



Competition Bureau
Canada

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Canada

Canada

“Product of Canada” and “Made in Canada” Claims

Enforcement guidelines

March 7, 2025

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The Competition Bureau has published its enforcement guidelines in 2009. Following the passage of amendments to the *Competition Act* on June 23, 2022, the Bureau has updated them to ensure clarity and transparency for businesses.

This publication replaces the following Competition Bureau publications:

- Enforcement guidelines — *Guide to "Made in Canada" Claims*, January 22, 2002
- Enforcement guidelines — *Enforcement guidelines relating to "Product of Canada" and "Made in Canada" Claims*, Draft for Public Consultation, July 10, 2009

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Preface

The Competition Bureau is an independent law enforcement agency that contributes to the prosperity of Canadians by protecting and promoting competitive markets and enabling informed consumer choice.

Headed by the Commissioner of Competition, the Bureau is responsible for the administration and enforcement of four federal statutes:

- The *Competition Act*¹ contains provisions against false or misleading representations;
- The *Consumer Packaging and Labelling Act*² requires that consumer products bear accurate and meaningful labelling information. This Act applies only to non-food products;
- The *Textile Labelling Act*³ requires that consumer textile articles bear accurate and meaningful labelling information; and,
- The *Precious Metals Marking Act*⁴.

The *Competition Act*, the *Consumer Packaging and Labelling Act* and the *Textile Labelling Act* do not require that the country of origin of a product be identified⁵. These Acts address and prohibit the making of false or misleading representations. Accordingly, these Acts do not require, for instance, that businesses make a "Made in Canada" claim with regard to their products; however, if they choose to make such a claim, the Bureau will apply the approach described in these enforcement guidelines to assist in determining when it will investigate a claim for non-compliance or undertake an appropriate enforcement action under the false or misleading representations provisions in the statutes under its responsibility.

1. R.S., 1985, c. C-34. ↵

2. R.S., 1985, c. C-38. ↵

3. R.S., 1985, c. T-10. ↵

4. R.S., 1985, c. P-19. ↵

5. Paragraph 11(1)(c) of the *Textile Labelling and Advertising Regulations* requires that if a label on a textile fibre product includes a representation that the product or any fabric or fibre therein is imported, that label or another label on the product must name the country of origin. Other statutes and regulations may require country of origin information to be provided in certain circumstances. These guidelines address only the legislation enforced by the Bureau. ↵

The Bureau's Guide to "Made in Canada" Claims was introduced in the early 1980s as a means of identifying Canadian content, and to assist in evaluating "Made in Canada" claims against the false or misleading representations provisions contained in the Acts.⁶

As noted above, the Bureau enforces the *Consumer Packaging and Labelling Act* that applies to non food products. The Canadian Food Inspection Agency has a mandate to enforce Canada's food legislation, including the *Safe Food for Canadians Act* (SFCA) which contains similar requirements as the *Consumer Packaging and Labelling Act*. Until December 31, 2008, the CFIA relied on the Bureau's Guide to "Made in Canada" Claims to enforce the CPLA in relation to food products. Since then, the CFIA published its own guide for the use of "Made in Canada" and "Product of Canada" claims in the labelling of food products sold in Canada.

In light of, among other developments, CFIA's guidance for "Made in Canada" and "Product of Canada" claims in labelling of food products, the Bureau has reviewed and updated its *Guide to "Made in Canada" Claims* for non food products, now titled "*Product of Canada*" and "*Made in Canada*" Claims guidelines. These guidelines describe the Bureau's approach to assessing "Made in Canada" and "Product of Canada" claims under the false or misleading representations provisions of the Acts, and supersedes the previous *Guide to "Made in Canada" Claims*.

These enforcement guidelines provide a distinction between "Product of Canada" and "Made in Canada" claims for non-food products. "Product of Canada" claims are subject to a higher threshold of Canadian content (98%), while "Made in Canada" claims are subject to a 51% threshold of Canadian content but should be accompanied by a qualifying statement indicating that the product contains imported content. In both cases, the last substantial transformation of the product must have occurred in Canada.

The Bureau recognizes the need for transparency and predictability regarding its assessment of "Product of Canada" and "Made in Canada" claims. These guidelines are intended to provide businesses and industry groups with information that will help them develop strategies to ensure compliance with the false or misleading representations provisions of the Acts with respect to such claims. Significantly, the guidelines, and industry compliance with them, will promote clarity and assist consumers in understanding the meaning of "Product of Canada" and "Made in Canada" claims, and in making informed purchasing decisions.

If businesses follow these guidelines when making representations that their products are "Product of Canada" or "Made in Canada", it is unlikely that they will raise concerns under the statutes administered by the Bureau.

6. Other Bureau publications relating to labelling requirements include the *Guide to the Consumer Packaging and Labelling Act and Regulations*, *Guide to the Textile Labelling and Advertising Regulations*, *Guide to the Labelling of Down and Feathers*, *Guide for the Labelling and Advertising of Pet Foods* and *Guidance on Labelling Textile Articles Derived from Bamboo* are available at: www.competitionbureau.gc.ca. ↩

It should also be pointed out that a mere deviation from these guidelines might not, in and of itself, represent a contravention of any one or more of those statutes. Each situation will be evaluated on a case by case basis.

Interpretation

These guidelines describe the general approach of the Bureau to assessing "Made in Canada" and "Product of Canada" claims under the false or misleading representations provisions of the *Competition Act*, *Consumer Packaging and Labelling Act* (for non-food products), and *Textile Labelling Act*.

These guidelines are not intended to restate the law or to constitute a binding statement of how the Commissioner of Competition or the Director of Public Prosecutions will exercise discretion in a particular situation. They do not replace the advice of legal counsel. Guidance regarding future business conduct can be obtained by requesting a binding written opinion from the Commissioner of Competition under section 124.1 of the *Competition Act*. The respective enforcement and prosecutorial decisions of the Commissioner of Competition and the Director of Public Prosecutions, and the ultimate resolution of issues, will depend on the particular circumstances of the matter in question. Final interpretation of the law is the responsibility of the Competition Tribunal and the courts.

1. Introduction

1.1 Scope and purpose of the guidelines

These guidelines discuss the Bureau's interpretation of "Product of Canada" and "Made in Canada" claims under the *Competition Act*, the *Consumer Packaging and Labelling Act* and the *Textile Labelling Act* (for non food products) as defined in section 2 of these guidelines. These Acts do not require that the country of origin of a product be identified.⁷ Rather, these Acts prohibit the making of false or misleading representations. These Acts do not require, for instance, that businesses make a "Made in Canada" claim with regard to their products. If however they choose to make such a claim, the Bureau will apply the approach described in these enforcement Guidelines to assist in determining when it will investigate a claim for non-compliance or undertake an appropriate enforcement action under the false or misleading representations provisions in the statutes under its responsibility. These Guidelines do not address other statutory or regulatory requirements regarding country of origin identification, including "Product of Canada" and "Made in Canada" claims with respect to food and non-food products⁸ included in statutes other than the Acts.

These guidelines are intended to provide businesses and industry groups with information that will help them develop strategies to ensure compliance with the false or misleading representations provisions of the Acts with respect to "Product of Canada" and "Made in Canada" claims. Significantly, these guidelines, and industry compliance with them, will assist consumers in understanding the meaning of "Product of Canada" and "Made in Canada" claims, and in making informed purchasing decisions.

If businesses follow these guidelines when making representations that their products are "Product of Canada" or "Made in Canada", it is unlikely that they will raise concerns under the statutes administered by the Bureau; moreover, a mere deviation from these guidelines might not, in and of itself, represent a contravention of any one or more of those statutes. Each situation will be evaluated on a case by case basis.

7. Paragraph 11(1)(c) of the *Textile Labelling and Advertising Regulations* requires that if a label on a textile fibre product includes a representation that the product or any fabric or fibre therein is imported, that label or another label on the product must name the country of origin. Other statutes and regulations may require country of origin information to be provided in certain circumstances. These guidelines address only the legislation enforced by the Bureau. ↵

8. Statutory requirements that are not addressed by these guidelines include, for example, the fact that the *Precious Metals Marking Act* requires that, if a dealer is going to apply a national mark to a precious metal article, the article must, among other things, have been wholly manufactured in Canada. ↵

1.2 Overview of the legislation

While country of origin labelling is not a requirement under the *Competition Act*, the *Consumer Packaging and Labelling Act* or the *Textile Labelling Act*, each statute contains provisions prohibiting false or misleading representations; such provisions can apply to false or misleading country of origin claims. The purpose of the false or misleading representations provisions of the Acts is to promote fair competition in the marketplace by discouraging deceptive business practices, and by encouraging the provision of truthful and accurate information to enable informed consumer choice.

1.2.1 The *Competition Act* (CA)

The *Competition Act*⁹ contains provisions that prohibit false or misleading representations for the purpose of promoting a product or any business interest. Two of these provisions (sections 52 and 74.01) can be applied to country of origin claims made by businesses.

Subsection 52(1) of the *CA* is a criminal provision that prohibits anyone, for the purpose of promoting the supply or use of a product or business interest from knowingly or recklessly making a materially false or misleading representation to the public. Any person who contravenes this subsection is guilty of an offence and liable to a fine and/or imprisonment and can be ordered to pay restitution if the conditions set out in the *Criminal Code*¹⁰ are met¹¹.

Paragraph 74.01(1)(a) of the *CA* is a civil provision that provides that anyone who makes a materially false or misleading representation to the public to promote the supply or use of a product or a business interest engages in "reviewable conduct". Any person who contravenes paragraph 74.01(1)(a) may be ordered not to engage in such conduct or substantially similar reviewable conduct, to publish a corrective notice, to pay an administrative monetary penalty and/or to pay an amount to be distributed among the persons to whom the products were sold.¹²

Most cases are taken under the civil provision of the *CA*. Criminal prosecution is only undertaken when the false or misleading representations are made knowingly or recklessly, and when the Director of Public Prosecutions is of the view that it is in the public interest to proceed criminally¹³.

9. Please refer to section 5.1 of these guidelines for the relevant provisions of the *Competition Act*. ↵

10. R.S. 1985, c. C-46. ↵

11. Please refer to the discussion on penalties and remedies in section 4 of these guidelines. ↵

12. Please refer to the discussion on penalties and remedies in section 4 of these guidelines. ↵

13. For further information about the dual-track (civil/criminal) regime for false or misleading representations, please refer to *Misleading Representations and Deceptive Marketing Practices: Choice of Criminal or Civil Track under the Competition Act* available at: www.competitionbureau.gc.ca. ↵

1.2.2 The *Consumer Packaging and Labelling Act (CPLA)*

The *CPLA*¹⁴ requires that consumer products bear accurate and meaningful labelling information to help consumers make informed purchasing decisions. The *CPLA* sets out specifications for mandatory label information, such as product identity, product net quantity and the dealer's name and principal place of business.¹⁵ Section 7 of the *CPLA* also contains a provision prohibiting false or misleading representations on a pre-packaged product, which covers country of origin claims made by businesses.

The Bureau enforces the *CPLA* which applies only to non food products. The Canadian Food Inspection Agency (CFIA) has a mandate to enforce Canada's food legislation, including the *Safe Food for Canadians Regulations* (SFCR) which introduced new requirements for food businesses as of January 15, 2019.

1.2.3 The *Textile Labelling Act (TLA)*

The *TLA*¹⁶ requires that consumer textile articles bear accurate and meaningful labelling information to help consumers make informed purchasing decisions. The *TLA* sets out specifications for mandatory label information, such as information on fibre content and dealer identification. Section 5 of the *TLA* also contains a provision prohibiting false or misleading representations on the labelling or advertising of a textile article, which covers country of origin claims made by businesses.

2. Definitions

For the purpose of these guidelines, the following definitions apply:

2.1 Cost of production/manufacturing

Cost of production/manufacturing that would be taken into account by the Bureau when assessing a "Product of Canada" or "Made in Canada" claim are:

- a. expenditures on materials incurred by the producer/manufacturer in the production or manufacturing of the goods; and

14. Please refer to section 5.2 of these guidelines for relevant provisions of the *Consumer and Packaging and Labelling Act*. ↵

15. The *Consumer Packaging and Labelling Regulations* set out specific labelling requirements for prepackaged products wholly manufactured or produced outside Canada (s. 31(2)) and products that are wholly manufactured or produced in a country other than Canada but packaged in Canada at other than the retail level of trade (s. 31(3)). Please refer to section 5.2 of these guidelines for relevant provisions of the *Consumer Packaging and Labelling Regulations*. ↵

16. Please refer to section 5.3 of these guidelines for relevant provisions of the *Textile Labelling Act*. ↵

- b. expenditures on labour incurred by the producer/manufacturer that relate to the production or manufacturing of the goods and can reasonably be allocated to the production or manufacturing of the goods.

General overhead is not usually included in the calculation of the cost of production and manufacturing; however, overhead expenditures incurred by the producer/manufacturer may be eligible if they relate directly to the production or manufacturing of the goods in question and if they can reasonably be allocated to the production or manufacturing of the goods.

2.2 Non-food product or good

Non food products or goods means products or goods that are not food as defined in section 2 of the *Food and Drugs Act* and section 2 of the *Safe Food for Canadians Act*.

2.3 Substantial transformation

Goods are substantially transformed where they undergo a fundamental change in form, appearance or nature such that the goods existing after the change are new and different goods from those existing before the change.

3. "Product of Canada" and "Made in Canada" claims

3.1 The Bureau's enforcement approach — General principles

The Acts enforced by the Bureau do not require that the country of origin of a product be identified¹⁷. The Acts do prohibit the making of false or misleading representations. As such, the Acts do not require, for instance, that businesses make a "Made in Canada" claim with respect to their products; however, if they choose to make such a claim, the Bureau will apply the approach described in these enforcement guidelines to assist in determining when it will investigate a claim for non-compliance or undertake an appropriate enforcement action under the false or misleading representations provisions included in the statutes under its responsibility.

17. Paragraph 11(1)(c) of the *Textile Labelling and Advertising Regulations* requires that if a label on a textile fibre product includes a representation that the product or any fabric or fibre therein is imported, that label or another label on the product must name the country of origin. Other statutes and regulations may require country of origin information to be provided in certain circumstances. These guidelines address only the legislation enforced by the Bureau. ↵

The approach outlined in these guidelines is applied by the Bureau on a case-by-case basis. The guidelines are used to assist in interpreting whether a representation, either implicit or explicit, that a product is a "Product of Canada" or "Made in Canada" may be false or misleading to prospective purchasers of the product.

3.1.1 General impression test

When determining whether a "Product of Canada" or "Made in Canada" declaration has been made that is false or misleading, the *Competition Act* requires that the general impression conveyed by a representation, as well as its literal meaning, be taken into account. Thus, when examining a particular representation, the Bureau will consider the general impression conveyed through a combination of words, visual elements, illustrations and overall layout that may alter the plain meaning of a representation.

As such, any country of origin claim or representation, including any pictorial representation, will be evaluated in its entirety to establish whether the representation creates the general impression that the product was made in Canada.

If the Bureau concludes that the general impression given by a representation is that the product was made in Canada, the Bureau will assess these representations under the criteria for "Product of Canada" and "Made in Canada" claims set out in section 3.2 of these guidelines to assist in interpreting whether the representations may be false or misleading.

3.1.2 Medium of the representations

The false or misleading representations provisions of the *Competition Act* and *Textile Labelling Act* cover all forms of representation regardless of the medium used, including print or broadcast media, Internet and oral representations¹⁸.

3.1.3 Proof of deception not required

Subsections 52(1.1) and 74.03(4) of the *Competition Act* clarify that it is not necessary to prove that anyone was actually deceived or misled in order to prove that a representation has contravened the provisions for criminal or civil false or misleading representations in the *CA*.

18. Unlike the *CA* and *TLA*, the *CPLA* does not specifically prohibit making a false or misleading representation in an advertisement. Rather, the *CPLA* prohibits selling, importing or advertising a prepackaged product where the product's label contains any false or misleading representation relating to the product. Note, however, that the *CA* prohibitions on false or misleading representations apply to all advertising, including advertising of prepackaged products. ↵

3.1.4 Goods wholly obtained or produced in Canada

Goods that are wholly obtained or produced in Canada, for example: mineral goods extracted in Canada or goods harvested in Canada, will be considered to have undergone their last substantial transformation in Canada.

3.2 Types of claims

3.2.1 "Product of Canada" claims

The Bureau generally will not challenge a representation that states that a good is a "Product of Canada" under the false or misleading representations provisions of the *Competition Act*, the *Consumer Packaging and Labelling Act* and the *Textile Labelling Act* if these two conditions are met:

- a. the last substantial transformation of the good occurred in Canada; and
- b. all or virtually all (at least 98%) of the total direct costs of producing or manufacturing the good have been incurred in Canada.

3.2.2 "Made in Canada" claims

The Bureau will generally not challenge a representation that a good is "Made in Canada" under the false or misleading representations provisions of the CA, the CPLA and the TLA if these three conditions are met:

- a. the last substantial transformation of the good occurred in Canada;
- b. at least 51% of the total direct costs of producing or manufacturing the good have been incurred in Canada; and
- c. the "Made in Canada" representation is accompanied by an appropriate qualifying statement, such as "Made in Canada with imported parts" or "Made in Canada with domestic and imported parts". This could also include more specific information such as "Made in Canada with 60% Canadian content and 40% imported content".

3.2.3 Other claims

If a product does not meet either of the criteria for a "Product of Canada" or "Made in Canada" claim, the Bureau recommends the use of a more specific term that more accurately reflects the limited production or manufacturing activity that took place in Canada. For example, "Assembled in Canada with foreign parts" or "Sewn in Canada with imported fabric"¹⁹. The Bureau encourages the use of qualified claims where the additional information provided is accurate, relevant and useful, and does not give a false or misleading impression.

More general terms, however, such as "produced", or "manufactured" in Canada, are likely to be understood by consumers as synonymous with a "Made in Canada" claim and should therefore comply with the requirements for "Made in Canada" claims. To increase clarity for consumers, the Bureau recommends the use of "Made in Canada" claims with a qualifying statement, over more general terms such as "produced" or "manufactured" in Canada with a qualifying statement.

A marketer may represent that a particular manufacturing or other process was performed in Canada, such as "Designed in Canada". Similarly, a marketer may represent that a particular part was manufactured in Canada, such as that the motor in a lawnmower was made in Canada from domestic and imported parts. Such a claim is acceptable, provided it is accurate and that consumers would understand it to refer to a specific process or part, and not to the general manufacturing of the product.

3.2.4 Implicit declarations

A representation may be made by either express or implied claims. Depending on the context, pictorial representations (e.g., logos, pictures, or symbols such as the Canadian flag or maple leaf) may by themselves be just as forceful as an explicit "Made in Canada" written representation. Any text that attempts to qualify a pictorial representation must be sufficiently prominent to ensure that consumers notice it and understand the significance. If a reasonable conclusion from the use of a pictorial representation is that the goods are made in Canada, when that is in fact not the case as per the requirements noted above, there is a risk of misleading consumers, and this may raise concerns under the legislation that falls under the Bureau's responsibility.

Implicit declarations of domestic origin will be interpreted by the Bureau as giving the same general impression to the public as an explicit "Made in Canada" claim and should therefore meet the conditions for this type of claim, as set out in section 3.2.2 of these guidelines. In identifying implied claims, the Bureau focuses on the overall general impression of an advertisement, label or other promotional material. This requires an examination of both the representation and the overall context including the positioning of phrases and images.

19. If this representation is made on the label of a textile fibre product, the country of origin must also be named. ↵

4. Penalties and remedies

If the Bureau believes that a representation is false or misleading in a material respect, it will look to its *Competition and Compliance Framework*²⁰ in choosing the appropriate enforcement approach for achieving conformity with the legislation. The Bureau has several instruments at its disposal to promote and achieve compliance with the Acts. The *Competition and Compliance Framework* explains how the Bureau will select and use each tool and sets out the considerations influencing the Bureau's discretionary enforcement decisions. In prioritizing enforcement activity, the Commissioner of Competition reviews matters in relation to criteria such as economic impact and the Bureau's enforcement policies and priorities.

The consequences associated with being found to have engaged in deceptive marketing practices depend on whether the conduct falls under the civil or criminal provisions of the *Competition Act*.

With respect to the civil provision - i.e. making false or misleading representations (paragraph 74.01(1)(a) of the *Competition Act*) - the court may order the person to stop engaging in such conduct, to publish a corrective notice, and/or pay an **administrative monetary penalty**.

Following the 2022 amendments to the *Competition Act*, the limits on civil administrative monetary penalties for deceptive marketing practices have increased, as follows:

For individuals, the penalty for first-time violations is **up to the greater of:**

- \$750,000 (\$1 million for each subsequent violation); and
- three times the value of the benefit derived from the deceptive conduct, if that amount can be reasonably determined.

For corporations, the penalty for a first-time violation is **up to the greater of:**

- \$10 million (\$15 million for each subsequent violation); and
- three times the value of the benefit derived from the deceptive conduct, or, if that amount cannot be reasonably determined, 3% of the corporation's annual worldwide gross revenue.

20. The *Competition and Compliance Framework* is available [here](#). ↵

A person found to have breached the criminal false or misleading representations provision of the *Competition Act* (s. 52) is subject, on summary conviction, to a maximum fine of \$200,000 or to a maximum term of imprisonment of one year, or both. On conviction on indictment, the person is subject to a fine in the discretion of the court or to a maximum term of imprisonment of 14 years, or both. In both cases, the *Criminal Code* provides that the person could also be ordered to pay restitution if the conditions are met.

Under the *CPLA* and *TLA*, a dealer found to have contravened the false or misleading representations provisions is subject, on summary conviction, to a fine not exceeding \$5,000, or on conviction on indictment, to a fine not exceeding \$10,000. In both cases, the *Criminal Code* provides that the person could also be ordered to pay restitution if certain conditions are met.

5. Relevant provisions of the Acts

5.1 Relevant provisions of the *Competition Act*

52. (1) No person shall, for the purpose of promoting, directly or indirectly, the supply or use of a product or for the purpose of promoting, directly or indirectly, any business interest, by any means whatever, knowingly or recklessly make a representation to the public that is false or misleading in a material respect.

(1.1) For greater certainty, in establishing that subsection (1) was contravened, it is not necessary to prove that

- a. any person was deceived or misled;
- b. any member of the public to whom the representation was made was within Canada; or
- c. the representation was made in a place to which the public had access.

(4) In a prosecution for a contravention of this section, the general impression conveyed by a representation as well as its literal meaning shall be taken into account in determining whether or not the representation is false or misleading in a material respect.

(5) Any person who contravenes subsection (1) is guilty of an offence and liable

- a. on conviction on indictment, to a fine in the discretion of the court or to imprisonment for a term not exceeding 14 years, or to both; or
- b. on summary conviction, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding one year, or to both.

74.01 (1) A person engages in reviewable conduct who, for the purpose of promoting, directly or indirectly, the supply or use of a product or for the purpose of promoting, directly or indirectly, any business interest, by any means whatever,

- a. makes a representation to the public that is false or misleading in a material respect;...

74.03 (4) For greater certainty, in proceedings under sections 74.01 and 74.02, it is not necessary to establish that

- a. any person was deceived or misled;
- b. any member of the public to whom the representation was made was within Canada; or
- c. the representation was made in a place to which the public had access.

(5) In proceedings under sections 74.01 and 74.02, the general impression conveyed by a representation as well as its literal meaning shall be taken into account in determining whether or not the person who made the representation engaged in the reviewable conduct.

74.1 (1) Where, on application by the Commissioner, a court determines that a person is engaging in or has engaged in reviewable conduct under this Part, the court may order the person

- a. not to engage in the conduct or substantially similar reviewable conduct;
- b. to publish or otherwise disseminate a notice, in such manner and at such times as the court may specify, to bring to the attention of the class of persons likely to have been reached or affected by the conduct, the name under which the person carries on business and the determination made under this section, including
 - i. a description of the reviewable conduct,
 - ii. the time period and geographical area to which the conduct relates, and
 - iii. a description of the manner in which any representation or advertisement was disseminated, including, where applicable, the name of the publication or other medium employed;
- c. to pay an administrative monetary penalty, in any manner that the court specifies, in an amount not exceeding
 - i. in the case of an individual, the greater of
 - A. \$750,000 and, for each subsequent order, \$1,000,000, and
 - B. three times the value of the benefit derived from the deceptive conduct, if that amount can be reasonably determined, or

- ii. in the case of a corporation, the greater of
 - A. \$10,000,000 and, for each subsequent order, \$15,000,000, and
 - B. three times the value of the benefit derived from the deceptive conduct, or, if that amount cannot be reasonably determined, 3% of the corporation's annual worldwide gross revenues; and
- d. in the case of conduct that is reviewable under paragraph 74.01(1)(a), to pay an amount, not exceeding the total of the amounts paid to the person for the products in respect of which the conduct was engaged in, to be distributed among the persons to whom the products were sold — except wholesalers, retailers or other distributors, to the extent that they have resold or distributed the products — in any manner that the court considers appropriate.

5.2 Relevant provisions of the *Consumer Packaging and Labelling Act* and of the *Consumer Packaging and Labelling Regulations*

Consumer Packaging and Labelling Act

7. (1) No dealer shall apply to any prepackaged product or sell, import into Canada or advertise any prepackaged product that has applied to it a label containing any false or misleading representation that relates to or may reasonably be regarded as relating to that product.

(2) For the purposes of this section, "false or misleading representation" includes...

- c. any description or illustration of the type, quality, performance, function, origin or method of manufacture or production of a prepackaged product that may reasonably be regarded as likely to deceive a consumer with respect to the matter so described or illustrated.

20. (1) Subject to subsection (2.1), every dealer who contravenes any of sections 4 to 9 is guilty of an offence and liable

- a. on summary conviction, to a fine not exceeding \$5,000; or
- b. on conviction on indictment, to a fine not exceeding \$10,000.

Consumer Packaging and Labelling Regulations

31. (2) Where a prepackaged product that is wholly manufactured or produced in a country other than Canada has applied to it, whether in Canada or elsewhere, a label that shows the identity and principal place of business of the person in Canada for whom the prepackaged product was manufactured or produced for resale, the identity and principal place of business of that person shall be preceded by the words "imported by" ("importé par") or "imported for" ("importé pour"), as the case may be, unless the geographic origin of the prepackaged product is stated on the label.

(3) Where a product that is wholly manufactured or produced in a country other than Canada is packaged in Canada at other than the retail level of trade and the resulting prepackaged product has applied to it a label that shows the identity and principal place of business of either the person in Canada for whom the product was manufactured or produced for resale in prepackaged form or for whom the prepackaged product was manufactured or produced for resale, the identity and principal place of business of that person shall be preceded by the words "imported by" ("importé par") or "imported for" ("importé pour"), as the case may be, unless the geographic origin of the product is stated on the label.

5.3 Relevant provisions of the Textile Labelling Act and of the Textile Labelling and Advertising Regulations

Textile Labelling Act

5. (1) No dealer shall apply to a consumer textile article a label, or sell, import into Canada or advertise a consumer textile article that has applied to it a label containing any false or misleading representation that relates to or may reasonably be regarded as relating to the article.

(2) No dealer shall, by means of a label, advertising or otherwise, make any false or misleading representation that relates to or may reasonably be regarded as relating to a textile fibre product.

(3) For the purposes of this section, "false or misleading representation" includes...

- c. any description of the type, quality, performance, origin or method of manufacture or production of a textile fibre product that may reasonably be regarded as likely to deceive any person with respect to the matter so described.

12. (1) Every dealer who contravenes section 3, 4 or 5 is guilty of an offence and liable

- a. on summary conviction, to a fine not exceeding five thousand dollars; or

- b. on conviction on indictment, to a fine not exceeding ten thousand dollars.

Textile Labelling and Advertising Regulations

11. (1) Every representation label that is required to meet the requirements for a disclosure label shall show...

- c. where there is a representation that the article or any fabric or fibre therein is imported, the name of the country of origin, unless the representation is made in another label applied to the article and the name of the country of origin is shown in that other label.

How to contact the Competition Bureau

Anyone wishing to obtain additional information about the *Competition Act*, the *Consumer Packaging and Labelling Act* (except as it relates to food), the *Textile Labelling Act*, the *Precious Metals Marking Act* or the program of written opinions, or to file a complaint under any of these acts should contact the Competition Bureau's Information Centre:

Web site

www.competitionbureau.gc.ca

Address

Information Centre
Competition Bureau
50 Victoria Street
Gatineau, Quebec
K1A 0C9

Telephone

Toll free: 1-800-348-5358
National Capital Region: 819-997-4282
TTY (for hearing impaired) 1-866-694-8389

Facsimile

819-997-0324