

# Minors buy e-cigs online with ease. What about pot?

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**S**ome online retailers put little effort into verifying the ages of their customers. Often, the only barrier a minor faces on the website of a business intended for adults only is a button stating “Click here to verify you are 18 or older.” Purchasing e-cigarettes online, for example, appears to be a simple task for Canadian teenagers, according to recent market research. When marijuana is legalized next year, will it be just as easy, in what is anticipated to be multibillion-dollar industry, for minors to purchase cannabis online?

According to the federal legislation on e-cigarettes [Bill S-5](#), still before Parliament, it will be illegal to sell or deliver vaping products to people under age 18. People who do sell or deliver e-cigarettes to minors will not be considered to have broken a law, however, if they asked for photo identification and have no reason to doubt its authenticity. Most provinces already have legislation that prohibits sales of vaping products to minors.

The Vancouver company Inverite Verification, which sells age-verification software, recently conducted market research to determine how difficult it is for Canadian teenagers to buy e-cigarettes online. Turns out, it isn’t difficult at all.

Three youth between the ages of 14 and 17 attempted to make purchases from 11 online e-cigarette retailers chosen at random. The teenagers — from Toronto, Winnipeg and Edmonton — were instructed to lie about their age online and to select a vaping product containing nicotine. Of the 11 orders placed, 10 were successfully delivered. Only one youth was refused at the point of delivery for failing to produce identification proving that he or she was at least 18 years old.

“In this rapidly developing regulatory environment, online retailers of e-cigarette, vaping, combustion tobacco, and soon-to-come marijuana products should take steps to protect their business and the nation’s youth,” Dave McIntyre of Inverite Verification said in [a summary](#) of the company’s findings.

A [2015 study](#) in *JAMA Pediatrics* found that youth in the United States are also, in general, a mere mouse click away from purchasing a vaping product. In the study, 11 minors attempted to buy e-cigarettes from 98 online vendors. All lived in North Carolina, where it is illegal to sell e-cigarettes to minors.

Only five purchase attempts failed because of age verification, and 76.5% of the products ordered were successfully

delivered. Most of the purchases that didn’t make it to the minors failed for reasons such as website errors and problems with processing payments. Of the products that were delivered, 95% were left at the door.

“Minors are easily able to purchase e-cigarettes from the Internet because of an absence of age-verification measures used by Internet e-cigarette vendors,” concluded the authors.

The only age-verification systems that worked well, the authors noted, were ones that required social security numbers. But the authors were reluctant to recommend this approach because many vendors had low-quality websites with poor security, which would put consumers at high risk of identity theft.



Teenagers appear to face few barriers when purchasing e-cigarettes online.

Purchasing e-cigarettes in person, instead of online, is much more difficult for minors. In a [2015 study](#) conducted for Health Canada, teenagers across Canada were sent to more than 4000 convenience stores, gas stations and vaping outlets to attempt to purchase e-cigarettes. Overall, during a four-month period, they were turned away 66.5% of the time. The rates varied widely, however, with Prince Edward Island refusing 91.5% of minors, compared to Quebec, where only 43.3% were denied service. Another federal [government study](#), conducted in 2014, found that minors who attempted to buy e-cigarettes at stores after being denied access to regular cigarettes were turned away 90.2% of the time.

### Purchasing marijuana online

It is not yet known exactly how marijuana will be distributed to consumers if it is legalized in 2018. Several distribution models [have been proposed](#), including private sector storefronts, provincially run liquor store systems and mail-order delivery of online purchases.

Whatever delivery models are ultimately implemented, one factor that must be considered is the “ability to prevent sales to minors,” stated the [final report](#) from the Task Force on Cannabis Legalization and Regulation. The federal government’s proposed legislation to regulate recreational marijuana, [Bill C-45](#), also states that efforts will be made to [restrict access to youth](#), including “imposing seri-

ous criminal penalties for those who break the law, especially those who provide cannabis to young persons.”

Greg Engel, CEO of OrganiGram, a licensed grower in New Brunswick, said he is advocating for recreational marijuana products delivered by mail to “require an age/ID verification at the time of delivery and/or pick-up at a courier or Canada Post outlet in the same manner that mail order alcohol sales in Canada via provincial or private distribution mechanisms today require age/ID verification to ensure minors are unable to receive any products ordered via mail order.”

Darren Karasiuk, vice president of strategy for MedReleaf, notes that it will be up to provincial governments to regulate the distribution of recreational cannabis, and many provinces have already promised to address the public health and security aspects of distribution, including preventing youth access.

“We wholeheartedly support and share these goals and look forward to consulting with all levels of government on ensuring we have the appropriate retail environment — including online retail environment — in place to ensure we achieve these collective goals,” said Karasiuk.

When it comes to age-restricting access to marijuana, online vendors may actually have an advantage over clerks in storefronts, according to Tantalus Labs, a cannabis grower in British Columbia. On [its website](#), the company states that identify verification is a “critical pillar of any

successful mail-order business utilizing a digital storefront.”

There are many software products that cross reference information such as names, credit card numbers, billing addresses and Internet Protocol addresses to enable “near perfect validation of identity for users.” By contrast, retail staff, according to Tantalus Labs, rely on judgment calls that take a few seconds, and are fallible because of factors such as fatigue, poor eyesight and lack of training: “In short, the assumption that retail storefronts can verify age more accurately than mail-order is not accurate; this objective is achieved far more effectively with software than by humans alone.”

Instead of attempting to buy from licensed sellers, minors would probably have more success with illegal unlicensed vendors, which are [already a major problem](#). Though several require some form of age validation, such as an uploaded copy of a government-issued ID, others appear much less professional.

The [FAQ page](#) for Mary Jane Mail, for instance, makes no mention of age but does state: “We use various fake return addresses, and our packages blend in with all the other mail.” Age requirements are also absent from Bud Buddy’s [FAQ page](#), which reassures potential customers, who must pay with cash or money orders, that none of its clients have ever had legal problems: “So far, Canadian police have had higher priorities than going after us.”

**Roger Collier, CMAJ**