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CANADIAN ADVERTISING & MARKETING LAW

Young & Fraser

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This publication provides an in-depth examination of both the federal and provincial laws affecting advertising, packaging, pricing, promotion and distribution. Clear, detailed commentary is presented on such issues as labelling requirements, total price disclosure, advertising content restrictions and permitted promotions and contests. Specific products that are specially regulated receive individual attention including food and drugs, cosmetics, liquor and tobacco products and hazardous products.

What's New in this Update:

This release features updates to Chapter 1. Misleading Advertising and Chapter 21. British Columbia.

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Highlights:

- **Chapter 1—Misleading Advertising—I. Introduction—Legislative History of the *Competition Act*—1:4. "No Person"—** The basic prohibition in subsection 52(1) and paragraph 74.01(1)(a) operates against private individuals, individuals carrying on business (whether as sole proprietors or in partnership), corporations (whether profit or non-profit) and, subject to the rules of Crown immunity, Crown corporations. However, consistent with the general rule under the *Competition Act*, there is no liability imposed upon an individual per se who, although acting on behalf of a corporation in the commission of an offence, does not of and by his or her own act commit an offence.