

Scottish Government submission of 4 July 2023

PE2033/A: Introduce a full ban on disposable vapes

1. The purchase of vaping products is age restricted. It is illegal to sell them to, or purchase them for, anyone under the age of 18. Scottish Government's position is clear that Nicotine Vapour Products (NVPs) are one of a range of possible cessation tools available to existing smokers to help stop tobacco use. They are not a lifestyle accessory for children or adult non-smokers.
2. We remain deeply concerned about the findings around young people using e-cigarettes or vaping products, even just once. We do not yet fully understand the long-term effects vaping has on our health, though evidence shows that they are not harm-free. The World Health Organization believes vaping devices are "undoubtedly harmful" to health and should be "strictly regulated". (WHO, Feb 2020).
3. Our 2022 consultation on Tightening Rules on Advertising and Promoting Vaping Products proposed restrictions that strike a balance between protecting non-smokers from the potential harms of vaping, whilst providing existing adult smokers with the information they need to make an informed choice on cessation.
4. We are considering, as a priority, a range of next steps – including regulations – and this will form part of our refreshed Tobacco Action Plan which is due to be published later this year. Any action that we seek to take will build on the regulations that are already in place to restrict the marketing, promotion and sale of vaping products to under 18s.
5. On environmental impacts, the Minister for Green Skills, Circular Economy and Biodiversity asked Zero Waste Scotland to examine the environmental impact of single-use vapes and consider options to tackle the issue in response to emerging concerns including litter, waste and risk of fires.

6. The report was published on the Zero Waste Scotland website on 30th June 2023 and shortlists nine potential measures to address environmental impacts of single use e-cigarettes. These include a ban on sales, regulations to set certain design criteria, and charges to encourage behaviour change or producer fees to offset the environmental costs, such as a levy based on recycling rates. The report assesses the potential of each option for reducing environmental impact and the benefits of multiple measures in combination.
7. The Scottish Government will consider carefully key findings of the Zero Waste Scotland report on the environmental impacts of single-use vapes. We will take action and engage with those affected, including young people, over the coming months, with a view to setting out a plan of action in the Autumn.
8. Scottish Government has also invited Ministers from the other UK governments to meet to discuss the findings of the report and what we can do in response.