **4:31 et seq.**
Implied warranties, **4:33**
durability, **4:35**
quality and fitness for purpose, **4:34**
service, **4:37**
spare parts and repair facilities, **4:36**
Implied warranties—special requirements in Quebec
automobiles and motorcycles, **4:38**
other special requirements, **4:40**
repair of household appliances, **4:39**
Sales of goods and services; leases, **4:32**

CONTESTS
See also PROMOTIONS
Contests and sweepstakes in new economy, **3:1**
Early Canadian legislation, **3:3**
Early English legislation, **3:2**

CONTESTS AND COMPETITION ACT
See also CONTESTS
Adequate and fair disclosure, **3:11**
contest rules, **3:12**
minimum disclosure for advertising, **3:13**
program of advisory opinions, **3:14**
Deceptive prize notices, **3:17**
Overview of s. 74.06, **3:10**
Telemarketing contests, **3:16**
Undue delay in prize distribution, **3:15**

CONTESTS AND CRIMINAL CODE
See also CONTESTS
Application of Criminal Code to contests, **3:4**
Elements of Criminal Code offence, **3:5**
breakdown of s. 206(1), **3:6**
paragraphs 206(1)(a) to (d), the "lottery" provisions, **3:7**
paragraphs 206(1)(e), **3:8**
consideration, prize and chance, **3:5**
Penalty, **3:9**

COSMETICS
See also SPECIFIC PRODUCT ADVERTISING
Advertising, **7:204**
Basic restrictions on sale, **7:200**
Cosmetic defined, **7:199**
Food and Drugs Act
jurisdiction for administration of FDA, **7:206**
offences and penalties, **7:208**
powers of inspection, **7:207**
Importation, **7:202**
Inspection, **7:203**
Introduction, **7:198**
Notification to HPB, **7:201**
Packaging and labelling, **7:205**

COUPONS AND TRADING STAMPS
See also PROMOTIONS

DELIVERED PRICING
See also REVIEWABLE PRACTICES
Defences, **2:41**
Private proceedings with leave, **2:42**
What constitutes practice, **2:40**

DIGITAL ADVERTISING
Influencer marketing
Competition Act, **8:50**
disclosure guidelines, **8:48**
Online behavioural advertising
ad marker implementation guidelines for mobile, **8:45**
ad marker implementation guidelines for video ads, **8:46**
adchoices icon & ad marker creative guidelines, **8:43**
application of self-regulatory principles to mobile environment, **8:44**
online behavioural advertising compliance procedure, **8:42**
online interest-based advertising faq, **8:51.50**
self-regulatory principles for online behavioural advertising, **8:41**
supplementary guidance for daac principles, **8:47**

DISTRIBUTION PRACTICES
Introduction, **2:1 et seq.**
Legislative history, **2:2**

DOUBLE TICKETING
See also MISLEADING ADVERTISING
Generally, **1:77**

DRUG ADVERTISING STANDARDS (FOR ADVERTISING TO THE GENERAL PUBLIC)
See also DRUG ADVERTISING TO GENERAL PUBLIC
Absence of side effects, **7:92**
Children and drug advertising, **7:98**
Comparison advertising, **7:89**
Exaggeration of speed and amount of relief, **7:96**
False advertising, **7:87**
Generally, **7:84 et seq.**
Imagery, **7:95**
Industry standards, **7:85**
Misleading terminology, **7:93**
Misrepresentation, **7:88**
Negative statements and claims re toxicity, **7:90**
Review and preclearance of advertising, **7:99**
Scare advertising, **7:94**
Scientific or technical references, **7:91**

DRUG ADVERTISING TO GENERAL PUBLIC
See also DRUGS
Drugs that cannot be advertised
advertised as cures for Schedule A diseases, **7:78**
controlled drugs, **7:80**
narcotic drugs, **7:79**
new drugs, **7:81**
Generally, **7:77 et seq.**
Name, price and quantity only
limited dose drugs, **7:82**
Prescription Drug List, **7:83**

DRUG ADVERTISING TO HEALTH PROFESSIONALS
See also DRUGS
Basic requirement, **7:100**
IMC Code of Marketing Practices, **7:101**
PAAB code of advertising acceptance, **7:102**

DRUGS
See also SPECIFIC PRODUCT ADVERTISING

DRUGS—Cont'd
Amended regulations, packaging and labelling, **7:55**
Constitutional issues, **7:5**
Defined, **7:58**
Development of Canadian food and drug legislation, **7:3**
Early English food and drug legislation, **7:2**
Food and Drugs Act and Regulations, **7:4**
Interplay of fda with other legislation, **7:56-7:57**
Protecting Canadians from Unsafe Drugs Act (vanessa's law) and related subsections, **7:51-7:54**

DRUGS—PACKAGING AND LABELLING
See also DRUGS
Child-resistant packaging and labelling, **7:121**
Definitions, **7:110**
Directions for use, **7:118**
Drug identification number, **7:112**
Drug names, **7:112**
Drug standards, **7:114**
Expiration dates, **7:119**
General requirements, **7:111**
Lot number, **7:117**
Manufacturer, **7:116**
Other drugs, **7:122**
Prescribed and parenteral drugs, **7:122**
Quantities of ingredients and contents, **7:115**
Standardized and small containers, **7:120**

DRUGS—REGULATORY SCHEME
See also DRUG ADVERTISING STANDARDS
Adulteration and unsanitary manufacturing, **7:70**
new drugs, **7:60 et seq.**
Drug defined, **7:59**
General overview of the drug review process
post-market authorization, **7:67-7:70**
pre-market authorization, **7:59-7:66**
Good manufacturing practices and drug establishment licenses, **7:71**
Import and export policy for drugs, **7:72**
Natural health products, **7:59**

DRUGS—REGULATORY SCHEME —Cont'd
Prohibitions and general restrictions on the sale, marketing or distribution of certain drugs
drug identification number (DIN), **7:74**
proprietary medicines, **7:75**
schedule c, d and e drugs, **7:73**
standards for drugs, **7:76**

EDITOR'S NOTE
Allard v. canada federal court decision, **10:56**

ENVIRONMENTAL FRIENDLINESS CLAIMS
See also PERFORMANCE CLAIMS—TEST
Generally, **1:52**

EXCLUSIVE DEALING
See also REVIEWABLE PRACTICES
Defences, **2:31**
Exclusionary effect, **2:29**
Exemptions, **2:31**
Major supplier, **2:28**
Substantial lessening of competition, **2:30**
What constitutes practice, **2:27**

FALSE OR MISLEADING IN MATERIAL RESPECT
See also MISLEADING ADVERTISING—GENERAL RULE
General impression test, **1:18**
ambiguity, **1:19**
disclaimers, **1:25**
general impression, **1:23**
internet advertising, **1:26**
materiality, **1:23**
omission of essential information, **1:20**
standard of deception, **1:23**
technically true representation but text gives false impression, **1:21**
text literally true but visually false impression, **1:22**
Generally, **1:11**
Materiality, **1:13**
Standard of deceptiveness, **1:14**
average purchaser, **1:16**
credulous man, **1:15**
sophisticated purchaser, **1:17**
Subjective and objective, **1:12**

FOOD
See also SPECIFIC PRODUCT ADVERTISING
Broadcasting Act, **7:9**
Competition Act, **7:8**
Constitutional issues, **7:5**
Consumer Packaging and Labelling Act, **7:7**
Development of Canadian food and drug legislation, **7:3**
Early English food and drug legislation, **7:2**
Food and Drugs Act and Regulations, **7:4**
Introduction, **7:6 et seq.**
Safe Food for Canadians Act, **7:10**

FOOD—REGULATORY SCHEME
See also FOOD
Adulteration and unsanitary manufacturing, **7:12**
Advertising, **7:14**
health claim, **7:15**
misleading advertising, **7:16**
Allergen labelling
mandatory priority, **7:39**
precautionary, **7:40**
CFIA food labelling industry tool, **7:18**
Claims relating
diet-related health claims, **7:41**
acceptable disease risk reduction or therapeutic claims identified by health Canada, **7:43**
acceptable nutrient function claims, **7:44**
statutorily recognized ''disease risk reduction'' claims, **7:42**
foods for special dietary use, **7:45**
formulated liquid diets, **7:46**
infant formula, **7:46**
meal replacements, **7:46**
nutritional supplements, **7:46**
prepackaged meals for weight reduction, **7:46**
standards for foods
recommended daily intake, **7:37**
vitamin and mineral nutrient, **7:36**
vitamin and mineral nutrient content claims
action or effect of vitamins or minerals, **7:38**
Food advertising to children, **7:50**

FOOD—REGULATORY SCHEME —Cont'd
Food defined, **7:11**
''Food format'' natural health products, **7:48**
''Front of pack'' labelling, **7:49**
Guide to Food Labelling and Advertising, **7:18**
Nutrition content claims
cholesterol, **7:32**
energy value, **7:33**
fat, **7:28**
generally, **7:26**
poly-unsaturated fatty acids, **7:31**
protein or amino acid content, **7:34**
salt, sodium or potassium content, **7:35**
saturated fatty acids, **7:29**
trans fatty acids, **7:30**
Nutrition labelling
bilingual requirements, **7:24**
exceptions from mandatory disclosure, **7:21**
new mandatory regime, **7:19**
Nutrition Facts table, **7:20**
optional additional information, **7:22**
presentation of Nutrition Facts table, **7:25**
serving of stated size, **7:23**
Organic foods, **7:47**
Packaging and labelling, **7:17**
Standards for foods, **7:13**

GENERAL IMPRESSION TEST
See also FALSE OR MISLEADING IN MATERIAL RESPECT
Ambiguity, **1:19**
Disclaimers, **1:25**
General impression, **1:23**
Generally, **1:18**
Internet advertising, **1:26**
Materiality, **1:24**
Omission of essential information, **1:20**
Standard of deception, **1:24**
Technically true representation but text gives false impression, **1:21**
Text literally true but visually false impression, **1:22**

GUIDELINES
Abuse of dominance enforcement, **8:23**

GUIDELINES—Cont'd
Ad marker implementation guidelines for mobile, **8:45**
Ad marker implementation guidelines for video ads, **8:46**
Advertising dispute procedure 2019, **8:34**
Advertising dispute procedure case summaries, **8:34.50**
Advertising of cannabis products, **12:7**
Advertising standards/self-regulation
canadian code of advertising standards, **8:29**
code interpretation, **8:30**
Alcohol clearance bulletin, **9:14**
Application of self-regulatory principles to mobile environment, **8:44**
Approach to natural health products, **10:52**
Asc alcoholic beverage advertising clearance guide, **9:6**
Asc clearance services drug complaint procedure re therapeutic claims, **10:34**
Authority for reviewing and clearing
consumer-directed natural health product advertising, **9:15**
Average system of net quantity determination, **14:23**
Broadcast code for advertising to children, **9:12**
Broadcasting Act
amendment to the television broadcasting regulations, 1987
permiting airing of ''infomercials,'' **9:18**
Cab code of ethics, **9:11**
Cab sex-role portrayal code for television and radio programming, **9:10**
Canada Consumer Product Safety Act quick reference guide, **14:31**
Canadian children's food and beverage advertising initiative, **8:39**
self-regulatory principles for online behavioural advertising, **8:41**
uniform nutrition criteria white paper, **8:40**
Canadian marketing code of ethics & standards, **8:36**
CBC advertising standards
advocacy advertising
policy no. C-3, **9:17**

GUIDELINES—Cont'd
Cbc/radio canada advertising standards, **9:13**
Changes in manufacturer's name and/or product name, **10:28**
Claims about non-therapeutic aspects of nonprescription drugs in consumer-directed advertising, **10:31**
Classification of products at food
natural health product interface: products in food formats, **10:47**
Code for responsible advertising of food and beverage products to children, **8:39.20**
Code of conduct for wireless service providers, **8:38**
Code of ethical practices, **10:54**
Competition bureau labelling assessment tool down and feather labelling, **14:37**
Competition bureau labelling assessment tool general worksheet, **14:36**
Competition bureau labelling assessment tool precious metals marking, **14:38**
Competition bureau labelling assessment tool textile labelling, **14:39**
Competiton bureau information
bait and switch selling, **8:17**
representations in electronic messages and web addresses, **8:18.50**
sale above advertised price, **8:18**
Competiton bureau information bulletin
application of the competition act to internet representations, **8:16**
misleading representations and deceptive marketing practices
choice of criminal or civil track, **8:7**
ordinary price claims, **8:12**
promotional contests, Article 74.06, **8:13**
Consumer drug appeal procedure, **10:33**
Consumer Packaging and Labelling Act and regulations, **14:20**
Consumer rebate promotion, **8:9**
Corporate compliance programs, **8:22**
Cosmetics regulations
regulatory amendment frequently asked questions
health care professionals, **10:37**
CRTC
public notice 1991-119
amendments to radio regulations, 1986, **9:16**

GUIDELINES—Cont'd
CRTC—Cont'd
public notice 1991-119—Cont'd
pay television regulations, 1990, **9:16**
specialty services regulations, 1990, **9:16**
television regulations, 1987, **9:16**
CRTC-public notice 1995-14
exemption order respecting teleshopping programming service undertakings, **9:19**
Dchoices icon & ad marker creative, **8:43**
Deceptive marketing practices digest, volume 1 to 7, **8:24-8:28.60**
Deceptive notices of winning a prize, **8:10**
Digital enforcement summit 2020, highlights, **8:51**
Disclosures in digital advertising, **8:19**
Drip pricing, **8:20.50**
Drugs directorate guidelines
guide for labelling of drugs for veterinary use, **10:35**
Enforcement guidelines
intellectual property, **15:6**
Environment claims
guide for industry and advertisers, **8:6**
Food labelling for industry, **10:11**
Frequently asked questions
guidance document for industry
review of drug brand names, **10:26**
Frequently asked questions and answers concerning new medical devices regulations, **10:45**
Gender portrayal, **8:33**
Gender portrayal guidelines, **9:9**
General information on marking of imported goods, **14:27**
Guidance document
health canada and advertising
preclearance agencies' roles related to health product advertising, **10:17**
Guidance document consumer advertising guidelines for marketed health products, **10:14**
Guidance document determining prescription status for human and veterinary drugs, **10:23**

GUIDELINES—Cont'd
Guidance document for industry
review of drug brand names, **10:25**
Guidance document labelling of pharmaceutical drugs for human use, **10:27**
Guidance document questions and answers
plain language labelling regulations, **10:30**
Guidance document schedule and s. 3 to Food and Drugs Act, **10:24**
Guide document
classification of products at cosmetic drug interface, **10:41**
Guide for completing cosmetic notification forms, **10:38**
Guide for cosmetic advertising and labelling claims, **10:39**
Guide for cosmetic manufacturers, importers and distributors, **10:40**
Guide to cosmetic ingredient labelling, **10:42**
Health Canada guidelines
labelling of cosmetics, **10:36**
Health Canada's action plan on medical devices, **10:55**
Health Canada's position statement on preclearance and complaint adjudication of exempted natural health product advertising materials, **10:48**
Health product advertising incidents related to covid-19, **10:55.50**
Health products advertising on physician web sites
questions & answers, **10:22**
Honest advertising in the digital age, **8:49**
How drugs are reviewed in Canada, **10:29**
Icc framework for responsible environmental marketing communications, **8:51.70**
Implementation plan for amendments to food and drug regulations
related to nutrition labelling, list of ingredients and food colours, **10:10.70**
Industry guide to Canadian safety requirements for toys and related products, **14:26**
Influencer marketing, Competition Act, **8:50**

GUIDELINES—Cont'd
Influencer marketing disclosure guidelines, **8:48**
Information for regulated parties on enforcement approach for the general prohibitions under the Canada Consumer Product Safety Act, **14:21**
Intellectual property enforcement, **8:21**
Interim guidance
fair balance in direct-to-consumer advertising of vaccines, **10:21**
Interpretation, food advertising to children, **8:32**
Labelling and advertising of pet food, **8:15**
Labelling checklist
wine, **14:35**
Labelling guidance document, **10:46**
Labelling requirements checklist, **10:49**
Mandatory incident reporting under the Canada Consumer Product Safety Act (CCPSA)- s. 14 duties in the event of an incident, **14:29**
Meat hygiene manual of procedures, **10:12**
Memorandum D19-4-3
copyright, trademarks and geographical indications, **15:7**
Misleading representations and deceptive marketing practices, **8:5**
Multi-level marketing plans and pyramid selling, **8:8**
"No claim" food and beverage
broadcast advertising clearance exemption policy document, **9:7**
Notice: product package representations
branded prescription drug reminder ads directed to consumers, **10:16**
Notice: s. 2.21 (risk information)
consumer advertising guidelines for marketed health products, **10:15**
Notice to industry
implementation of 2016 nutrition labelling regulatory amendments, **10:10.30**
Notices of violation and administrative monetary penalties under the Canada Consumer Product Safety Act, **14:30**
Online behavioural advertising compliance procedure, **8:42**
Online interest-based advertising faq, **8:51.50**

GUIDELINES—Cont'd
1orkplace hazardous materials information system information bulletin issue no. 2, **14:25**
Overview
CMA cannabis marketing guide, **12:6**
guidance on distinction between advertising and other activities for health products, **10:18**
Overview of health Canada's consumer product safety program risk characterization method, **14:34**
PAAB code of advertising acceptance, **10:53**
Pathway for licensing natural health products making modern health claims, **10:50**
Pathway for licensing natural health products used as traditional medicines, **10:51**
Policy for labelling and advertising of dietary fibre containing food products, **10:13**
Preparing and maintaining documents under the Canada Consumer Product Safety Act (CCPSA)- s. 13, **14:28**
Price maintenance, **8:20**
Principles for claims
comparison of non therapeutic aspects of non -prescription drug products, **10:19**
Principles of consumer protection for electronic commerce, **8:14**
Procedural notes, **8:34.70**
"Product of Canada" and "made in Canada" claims, **14:22**
Public notice CRTC 1995-93
clarification of airing of "Infomercials" during the broadcast day, **9:20**
Public notice CRTC 1996-108
new regulatory framework governing broadcast of alcoholic beverage advertising, **9:21**
Public notice CRTC 1997-12
amendments to the radio, television and specialty services regulations respecting broadcast of alcoholic beverage advertising, **9:22**
Public notice CRTC 1997-23
proposed amendments to the radio, television and specialty services regulations, **9:23**

GUIDELINES—Cont'd
Public notice CRTC 1997-99
regulations amending provisions of certain regulations regarding the pre-clearance of commercial messages, minister of health, **9:24**
Public notice CRTC 1999-132
amendment to broadcasters' reporting of their alcohol educational initiatives, **9:25**
Quality assurance guide application
average system of net quantity determination, **14:24**
Responsible advertising of food and beverage products to children, **8:39.10**
Risk assessment framework summary, **14:33**
Role of external precedents in ad standards adjudications, **8:34.30**
Scanner price accuracy voluntary code, **8:37**
Summary of the regulations, **12:5**
Supplementary guidance for daac principles, **8:47**
Telemarketing, **8:11**
Television bureau of Canada guidelines (2007), **9:8**
The future of competition policy in canada, **8:51.80, 8:51.90**
Therapeutic comparative advertising
directive and guidance document, **10:20**
Therapeutic products programme guidance document
guidance for interpretation of medical devices regulations as they apply to medical device establishment licensing, **10:43**
guidance on how to complete application for a new medical device licence, **10:44**
Trade dispute procedure
therapeutic comparative claims previously approved by asc, **10:32**
Trade dispute procedure for therapeutic comparative claims, **8:35**
Tv and radio advertising basics, **9:26**
Use of comparative advertising
research and survey data, claims, **8:31**
Voluntary recall of consumer products or cosmetics in Canada, **14:32**

HAZARDOUS PRODUCTS
Administration and enforcement, **6:45**
Generally, **6:1, 6:28**

HAZARDOUS PRODUCTS—CONSUMER-USE
See also HAZARDOUS PRODUCTS
Child-resistant containers, **6:33**
Depiction and manner of disclosure of labelling, **6:31**
Exemptions, **6:32**
Generally, **6:29 et seq.**
Prescribed labelling, **6:30**

HAZARDOUS PRODUCTS—INDUSTRIAL/COMMERCIAL-USE
See also HAZARDOUS PRODUCTS
Disclosure information, **6:36**
Exemptions, **6:38**
bulk shipments, **6:42**
consumer products, **6:39**
Hazardous Materials Information Review Act, **6:44**
import/export, **6:41**
inner and outer containers, **6:43**
manufactured articles, **6:40**
Generally, **6:34 et seq.**
Identification of controlled products, **6:35**

INCORPORATION BY REFERENCE DOCUMENTS
Incorporation-by-reference documents, **12:4**

LABELLING
See PACKAGING AND LABELLING

MARKET RESTRICTION
Defences, **2:39**
Exemptions, **2:39**
Major supplier, **2:37**
Substantial lessening of competition, **2:38**
What constitutes practice, **2:36**

MARKET RESTRICTIVE PRACTICES
Generally, **2:26**

MARKETING OFFENCES
See also DISTRIBUTION PRACTICES
Multi-level marketing and pyramidic sales
constitutional challenges, **2:58**
disclosure requirements, **2:55**
prohibited plans, **2:56**
summary, **2:59**

MATERIALITY
See also FALSE OR MISLEADING IN MATERIAL RESPECT
Generally, **1:13**

MEDICAL DEVICES
See also SPECIFIC PRODUCT ADVERTISING
Cost recovery, **7:195**
Custom-made and medical devices imported or sold for special access, **7:192 et seq.**
Export certificates, **7:194**
General requirements, **7:177 et seq.**
advertising, **7:182**
distribution records, **7:187**
establishment licence, **7:180**
implant registration, **7:191**
labelling requirements, **7:181**
mandatory problem reporting, **7:189**
medical device licence, **7:177**
recall, **7:190**
safety and effectiveness, **7:178**
Importation and sale of medical devices for use in relation to covid-19, **7:197**
Investigational testing devices, **7:193**
Key regulatory elements
device defined, **7:175**
generally, **7:175 et seq.**
in vitro diagnostic device classification, **7:176**
medical device classification, **7:176**
Medical device shortages, **7:196**
Requirements for sale of, **7:173 et seq.**

MISCELLANEOUS STATUTES, REGULATIONS, GUIDELINES
Cost of borrowing disclosure
Bank Act, **19:1**
Can. Reg. 2009-257, creditbusiness practices regulations, **19:3**
regulations, **19:2**

MISLEADING ADVERTISING
Legislative history of Competition Act, **1:1**
Primary rules, **1:2 et seq.**

MISLEADING ADVERTISING—GENERAL RULE
See also MISLEADING ADVERTISING
Generally, **1:2 et seq.**

MISLEADING ADVERTISING—GENERAL RULE —Cont'd
No person, **1:4**
Purpose requirement, **1:5**
To the public, **1:10**

MISLEADING ADVERTISING—PRIVATE REMEDIES
See also MISLEADING ADVERTISING
Civil court actions, **1:102**
Civil remedy under Competition Act, **1:103**
Beatrice v. Ault, **1:106**
Church & Dwight v. Sifto, **1:105**
class proceedings, **1:110.50**
Maritime Travel v. Go Travel Direct, **1:109**
Mead Johnson Canada v. Ross Pediatrics, **1:108**
Purolator v. UPS, **1:107**
Telus/Bell/Rogers, **1:110**
Unitel v. Bell, **1:104**
Claim for false or misleading advertising under Trade-marks Act, **1:111**
BC Tel v. Rogers Cantel, **1:114**
Eveready Canada v. Duracell Canada, **1:115**
Johnson & Johnson v. Bristol-Myers Squibb, **1:113**
Maple Leaf v. Robin Hood, **1:112**
Claims under common law, **1:116**
injurious falsehood, **1:117**
wrongful interference with economic relations, **1:118**
Complaint to Advertising Standards Canada, **1:101**
Complaint to Competition Bureau, **1:100**
Generally, **1:99 et seq.**

MISLEADING ADVERTISING—REMEDIES
See also MISLEADING ADVERTISING
Civil remedies, **1:93**
administrative monetary penalties, **1:96**
prohibition orders, **1:94**
publication of correction notices, **1:95**
Civil review vs. criminal prosecution
Commission's guidelines, **1:98**
no duplication of proceedings, **1:97**
selection of, **1:98**

MISLEADING ADVERTISING—REMEDIES —Cont'd
Criminal penalties, **1:92**
Generally, **1:91 et seq.**

MISLEADING PRICE ADVERTISING
See also MISLEADING ADVERTISING
Generally, **1:59 et seq.**
Under general rule, **1:60**

NATURAL HEALTH PRODUCTS
Generally, **7:123-7:172**

ONTARIO
Advertising of alcoholic beverages
guidelines
advertising and promotions, **22:5**
information on the registrar's interim standards and requirements for liquor, **22:4**
registrar's guidelines for advertising and promotion, **22:6**
regulations
Regulations Under the Liquor Licence Act, **22:3**
statutes
Liquor Licence and Control Act, 2019, **22:2**
Automotive advertising
guidelines
ontario motor vehicle industry council, standards of business practice, 2010, **22:13**
regulations
Ont. Reg. 333/08, **22:12**
Ont. Reg. 332/08, code of ethics and operation of committees, **22:11**
Cannabis
guidelines
registrar's standards for cannabis retail stores, **22:33**
regulations
468/18, **22:30**
30/18, **22:31**
33/18, **22:32**
statutes
Cannabis Control Act, 2017, **22:26**
Cannabis Licence Act, 2018, **22:27**
Ontario Cannabis Retail Corporation Act, 2017, **22:28**

ONTARIO—Cont'd
Consumer protection, consumer credit, direct marketing, trade practices
guidelines
advertising guidelines for Ontario travel retailers and travel wholesalers, **22:23**
registered insurance brokers of Ontario, marketing practices, **22:22**
packaging and labelling
advertising guidelines for Ontario travel retailers and travel wholesalers, **22:23**
regulations
Consumer Protection Act, 2002, **22:17**
Ont. Reg. 98/09, **22:20**
Ont. Reg. 177, **22:19**
Ont. Reg. 8/18, requirements for direct agreements subject to s. 43.1 of Act, **22:18**
Ont. Reg. 209/09, administrative penalties, **22:21**
statutes
Consumer Protection Act, 2002, **22:14**
Consumer Reporting Act, **22:15**
Discriminatory Business Practices Act, **22:16.50**
Payday Loans Act, 2008, **22:16**
Ontario selected legislation concordance table, **22:1**
Packaging and labelling
regulations
workplace hazardous materials information system (WHMIS), **22:24**
Product safety
regulations
Ont. Reg. 438/07, **22:25**

ORDINARY SELLING PRICE CLAIMS
See also MISLEADING PRICE ADVERTISING
False or misleading in material respect, **1:63**
Generally, **1:61**
Improper comparisons, **1:64**
Like products, **1:66**
Manufacturer's suggested retail price, **1:69**
Prices of sellers generally, **1:67**

ORDINARY SELLING PRICE CLAIMS —Cont'd
Purpose requirement, **1:62**
Relevant market, **1:68**
Time test vs. volume test, **1:65**

PACKAGING AND LABELLING
Administration and enforcement, **6:25**
Bilingual labelling requirements
federal legislation, **6:26**
Quebec legislation, **6:27**
Consumer Packaging and Labelling Act, **6:17**
Cosmetics, **7:205**
Food, **7:17**
Generally, **6:1**
Prepackaged products, labelling requirements for, **6:18**
imported products, **6:22**
manufacturer's name and place of business, **6:21**
misleading labelling and advertising, **6:23**
net quantity, **6:19**
product identity, **6:20**
Standardization of containers, **6:24**
Tobacco products, **7:243**

PERFORMANCE CLAIMS
See also MISLEADING ADVERTISING
Absolute vs. comparative claims, **1:32**
Efficacy, **1:31**
Generally, **1:28 et seq.**
Length of life, **1:31**
Performance, **1:31**
Purpose requirement, **1:29**
Representations, **1:30**

PERFORMANCE CLAIMS—TEST
See also PERFORMANCE CLAIMS
Bias in user tests, **1:37**
Case law, **1:43**
Bristol-Myers No. 1, **1:45**
Bristol-Myers No. 2, **1:46**
Colgate-Palmolive, **1:44**
UL Canada v. Proctor & Gamble, **1:47**
Completion of testing prior to publishing claim, **1:49**
Consumer research and surveys, **1:48**
Controlled conditions, **1:35**
Environmental friendliness claims, **1:52**
Generally, **1:33**

PERFORMANCE CLAIMS—TEST —Cont'd
Recognized testing procedures, **1:34**
Replication under variety of conditions, **1:36**
Reverse onus
Charter challenges, **1:51**
policy, **1:50**
Testing appropriate to claim, **1:38**
claims must be appropriate to test, **1:42**
claims must be capable of testing, **1:41**
subjective vs. objective claims, **1:39**
testing under restricted conditions, **1:40**

PRICE MAINTENANCE
See also REVIEWABLE PRACTICES
A person, **2:8**
Attempts to influence prices, **2:9**
agreement, **2:10**
any like means, **2:13**
promise, **2:12**
threat, **2:11**
Defences
adverse impact on competition, **2:24**
affiliation exemption, **2:21**
discretionary order, **2:25**
loss-leader defence, **2:22**
s. 76 cases, credit cards, **2:23**
Generally, **2:7 et seq.**
Refusals to supply, **2:15**
inducing refusals to supply competitors, **2:20**
low-pricing policy, **2:19**
otherwise discriminate, **2:18**
primary and ancillary rules, **2:16**
refusal to supply customers, **2:17**
Suggested retail price, **2:14**

PRIVACY
Guidelines
cma guide: transparency for consumers, **16:18**
guidance for businesses doing e-marketing, **16:20**
inappropriate data practices: interpretation and application of subsection 5(3), **16:16**
interpretation bulletin, access to personal information, **16:7**
mandatory reporting of breaches of security safeguards, **16:22**

PRIVACY—Cont'd
Guidelines—Cont'd
obtaining meaningful consent, **16:15**
personal information retention and disposal, principles and best practices, **16:24**
pipeda fair information principle 7, safeguards, **16:23**
pipeda interpretation bulletin
accountability, **16:6**
accuracy, **16:8**
commercial activity, **16:13**
form of consent, **16:10**
personal information, **16:9**
publicly available information, **16:11**
safeguards, **16:12**
pipeda self-assessment tool, **16:25**
privacy and online behavioural advertising, **16:14**
privacy guidance for manufacturers of internet of things devices, **16:21**
privacy guide for businesses, **16:19**
strengthening privacy for the digital age, **16:17**
Regulations
general data protection regulation (gdpr), European parliament and of the council of the European Union, **16:5**
order binding certain agents of her majesty for the purposes of part 1 of pipeda, **16:4**
specifying investigative bodies, **16:2**
specifying publicly available information, **16:3**
Statutes
Personal Information Protection and Electronic Documents Act, **16:1**

PRODUCT SAFETY
Administration and enforcement, **6:16**
Application of Act, **6:3**
Canada Consumer Products Safety Act, **6:2**
Death or serious adverse effect, **6:10**
Defect or characteristic, **6:11**
Generally, **6:1**
Incorrect or insufficient information, **6:12**
Product recalls and other measures, **6:15**
Recall or other measure, **6:13**

PRODUCT SAFETY—Cont'd
Record-keeping requirements, **6:4**
advertisers, **6:6**
importers, **6:6**
manufacturers, **6:6**
retailers, **6:5**
sellers (other than retailers), **6:6**
testers, **6:6**
time and manner of keeping records, **6:7**
Reporting obligations, **6:14**
Reporting of safety-related incidents and undertaking recalls, **6:8**
definition of incident, **6:9**

PURPOSE REQUIREMENT
See also MISLEADING ADVERTISING—GENERAL RULE

QUEBEC
Advertising of alcoholic beverages
regulations
respecting promotion, advertising and educational programs relating to alcoholic beverages, **23:2**
respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit, **23:3**
statutes
an act respecting liquor permits, **23:1**
Consumer protection, consumer credit, consumer product warranties, direct marketing
guidelines
advertising directed at children under 13 years of age, application of ss. 248 and 249 Consumer Protection Act, **23:6**
respecting the application of the Consumer Protection Act, **23:5**
regulations
respecting the application of the Consumer Protection Act, **23:5**
statutes
Consumer Protection Act, **23:4**
Language of advertising
regulation
respecting the language of commerce and business, **23:13**
specifying the scope of terms and expressions, s. 144 of Charter of

QUEBEC—Cont'd
Language of advertising—Cont'd
regulation—Cont'd
french language and facilitating the application, **23:14**
statutes
Charter of the french language, **23:12**
Packaging and labelling
regulations
respecting food, **23:16**
respecting information on controlled products under an Act respecting occupational health and safety, **23:17**
statutes
Food Products Act, **23:15**
Privacy
statutes
Act respecting protection of personal information in private sector, **23:18**

QUEBEC LOTTERIES LEGISLATION
See also CONTESTS

REFUSAL TO DEAL
See also REVIEWABLE PRACTICES
Cases, **2:5**
Economic impact, **2:6**
Refusal to deal, **2:3 et seq.**
When order made, **2:4**

REFUSALS TO SUPPLY
See also PRICE MAINTENANCE
Generally, **2:15**
Inducing refusals to supply competitors, **2:20**
Low-pricing policy, **2:19**
Otherwise discriminate, **2:18**
Primary and ancillary rules, **2:16**
Refusal to supply customers, **2:17**

REGULATIONS
Broadcasting distribution regulations 1997, **9:5**
Can. Reg. 2009-176
organic products regulations, 2009, **10:9**
Can. Reg. 2010-273
administrative monetary penalties (consumer products) regulations, **14:18**

REGULATIONS—Cont'd
Can. Reg. 2010-273—Cont'd
consumer products containing lead (contact with mouth) regulations, **14:16**
Can. Reg. 2015-17
hazardous products regulations, **14:17**
Can. Reg. 2016-231
cannabis exemption, **10:10**
Can. Reg. 2018-108
safe food for canadians regulations, **10:10.10**
Can. Reg. 2019-107
tobacco products appearance, packaging and labelling regulations, **11:9**
Can. Reg. 2020-143
vaping products promotion regulations, **11:10**
Can. Reg. 2024-110
biocides regulations, **10:10.20**
Can. Reg. 2010-171 natural health product (unprocessed product licence applications) regulations, **10:8**
Cannabis regulations, **12:2**
Competition Tribunal Rules, **8:4**
Consumer chemicals and containers regulations, 2001, **14:9**
Consumer packaging and labelling regulations, **14:6**
Cosmetic regulations, **10:5**
Determination of country of origin for purpose of marking goods (non-NAFTA countries) regulations, **14:13**
Determination of country of origin for purposes of marking goods (NAFTA countries) regulations, **14:14**
Excluding certain vaping products regulated under Food and Drugs Act from application of Tobacco and Vaping Products Act, **11:7**
Exemption regulations (consumer products), **14:19**
Food and drug regulations, **10:3, 10:4**
Hazardous products regulations, **14:10**
Icewine regulations, **14:8**
Icewine regulations regulatory impact analysis statement, **14:7**
Marking of imported goods order, **14:15**
Marking of imported goods regulations, **14:12**
Medical devices regulations, **10:6**

REGULATIONS—Cont'd
National Trade-Mark and True Labelling Act, **15:5**
Natural health products regulations, **10:7**
Other product-specific regulations, Canada
Consumer Product Safety Act, **14:11**
Promotion of tobacco products and accessories regulations (prohibited terms), **11:4**
Radio regulations, 1986, **9:2**
Regulatory impact analysis statement, **12:3**
Specialty services regulations, 1990, **9:4**
Television broadcasting regulations, 1987, **9:3**
Textile labelling and advertising regulations, **13:2**
Tobacco (access) regulations, **11:2**
Tobacco products appearance, packaging and labelling regulations, **11:6**
Vaping products labelling and packaging regulations, **11:8**

REMEDIES, BREACH OF CONSUMER WARRANTY
Generally, **4:44-4:51**

REPRESENTATIONS
See also MISLEADING ADVERTISING
General prohibition, **1:73**
Generally, **1:70 et seq.**
Means of communicating, **1:9**
Performance claims, **1:31**
Scope, **1:6**
Statement of fact or promise, **1:7**
Statements of opinion, **1:8**
Testimonials, **1:72**
Tests, **1:71**

REVIEWABLE PRACTICES
See also DISTRIBUTION PRACTICES
Abuse of dominant market position, see ABUSE OF DOMINANT MARKET POSITION
Delivered pricing, see DELIVERED PRICING
Exclusive dealing, see EXCLUSIVE DEALING
Market restriction, see MARKET RESTRICTION
Market restrictive practices, see MARKET RESTRICTIVE PRACTICES

REVIEWABLE PRACTICES—Cont'd
Price maintenance, see PRICE MAINTENANCE
Refusal to deal, see REFUSAL TO DEAL
Tied selling, see TIED SELLING

SALE ABOVE ADVERTISED PRICE
See also MISLEADING ADVERTISING
Generally, **1:83**

SELF-REGULATION OF ADVERTISING CONTENT
Ad standards
Canadian code of advertising, **5:2**
clearance process, **5:3**
consumer complaints, **5:4**
trade practices disputes, **5:5**
Ad standards canada, **5:1**
Advertising content regulation and preclearance
alcoholic beverages
ad standards approval, **5:10**
CRTC code for broadcast advertising of alcoholic beverages, **5:9**
provincial approval, **5:11**
consumer advertising of health products
cosmetics, **5:14**
drugs, natural health products, vaccines and medical devices, **5:13**
food and non-alcoholic beverages
ad standards Canada approval, **5:12**
Advertising to children
advertising of food to children
industry initiatives and proposed federal legislation, **5:18**
broadcast code for advertising to children, **5:15**
provincial regulation, quebec
Quebec Consumer Protection Act, **5:16**
constitutional court decisions, **5:17**
Canadian association of broadcasters, **5:8**
CBC advertising standards, **5:7**
Thinktv, **5:6**

STANDARD OF DECEPTIVENESS
See also FALSE OR MISLEADING IN MATERIAL RESPECT
Average purchaser, **1:16**
Credulous man, **1:15**

STANDARD OF DECEPTIVENESS —Cont'd
Generally, **1:14**
Sophisticated purchaser, **1:17**

STATUTES
Broadcasting Act, **9:1**
Canada Consumer Product Safety Act, **14:5**
Cannabis Act, **12:1**
Competition Act, **8:1**
Competition Tribunal Act, **8:2**
Consumer Packaging and Labelling Act, **14:1**
Copyright Act, **15:1**
Criminal Code, **8:3**
Customs tariff, **14:2**
Food and Drugs Act, **10:2**
Hazardous Products Act, **14:3**
National Trade-Mark and True Labelling Act, **15:4**
Safe Food for Canadians Act, **10:1**
Textile Labelling Act, **13:1**
Tobacco and Vaping Products Act, **11:1**
Trademarks Act, **15:3**
table of concordance, **15:2**
Weights and Measures Act, **14:4**

SUGGESTED RETAIL PRICE
See also PRICE MAINTENANCE
Generally, **2:14**

TELEMARKETING
Guidelines
compliance and enforcement and telecom decision CRTC 2019-402, **17:10**
enforcement, **17:7**
fact sheet, **17:4**
measures to reduce caller identification spoofing, determine origins nuisance calls, **17:9**
regarding general administrative monetary penalties regime, Telecommunications Act, **17:8**
telecom decision CRTC 2007-48, **17:6**
telecom public notice CRTC 2006-4, **17:5**
telemarketing in Canada, **17:12**
understand telemarketing rules for compliance, **17:11**

TELEMARKETING—Cont'd
Regulations
unsolicited telecommunications fees, **17:3**
Statutes
Competition Act, **17:2**
Telecommunications Act, **17:1**

TELEMARKETING OFFENCE
See also MISLEADING ADVERTISING
Disclosure requirements, **1:86**
Enforcement, **1:89**
Introduction, **1:84**
Liability, **1:89**
Penalty, **1:89**
Related amendments, **1:90**
Specific prohibitions, **1:87**
Telemarketing contests, **1:88**
Telemarketing defined, **1:85**

TIED SELLING
Defences, **2:35**
Exemptions, **2:35**
Major supplier, **2:33**
Substantial lessening of competition, **2:34**
What constitutes practice, **2:32**

TOBACCO PRODUCTS
See also SPECIFIC PRODUCT ADVERTISING
Generally, **7:239-7:252**
Access to tobacco products, **7:242**
Enforcement and offences, **7:252**
Labelling, **7:243**
Manufacturing of tobacco products, **7:241**
Prohibition against promotions, **7:244**
advertising, **7:246**
media liability, **7:251**
packaging, **7:247**
products displaying brand elements, **7:248**
retail displays, **7:250**
sales promotion, **7:249**
testimonials and endorsements, **7:245**
Tobacco and Vaping Products Act, **7:240**

TRADE PRACTICES—PRIVATE REMEDIES
See also TRADE PRACTICES LEGISLATION
Damages, **4:10**
Generally, **4:8**

TRADE PRACTICES—PRIVATE REMEDIES—Cont'd
Injunctive or declaratory relief, **4:11**
Other remedies, **4:12**
Rescission, **4:9**
Specific performance, **4:12**

TRADE PRACTICES—PUBLIC REMEDIES
See also TRADE PRACTICES LEGISLATION
Administrative actions, **4:13**
assurances of voluntary compliance, **4:16**
cease and desist orders, **4:14**
director's investigatory powers, **4:17**
orders for immediate compliance, **4:15**
orders to refrain from dealing with assets, **4:18**
substitute actions by director, **4:19**
Criminal sanctions, **4:20**
limitation periods, **4:23**
penalties, **4:22**
proof required and defences, **4:21**

TRADE PRACTICES LEGISLATION
See also CONSUMER PROTECTION
False, deceptive or misleading practices, **4:5**
General prohibition, **4:4**
Introduction, **4:2**
Remedies generally, **4:7**
Shopping list, **4:4-4:5**

TRADE PRACTICES LEGISLATION —Cont'd
Statutory definitions, **4:3**
Unconscionable practices, **4:6**

TRADING STAMPS
See COUPONS AND TRADING STAMPS

WARRANTY AND SERVICEABILITY CLAIMS
See also MISLEADING ADVERTISING
Generally, **1:74 et seq.**
Guarantee, **1:75**
Misleading or cannot be performed, **1:76**
Promise to repair, **1:75**
Warranty, **1:75**

WARRANTY PROTECTION UNDER GENERAL SALES LAW
See also CONSUMER WARRANTIES
Benefit only to immediate purchaser, **4:28**
Exclusion of warranties and conditions prohibited, **4:26**
Implied warranties and conditions, **4:25**
Limited to sales of goods, **4:27**
Non-contractual terms, **4:30**
Privity of contract required, **4:28**
Warranties versus conditions, **4:29**

WEIGHTS AND MEASURES
Administration and enforcement, **6:48**
Marking of commodities, **6:47**
Regulation of, **6:46**