

Warning Regarding Consumption of Alcohol During Pregnancy

Mandatory Signage Requirement Effective February 1, 2005

Background

- On February 1, 2005, “Sandy’s Law” comes into effect in Ontario requiring under the *Liquor Licence Act* that establishments licensed to serve or sell alcohol post specific warning signs about the risks of alcohol use in pregnancy.
- “Sandy’s Law” is named after Prince Edward-Hastings MPP Ernie Parsons’ 25 year old adopted son, who died as a result of a brain aneurysm that doctors said was caused by malformed blood vessels – a result of his mother’s drinking of alcohol during pregnancy.

Commonly Asked Questions

What types of establishments must post the warning sign?

- The following types of premises must post the warning sign:
 - Restaurants and bars licensed to sell beverage alcohol (wine, beer and spirits);
 - LCBO stores and other retail stores authorized to sell beverage alcohol (i.e., *The Beer Store* and wine, beer and spirits manufacturers’ stores); and,
 - Licensed brew-on-premise facilities.

What does the warning sign look like? Where should it be displayed?

- The warning sign bears the words “**WARNING: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby,**” and must be at least 8 by 10 inches in size. The sign is available in English and French, and can be displayed in colour or black and white. It must be prominently displayed in all locations where beverage alcohol is sold or where customers brew their own wine or beer for take home consumption.

How do establishments licensed to serve or sell alcohol obtain the signage?

- Licensed establishments are required to print their own signs. Signs are available for downloading from The Ministry of Consumer and Business Services <http://www.cbs.gov.on.ca/mcbs/english/pdf/warningsign.pdf> and the Alcohol and Gaming Commission of Ontario <http://www.agco.on.ca/en/b.alcohol/warningsign.html> websites.
- Some larger groups are printing signs to send to their stores/restaurants/bars (e.g., LCBO is sending out signs, information and brochures to all of their stores).

What happens if an establishment licensed to serve or sell alcohol does not display the signage?

- Failure to comply with the signage requirements is an offence under the *Liquor Licence Act*. If you notice that signage is not displayed in a licensed establishment serving or selling alcohol (or is not displayed properly), you can call the Alcohol and Gaming Commission of Ontario at 416-326-8700 or toll free at 1-800-522-2876. Liquor inspectors will look for the warning signs when they are doing inspections.

Is it legal to refuse to serve or sell alcohol to a pregnant woman?

- As you can imagine, this is a contentious issue. However, the Ontario Human Rights Commission (<http://www.ohrc.on.ca>) clearly indicates that it is discriminatory to refuse to serve alcohol to a pregnant woman, based on her gender. In addition, refusing to serve alcohol to a pregnant woman does not limit her access to alcohol, nor does it address the underlying reasons for her alcohol use (i.e., stress, poverty, abuse, mental health concerns, addiction, etc.) There are positive ways to make a difference, such as putting up posters or providing free non-alcoholic beverages to pregnant women.

How can establishments licensed to serve or sell alcohol find out more about “Sandy’s Law?”

- You can familiarize yourself with this new Regulation under the *Liquor Licence Act*, by visiting: http://www.e-laws.gov.on.ca/DBLaws/Source/Regs/English/2004/R04434_e.htm
- If you have questions about your obligation under the *Liquor Licence Act*, please contact the Alcohol and Gaming Commission of Ontario, at 416-326-8700 or toll free at 1-800-522-2876. For general information on this legislation, visit their website <http://www.agco.on.ca>

Where can I get information about the risks of alcohol use in pregnancy?

- Contact the Niagara Region Public Health Department, Reproductive Health Program: (905) 641-2118 or 1-866-497-9361 ext. 5237 or visit <http://www.regional.niagara.on.ca/parenting>
- Call 1-877-FAS-INFO or visit <http://www.alcoholfreepregnancy.ca>